2

GROUP VIOLENCE T. F.

NATIONAL COMMISSION ON THE CAUSES AND PREVENTION OF VIOLENCE

726 JACKSON PL., N.W.

WASHINGTON, D.C. 20506

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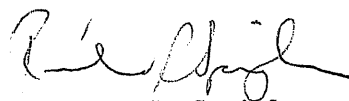ADMINISTRATIVE OFFICER

March 6, 1969

James S. Campbell
General Counsel
National Commission on the Causes
   and Prevention of Violence
726 Jackson Place, N.W.
Washington, D.C.   20506

Dear Mr. Campbell:

In our rush to get you the errata for our task force report,
we neglected to include some of the changes we had found in Chapter VII.
(There was also one error in typing the errata for pages 32-33 of Chapter
IV.) Thus, we are sending herewith a new copy of the errata, with
substantive changes for only Chapter VII and the one error in Chapter
IV. The rest of the sheet remains as in the copy mailed to you on
March 3.

When the entire volume boils down to errata, it's pithy stuff
with which to work, and the corrections certainly deserve their
corrections. Thanks for your tolerance.

Sincerely,

Richard C. Speiglman
Research Assistant to the Director
Task Force DPGV (or VAPC)

PROTEST AND CONFRONTATION:

THE POLITICS OF DISSENT

ERRATA

Table of Contents: add Bibliography under Appendix.

Preface: p. iii, line 21 - read: materials.

Chapter I: p. 11, line 23 - read: prerequisite.

p. 27, line 6 - read: New York City.[20]

line 8 - read: Vietnam.[21]

last line - read: peaceful.[22]

p. 28, line 8 - read: 1964,[24] . . .

line 18 - read: meeting.[25]

p. 29, line 3 - read: bargaining . . . ."[26]

Chapter II: p. 25, line 9 - read: Presumably.

p. 37, line 1 - read: tendencies.

p. 49, line 28 - read: challenge.

Footnotes:

9. line 2 - read: are reprinted.

12. line 3 - read: (Oct. 7, 1963), p. 56, . . .

53. line 15 - read: conveniently summarized by

Chapter III: p. 2, line 12 - read: for some "activist" values.

footnote 50, add: This should not be taken as a blanket
    as a blanket endorsement of the University of Chicago's
    handling of recent conflict.

Chapter IV: p. 13, line 14 - read: and Gadsden, Alabama, in Danville

Virginia, in every town in Mississippi, . . .

line 22 - read: "reacting and not acting"[29] . . . .

p. 18, line 21 - read: to understand that the murder . . . .

p. 21, line 12 - read: he never finishes owing."[51]

p. 22, line 11 - read: [53]

p. 28, line 28 - read: deplores.

line 33 - read: violent.

p. 32, line 10 - read: join the battle.

line 24 - read: Imperialist.

line 32 - read: crippled by our society.

p. 33, line 1 - read: Georgia and East Harlem.

line 4 - read: the desperate, rejected, and angry.

line 7 - read: asked--and rightly so--. . .

p. 35, line 25 - read: to protect.

Footnotes:

1. line 7 - read: An End or a Beginning.

5. read: Greenwich.

10. read: Breitman.

46. read: Daedalus.

47. read: Herskovits.

line 2 - read: 1958.

116. read: p.

194. read: p. A3.

Chapter VII: p. 1, line 14 - read: and that world's real intentions

are, simply, for that world's criminal profit . . . .

p. 10, line 13 - new paragraph, read: But the police . . . .

line 17 - read: Audley.

p. 17, line 10 - read: uneducated.

line 10 - read: You should read some of the essays

they write.

Chapter VII continued:

p. 19, line 1 - read: arrests . . . ."

p. 44, line 14 - new paragraph with: It was really terrifying.

line 23 - read: these bastards.

p. 45, line 10 - read: two policemen.

p. 58, line 18 - read: See, these [issues like precinct

consolidation] . . . .

Footnotes:

13. read: of November 5, 1968, p. 4.

14. read: Chronicle and Examiner, This World, October 13,

1968, pp. 5-6.

15. read: September 5, 1968, p. 1, . . .

16. read: twelve shots.

line 3 - read: September 11, 1968, p. 1, . . .

18. read: October 30, 1968, p. 18, . . .

49. read: November 13.

50. delete: San Francisco Chronicle . . .; read: New York

Times, December 16, 1968, p. 1.

51. read: November 13, 1968, pp. 1, 16.

53. line 4 - read: guns, Reichley, p. 150.

54. read: August 30, 1968, p. 10.

60. read: p. 29.

67. add: Quoted section, p. 5.

70. read: pp. 42-44.

87. read: November 30, 1968, p. 1.

90. read: November 18, 1968, p. 1.

93. read: December 11, 1968, p. 41.

100. read: August 16, 1968, p. 4.

101. read: August 18, 1968, p. E7.

102. read: August 16, 1968, p. 4.

108. line 17 - read: Chicago force has become a symbol of the

'lack of support' . . . .

line 21 - read: December 15, 1968, p. B5).

Chapter VII footnotes continued:

111. read: December 16, 1968, p. 12.
114. delete reference to <u>Washington Post</u>; read: <u>New York Times</u>,
     November 3, 1968, p. 78;
127. read: August 16, 1968, p. 38.
129. read: September 3, 1968, p. 20; August 16, 1968, p. 38.
130. read: August 16, 1968, p. 38.
132. read: <u>Washington Post</u>, December 15, 1968, p. B1.
136. read: <u>Washington Post</u>, December 15, 1968, p. B1.
137. read: <u>Washington Post</u>, December 15, 1968, p. B2.

Chapter VIII: p. 3, line 10 - read: 7,444.
     p. 6, line 10 - read: some judges even refused.......
         line 14 - read: stated.
     p. 7, line 12 - read: problem.
     p. 9, line 11 - read: up the steps (of the jail) with
              my public defender card in front and saw the
              Sheriff's police with a machine gun, . . .
     p. 12, line 11 - read: third party.
     p. 14, line 16 - read: [no real appreication].
     p. 18, line 28 - read: your Honor.
     p. 20, line 9 - read: 800 defendants.
         line 17 - read: fifty percent.
         line 18 - read: thirty-seven percent.
         line 20 - read: 400 people.

Chapter VIII continued.

        p. 22, line 5 - read: <u>Routine Justice and Riot Justice.</u>

        p. 23, line 18 - read: facilities--all contribute.

        p. 25, line 31 - read: For the many who have been inadequately
                advised of their right to attorney, their first . . . .

Pages are misnumbered after page 31. Each page number after that
should be raised one number. The following corrections refer to the
corrected page number.

        p. 33, line 9 - read: <u>Disenchantment with Law</u>

        p. 39, line 14 - read: to agree with such a short run analysis.

        p. 42, last line - read: the judgment, courts are placed in an
                extremely difficult political and thus legal situation.

        p. 43, line 1 - new paragraph, read: The federal courts have faced.

        p. 44, line 13 - read: our

Footnotes:

        4. line 3 - read: p. 24.

        7. read: (Chicago, 1968), p. 19.

        8, line 2 - read: (May 25, 1968), p. 5.
          line 5 - read: (May 31, 1968), p. 6.

      14. read: <u>Quarterly</u>, VI, 3((Spring 1968).

      15. line 2 - read: <u>Michigan Law Review</u>, LXIV, 7 (May 1968),
            p. 1598--hereafter.......

      22. read: p. 342.

      24. read: p. 1553.

      25. read: p. 1600.

      29. read: p. 1553.

      33. line 3 - read: p. 1604.

      38. line 3 - read: p. 846.

      61. read: pp. 48-49.

      66. read: p. 32.

      75. read: p. 1556.

      93. read: (1963).

     108. read: <u>Quarterly</u> (Spring 1968).

Chapter IX: fn. 18 - read: Smelser, *Theory of Collective Behavior*, p. 246.

fn. 19 - read: Smelser, *Theory of Collective Behavior*,
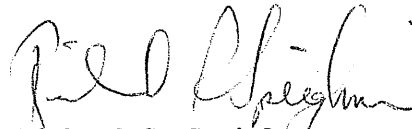
pp. 261 *et passim*.

March 3, 1969

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  Prevention of Violence
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Dear Mr. Campbell:

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RCS:LM

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RCS:LM

ROUTING SLIP File
TF#2

Date _____

From _____

To _____

PLEASE NOTE AND
☐ Return   ☐ Conform
☐ Confer   ☐ Skeleton read
☐ Enter   ☐ Proofread
☐ File   ☐ Mail
☐ Approve or **Revise**   ☐ Special Delivery
☐ Sign if approved   ☐ Air Mail
☐ Hold or Destroy   ☐ Deliver by messenger
☐ Compare   ☐ Wait for answer
     ☐ Pass successively to:

Jim Campbell for your files + future book

TWLF Modifies Demand On Minority Admissions

Friday night the Central Committee of the Third World Liberation Front modified one of the strike's most controversial demands.

Instead of demanding admission, financial aid and academic assistance to any Third World student TWLF now insists on "admission, financial aid and academic assistance to any Third World Student **with potential to learn and contribute as assessed by Third World people.**"

A TWLF spokesman last night admitted the organization had been getting feedback all week over the original demand.

In addition spokesmen are urging students and faculty to aid the strike by holding their classes off-campus at night. During the day they could help the strike.

The change in their demand on admissions was amplified by TWFL spokesmen at a joint meeting of the Faculty Alliance and American Federation of Teachers (AFT) local 1474 meeting Friday.

"Admission . . . . for all Third World people who apply for admission" really implied a review process similar to that now used with the "four percent rule."

The admissions procedures of the Third World College would be similar to those now used by the University special admission committee in connection with the Economic Opportunity Program.

The present committee works by waiving certain admission requirements (SAT scores, and grade-point averages), for up to four percent of applying freshmen.

This special admissions committee is now controlled by minority members; and those students it admits are succeeding, having amassed a g.p.a. higher by .5 points than the student body as a whole.

A TWLF spokeman projected that this success would be repeated when instituted as a policy of the Thirld World College.

Spokesmen of the TWLF explained their demands and urged the faculty members present to aid the strike by holding their classes and continuing the educational process off-campus at night.

"Our aim is to change our education completely," said one spokesman, "but meanwhile, let's continue with what we have."

The fifty professors in attendance expressed sympathy and support for the Third World list of demands, and initiated a move to draft a statement of support.

Oakland 7 to Lead Protest

Black Studies
Department Chairman Sought

Behind the turbulent dissension surrounding the current campus strike, plans continue for the formulation of a Black Studies department in the College of Letters and Science for the Fall quarter, 1969.

David Blackwell, professor of statistics and cl.airman of the implementing committee charged with drawing up plans for the department, said that the immediate task of his committee is to find a chairman for the new department.

However, Walter Knight, Dean

tiation of the depament proposal.

In addition to meeting the approval of the AASU, the chairman must also "be a first-cliss scholar,
(Continued on Page 12)

Fire Department Still S...

Attempt to Burn Down Building T-5 Foiled By Teaching Assistant

An apparent attempt to burn down Building T-5 yesterday afternoon was foiled by an alert teaching assistant.

John N. Johnson, a graduate student in mathematics, saw an aerosol can filled with burning rags in the north stairway of T-5 at 2 p.m., which houses the Counseling Center as well as the offices of many mathematics TA's.

Johnson stamped out the fire before the aerosol can could ignite. There was no damage to the stairway.

Later investigation revealed that the main door to the Counseling Center, which is closed on weekends, was left ajar. Johnson said that it was likely that the arsonist escaped through the door.

Another TA in the building, John Gardner, reported seeing an unidentified girl with brown hair leaving the building at 2 p.m. According to the TA's all other persons in the building at the time have been accounted for.

University police declined to comment on the incident, saying that a complete report would be available today.

The arson attempt is the second at a temporary building in a week. On Jan. 19, a firebomb was thrown into Building T-6, causing only minor floor damage.

TWLF Holds Convocation

The Third World Liberation Front will sponsor a convocation from 9 a.m. to 1 p.m. today in Pauley Ballroom to discuss the TWLF strike which enters its fourth day today.

In a column spelling out its proposals for a Thirld World College in tomorrow's Daily Californian, the TWLF asks Chancellor Roger W. Heyns to suspend classes tomorrow for a University meeting so that the TWLF demands can be "discussed by TWLF students and faculty with those administrators and faculty members capable of implementing them."

The TWLF also challenges Heyns "to a public televised debate between himself and TWLF and Third World faculty members on the merits of the TWLF's proposals."

The schedule of speakers at the convocation is as follows: **9** a.m., J. Oswaldo Asturias; **9:30,** Alan Fong; 10, Paul Takagi; 10:30, Manual Delgado; 11, a member of the AASU; 11:30, Andrew Billingsley; noon, Richard Lichtman.

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David Blackwell, professor of statistics and chairman of the implementing committee charged with drawing up plans for the department, said that the immediate task of his committee is to find a chairman for the new department.

