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Commencement Remarks: The Stinking Violets of Violence

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THE STINKING VIOLETS OF VIOLENCE*

by Roger J. Traynor**

It would be presumptuous to suppose that by virtue of mere seniority the words of a speaker for the day can reach deep into the spirit of graduates preoccupied with dreams or nightmares of tomorrow. There may be some justification, however, for speaking to break the spell of shrill voices that bid us be violent for one cause or another, under guise of crusades for war or peace, for all-purpose hate or what pretends to be all-purpose love. The mandate of the crusaders is to destroy everything in their path on their gory way to glory. The brute rationalization is that violence works. Few have registered the cynicism of the patronizing appeals to idiocy or infancy in such rationalization. Whatever the crusade, the appeal is not merely to do or die but idiotically not to reason why. Whatever the march, with grenades or handmade bombs, the appeal is to remain an infant with these monstrous playthings, to advance to violence, baby, where everything is at, and every baby can play Attila.

When the end becomes everything, nothing may seem more irrelevant than a commencement exercise. So I shall dispense with the customary talk that locates you at a threshold or the crossroads. At the threshold commencers are usually told to advance upon a world described much like an oyster; at the crossroads they are usually assured that the only problem is one of which fork to use. In dispensing with such antebellum bromides, I am also on guard against the bellum tirades of the day, whether of rockribbed squares or revolting circular reasoners. We have already reached the poison level of word-pollution in the manufactured phrases of puppet speakers that come straight down from the halls of the word-peddlers, or the four-letter words of street-crowd orators that are up against the walls of the barnyard.

Instead, I shall proceed on the assumption that you are as adult as I am, even though you are younger, and that I am as adult as you are, even though I am older. On this common ground it is appropriate to speak to you out of experience and reflection after having

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** Chief Justice, Supreme Court of California (Retired) 1964-1970, Associate Justice 1940-1964.
listened for a long time to what aging self-appointed spokesmen for your generation have had to say to mine about their shock of recognition that their world is not the oyster of childhood. We are forever to say mea culpa to them for that cruel awakening, and henceforth all the answers are to lie with them.

I do not think the answers should lie with them. I think the answers should speak truly for each of you individually, and that each of you should find your own way to answers through your own experience and reflection, not through the slogans of somebody else. Maybe we can make a beginning, by agreeing that since we are all in this world together, we had better see to it that there are no willfully created generation gaps or any other artificial gaps between people.

Even given some understanding between people of many ages with many points of view, we still will not resolve problems overnight. None of us may realize in a lifetime the common dream of restoring to peace a world that is not only military but agonizingly, atomically so. Each of us, however, has more opportunity for problem-solving in this free country than any group of people anywhere has ever known before. It is tragic to sell that opportunity short by curling up on a street corner to tune out in retreat or to tune in to the nearest propagandist. There are no long-term guarantees for euphoria. As the years advance, each one must live with what he makes of his own life.

The opportunities are all around you to improve any condition you bemoan. I suggest you take note of them, not at some threshold or crossroads, but on a long walk through your own town, wherever it may be. Visit a representative American courthouse or read a representative American judicial opinion, and you will come away impressed with the concern for justice that marks the procedures and rulings of American courts. Inform yourselves on the painstaking appellate review of possible error that is universally available in this country. Take time to go to your own town council and make your own voice heard, after taking time to assemble your thoughts enough to make them merit attention. City Hall is anything you want to make it, for better or worse. Make a simple test in your own mind right now of the sincerity of your interest in public problems by comparing the time you spend on television or spectator sports with the time you spend in active participation in the public meetings of your community. You may not emerge from such a test as quite the helpless, downtrodden citizen your self-appointed spokesmen say you are. You may see yourself anew as not at all downtrodden and even a little lazy in relation to whatever ills of the world you may deplore.
In these troubled times the most dismal failures may be those of educated men and women. The growing gap between town and gown in many a university community is attributable less to the benightedness of townies whose windows have been smashed than to the benightedness of gownies who have followed goons in the smashing operations. One of the most curious illusions among gownies today is that violence works as does nothing else. No one would dispute that in some places it has worked like a charm, like the first tantrum of a first baby. There comes a time even for babies, however, when they are no longer allowed everything free of charge. The opening success stories of violence are far from the whole story.

The first successes are over now, and it would be dangerous to cling to the illusion that violence works indefinitely. The signs are everywhere that even idealistic causes are now being lost, not advanced by violence. We must still reckon with those who have a vested interest in it, however, and who will die hard in defending that interest. They are skilled in assessing the strategy of their camps and the weaknesses of their campfollowers, of alternating hit-and-run tactics with calculated mixed words of love and hate, the stinking violets of violence.

