

## Books of The Times

# Ramsey Clark's Complaints

By CHRISTOPHER LEHMANN-HAUPT

**CRIME IN AMERICA.** *Observations on Its Nature, Causes, Prevention and Control.* By Ramsey Clark. With an introduction by Tom Wicker. 346 pages. Simon & Schuster. \$6.95.

The discovery of Ramsey Clark was like that of penicillin. His appointment as Attorney General in March, 1967, was greeted like the spread of fungus. Few could see beyond his Texas political background and the friendship of his father, Associate Justice Tom Clark of the Supreme Court, with President Lyndon Johnson. The odor of political cronyism hung in the air. Yet by the time Ramsey Clark had been in office less than two years, during which he quietly set about to reform the Justice Department, and became the scapegoat of the Republican Presidential nominee Richard Nixon's law and order campaign (an irony supreme, many would say) there were scores of people prepared to say that Clark was the best Attorney General this country had ever had, ready indeed to sanctify him, even to elect him President.



Ramsey Clark

Be all that as it may, we now have Mr. Clark's thoughts on the matter of crime and justice in America. So humane are they, such a profound respect for people do they betray, such a relief is it to hear them uttered in this day of the gun and the key, that one is quite prepared to forgive, forget and overlook the wooden, hortatory terms in which they are expressed. To read "Crime in America" is to enjoy oneself at a lawyers' convention.

## Repression and Revolution

Basically, Mr. Clark believes that crime in America has its roots in our national character. Therefore, to repress crime by strictly authoritarian means is simply to deny our nature. Everyone knows what happens when human nature is denied. In Clark's words, "Repression is the one clear course toward irreconcilable division and revolution in America."

Everything else he has to say follows from this belief like sunshine after a summer storm. To deal with crime, we must look at it closely, understand its forms and its incidence. We must see that White-collar crime, corruption in public office and police crime are just as damaging as crime in the streets. We must stop being taken in by superficial statistics and examine the real ones. "Frequently an apparent increase in crime really reflects an improved effectiveness in law enforcement, or in the reporting of crime itself." "Blacks are nearly always the victims of black violence and suffer some white violence as well." "The wealth and income of organized

crime are exaggerated beyond reason," yet "today La Cosa Nostra is the FBI's new thing."

Old myths must die and new realities faced. "Opium addiction today is a minor problem compared with 1900." "Young America does its own thinking. It will not accept old wives' tales." "In the continued absence of . . . evidence [that it is dangerous], marijuana should be legalized." And "the purpose" of the Second Amendment, "as its language clearly shows, was to insure to the states the right to maintain an armed militia," not "the individual ownership of guns."

It is the weaknesses of our system that must be purged, not the criminals. The courts must be equipped to handle their case loads, because "long delays in trials dissipate any deterrent effect that might possibly result from convictions. . . ." The police must be more carefully trained for specialized assignments, must be better paid, and must be disarmed. The object of imprisonment should be rehabilitation, not punishment. "If America cares for its character, it must revolutionize its approach to corrections." And "dissent is the principal catalyst in the alchemy of truth. It is essential to change in human affairs."

## 'Foundations of Personal Integrity'

On the local use of Federal troops: "Police powers were reserved to the states and the people." On wiretapping: "More than a mere dirty business—it tinkers with the foundations of personal integrity." On the bail system: it "is worse than senseless—it discriminates for no reason against the poor." On preventive detention: "another cheap and immoral excuse for failing to meet the needs of modern society." On the Fifth Amendment: "We must go beyond the letter of *Miranda* to implement its spirit." On capital punishment: "there is no justification for the death penalty. It demeans life. Its inhumanity raises basic questions about our institutions and our purpose as a people."

All of which leaves out what Clark has to say about the present Administration. But to quote that out of context would make his book seem partisan, which it isn't. At least it tries not to be. Sort of. But then certain Southern Democrats and Mayors of Chicago come in for theirs too.

There will be those who will find superficial Clark's belief that "change"—"population increase and the application of science through technology"—lies behind our present social ills. There will be others with qualms about his faith in the power of American institutions to affect the changes he proposes. It is this somewhat vague faith that accounts for the sometimes numbing quality of his prose, I think. After all, what exactly does it mean to say that "we must also contain our acquisitive instinct" or "if institutions are to serve people meaningfully, . . . they will have to learn to change with conditions"?

But that doesn't matter so much. Ramsey Clark has clearly pointed out directions. "We" can follow them or not, as we choose.