However, Walter Knight, Dean of Letters and Science, has yet to appoint the other members of the committee. Associate Dean Cyril Birch said this procedure was not "irregular," and the other appointments "are being worked on."

A central issue of the current controversy is the degree of student influence, or "power," in the running of the department. In this regard, Blackwell stressed the importance of the department chairman's role, and contended that "it would be a big mistake to bring in a man who did not have the enthusiastic approval of the students."

The students in question, he made clear, are the leaders of the Afro-American Students Union, who were responsible for the initiation of the department proposal.

In addition to meeting the approval of the AASU, the chairman must also "be a first-class scholar." (Continued on Page 12)

Oakland 7 to Lead Protest Backing Imprisoned GIs

The Oakland Seven will lead a demonstration Friday in support of 27 soldiers on trial for mutiny for having staged a sit-down in opposition to conditions in the Presidio Stockade.

In a statement issued last Friday the Seven said that they would "demand that the trial of the Presidio 27 stop and that all charges be dropped against the soldiers."

The Oakland Seven, who are now on trial for conspiracy for allegedly organizing the Stop the Draft Demonstrations in October, 1967, said that they would "demand that all prisoners in the stockade be released and that an immediate investigation of the inhumane and brutal conditions in the stockade begin immediately."

Mike Smith, one of the Seven, said Friday, "We have become increasingly aware of the fact that our trial may become an isolated incident which may cut us off from the anti-war movement."

"We want people to know that we want everybody to no longer be subjected to the draft," Smith continued. "In the past anti-war demonstrations have had primarily a student focus. However, this issue obviously concerns the larger community as is reflected by the GI March Against the War."

Fire Department Still Seeking Cause of Wheeler Hall Blaze

The Berkeley Fire Department does not yet definitely know what started the fire in Wheeler Auditorium last Wednesday.

According to Deputy Fire Chief Joseph Hanson, the department has not yet discovered any plausible cause for the blaze which resulted in $500,000 damage to the building.

He said that the fire department expects to receive the results of laboratory tests on the fire today. Hopefully, Hanson said, the results will provide a clue to the cause of the blaze.

Hanson denied a San Francisco Chronicle report that new evidence has tended to decrease the likelihood that the fire was deliberately set.

The deputy chief said, "The evidence we have has neither increased nor decreased the possibility of arson. All we have said is that we have not yet discovered the reason the fire started.

Hanson confirmed a report that the fire began some six to eight rows back on the west side of the auditorium and then smouldered for an hour. "There appears to have been substantial delay between the time the fire started and the time it was reported to the Department," he said.

The blaze was reported at 9:18 p.m.

National Violence Cited as Political Phenomenon

STILL SECRET GOVERNMENT REPORT SAYS VIOLENCE WILL END ONLY WITH POLITICAL CHANGE

LIBERATION News Service

WASHINGTON, D.C. (LNS) — The Kerner Report was nearly supressed and then ignored by the President.

The Walker Report on the "police riot" in Chicago was denounced in print by the city.

The latest installment of the GREAT SERIAL REPORT is "The Politics of Protest," due for official release in April or May. Like the Walker Report, "The Politics of Protest" has been prepared for the National Commission on the Causes and Prevention of Violence.

But this new report is liable to put an end to America's mania for Commissions and Reports.

Charged by President Johnson after the back-to-back assassinations of Bobby Kennedy and Martin Luther King to investigate "the causes, the occurrence, and the control of physical violence across the nation, from assassinations . . . to violence in our cities' streets and even in our homes," the National Commission consists of such figures as Congressmen Hale Boggs of Louisiana and William McCulloch of Ohio, longshoreman philosopher Eric Hoffer, Albert Jenner (a Chicago Lawyer who served as a member of the U.S. Loyalty Review Board and the Warren Commission) and is chaired by Milton Eisenhower.

Thus, in all probability, the Commission had no idea of what it was letting itself in for when it commissioned University of California Professor Jerome Skolnik to head a task force on "Violent Aspects of Protest and Confrontation" (one of seven Commission task forces).

Skolnik's task force, after collecting evidence from figures like Herman Blake, Harold Cruse, Richard Flacks and Tom Hayden, as well as conducting extensive interviews with police, student radicals and ghetto residents, has presented the National Commission with a report which goes beyond documentation and specific criticism to a fundamental indictment of the American political system in its present operations.

In anticipation of the Commission's reaction, the Task Force staff has kept the Report under tight security during its preparation and while the Commission examines it.

However, the "guerrilla journalists" of Liberation News Service have received a copy of the report's first draft—the same document which has been sent to the National Commission for comment and revision.

"The Politics of Protest" differs from the previous reports of innumerable commissions and committees on violence because its authors insist on considering group violence not as abnormal psychology or social malfunction, but as a political phenomenon, and a legitimate one.

"Violence," maintains the Task Force, "is an ambiguous term whose meaning is established through political processes. The kinds of acts which become classified as 'violent' and, equally important, those which do not become so classified, vary according to who provides the definition and who has superior resources for disseminating and enforcing his definitions . . . Violence . . . is legitimized or illegitimized through political processes and decisions."

The Task Force thus recognizes the existence not only of political violence in protest against the authorities, but of what it terms "official violence" which it deems as important and perhaps even more pervasive than the violence of protest which lies hidden beneath a "myth of peaceful progress."

"Like most ideologies the myth of peaceful progress is intended at bottom to legitimate existing political arrangements and to authorize the suppression of protest. It also serves to conceal the role of official violence in the maintenance of these arrangements."

Starting from this bilateral definition of violence, the Task Force Report attempts to analyze the political roots of both official and anti-official violence. The first chapter, entitled "Protest and Politics" is an extensive investigation of the history of political violence in America. Violent protests are surveyed from Shay's rebellion to the "native American," anti-immigrant movements to the CIO. The conclusion of the authors is that violence, while not a necessary component of political change in this country, has been a frequent concomitant: "Historical study . . . reveals that under certain circumstances America has regularly experienced episodes of mass violence directly related to the achievement of social, political, and economic goals."

From this conclusion the report moves on to an examination of contemporary political violence, starting with a chapter on "Anti-War Protest." The primary cause of anti-war protest, maintains the Task Force, is "the course of the war itself."

The anti-war protestors have been reacting to events rather than inciting them. "The movement has been and remains in a posture of responding to events outside its control; the chief milestones in its growth have been its days of mass outrage at escalations, bombing resumptions, draft policies, and prosecutions."

Therefore, concludes the report, the most logical way to deal with anti-war protest is to change the course of the war. "It is safe to say that by now the only effective counter-measure against the bitterness that leads to violence would be a termination of the war in Vietnam."

This conclusion, that the way to handle violence is to deal with political substance rather than individual outbreaks is reached again in the third chapter on "Student Protest." Student protest is becoming violent, the Report reasons, because students have been consistently frustrated in their basic political aims. If "student violence (Continued on Page 3)

National Violence Cited as Political Phenomenon

lence" is to end, "students must plan a genuine role in decisionmaking and . . . their interests must receive recognition and at least some power."
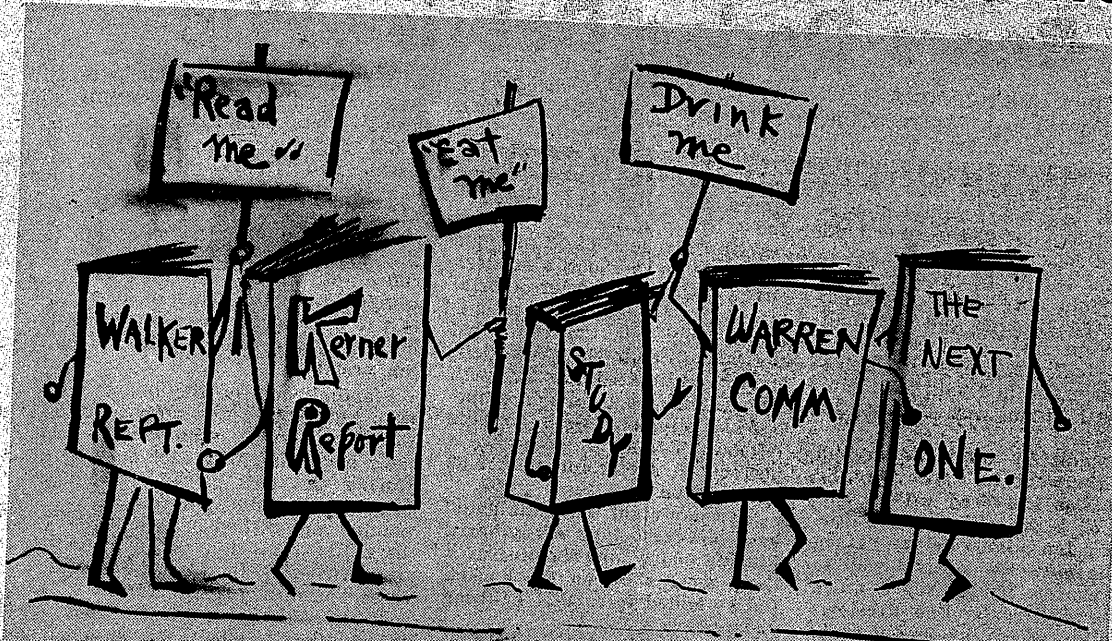
Despite the decline in the scope of black rioting in 1968 as compared with the two years previous, the Task Force pulls no punches in stating the seriousness of black rebellion in America: "There is some evidence to suggest that the decline in the scale of riots coincides with an increase in more strategic acts of violence and a shift from mass riots to sporadic warfare."

The Task Force, like the Kerner Report and those of earlier commissions, emphasizes the exclusion of blacks from the American political system and the real social grievances behind ghetto riots. Its report, however, goes beyond all earlier ones in stressing the political content not only of the goals but of the militant means of the black liberation struggle: "Self-defense and the rejection of nonviolence, cultural autonomy and the rejection of white values, and political autonomy and community control . . . are attempts to gain for blacks a measure of safety, power and dignity in a society which has denied them all three."

Unless governmental agencies are willing to consider both the means and the ends of black militants as legitimate and justified, America, predicts the Report, is in for a long seige.

From this radical analysis of the forms of dissent, the Report plunges into a biting survey of "White Racism" and "Official Response."

"The most violent single force in American history has been the militant white, defending his home, his family or his country from forces considered alien or threatening." The Report presents a detailed history of white supremacy and vigilante groups right up to the present with armed preparations of the Minutemen, the KKK, the North Ward Citizens Committee of

the police themselves become a serious social problem."

"Police political power in our large cities is both considerable and growing. The police are quite unconsciously building this power. "

"The politicization of the police (is) the growing tendency of the police to see themselves as an independent, militant minority asserting itself in the political arena. (The policeman's) difficulties are compounded by a misguided police ideology expounded at all law enforcement levels—from the Director of the Federal Bureau of Investigation to the patrolman on the beat."

It seems clear that the authors of the Task Force Report, while considering both as legitimate political phenomena, disapprove of police violence just as much as they disapprove of violence on the part of students and blacks. Yet both sides in the last analysis are regarded as more sinned against than sinning. Who are the culprits then? The Communists? The "system"? The "power elite"?