The most cynical among them today, as in other troubled times, are people of learning who encounter all too little resistance in the very centers of learning. There is a very present danger that we shall see a repetition of other times when formally educated men not only joined in violence but instigated it. Hence on such occasions as this one it is timely to renew our commitment as educated people to solve problems rationally.

I use the language of commitment deliberately as a key to what I understand to be the role of any responsible person. He need not be formally educated, but his responsibilities are likely to be greater if he is. As television and radio acquaint him with all the worlds he once knew only on a globe, his worldliness increases at least enough so that he can see his own province in a new light. Bostonians can no longer identify themselves with the hub of the universe once they have learned how many other hubs there are. New Yorkers are no longer identified with Wall Street, when like streets back up to Wall. If Chicago is still the hog-butcher of the world, it is also a city that knows and fosters the arts as only a great city can. Texas has been called Dallas, but who can be sure it is not San Antonio? Mobile westerners roam the earth, carrying guidebooks or blueprints in their hip pockets, while home on the range the bulldozers roam and the
cranes and the planes fly high. Alaska, Hawaii, come into view, connoting old worlds as well as new states. The fixed idea, the narrow squint, prove unbecoming to people who have fifty stars in their eyes.

Given all the remarkable worlds that have opened up to us, we should have done well in keeping alive the sense of wonder that makes childhood memorable and that can insure a rich continuing education to the adult. We might well characterize as an educated adult the one who keeps that sense of wonder but has quit himself so far as is humanly possible of a child's heedless savagery. It would be pleasant to say that such adults are legion or even that an assured number of them are emerging from centers of learning to temper the adult savagery that is a horrifying excess, unredeemed by any innocence, of the wildlife of a child. The painful facts of recent history do not afford such assurance. It is learning that has served to turn man's natural cunning to the most fiendish purposes. There is no time in history when people have had it so good and so bad, largely because of learning.

One cannot charge its debasement to the centers of learning, for in this country students in the main are not only given countless opportunities for first-class education, but are able to call their minds and their souls their own. One cannot charge the debasement to their subsequent working environment, for in the main they have substantial opportunities to bring the influence of their education upon it, and when they do not the failure is theirs.

There can be no denial of personal responsibility in a country that has given meaning to personal dignity. Nevertheless we may not be able to reach with mere words of reason the grotesque failures who continue savage despite their education. When perchance they come into power, one cannot expect that they will relinquish the glory of using it if they are incapable of knowing any other. Nor can we expect to reach many of the merely slothful, whose diplomas see them safely to a job where they live happily or unhappily forever after, dead to all the worlds around them and beyond much hope of quickening.

So long as there is a society affluent enough and a land spacious enough to tolerate the excesses of the savage and the sloth's dismal waste of education, you who stand ready to use your education responsibly confront a responsibility that is more than life-size. You will be recurrently reminded that even as learning becomes for you a lifelong necessity, you in turn are a necessity to learning if it is to
civilize and not debase our society. There will be people like you everywhere in the world, but you will have to match yourselves against savages often more powerful than you, and the sloths will do nothing to help you. You will have to steel yourselves against the ironic possibility that they may even dissemble themselves with trappings of education; they may have irrevocable certificates that they have been inspected and passed by some reputable institution of learning. If they are of savage temper, they are bellicose even in their speech, replete with references to their various bastions and bulwarks. If they are cast in the mold of the sloth, they make their dreary retreat to the sidelines of what they call their detached bystandership.

Amid dubious bastioneers who do not mind bellowing what they think or a flock of motor-faced bystanders who do mind having it known if perchance they do think, you who have a commitment to learning may more than once feel lonely. Your commitment denies you the revelry of flat assertions and prejudices as well as the stupor of the self who has censored himself. You have an obligation to raise dispassionate questions that rise above the language of dogma and hysteria.

Can we be sure that there will be enough of you to dispel the sly appeals on all sides to the nameless fears of gaping, goggle-eyed bystanders? Can we feel easy about the too frequent putsches against learning itself? People from all over the world are asking us these questions. When they have asked them of me, I have countered with others: Why do they expect so much more of our country than of any other? Than of their own? Why are we singled out to be judged by such severely high standards? The common explanation is one that unwittingly does us honor. We are no longer the infant democracy but the ancient one, with nearly two hundred years of practice in freedom to our credit. We have constantly reaffirmed our commitment to freedom with such eloquence that others envisage a Statue of Liberty in every village in the United States. The least village is held to that ideal. It is precisely because we have given such meaning to it and are so richly able to live up to it generously that any aberration looms abnormally large. It corrodes the hopes of others, who have still to gain comparable freedom, if we fall short of ours.