This is the point at which the Task Force quite abruptly stops. The authors make it clear that they do not regard more firepower and a more efficient repressive apparatus as the
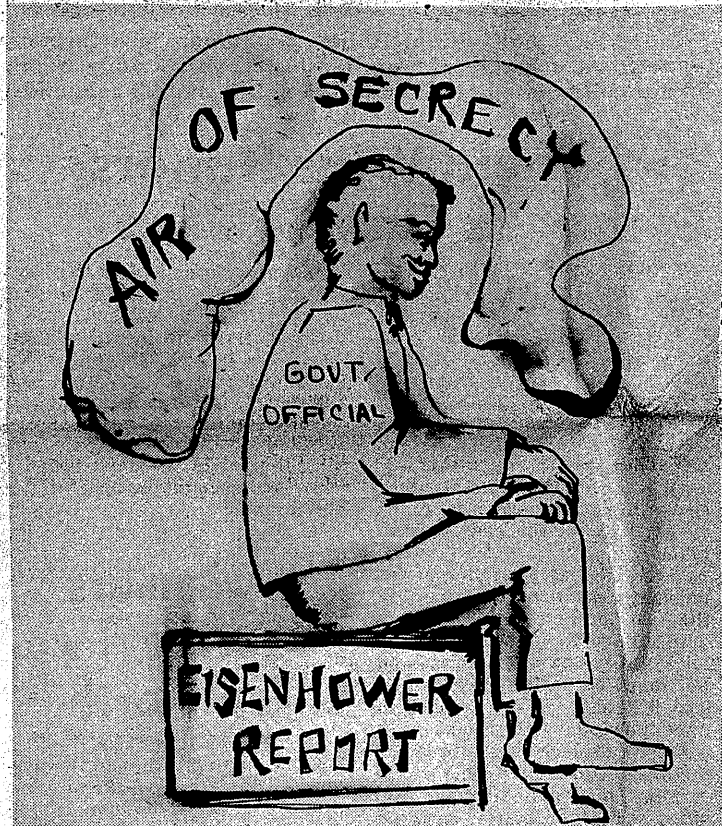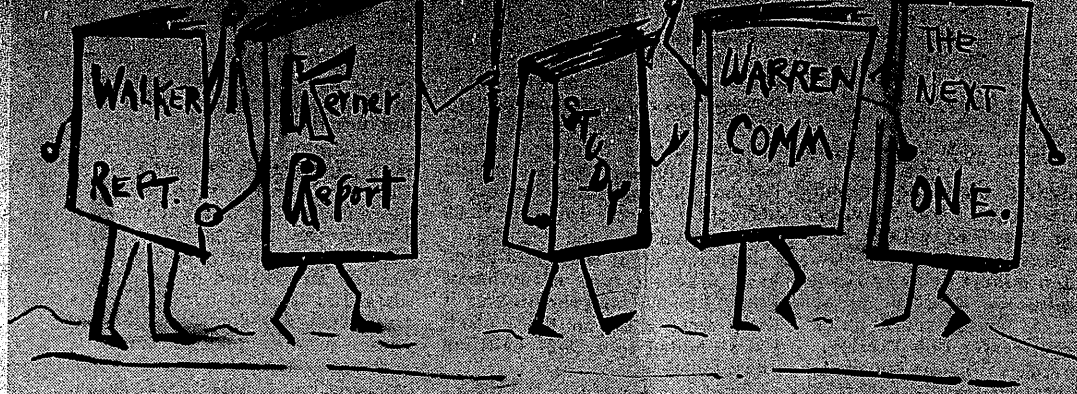
earlier commissions, emphasizes the exclusion of blacks from the American political system and the real social grievances behind ghetto riots. Its report, however, goes beyond all earlier ones in stressing the political content not only of the goals but of the militant means of the black liberation struggle. "Self-defense and the rejection of nonviolence, cultural autonomy and the rejection of white values, and political autonomy and community control... are attempts to gain for blacks a measure of safety, power and dignity in a society which has denied them all three."

Unless governmental agencies are willing to consider both the means and the ends of black militants as legitimate and justified, America, predicts the Report, is in for a long seige.

From this radical analysis of the forms of dissent, the Report plunges into a biting survey of "White Racism" and "Official Response."

"The most violent single force in American history has been the militant white, defending his home, his family or his country from forces considered alien or threatening." The Report presents a detailed history of white supremacy and vigilante groups right up to the present with armed preparations of the Minutemen, the KKK, the North Ward Citizens Committee of

Anthony Imperiale and other white para-military organizations.

In view of these organizations, the Task Force claims, "It is difficult to exaggerate the extent to which white violence, aided and abetted—especially in the South—by community support and encouragement from political leaders, is embedded in our history."

In contrast with almost all liberal thinking on the subject, however, the Task Force does not consider right-wing extremism as "kooky" or pathological any more than black militancy. White militancy, like black, is a political movement whose roots "lie in the political and economic sources of white marginality and insecurity." Unless the political problems and demands of militant whites are recognized and dealt with, the Task Force concludes, the country is "not improbably headed for a race war between black and white militants.

This same sensitivity is at work in the Report's treatment of the police. Not that the report is an attempt to apologize for police conduct such as that documented in Chicago by the Walker Report. The police are criticized at great length in the "Politics of Protest" and usually very harshly.

Following are just a few examples: "The police and social control agencies increasingly view themselves as the political and military adversaries of blacks. This official militancy has taken the form of direct attacks on black militant organizations." "Racial prejudice pervades police attitudes and actions." "Police violence is the antithesis of both law and order. It leads only to increased hostility, polarization, and violence—both in the immediate situation and in the future." "No government institution appears so deficient in its understanding of the constructive role of dissent in a constitutional democracy as the police."

Still, the Task Force views the police as trapped in the American social system by forces beyond their control. "The police are set against the hatred and violence of the ghetto and are delegated to suppress it and keep it from seeping into white areas... Similarly, the police can do little to ameliorate the reasons for student and political protest. In short, we have forced the police into the uninhabitable role of acting as substitutes for necessary political and social reform... Yet, in the process,

the police themselves become a serious social problem."

"Police political power in our large cities is both considerable and growing. The police are quite unconsciously building this power..."

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This is the point at which the Task Force quite abruptly stops. The authors make it clear that they do not regard more firepower and a more efficient repressive apparatus as the answer to violence. "The introduction of more and better armed police will, we believe, only aggravate the situation. The ideology and behavior of police across America make it impossible to think otherwise."

And the solutions of the radical Left are extensively criticized in the same terms as the solutions of the Right. The solution, implies the Task Force, lies in the direction of "massive social reform." Only if the roots of disorder are attacked can the spiral be reversed and the problem of social control rendered manageable within a democratic framework."

Although the Commission has not yet commented on the Task Force Report, Milton Eisenhower, Eric Hoffer and Hale Boggs seem quite unlikely to accept the methods of analysis, much less the conclusions, such as they are, of the authors. The Report is certain to be made public later this year because the contract signed by the authors gives them, not the Commission, publication rights. However, it remains to be seen what sorts of revisions the Commission will demand for the Report to gain its seal of approval.

In the mean time, "Little by little," in the words of the authors, "we move toward an armed society which, while not clearly totalitarian, could no longer be said to rest upon the consent of the governed."
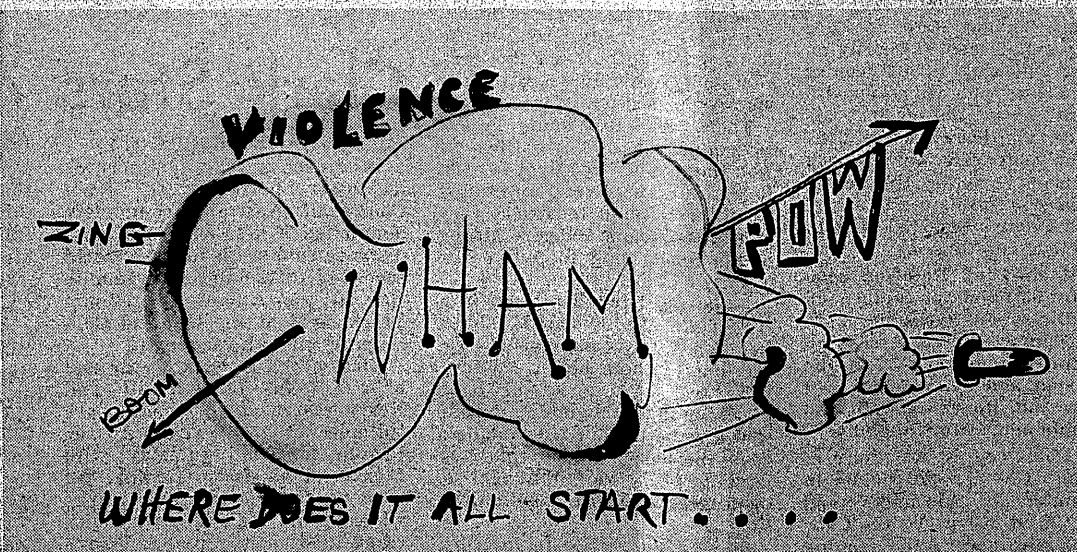
Turmoil Called Permanent

By M. S. HANDLER

In a policy paper prepared for the President's National Commission on the Causes and Prevention of Violence, Prof. Amitai Etzioni of Columbia University has asserted that the growing number of demonstrations throughout the country has become a permanent feature of the political process and should be regarded as such.

Public acceptance of this fact could substantially reduce the likelihood of violence, according to Dr. Etzioni, who drew an analogy with the history of strikes and the decline of strike violence.

"It should be noted in this context that as more of the public learned to accept strikes, the occasions on which they erupted into violent confrontations became much less frequent," he said.

Dr. Etzioni, a professor of sociology, who is also a staff member of the Bureau of Applied Social Research and the Institute of War and Peace Studies of Columbia University,

PROTESTS FOUND LIKELY TO ENDURE

submitted his policy paper Nov. 18 to the Task Force on Demonstrations, Protests, and Group Violence of the commission. The policy paper became available several days ago.

Dr. James Short, co-director of research for the commission, said Dr. Etzioni's policy paper was considered a good study by the members of the panel, which is preparing its report for the commission. Dr. Short said he did not know how much of Dr. Etzioni's study would be incorporated in the report, which he said should be ready for submission to the commission next month.

In his introductory remarks to the policy paper, Dr. Etzioni observed that "demonstrations are becoming part of the daily routine of our democracy and its most distinctive mark." He said this was because they were "a particularly effective mode of political expression in an age of television for underprivileged groups, and for prodding stalemated bureaucracies into taking necessary actions."

Demonstrations, Dr. Etzioni continued, have become an alternative form of political action during long periods between elections in dealing with many private power groups not directly responsible to the electorate.

"In this sense," he said, "demonstrations are becoming for the citizen an avenue like strikes have become for the workers."

Suppression Called Impossible

He warned that suppression of all demonstrations "because they are a volatile means of expression would be both impossible under our present form of government and inconsistent with the basic tenets of the democratic system, in that it would deprive the citizens—especially—of a potential political tool."

He observed that, contrary to a widely held view that demonstrations were a political tool only of a "few dissident factions such as students and Negroes," the number and variety of social groups resorting to this mechanism at least on occasion seems to be increasing." He reported that such middle class and professional groups as teachers, doctors, nurses, clergymen and staffs of law enforcement agencies had used demonstrations as a political weapon.

Dr. Etzioni found a correlation between the rise of what he called "demonstration democracy" and the inability of the ballot box, which he described as the textbook model of democracy, to function properly. The American system of representation, he said, still favors rural conservative communities and underrepresents urban centers, minorities and the poor.

ROUTING SLIP

Date ___2/10/69___

From ___JSC___

To ___Ursin___

PLEASE NOTE AND

☐ Return   ☐ Conform
☐ Confer   ☐ Skeleton read
☐ Enter   ☐ Proofread
☐ File   ☐ Mail
☐ Approve or **Revise**   ☐ Special Delivery
☐ Sign if approved   ☐ Air Mail
☐ Hold or Destroy   ☐ Deliver by messenger
☐ Compare   ☐ Wait for answer
       ☐ Pass successively to:

OK
phoned Ursin
on 2/10/69

Jim—

What do you think of this revision of Fortas reference on p 62 of Police Chapter?

Moreover, at various times in our history, there has been public uneasiness about justices of the Supreme Court advising Presidents of ~~(Perhaps)~~ the United States. Perhaps even more to the point, however, is the fact that whereas justices of the Supreme Court have from time to time informally advised presidents, it is unthinkable that they would take to the stump or engage in overt political activity on their behalf.

Ed Uhar

Campbell

January 13, 1969

Professor Jerome Skolnick
Center for the Study of Law
  and Society
2224 Piedmont
University of California
Berkeley, California 94720

Dear Jerry:

Enclosed are Lloyd's and my comments on the rest
of your book.

Both Lloyd and I feel that the Police chapter is
excellent, though this has not prevented either of us
from offering suggestions which we think would make
it better still. I feel that Chapter VI "White
Militancy" is rather weak, probably the weakest in the
book. The Anti-War chapter needs work, as we previously
suggested -- but I am sure you have the material avail-
able to do it, whereas I am not sure you have the material
at hand to strengthen the "White Militancy" chapter. I
hope I am wrong, but if not, I suggest combining Chapter VI
with Chapter V (see V - 1).

Your Chapter IX seems to me to be an extremely
valuable and provocative think piece which you no doubt
will wish to develop in light of the comments that it
will generate.

Again, congratulations on the good job.

Sincerely,

Enc.   James S. Campbell
cc: Lloyd N. Cutler   General Counsel
JSC/cah

CHAPTER V

RACIAL ATTITUDES

Introduction

One of the most significant conclusions of The National Advisory Commission on Civil Disorders (The Kerner Commission) was that "White racism is essentially responsible for the explosive mixture which has been accumulating in our cities since the end of World War II."[1] In grim affirmation of that diagnosis, within a few short months of the publication of the Kerner Report the two public figures who most clearly embodied the hope of interracial understanding in American were shot down by two men apparently driven to their violent acts by ethnic and racial hatred. It becomes increasingly clear that an understanding of violence in American life must include an analysis of the sources and extent of white racism. But just as two hundred million Americans did not kill Martin Luther King and Robert Kennedy, so most Americans reply "Not Guilty" to the charge of racism. In an opinion survey con-

ducted in April of 1968, white Americans disagreed by a fifty-three

to thirty-five percent margin with the contention that the 1967

riots were brought on by white racism.[2] Perhaps part of the dis-

agreement between public opinion and the Kerner Commission stems

from different definitions of "white racism." It seems quite like-

ly that the average person reserves the emotionally loaded term

"racism" for only the most virulent and outspoken defense of white

supremacy and assertion of innate Negro inferiority. Looking

around him, he may find that only a minority of his associates ex-

press such views, and thus he rejects the central conclusion of

the riot commission. Perhaps he would be somewhat more likely

to assent to the view that <u>historically</u> white racism is respon-

sible for the position of the black man in American society. The

bitter legacy of slavery and the century of intolerance and ex-

clusion that followed slavery seem too painfully obvious to be de-

nied by any but the most ~~defensive~~ aggressive apologist for white America.

However, the Kerner Commission Report not only asserts that "race

prejudice has shaped our history decisively" but claims further

that "it now threatens to affect our future." The Commission val-

idated its charge of racism by documenting the existing pattern of

racial discrimination, segregation, and inequality in occupa-

tion, education, and housing. But a distinction must be made be-

tween <u>institutional</u> racism and <u>individual</u> prejudice. Because of

the influence of historical circumstances, it is theoretically

possible to have a racist society in which most of the individual mem-

bers of that society do not express racist attitudes. In the next

section we will examine the available data on white attitudes
toward black Americans. There we will see that although there have
been some favorable changes in the past twenty years, a considerable
amount of racial hostility and opposition to integration remains.
To try to understand the sources of this opposition, we will
examine the social characteristics of those whites most opposed
to racial change, and we will consider several psychological
functions which prejudice may serve for the individual personality.
In the section on the widening racial gap we will examine the
disparity between white and black perception of racial issues,
including the causes and consequences of riots. This disparity is
typified by the responses of black Americans to the same April, 1968,
opinion survey in which white Americans rejected the view that
white racism was responsible for the riots: by a fifty-eight to
seventeen percent majority, blacks agreed with the contention that
the 1967 riots were brought on by white racism. Also in that
section we will examine an opinion gap that may be even more
important and ominous than black-white differences. That is the
discrepancy between public willingness and congressional
unwillingness to enact programs guaranteeing significant improve-
ment in jobs, housing, and education in the black ghetto.

White Attitudes toward Black Americans

Any attempt to assess the extent and patterning of white
antipathy toward black Americans is subject to numerous pitfalls.
Racial prejudice is a state of mind, a set of beliefs and

is presently offered in our society is not completely incompatible
with bigotry and intolerance.

A variable that bears a more complex relationship to pre-
judice than any mentioned so far is that of religion. Several
studies show that Jewish respondents are considerably less intol-
erant of Negroes than are Protestant and Catholic respondents,
though this may be due in part to differences in level of educa-
ton and urbanization. The data on church-attendance are especially
interesting and perhaps somewhat surprising. Numerous studies
have shown that church-attenders are, on the average, more
prejudiced than non-attenders. This finding is particularly
disturbing in view of the fact that the teachings of all the world's
major religions have stressed brotherly love and humanitarian
values. That Americans who attend church are more intolerant than
those who do not seems to suggest that Christian religious denom-
inations have failed to communicate the values of brotherly love
and humanitarianism. In their attempted resolution of this paradox,
the social psychologists Gordon Allport and Michael Ross[19] have
suggested that, since intolerance and discrimination conflict with
religious principles, a person who has internalized the teachings
of his religion, for whom religion is intrinsically valuable,
should be particularly unlikely to direct hostile sentiments and
actions toward others. On the other hand, prejudiced attitudes
would not necessarily be dissonant for the casually religious per-
son for whom religion, instead of being valued for its own sake,
serves instrumental needs such as getting along in the community

status and with rural-urban and regional residence account in
large measure for the patterning and extent of racial prejudice.
However, societal forces do not exert their effects directly
upon intolerance and discrimination. They are mediated through
the personality of individuals. Thus, in order to arrive at an
understanding of the sources of prejudice, we must consider not
only sociological variables but also the means through which so-
cietal forces exert their effect: the beliefs and feelings of
individuals. White racism may serve three general needs or fun-
ctions for those who subscribe to it.[21] One psychological fun-
ction of prejudice which has received a great deal of attention in
many studies is the externalization of inner conflict. Person-
ally frustrating experiences that often have little or nothing to do
with minority groups may nevertheless generate hostility which
finds an outlet in aggressive dislike for visible and vulnerable
groups. Thus, a person who is insecure about his own personal or
social status may attempt to maintain his own sense of worth by
disparaging others. Influenced by the writings of Sigmund
Freud, a number of authors have argued convincingly that, for many
individuals, their own unacceptable and unconscious impulses and
desires may be an important cause of prejudice. Sexual and ag-
gressive feelings, which the individual would rather not acknow-
ledge to himself, may be projected outward and attributed to minor-
ity groups. Thus, it is "they" and not "I" or "we" who are ag-
gressive and lustful. This refusal to acknowledge negative charac-

democratic answers to the general questions. For example, upon
seeing the conflict between his endorsement of equal employment
opportunity and his rejection of the idea of a Negro as his super-
visor, a respondent might say, "Well, I guess it might be all
right for a Negro to be supervisor if he were unusually qualified."
Perhaps this finding lends support to Myrdal's prediction that in
the long run the general tenets of the American creed will win out
over the contradictory valuations defining American race relations.
However, it is clear that historical and situational factors will
also play a decisive role.

The Source of Prejudice: Racial Differences or Belief Differences?

A source of prejudice that is related to the reality testing
and cognitive balance functions of attitudes is illustrated by
Milton Rokeach's recent research on "perceived belief dissimilar-
ity."[28] In a series of studies, Rokeach and his associates have
demonstrated that perceived differences in beliefs and values are
more important than racial differences in producing discrimination
and social distance. When given a choice, whites prefer to as-
sociate with persons of other races who hold similar beliefs,
e.g., a black Christian rather than a white atheist. These re-
sults were obtained not only in experimental studies in which
students completed questionnaires but also in very realistic work
situations in which newly hired janitors and hospital attendants
chose work partners on the basis of similarity in beliefs rather
than on the basis of race. This general principle must be qual-

those who are "not our kind" varies from one individual to another
and from one population sub-group to another. One important
consequence of the experiences and widening psychological horizons
that accompany urbanization and industrialization appears to be an
increased tolerance for other people and for other ways of doing
things. Nevertheless, enclaves of provincialism remain in even the
largest cities, particularly in homogeneous ethnic neighborhoods,
where social interactions may be almost entirely limited to members
of one's own ethnic group.

To summarize, the psychological functions which prejudiced
attitudes may serve for the individual include: the externalization
of inner conflict; the social adjustment to membership and reference
groups; and a knowledge or reality testing function. That there are
varying bases for prejudice has implications for action programs
designed to reduce intergroup tension. For maximum effectiveness,
a campaign to reduce prejudice should be applied to the motivational
bases of prejudice. An "information" campaign which tries to
destroy old stereotypes and stresses qualities held in common by
the in-group and the out-group will have little effect if anti-
pathy toward the out-group is deeply rooted in local customs and
norms. In such a situation, prejudice serves the function of
helping the individual adjust to his important membership and
reference groups, and information about the disliked minority group
is essentially irrelevant to the needs which his antipathy serves.
Statements by highly respected leaders, together with legislation
prohibiting discrimination, may be more helpful than information

As noted above this summary covers 2 sections

States that are inimical to dogmatic ethnocentrism? Such is the

conclusion arrived at by William Brink and Louis Harris after

their analysis of white racial attitudes: "The thrust of education,

mobility, and rising incomes will produce fewer backlash whites and

far more affluent whites . . . . The impact of education and

rationalism is having a telling effect on white society in America."[30]

The manner in which the social changes accompanying

modernization and industrialization increase tolerance has been

suggested by the sociologist Samuel Stouffer. Stouffer found that

youth, more education, higher status occupation, and urban residence

were negatively associated with intolerance for political non-

conformity--a result that corresponds with the findings of studies

of racial intolerance. Stouffer suggests:

> Great social, economic, and technological forces are
> working on the side of exposing ever larger proportions
> of our population to the idea that "people are different
> from me, with different systems of values, and they can
> be good people."[31]

In the light of Milton Rokeach's studies of perceived differences

in beliefs as a source of prejudice, it appears that, in addition

to this "tolerance through familiarity" effect, a related process

may be occurring in which urbanization, education, and the mass

media bring real and vicarious contact with other groups. Through

this contact people learn that other groups are not so different

from themselves as they had imagined.

In general then, the total effect of urbanization, education,

and widening social contacts should eventually undermine the belief

that "our way is the one true way." Perhaps this is best

''this largely unheeded warning accurately depicts continuing trends in American society. Most obviously there are the demographic changes described by the Kerner Commission: ". . . central cities are becoming more heavily Negro while the surburban fringes around them remain almost entirely white." But perhaps even more ominous than the white suburban "noose" around the black ghetto is the growing psychological gulf separating black Americans from white Americans. Although there has been a very gradual increase in white acceptance of racial integration and equality of opportunity, a sizeable portion of the white population still resists these goals. Some surveys show increasing white opposition to the pace of racial change as well as continuing opposition to most of the means that have been used in attempts to achieve integration and equality of opportunity, including peaceful demonstrations and voter registration drives. In sharp contrast to the mixture of gradualism and resistance that characterizes white racial opinions in the United States, black Americans are increasingly insistent in their demands for an end to discrimination and inequality. This polarization and conflict between white gradualism and the black revolution of rising expectations and demand for immediate change manifests itself in many ways.

Happiness and Satisfaction with Life

The results of several studies indicate that Negroes are generally less content than whites with the existing conditions in their lives. Black Americans experience a large gap between

particularly in the past few years, in the social and economic
conditions of non-white Americans. However, as Thomas Pettigrew
has suggested, what appear at first glance to be "real gains" for
Negro Americans fade into "psychological losses" when they are
compared with the standards of the more affluent white majority.[47]
Pettigrew's "real gains-psychological losses" analysis is as
applicable in 1968 as it was in 1963, despite some progress during
the past five years in closing the disparity between white and non-white
life styles. Thus a 1967 publication of the Bureau of Labor Statistics
entitled Social and Economic Conditions of Negroes in the United States
provides figures demonstrating that black Americans have made gains in
income, education, occupational status, and other areas in recent years.
To many white Americans, such figures apparently suggest that Negroes
should be happy with the progress that is being made. After all, the
statistics show, for example, that for the first time the number of
Negroes moving into well-paying jobs has been substantial: since 1960
there has been a net increase of 250,000 non-white professional and
managerial workers. To a black American, however, the more important
statistics may be those demonstrating that a non-white is still three
times as likely as a white man to be in a low-paying job as a laborer
or service worker. A white defender of the status quo may point out that
twenty-eight percent of non-white families earned more than $7,000 per
year in 1967--double the 1960 proportion. For black people, it may be
more relevant that the median non-white family income in 1967 was still
only fifty-eight percent of the median white family income.

government. In April of 1968, fifty-six percent of the Negro

respondents told Harris interviewers that they agreed with the

statement, "I don't have nearly as good a chance to get ahead as

most people." Only seventeen percent of the white interviewees

expressed such a belief in limited opportunity. In the same poll,

fifty-two percent of the Negroes and thirty-nine _percent_ of the whites

agreed with the statement, "People running this country don't

really care what happens to people like me." Similarly, blacks

are more critical than whites of government at the federal, state,

and local levels.[55]

Congressional Blacklash

Although black and white Americans disagree about the causes of

riots and have different beliefs about their abilities to influence

the government, according to both Gallup and Harris polls, they

are in substantial agreement on the crucially important question

of steps the government should take to prevent future racial out-

breaks. Clear majorities of both whites and Negroes support

federal progarms to tear down the ghettos and to give jobs to all

the unemployed.[56] The Campbell and Schuman 15 cities survey

substantiates this conclusion:

> There is majority support in the white sample for
> government action to provide full employment, better
> education, and improved housing in parts of cities
> where they are now lacking . . . . Support for such
> programs declines somewhat but remains at a majority
> level even when the proviso is added for a ten percent
> rise in personal taxes to pay the costs.[57]

Apparently the level of public support for proposals such as

those recommended by the Kerner Commission has been underestimated
by congressmen and others in political office. Perhaps the press
has oversold the notion of a white backlash and has placed too
little emphasis upon public approval for massive federal spending
to overcome racial inequities. Although a minority of white
Americans oppose such programs, the preponderance of American
public opinion would support a war on poverty that goes far beyond
any of the measures seriously considered by recent congresses.
Thus, on the issue of public spending, the more important gap appears
to be between public willingness and congressional unwillingness to
initiate and support Federal programs in jobs, housing and
education. The American public, black and white, appears
apprehensive and fearful about the future well-being of the
neighborhood, the city, the country in general. Most blacks tend
to give different weight to the nature and causes of the problems
of America than most whites. But each group would apparently
support a strong effort at the Federal level to reduce intergroup
hostility, and neither views the remedy primarily in terms of
establishing "law and order." The popularly reported--but it turns
out, largely mythical--"white backlash" phenomenon has served to
rationalize our timidity in making bold and imaginative inputs
toward the solution of our urban problems.