The implications of the demanding faith that others have in us are plain. Any breach of it becomes news of world-wide repercussions. It matters also to our own country that we guard against disparities between what we preach and what we practice. We cannot suffer attacks on the diversity that has been the very insurance of our freedom.
One need have gone no farther than a mountain town in Utah, where I spent my own childhood, to learn how many worlds could be contained within our own. It was a land of Bohunks and Micks and Krauts and Cousin Jacks. In these rude labels of identification that are part of our vivid speech there is nothing evil if they are free of vicious gloss, and I should count it a loss if we were to become so self-consciously mannered as to shut the windows of the parlor and the study to the language of the street. Such labels remain innocuous so long as we value diversity. When we do not, then with brutal swiftness they are used as stones by savages, while bystander sloths look on. A child in this mountain town would learn that lesson with horror as the villagers whose kindness he had known hurled stones through the windows of a Kraut. We are at war, they screamed; and a child could not begin to know what bleakness in their own lives could have caused them to seize upon such a pretext to turn so savagely against a neighbor. The nightmare that had happened persisted. It was a nightmare that sooner or later comes to every child in the world, the terrible knowledge of what adults are under the surface who have quit themselves of learning and reverted to aboriginal fears. It is a nightmare that rides everywhere, that rides even in the shadow of courts of law.

Unfortunately, many a normally reasoning person tends to lose his mind in times of crisis as his chills give way to fever. When he is besieged by public troubles that grow and grow, compounding the rate of interest that fanatics take to exploit them, when troubles close in on him in a storm of placards on the street or a welter of televised news in his modest Lebensraum, he is inclined at last to hear voices that promise him peace or promise him war if only he will stop thinking and take up a grenade or a bomb to fight either the war or the peace to a finish.

As a member of the Class of 1970, which has taught me much this spring, as well as a member of my generation, which has taught me much over the years, I plead with each of you, no matter where you are situated in time, not to lose your mind to loss leaders. Instead, you can make your mind count against them; and if you do you may learn that mind is the best four-letter word there is for freedom, for your own and that of your country.

We can be much more active than we have been to implement the thesis that the mind counts, in a world appallingly more dulled than horrified by statistics that keep book on body counts, but lose track of
the grim reapers. We can act more firmly than we have to mitigate
the irony that although education is on the rise, new word mongers
as well as old use words with increasing skill to put minds to death.
We can insist that when we say the mind counts, counts is an action
verb not a noun for the tolling of the dead. Each of you must be on
the alert to clear the air of whatever word-pollution you encounter.
Each time you do so, you declare anew your faith that the mind
counts.

It is for you to answer the question of what else your commitment
to education will encompass in the many worlds that will be yours.
There is really no hard and fast answer. There may be now and
again a time when you deem it important to raise a placard and also
your voice against a barrage of placards and loud voices, and if so I
hope that you will have the courage of worthy convictions. I note
only that crusades too frequently degenerate into theatrics. I have
some misgivings about those who chronically resort to the drama of
crusade and become addicted to starring roles. More than one good
cause has been demeaned by swashbucklers or pretenders to martyrdom
preoccupied with self-glorification. Too often their behavior indicates
a quite unheroic aversion to the painstaking articulation of forceful
reasoning and to the plain hard work that better serve to counteract
the pervasive evil that is a condition of life.

Perhaps more than a few of you will be lucky enough to fulfill
abundantly your commitment to learning within the confines of your
work. We can ask little more of those with extraordinary gifts than
that they use them to full capacity. We can ask little more of anyone
whose job demands intense concentration or affords little leisure than
that he do his job as well as he possibly can, without treason to what-
ever learning he has. Any of the worlds of work, times just one such
worker, is beneficently multiplied.

On the average the prospects are that you will have more free time
than your predecessors knew; there is even a possibility that you will
have more than you bargained for. No one asks that you improve
every one of your shining free hours. It appears inevitable, however,
that to a far larger extent than your predecessors, you will find your-
selves with some measure of involvement in worlds beyond those of
your home and your job. It can thus reasonably be expected of you
that you exercise at least a responsible vote on public issues, and if
need be a responsible voice. The quality of your citizenship will re-

dlect whatever qualities you develop in your everyday living. Experi-

ence is no great teacher unless you bring critical thinking to bear on
it, and critical thinking is a tragic exercise in futility if you have not the courage to match it when put to the test.

Only a small fraction of people, even in this country, have had the privilege of such an education as yours. There are always some who betray it or who let it go for naught. Against their ignoble defection you can make your education count in the many worlds in which you live. The learning that has enriched your lives can enrich these worlds the more in proportion to how generously you use it beyond the mechanical demands of a job and without thought of personal enrichment. There is nothing paradoxical in such a course for anyone who envisages enrichment in terms, not of acquisition, but of fulfillment.

In sum, there are no bounds to your commitment to use your education constructively. At the very least you have an obligation to stand against the brute tactics of the violent. You have an obligation to speak your minds against the glib or hysterical words that are the perennial stinking violets of violence.