The minority of whites who radically oppose the aspirations of
the black community is a matter of considerable concern, and their
organization into militant groups poses at least as much a threat
to public order and safety as the activities of groups already

discussed. In analyzing anti-war, student and black protest, we have perhaps misleadingly brought together groups with varying potential for action. In the present section of this report, we have attempted to distinguish between white attitudes and white actions. The next chapter therefore considers the nature and roots of militant white action in contemporary America, and the role of the militant white in American history.

Why say that now when the readers have been through the 3 chapters and been sold on the analysis there? (If you really have misled us, go back & straighten it out, please)

28. Milton J. Rokeach, Beliefs, Attitudes and Values (San Francisco, California: Jossey-Bass Inc., 1968).

29. D. D. Stein; Jane A. Hardyck and M. B. Smith, "Race and Belief: An Open and Shut Case," Journal of Personality and Social Psychology, I, No. 4, 1965, pp. 281-289.

30. William Brink and Louis Harris, Black and White (New York: Simon and Schuster, 1966).

31. Samuel A Stouffer, Communism, Conformity, and Civil Liberties (New York: Wiley and Sons, 1955).

32. Angus Campbell and Howard Schuman, "Racial Attitudes in Fifteen American Cities," in "Supplementary Report for The National Advisory Commission on Civil Disorders (Washington, D.C.: U.S. Govt. Printing Office, June, 1968).

33. Bettelheim and Janowitz, 1964.

34. Richard Hofstadter, "The Pseudo-Conservative Revolt," in The Radical Right, ed. Daniel Bell (New York: Doubleday and Company, Inc., 1963).

35. Erich Fromm, Escape from Freedom (New York: Holt, Rinehard and Winter, 1941).

36. Walter Kaufman, "Status, authoritariansim, and Anti-Semitism," American Journal of Sociology, LXII, No. 4, 1957, pp. 379-382.

37. Adorno et al, 1950.

38. Bettelheim and Janowitz, 1964.

39. Leo J. Srole, "Anomie, Authoritariansim and Prejudice," American Journal of Sociology, 1956, LXII, No. 1, pp. 63-67.

40. Richard F. Curtis, et al., "Prejudice and Urban Social Participation," American Journal of Sociology, LXXIII, No. 2, 1967, pp. 235-244.

41. Daniel Bell, "The Dispossessed", in The Radical Right, ed. Daniel Bell, 1963.

42. Hadley Cantril, The Pattern of Human Concerns (New Brunswick, New Jersey: Rutgers University Press, 1965).

43. Campbell and Schumann, 1968.

CHAPTER VI

WHITE MILITANCY

Introduction

The idea of "militancy" frequently brings to mind the ac-
tivities of blacks, students, anti-war demonstrators, and others
who feel themselves aggrieved by the perpetuation of old, out-
worn or malignant social institutions. The historical record,
however, indicates that considerably more disorder and violence
have come from groups whose aim has been the preservation of an
existing or remembered order of social arrangements, and in whose
ideology the concept of "law and order" has played a primary
role. There is no adequate term to cover all of the diverse groups
who have fought to preserve their neighborhoods, communities, or
their country from forces considered alien or threatening. The
lack of a common term for Ku Klux Klansmen, Vigilantes, Minutemen,
Know-Nothing activists, and anti-Negro or anti-Catholic mobs
reflects the fact that these and other similar groups have different
origins, different goals, and different compositions, and arise in

other is the emergence of "law and order" as the major issue in
the campaign platforms of both major political parties. Still
another is the growing internal arms race, both that of private
individuals and that of local governments, in the face of black
disorders.

This chapter attempts to put white militancy in social and
historical perspective. The first section considers the charac-
teristic form of violent white militancy in history--vigilantism--
in its interplay with the general thrust of a militantly nativist
society. The following sections deal with contemporary white mil-
itancy in the South, the urban North, and among white paramilitary
"Anti-Communist" groups.

Vigilantism and the Militant Society

American society has a lengthy tradition of private direct
action to maintain order, coupled with a certain disdain for legal
procedure and the restraints of the orderly political process.
At the same time, American institutions have had a long and dis-
mal history of nativism and institutional racism. The interplay
of these two traditions has resulted in a long history of vigil-
ante violence most often expressed in racist and nativist channels.

Every social order is maintained, at some level, by actual
or implicit sanctions of violence. An important aspect of the
American experience has been the degree to which private groups
have taken it upon themselves to administer or threaten such
sanctions. This has often taken the form of groups which, percei-
ving the formal enforcement of law and administration of justice

[handwritten margin note: Isn't it something more than just the issue itself which evidences a resurgence of white militancy? Perhaps it is the rhetoric or the place given to order over justice, or something else —]

omic insecurity exists throughout much of the still essentially under-
developed region. Coupled with a decreasing effectiveness of white
sanctions over black social and political behavior--resulting par-
tly from urbanization and industrialization and partly from civil-
rights activity--these events have accentuated a traditional sense
of powerlessness and insecurity on the part of those marginal whites
who historically have owned little else than their white skin and
controlled little more than the local behavior of blacks.

The plight of the marginal white reflects a more general
marginality and primitivism characteristic of large areas of the
entire region. Culturally, much of the South remains shot through
with a strident fundamentalism and distrust of everything foreign;
politically, much of it remains dominated by self-serving cliques
whose power rests primarily on the traditional political exclusion
of blacks; its economic stagnation in many areas combines with its
politics to produce in several places a rate of starvation, infant
mortality and disease which stands as a regional and national scan-
dal. These conditions affect both poor black and poor white.
It is in this context that the marginal white, abetted in many areas
by an affluently racist middle class and a political and legal
order committed to the maintenance of caste domination, has per-
petrated massive violence against blacks, civil-rights workers, and
others.

It should be stressed that in the South it is particularly
difficult to separate the phenomena of official and private violence.
Southern police have traditionally supported private violence in

rilateral was the governor's mansion in Mont-
gomery where Alabama governors John Patterson
and George Wallace refrained from giving the
impression that pro-segregation violence was
distasteful.[24]

Local and state juries and courts have acquired an impressive
record of failing to prosecute or convict in crimes against civil-
rights workers. For that matter, the Federal government was not
overly quick to step in against white violence until the summer of
1964.[25] There are signs, however, that the attitude of some
elements of the South is in transition. The convictions brought by
an all-white jury in the Neshoba case are one such indication;
another is the increasing pressure by Mississippi police against
the terrorist activity of the White Knights of the Ku Klux Klan.[26]

Still, it remains true that the Klan and other militant white
groups, both organized and ad hoc, have operated as the "dirty
workers" of a system of caste domination in which all levels of
southern society have been implicated. In an important sense,
southern racism has successfully channeled the strident political
protest of the marginal white into expressions which support the
existing political and social arrangements of the South. In the
process, the actual sources of the grievances of the marginal white
have gone uncorrected. Klan violence represents the thwarted and
displaced political protest of whites acting from a context of
economic insecurity, threatened manhood, and inability to influence
local and national political structures.

A study of Klan membership in the late 1950's described it
as largely composed of marginal white-collar, small business, and

> You have to be black to get a welfare check
> and I'm broke
> No joke
> I ain't got a nickel for a coke
> I ain't black you see
> so Uncle Sam won't help poor nigger-hating me.[34]

The Urban North

> They have learned from the black people that the
> squeaky wheel gets the grease, so they're going to
> squeak, too.   -Tony Imperiale

It should be abundantly clear that violent white militancy

has not been confined to the South. At present, although there has

been relatively little private violence by whites in the North,

the potential exists for a substantial amount of urban violence -

directed against blacks. There are a number of indications that

militancy is increasing among some segments of the population of the

northern and western cities, principally in reaction to black

civil-rights activity, the ghetto riots, and a perception of the

increasing danger of black criminality. The increasing militancy

of these groups represents a phenomenon that has received less

attention than its importance warrants; the situation of the working

and lower-middle-class white living in what may be called the white

ghettos of the cities.

The leading edge of the growing northern militancy lies in

the largely working-class, generally ethnic neighborhoods of the

cities. Given a national context in which the representatives of

all three major political parties felt compelled to issue remar-

kably similar demands for "law and order," it is not surprising

that a similar, but more strident, demand is made by those who are

most directly threatened by the disorder attendant on contemporary social change. In short, the new militancy of the urban working-class must be seen in proper perspective. In an important sense, most of the country is presently embarking on a white militant course. The militancy of those in the white ghettos differs principally in being less restrained. *again*

The stridency and lack of restraint of this group is anchored in a syndrome of real and pressing problems. As Robert Wood of HUD has put it: *in a graphic statement:* ← *This is a good statement*

> Let us consider the working American--the average white ethnic male:
> He is the ordinary employee in factory and in office. Twenty million strong, he forms the bulk of the nation's working force. He makes five to ten thousand dollars a year; has a wife and two children; owns a house in town--between the ghetto and the suburbs, or perhaps in a low-cost subdivision on the urban fringe; and he owes plenty in installment debts on his car and appliances.
> The average white working man has no capital, no stocks, no real estate holdings except for his home to leave his children. Despite the gains hammered out by his union, his job security is far from complete. Layoffs, reductions, automation, and plant relocation remain the invisible witches at every christening. He finds his tax burden is heavy; his neighborhood services, poor; his national image, tarnished; and his political clout, diminishing . . . one comes to understand his tension in the face of the aspiring black minority. He notes his place on the lower rungs of the economic ladder. He sees the movement of black families as a threat to his home values. He reads about rising crime rates in city streets and feels this is a direct challenge to his family. He thinks the busing of his children to unfamiliar and perhaps inferior schools will blight their chance for a sound education. He sees only one destination for the minority movement--his job.[35]

As has been the case historically, American social and political institutions have not found ways of accommodating both the

Association urging the "use of all force reasonably necessary" to put down civil disorders.[36] Beyond sanctioning the use of official violence, many urban whites express a willingness to use private violence. A Harris poll taken in September, 1967, indicated that fifty-five percent of a sample of white gun owners said they would use their gun to shoot other people in case of a riot;[37] a later Harris survey in March, 1968, found the same question answered affirmatively by fifty-one percent of white gun owners.[38] In the 1967 survey, forty-one percent of whites with incomes under $5,000 expressed the fear that their own home or neighborhood would be affected in a riot, as compared with thirty-four percent of all whites. A study of white reaction to the Los Angeles riot of 1965 indicates that the willingness to use guns and personal fear of the riot are related. Twenty-three percent of a sample of whites said that they had felt a great deal of fear for themselves and their families during the riot, and twenty-nine percent said that they had considered using firearms to protect themselves or their families. However, nearly half of those who had considered the use of firearms were also among those who had felt a great deal of fear.[39] Willingness to use guns was highest in lower income communities and in integrated communities at all income levels; among whites living in close proximity to Negroes; among men, the young, the less-educated, and those in three occupational categories—managers and proprietors, craftsmen and foremen, and operatives.[40]

In general, these findings support the conception of the

white working and lower-middle-class on the ghetto fringe as the most violence-prone wing of the growing white militancy, but the fact that higher-income whites living close to blacks express a high degree of willingness to use violence emphasizes the point that it is the situation--rather than the character or culture of the working-class--which is critical. The perception of threat appears to be a great equalizer of class distinctions.

Expressing willingness to use guns in the face of a riot, of course, is not the same as actually doing so. Since the recent riots have been contained within the black ghettos themselves, no information exists which directly matches white behavior with white opinion on the use of guns. However, the Los Angeles study found that five percent of their sampled whites did in fact buy firearms or ammunition during the riot to protect themselves and their families, while another seven percent already had guns and ammunition available.[41] In Detroit, more than twice as many guns were registered in the first five months of 1968--following the riot in August of 1967--than in the corresponding five months in 1967, prior to the riot, and a similar trend is evident in Newark.[42] It must be remembered that white neighborhoods were not significantly threatened during these riots. Speculation on what might result if white areas were directly threatened is not reassuring.

Further light on the potential for white violence is shed by a study prepared for the Kerner Commission which attempted to pinpoint the "potential white rioter." A sample of whites was asked whether, in case of a Negro riot in their city, they should

[handwritten marginalia:] This, which is no doubt right, seems to undercut whatever real finding on the previous page were supposed to show.

'Significant?'

"do some rioting against them" or leave the matter for the author-
ities to handle. Five percent of the whites advocated counter-
rioting; for men, the figure was eight percent. Suburban whites
were slightly less inclined to advocate a counter-riot than were
city whites. Less educated whites tended to support counter-
rioting, and there was a striking degree of advocacy of counter-
riot by teenage males, twenty-one percent of whom agreed that they
should riot against Negroes. This percentage was slightly higher
than the percentage of Negro teenagers who said they would join
a riot if one occured in their city.[43]

Again, the degree to which these attitudes are, or might be,
expressed in behavior is not clear. Nevertheless, studies of
recent riots indicate that a significant amount of "riot-related"
arrests of whites have taken place. Occasionally, as in the De-
troit riot of 1967, whites have been arrested on charges of looting,
apparently in cooperation with blacks. More frequently, however,
white males have been arrested beyond or near the perimeters of
riot areas for "looting outside the riot areas, riding through the
area armed, refusing to recognize a police perimeter, shooting at
Negroes."[44] Such incidents were particularly apparent in the New
Haven, Plainfield, Dayton, and Cincinnati riots of 1967. The
white counter-riot, of course, has historical precedent; most of
the northern race riots before 1935 involved pitched battles be-
tween whites and blacks, with working-class white youth particularly
in evidence.[45]

The historically prominent role of youth in militant white

called "Fight Back" in Warren, Michigan, argues that "The only way to stop them is at the city limits."[48]   Others focus less on arms training and storage, concentrating on community patrols to discourage black intrusión. The most significant of these ur- ban vigilante groups is the North Ward Citizens Committee of Newark, whose leader, Anthony Imperiale, has recently been elected to the Newark City Council.

Newark's North Ward is a primarily Italian-American neigh- borhood with a large and growing black population, adjacent to the predominantly black Central Ward, which was the scene of the Newark riot of 1967. The strident nativism of the North Ward Ci- tizens Committee reflects the ironies of the process of ethnic succession in America. Not too long ago,

> The Italians were often thought to be the most
> degraded of the European newcomers. They were
> swarthy, more than half of them were illiterate,
> and almost all were victims of a standard of
> living lower than that of any of the other prom-
> inent nationalities. They were the ragpickers and
> the poorest of common laborers; in one large city
> their earnings averaged forty percent less than those
> of the general slum-dweller. Wherever they went,
> a distinctive sobriquet followed them. "You don't
> call an Italian a white man?" a West Coast con-
> struction boss was asked. "No sir," he answered,
> "an Italian is a Dago." Also, they soon acquired
> a reputation as bloodthirsty criminals. Since
> Southern Italians had never learned to fight with
> their fists, knives flashed when they brawled
> among themselves or jostled with other immigrants.
> Soon a penologist was wondering how the country
> could build prisons which Italians would not pre-
> fer to their own slum quarters. On the typical
> Italian the prison expert commented: "The knife
> with which he cuts his bread he also uses to lop
> of another 'Dago's' finger or ear . . . he is quite
> as familiar with the sight of human blood as with
> the sight of the food he eats.[49]

Today, of course, the situation has shifted considerably, and

a new and ominous form, whose outlines are best indicated by the

white paramilitarism examined below.

White Paramilitarism

Groups willing to use violence to defend presumably threat-

ened "American" values are not new in this country's history, nor

are they unimportant. Nevertheless, the state of thinking and

information on these groups is undeveloped. This is doubtless

partly due to their frequently illegal and usually conspiratorial

nature. It is due also to a certain amorphous character of the

groups themselves. Paramilitary groups are constantly fragmenting,

dissolving, undergoing rapid membership turnover, and forming and

breaking alliances with other groups, both illicit and above-

board. Their disorganized character is an important index of the

nature of these groups and of their relation to the larger social

and political structure. As one observer has suggested, "The

Minutemen are more a frame of mind than an organization or move-

ment."[55] Put differently, such groups could be said to represent

a frame of mind in search of an organization, and having little

success in finding one. "Patriotic" paramilitary groups are com-

posed of men whose grievances are not well articulated and who

are largely unable to organize themselves into a coherent political

force, partly because of their own ideology and background and

partly as a result of the response of the polity to them. Con-

sequently the source of their grievances remains unaltered, while

they are driven farther and farther away from normal political

life.

siderable information on police radio communications.[62]

Effort is also devoted to a campaign of psychological warfare oriented to the harassment of liberals. The Minutemen message below, printed on stickers and post cards, has become well-known:

TRAITORS BEWARE

See the old man at the corner where you buy your papers? He may have a silencer equipped pistol under his coat. That extra fountain pen in the pocket of the insurance salesman who calls on you might be a cyanide gas gun. What about your milk man? Arsenic works slow but sure. Your auto mechanic may stay up nights studying booby traps. These patriots are not going to let you take their freedom away from them. They have learned the silent knife, the strangler's cord, the target rifle that hits sparrows at 200 yards. Traitors beware. Even now the crosshairs are on the back of your necks.

MINUTEMEN

Clearly, the Minutemen are a force to be reckoned with. In addition to their own potential for violence, they represent what may be the clearest example of a kind of political alienation which could conceivably come to characterize a wider and wider range of groups in American society. Lacking sufficient data, an analysis of their source and future is at best tentative and exploratory. Still, several facts are illuminating.

The Minutemen membership is largely composed of marginal whites. The founder and leader, Robert DePugh, is a Midwestern small entrepreneur with a history of business failure, who now operates a small, largely family-owned veterinary drug concern. The former Midwest Coordinator of the group, now head of a smaller but similar group called the Counter-Insurgency Council, owns and

of "patriotic" organizations as well as organized southern racism,
a certain division of labor is apparent, based on class or at least
occupational lines. Just as the Citizens Councils represent a
higher-income membership than the Klans, the Birch Society rep-
resents the prosperous and at least quasi-respectable arm of the
radical "anti-Communist" movement. At the level of the Minutemen--
the dirty workers of the right wing--a different kind of analysis
is required.

While the problem of "status" is doubtless great for the mar-
ginal white, his grievances run much deeper. In an important
sense, the small-time, small-town businessman, the urban clerk,
or worker has been overwhelmed by social developments beyond his
capacity to understand or to control. It can be argued that the
source of his complaint is not "Communism" at all; rather, it is a
form of capitalism which has been imposed upon him from outside--
not the classic entrepreneurial capitalism of early America, which
he cherishes, but the newer, bigger, corporate capitalism of con-
temporary America. The new capitalism, while creating new oppor-
tunities and new security for large business and for much of or-
ganized labor, and extending an at least rudimentary welfare
state apparatus to the poor, has largely passed by those in the var-
ious occupational backwaters which the Minutemen membership rep-
resents. The benefits--tax loopholes, government contracts, control-
led markets, and the like--accruing to large-scale corporate cap-
italism are not available to them; nor, for many, are the benefits
of organized labor. Increasingly left behind in the thrust of these

There are many more important benefits

power as omnipotent, sinister, and malicious fully
confirmed. They see only the consequences of power--
and this through distorting lenses--and have little
chance to observe its actual machinery.[78]

* * * * * * * *

Conclusion

For decades, violent white militancy represented the rough

edge of a wider national militancy aimed at excluding immigrants

and blacks, Indians and foreigners, from full participation in

American life. Official policy today, except in some areas of the

South and the more hardbitten sections of the North, repudiates

private violence, but the larger political order remains deeply

implicated in the new militancy in several ways. Of these, the

most critical is the failure to deal seriously with the under-

lying causes of the disaffection of both blacks and whites. On

the one hand, the failure to deal with the roots of racism has

meant the rise of violent black protest in the cities, which the

working-class white fears will spill over into his own neighborhood

along with rising crime and sinking property values. On the other

hand, the failure to deal with the institutional roots of white

marginality has left many whites in a critical state of bitter-

ness and political alienation as they perceive the government pas-

sing them by.

For the Minutemen, the Klan, and similar groups, largely a-

drift and overwhelmed by the processes of the modern corporate

state, the language of racism or anti-Communism structures all

discontents and points to drastic solutions. Politically immature groups define the source of their problems in terms provided for them. Continued political exclusion and organizational fragmentation render such groups increasingly prone to violence as a last political language. An effective response to these groups must transcend mere surveillance and condemnation, which can only aggravate their frame of mind without providing redress of their situation.

For the most part, the political response to white militancy has been either repressive or self-servingly encouraging. The current emphasis on "law and order" partakes of both elements. A continued repressive response to the militancy of both blacks and whites could lead, not improbably, to a state of guerilla warfare between the races. There are precedents for such warfare in some of the ract riots of the first half of the century, and in recent clashes between armed black and white militants in the South.

Of more immediate importance is the fact of increasing militancy among white policemen, as evidenced by the recent activity of the Law Enforcement Group in New York, the beating of black youths by policemen in Detroit, and the Klan activity in the Chicago police force, already mentioned. The new militancy of the police has obvious and ominous implications for the American racial situation, indeed for the future character of all forms of group protest in America. The policing of protest takes on a new aspect when the policeman carries with him the militant white's racist and anti-radical world-view. The following chapter analyzes the sources and direction of the new politicization of the police.

NOTES TO CHAPTER SIX

[handwritten annotation: This is a rather thin looking collection of citations — there are listed no more than half a dozen major sources on white militant groups, and the literature is more extensive than this?]

1. Jacobus tenBroek, Edward N. Barnhart, and Floyd W. Matson, <u>Prejudice, War, and the Constitution</u>, (Berkeley and Los Angeles: University of California Press, 1954), pp. 13-14.

2. tenBroek, et. al., p. 11.

3. tenBroek, et. al., p. 16.

4. C. Vann Woodward, <u>The Strange Career of Jim Crow</u>, (New York: Galaxy, Oxford University Press, 1966), p. 23.

5. David M. Chalmers, <u>Hooded Americanism,</u> (Chicago: Quadrangle Paperbacks, 1968), p. 20.

6. Quoted in Chalmers, pp. 20-21.

7. Chalmers, p. 18.

8. United States Civil Rights Commission Report, <u>Justice</u> (Washington, D.C.: United States Government Printing Office, 1961), pp. 266-268.

9. Chalmers, p. 3.

10. Quoted in Chalmers, p. 27.

11. John Higham, <u>Strangers in the Land</u> (New York: Atheneum, 1963), p. 104.

12. Higham, p. 212.

13. Patrick Renshaw, The <u>Wobblies</u> (Garden City: Anchor Books, 1967). pp. 163-167.

14. Arthur I. Waskow, <u>From Race Riot to Sit-in</u>, (Garden City: Double-day and Company, 1966), Chapter 3.

15. Higham, p. 264.

16. U. B. Phillips, quoted in Woodward, p. 8.

17. Allison Davis, "Caste, Economy, and Violence," <u>American Journal of Sociology,</u> LI, No. 1, 1945, pp. 7-15.

Protesters: Student and Anti-War

Conflict has not only been escalating between the police and the black community, but bad feeling and violence between the police and protesters--students, peace groups and the like--has also increased.

The earliest peace marches were treated much like ordinary parades by the police, and the protesters, many of whom accepted non-violence as their guiding principle, seldom baited the police or expressed hostility toward them. But slowly incidents began accumulating until by the spring and summer of 1968 protest marches frequently became clashes between protesters and the police.

As discussed in our chapter on anti-war protest, the escalation of the war led to growing frustrations on the part of protesters, greater militancy, and at times, provocations and violence. Yet the police handling of protesters was often unrestrained and only increased the potential for violence--in the immediate situation and in future situations. Predictably, the escalation continued. Protesters grew bitterly angry, and as anger against the police became a major element in protest meetings and marches, the police grew to hate and fear the protesters even more. Numerous respected commissions, among them the Cox Commission, [18] which studied the student uprising at Columbia University, and the Sparling Commission, [19] which studied the April, 1968 peace march in Chicago, found what protesters already knew--that the police used uncalled-for force, often vindictively, against protesters, regardless of whether the latter were "peaceful" or "provocative."

The extent of violence in police-protester confrontations was most

coverage given to the actual events, the fact that a respected commission with sufficient resources chose to find out what happened, and the extent and quality of media coverage of the report of those findings. For similar violence has occurred in such places as New York, San Francisco, and Los Angeles.

For example, in March, 1968, in New York's Grand Central Station, while demonstrators engaged in typical Yippie tactics, police suddenly appeared and, without giving the crowd any real chance to disperse, indiscriminately attacked and clubbed demonstrators.[22] A similar out-burst occurred a month later in Washington Square;[23] and of course the police violence that spring at Columbia, described in detail in Chapter Three, is by now a matter of common knowledge. The dispersal of a march of thousands to Century City in Los Angeles during the summer of 1967 is also a case in point. There, as reported in Day of Protest, Night of Violence, a report prepared by the American Civil Liberties Union of Southern California, dispersal was accompanied by similar police clubbing and beating of demonstrators, children, and invalids.[24] It should be emphasized that the decision to disperse the parade was questionable since the protesters were not a violent, threatening crowd. The paraders did not violate the terms of the parade permit; thus, "the order to disperse was arbitrary, and served no lawful purpose."[25]

The point that the Convention violence is not unique is high-lighted by considering that in April, 1968, four months earlier, similar violence occurred between police and protesters during another

the Cox Commission Report and

peace march in Chicago. A report was prepared by an independent investigating committee chaired by Dr. Edward J. Sparling, president emeritus of Roosevelt University, and whose membership included such persons as Professor Harry Kalven, Jr., of the Chicago Law School and Mr. Warren Bacon, Vice President of the Inland Steel Corporation. To quote from the report of this committee:

> On April 27, at the peace parade of the Chicago Peace Council, the police badly mishandled their task. Brutalizing demonstrators without provocation, they failed to live up to that difficult professionalism which we demand.

> Yet to place primary blame on the police would, in our view, be inappropriate. The April 27 stage had been prepared by the Mayor's designated officials weeks before. Administrative actions concerning the April 27 Parade were designed by City officials to communicate that 'these people have no right to demonstrate or express their views.' Many acts of brutal police treatment on April 27 were directly observed (if not commanded) by the Superintendent of Police or his deputies.[26]

What happened during the Chicago Convention, therefore, is not something totally different from police work _in practice_. Our analysis indicated that Convention violence was unusual more in the fact of its having been documented than in the fact of its having occurred. The problem most definitely is not "one unfortunate outburst of misbehavior."

In closing this section, it is instructive to note that a violent response by police to protestors is not inevitable. For example, recently a major London demonstration protesting the Vietnam war and the politics of the Establishment resulted in no serious violence, and one serious attempt to provoke trouble was smothered by a superbly diciplined and restrained team of policemen. According to _The New York Times_:

Quoting who?

As dusk came on, a hard core of militants, probably only a few hundred, began trying to break through the police lines and get to the embassy.

The attackers would form a flying wedge, then charge on the police, heads down and arms linked. Once they almost got through, but blue reinforcements rushed over from other corners of the square and squeezed the wedge back.

The crowd threw bricks at the police, and firecrackers. They shouted obscenities and 'Sieg Heil.' Several times they grabbed the policemen's helmets, hit the men on the head and even threw individual policemen to the ground and kicked them. But the police never drew their truncheons and never showed anger. They held their line in front of the embassy until, as the attackers tired, they could begin to push the crowd down South Sudley Street and away from the square.

Americans who saw the Grosvenor Square events could not help drawing the contrast with the violence that erupted between the Chicago police and demonstrators at the Democratic Convention in August.[27]

The Predicament of the Police

The significance of police hostility, anger and violence need hardly be stressed. Yet any analysis along this line runs the risk of being labelled anti-police, and it is often argued that such analyses demand more of the police than of other groups in society. However, this criticism may both be true and miss the point.

In some senses we do demand more of the police than we do of other groups--or more accurately, perhaps, we become especially concerned when the police fail to meet our demands. But this _must_ be the case because it is to the police that we look to deal with so many of our problems and it is to the police that we entrust the legitimate use of force. Moreover, unnecessary police violence can only exacerbate

the problems police action is used to solve. Protesters are inflamed,
and a cycle of greater and greater violence is set into motion--both in
the particular incident and in future incidents. More fundamentally,
the misuse of police force violates basic notions of our society con-
cerning the role of police. Police are not to adjudicate and punish;
they are to apprehend and take into custody. To the extent to which
a nation's police step outside such bounds, that nation has given up
the rule of law--even in a self-defeating quest for order.

So it becomes especially important to explore why the police have
become increasingly angry and hostile toward blacks and protesters and
why they are inclined to over-react violently when confronting such
persons. The necessary starting point is a careful examination of what
it is like to be a policeman today.

The predicament of the police in America today can scarcely be
overstated, caught as they are between two contradictory developments:
their job is rapidly becoming much more difficult (some say impossible),
while at the same time their resources--morale, material and training--
are deteriorating. No recent observer doubts that the police are under
increasing strain largely because they are increasingly being given
tasks well beyond their resources. And, of course, the police them-
selves agree.

The Policeman's Job

The outlines of the growing demands upon the police are well known
and do not require much review here. Increasingly, the police are re-
quired to cope with the problems which develop as conditions in the

Moreover, such situations exist even in what are considered to be
the most elite, competent and educated police forces in the country.
For example, in Berkeley, California, there has recently been a sharp
decline in the educational level of recruits.[43]

The problem is not merely one of attracting new members to the
occupation. It may also be true that police tend to neglect their
duty by, for example, being very slow to respond to calls from minority
group communities.[44] Moreover, a New York Times study based on inter-
views and a number of late-night inspection tours has found a surprising
amount of "cooping"--police slang for sleeping on duty.[45] A New York
policeman told our interviewer:

> ...things have changed a lot since I've been on the
> job. It used to be when you heard a call about a
> man with a gun you used to get two or three cars
> racing to get over there as fast as they could. Now-
> adays you hear that kind of call, you take your time,
> go slow. You get there, you don't look around too
> much. Don't worry too much about getting anybody,
> because you never know when you're going to walk into
> a shotgun blast.

And a San Francisco police commander echoed this feeling:

> I've heard of men in radio cars who get a call--
> a 211, involving violence--it's in a trouble area;
> one where there are mobs who might try to interfere
> with the arrest.
>
> What do they do? They make a slow trip. Or they
> turn on the siren so as to warn the suspects to
> take a hike.
>
> Or they arrive in time to save the victim and stand
> a fair chance of getting involved in trouble and
> self-defeat. A little of this and they decide to
> turn in the badge and pump gas for a living.
>
> I don't blame them.[46]

,, as soon as they are eligible.

Worse yet, many urban departments report massive resignation rates--often nearly twenty percent per year--among officers short of retirement. According to our interview with Berkeley Chief of Police William Beall, Berkeley officers quit the force at all stages of their career. "We lose many veteran officers with ten to fifteen years on the force, men who are at the peak of their efficiency." Almost none of these men take law enforcement jobs elsewhere--Berkeley is one of the highest paying and most admired departments in the nation--but take up other occupations. "The men who find these opportunities are our best, as you would expect," Chief Beall told our interviewer. Thus for many policemen the way to cope with the predicament of modern policing is simply to get out.

One consequence of all this has been a shortage of manpower on police forces. An examination of the Uniform Crime Reports of the Federal Bureau of Investigation shows that the number of full-time police employees per 1,000 population in America's cities has gone virtually unchanged since 1950, while the number of complaints handled by the police has increased enormously.[48] A corollary is, of course, the tendency to overwork and overextend our police.

Footnote refers to 1960. This as er fixed point.

Training: Deterioration in the Face of New Needs

Perhaps an even more significant effect of pressing manpower needs is the tendency to allow existing training programs to deteriorate because of the pressure for immediate manpower. There is considerable evidence that the new recruits are receiving less adequate training

denounce welfare programs not as irrelevant but as harmful because

they destroy human initiative. This tension between the ideological

commitment of the police and the goals of policed communities can only

make the situation of both more difficult and explosive. Thus, the

black community sees the police not only as representing an alien

white society but also as advocating positions fundamentally at odds

with its own aspirations.

Moreover, a similar tension exists between the police and both

higher civic officials and representatives of the media. To the

extent that such persons recognize the role of social factors in

crime and approve of social reforms, they are viewed by the police as

"selling out" and not "supporting the police."

Several less central theories often accompany the "rotten apple"

view and similarly misdirect law enforcement attention and energies.

First, the police widely blame the current rise in crime on a turn

away from traditional religiousness and fear impending moral break-

down.[57] Yet the best recent evidence shows that religiousness--

whether belief, participation or both--has no detectable relationship

to the prevention of criminality.[58]

But perhaps the main bete noir in current police thinking is

permissive child-rearing which many policemen interviewed by our

task force view as having led to a generation "that thinks it can

get what it yells for." Indeed, one officer interviewed justified

the use of physical force on offenders as a corrective for lack of

childhood discipline. "If their folks had beat 'em when they were

[handwritten margin notes:]

This seems too simple of police are of the low educational and economic background which you have just described then perhaps they show the social attitudes of the marginal whites generally whose outlook you have described in some detail in the White militancy chapter — this point needs further discussion

[left margin:] needs to be reworded 57 + 58

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they destroy human initiative. This tension between the ideological
commitment of the police and the goals of policed communities can only
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the use of physical force on offenders as a corrective for lack of
childhood discipline. "If their folks had beat 'em when they were

kids, they'd be straight now. As it is, we have to shape 'em up."

While much recent evidence, discussed elsewhere in this report, has

shown that students most concerned with social issues and most active

in protest movements have been reared in homes more "permissive,"

according to police standards, than those who are uninvolved in these

matters, it does not follow that such "permissiveness" leads to

criminality. In fact the evidence strongly suggests that persons

reared under punitive parental discipline are more likely to act

aggressively in ensuing years.[59]

The police ideology also tends to view perfectly legal social

deviance, such as long hair on men, not only with extreme distaste,

but also as a ladder to potential criminality.

At a meeting of the International Conference of Police Associa-

tions, for example, Los Angeles patrolman George Suber reportedly told

a luncheon the following:

> You know, the way it is today, women will be women--
> and so will men! I got in trouble with one of
> them. I stopped him on a freeway after a chase--
> 95, 100 miles an hour. . . . He had that hair down to
> the shoulders.
> I said to him, "I have a son about your age, and if
> you were my son, I'd do two things." "Oh," he said,
> "what?" "I'd knock him on his ass, and I'd tell him
> to get a haircut."
> "Oh, you don't like my hair?" "No," I said, "you look
> like a fruit." At that he got very angry. I had to
> fight him to get him under control.[60]

Non-conformity comes to be viewed with nearly as much suspicion

as actual law violation; the police, accordingly, value the familiar,

the ordinary, the status quo rather than social change. Again, these views

both put the police more at odds with the dissident communities with whom they have frequent contact and detract from their capacity to understand the reasons for dissent, change, or any form of innovative social behavior.

The Characterization of Mass Protest: A Failure of Police Intelligence

When police [analysis] deals explicitly with protest and confrontation, the ideological bias takes particular forms. It is difficult to find police literature which recognizes that the imperfection of social institutions provides some basis for the discontent of large segments of American society. In addition, organized protest tends to be viewed--inaccurately--as the conspiratorial product of authoritarian agitators--usually "Communists"--who mislead otherwise contented people.

From a systematic sampling of police literature and statements by law enforcement authorities--ranging from the Director of the Federal Bureau of Investigation to the patrolman on the beat--a common theme emerges in police analyses of mass protest: the search for "the leaders."

Such a misperception leads to obvious problems. For example, the temptation is to shun orderly crowd control techniques and instead to look for the "agitators" without whom there would presumably be no unrest. Similarly, there will be little understanding by police that, after all, most protesters desire a better society, not simply social destruction. Lacking such understanding, police hostility is bound to be great, and its suppression of protest will be legitimated. More

violence, rather than less, is likely to follow; and a cycle of greater and greater hostility continued.

The "agitational" theory of protest also fails the police when they make estimates of crowds--they are prone to misjudge both the protesters' numbers and depth of feeling. Again, this increases the likelihood of violence. Yet it is not only the police who believe in the "agitational" theory. Many authorities do when challenged. For example, the Cox Commission found that one reason for the amount of violence when police cleared the buildings at Columbia was the inaccurate estimate of the number of demonstrators in the buildings:

> It seems to us, however, that the administration's low estimate largely resulted from its inability to see that the seizure of the building was not simply the work of a few radicals, but, by the end of the week, involved a significant portion of the student body who had become disenchanted with the operation of the university.[61]

The Search for "Communists!"

In line with the "agitational" theory of protest, particular significance is attached by police intelligence estimates to the detection of leftists or outsiders of various sorts, as well as to indications of organization and prior planning and preparation. Moreover, similarities in tactics and expressed grievances in a number of scattered places and situations are seen as indicative of common leadership.

Thus Mr. J. Edgar Hoover, in testimony before this commission on September 18, 1968, stated that:

of sympathizers" who sent messages of support to the FSM.[67]

Some indication of how wide the "communist" net stretches is given by a December, 1968, story in the Chicago Tribune. The reporter asked police to comment on the Report of this Commission's Chicago Study Team:

> While most district commanders spoke freely, many policemen declined to comment unless their names were withheld. The majority of these said the Walker report appeared to have been written by members of the United States Supreme Court or Communists.[68]

In addition to the problem of police definition and identification of leftists, is their misperception of the role which such persons play. Just as the presence of police and newsmen at the scene of a protest does not mean they are leaders, so the presence of a handful of radicals should not necessarily lead one to conclude that they are leading the protest movement. Moreover, studies of student protest-- including the Byrne Report on the Free Speech Movement and the Cox Report on the Columbia disturbances--uniformly indicate that "the leadership," leaving aside for the moment whether it is radical leader- ship, is able to lead only when events such as administration responses unite significant numbers of students or faculty. For example, the FSM extended over a number of months, and the leaders conducted a long conflict with the university administration and proposed many mass meetings and protests, but their appeals to "sit-in" were heeded by students, only intermittently. Sometimes the students rallied by the thousands; at other times the leadership found its base shrunken to no more than several hundred. At these nadir points the leaders were

be added by noting that, if the standards used by leading police spokesmen to identify a conspiracy were applied to the police themselves, one would conclude that police in the United States constitute an ultra-right wing conspiracy. For example, one would note the growing police militance with its similar rhetoric and tactics throughout the nation, and the presence of such outside "agitators" as John Harrington, president of the Fraternal Order of Police, at the scene of particular outbursts of militance. We hasten to add that we do not feel that this is an adequate analysis of the situation. Police, like students, share a common culture and are subject to similar pressures, problems and inequities; the police across the country respond similarly to similar situations because they share common interests, not because they are a "fascist"-led conspiracy.

Militancy as a Response to the Police Predicament: The Politicization of the Police

Introduction

Traditional Political Involvement of Police

Political involvement of the police is not per se a new phenomenon. Indeed it is well known that in the days of the big city political machines the police were in politics in a small way. They often owed their jobs and promotions to the local alderman and were expected to cooperate with political ward bosses and other sachems of the machines. Often they were expected or allowed to cooperate with gamblers or other sources of graft. Still, they played relatively minor roles in

Police Militancy and Politicization: An Overview

The insufficient resources available to the police and the
absence of an ideology which adequately explains or equips them to
deal with current unrest have, in combination with the stress of
recent events, led to greater and greater police frustration. And this
frustration has increased as the police perceive that high police and
governmental officials and the courts do not accept their prescriptions
for social action, let alone their demands for more adequate com-
pensation and equipment. In response, the police have become more
militant in their views and demands and have recently begun to act
out this militance, sometimes by violence but also by threatening
illegal strikes, lobbying, and organizing politically.

This militance and politicization have built upon an organiza-
tional framework already available: police guild, fraternal, and
social organizations. These organizations--especially the guilds--
originally devoted to increasing police pay and benefits, have grown
stronger. The Fraternal Order of Police, for example, now has
130,000 members in thirty-seven states.[71] Moreover, these organiza-
tions have begun to challenge the authority of police commanders,
the civic government, and the courts and to enter the political arena
as an organized, militant constituency. Such developments threaten
our long tradition of impartial law enforcement and made the study of
"police protest" essential to an understanding of police response to
mass protest.

The Role of the Police

The role of police in our legal processes can hardly be over-estimated. The police are the interpreters of the legal order to the population; indeed, for many people, they are the sole source of contact with the legal system. Moreover, police are allowed to administer force--even deadly force. Finally, the police make "low visibility" decisions; the nature of the job often allows for the exercise of discretion which is not subject to review by higher authorities. So what the policeman does is often perceived as what the law is, and this is not an inaccurate perception.

At the same time, and because he is a law enforcement officer, the policeman is expected to exhibit neutrality in the enforcement of the criminal law, to abide by standards of due process, and to be responsible to higher officials. The concept of police professionalization connotes the further discipline that a profession imposes; and while the police have not yet achieved all of these standards, it is useful to list some of them. For example, one expects a professional group to have a body of specialized knowledge and high levels of education, training, skills, and performance. The peer group should enforce these standards, and elements of state control might even be interjected (as is true, for instance, of doctors and attorneys).

Complicating matters, however, is the policeman's perception of his job, for this may conflict with these demands and expectations. For example, the policeman views himself as an expert in apprehending persons guilty of crimes. Since guilty persons should be punished,

, he resents rules of procedural due process, seeing them as an administrative obstacle. For example, when a policeman arrests a suspect, he most likely has made a determination that the suspect is guilty. This it may appear irrational to him to be required to place this suspect in an adjudicatory system which presumes he is innocent.[72]

Elaborate a little in the footnote

Moreover, there is a tendency to move from this position to equating "the law" with "the police." One commentator has noted the following:

> In practice, then, the police regard excessive force
> as a special, but not uncommon, weapon in the battle
> against crime. They employ it to punish suspects who
> are seemingly guilty yet unlikely to be convicted,
> and to secure respect in communities where patrolmen
> are resented, if not openly detested. And they justify
> it on the grounds that any civilian, especially any
> Negro, who arouses their suspicion or withholds due
> respect loses his claim to the privileges of law-
> abiding citizens.[73]

Thus the policeman is likely to focus more on order than on legality and to develop an inadequate conception of illegality.[74]

These tendencies are accentuated by and contribute to growing police militancy and politicization. Many of the manifestations of police activism bring the police into conflict with the legal order—they may act in a manner inconsistent with their role in the legal order, or even illegally. Yet much of this activity is justified in the name of law and order.

The issues raised by the growing police militancy are often made especially difficult and complex because an inevitable tension exists between our idea of free expression and the demands which we must place on the police. In what follows, however, we shall argue that the role of police in a democratic society places limits on

,,police activism and that, although exact limits are hard to define, in several respects police activism has exceeded reasonable bounds.

It is important to note at this point that not all of our expectations with regard to police behavior are, or should be, reflected in statutes, regulations, or court decisions. We may well expect police to act in ways which would be inappropriate—even impossible— to define in terms of legality and illegality. The issues raised are not necessarily "legal issues," except in the sense that they affect the legal system. Moreover, even where legal issues are involved, it cannot be stressed too much that the solution to problems is not going to be found merely in "strict enforcement" of the law. Strict enforcement may be appropriate, but solutions to the problems necessarily will lie in more fundamental sorts of action. Similarly, it is important to understand that the courts in fact can be little more than a generator of ideals. The real problem comes in devising means to infuse these ideals within the administrative structure of police organization. To assert that the courts are an effective check upon police misconduct is often to overlook that misconduct in our desire to affirm the adequacy of our judicial procedures.

Activism in Behalf of Material Benefits

Growing activism is seen both in the issues to which the police address themselves and in the means employed to express these views. A traditional area of police activism is the quest for greater material benefits. Police have long organized into guild-like organizations, such as the Fraternal Order of Police, whose aims include increased

police review boards, for this experience foreshadowed the later

politicization of the police.

Police Solidarity and the Civilian Police Review Boards

The police see themselves, by and large, as a distinct and often

deprived group in our society.

> To begin with, the police feel profoundly isolated
> from a public which, in their view, is at best apathetic
> and at worst hostile, too solicitous of the criminal and
> too critical of the patrolman. They also believe that
> they have been thwarted by the community in the battle
> against crime, that they have been given a job to do but
> deprived of the power to do it.[98]

One result of this isolation is a magnified sense of group soli-

darity. Students of the police are unanimous in stressing the high

degree of police solidarity. This solidarity is more than a preference

for the company of fellow officers, _esprit de corps_, or the bonds of

fellow and mutual responsibility formed among persons who share danger

and stress. It often includes the protective stance adopted regarding

police misconduct.[99] A criticism of one policeman is seen as a criticism

of all policemen, and thus police tend to unite against complaining

citizens, the courts, and other government agencies. Students of police

feel that this explains both the speedy exoneration of police when

citizen complaints are lodged, and the paucity of reports of misconduct

of fellow officers. It seems clear, for example, that the officers who

took part in the Algiers Motel incident did not expect to get into trouble

and that the presence of a State Police Captain did not deter them.[100]

Such conduct conflicts sharply with the expectations we hold of

professional groups--that members should monitor and sanction each other's

to four others for use of excessive force in a highly controversial

arrest and detention of two black militant leaders. While the black

community and pro-civil rights whites called this merely a "slap on

the wrist," it produced an angry rebellion among rank-and-file police.

More than 150 police officers attended an initial protest meeting.

A second meeting produced a petition signed by more than 700, one-third

of the total force, demanding the resignation of the police board and

saying police no longer had any confidence in the board. Subsequently,

the city has rapidly been polarized. Civil rights and student groups,

the ACLU and others have come to the support of the board. Meanwhile

the police have built a powerful coalition with unions, neighborhood

clubs, political associations, the American Legion, civic groups, and

various ad hoc committees. In the words of Los Angeles Times corres-

pondent D. J. R. Bruckner, the polarization of the community "is a

frightening situation."

Politicization Beyond the Review Board

Perhaps the most significant impact of these struggles, aside

from further polarizing an already polarized situation, has been to give

the police a sense of their potential political power. Their over-

whelming victories in review board fights have given them, as one dis-

tinguished law professor we interviewed put it, "a taste of blood."

Indeed, many experts believe the American police will never be the

same again. Police organizations such as the Patrolmen's Benevolent

Association, conceived of originally as combining the function of a

trade union and lobbying organization for police benefits, are becoming

lobbies in the New York State Legislature. The scale of its activities

is indicated by a reception held in March of this year for members of

the state legislature.[111] More than 500 people in the Grand Ballroom

of the DeWitt Clinton Hotel in Albany were entertained by three bars,

a live orchestra, and similar trappings. The success of PBA lobbying

is seen, again, in the fact that, after a bitter fight, the New York

State Legislature, at the urging of the PBA, broadened the areas in

which police may use deadly force.

A powerful police lobby is not unique to New York. In Boston,

for example, the PBA lobbied vigorously against Mayor Kevin White's

decision to place civilians in most jobs occupied by traffic patrolmen,

a move which would have freed men for crime work. The City Council,

which had to approve the change, sided with the police.[112] The mayor

then went to the state legislature, but the police lobby again prevailed

and White lost. In November, 1968, the PBA again prevailed over the

mayor when the City Council substantially altered the police component

of White's Model Cities Program. Changes included removal of a plan to

allow citizens to receive (not judge) complaints against the police and

removal of references to the need to recruit blacks to the police force.[113]

In a west coast city in which we conducted interviews, a graphic

example of police lobbying was described. According to a policeman on

the board of the local Police Officers Association, the practice has

been to put "pressure" on city council members directly through phone

calls, luncheons, and the like. So far the local POA leaders are un-

certain how far this has gotten them. As one POA board member told a

> 'but the police are getting everybody so hot, I
> don't see how we could go with it."

> See, [these] issues are not the exciting issues
> and a lot of people don't feel like taking on a
> political force like the cops.[124]

Some police spokesmen rate this power even higher:

> We could elect governors, or at least knock 'em
> off. I've told them, if you get out and organize,
> you could become one of the strongest political
> units in the commonwealth.[125]

And in cities, including New York[126] and Boston[127] there is talk that
police spokesmen may run for public office.[128]

Thus the growing police politicization, combined with the dis-
ruptive potential of other forms of police militancy, make the police
a power to be reckoned with in today's city. Indeed, at times, they
appear to dominate. For example, aides to New York Mayor John Lindsay
are reported to feel that the mayor's office has lost the initiative
to the police who now dominate the public dialogue. And some feel that
ultimate political power in Philadelphia resides in Police Commissioner
Frank L. Rizzo, not the mayor. The implications of this situation are
pointed to by Boston Mayor Kevin White:

> Are the police governable? Yes. Do I control
> the police, right now? No.[129]

The Military Analogy

Political involvement of the police--even apart from its contribu-
tion to more radical forms of police militancy--raises serious problems.
First, aside from the military, the police have a practical monopoly on
the legal use of force in our society. For just such a reason our

country has a tradition of wariness toward politicization of its

armed forces, and thus both law and custom restrict the political

activities of members of the military. Similar considerations would *seriously*

apply to the police.

In some senses the police are an even greater source of potential

concern than the armed forces because of their closeness to the day-

to-day workings of the political process and their frequent interaction

with the population. These factors make police abuse of the political

process a more immediate prospect. For example, bumper stickers on

squad cars, political buttons on uniforms, and selective ticketing

and similar contacts with citizens quickly impart a political message.

A second factor which has led to restrictions on members of the

armed forces is the fear that unfettered political expression, if

adopted as a principle, might in practice lead to political coercion

within the military. Control over promotions and disciplinary action

could make coercion possible, and pressure might be exerted on lower

ranking members to adopt, contribute to, or work for a particular

political cause. Thus, again, regulation (and sometimes prohibition)

of certain political activities has been undertaken. For example,

superiors are prohibited from soliciting funds from inferiors, and

many political actities are prohibited while in uniform or on duty.

Such considerations again apply to the police.

The Judicial Analogy

Even where coercion of the populace (or fellow force members)

does not exist in fact, politicization of the police may create the

by judges, we should also be wary of such activities by the police.

It may be useful in this connection to illustrate just how strong are our societal norms concerning judicial behavior and to note that these norms often demand standards of conduct higher than what is legally required. For example, even when judges run for re-election, it is widely understood that the election should not be political in the usual sense. A more pointed example is the case of the nomination of Justice Abe Fortas to the position of Chief Justice of the United States Supreme Court. Regardless of the motives of many of those who opposed this nomination, it is obvious that there was a wide feeling of uneasiness about Justice Fortas' nonjudicial involvement in the Johnson administration. Perhaps our expectations are best illustrated by the fact that even when judges do involve themselves in borderline activity, every attempt is made to appear neutral and nonpolitical. And whereas Justices of the Supreme Court have at times advised presidents of the United States, it is unthinkable that they would take to the stump in their behalf.

Conclusion

The policeman in America is overworked, undertrained, underpaid, and undereducated. His job, moreover, is increasingly difficult, forcing him into the almost impossible position of repressing demands for necessary social and political change. In this role, he is unappreciated and at times despised.

His difficulties are compounded by a misguided police ideology expounded at all law enforcement levels--from the Director of the

Difficult though it may be to articulate standards for police conduct, the present police militancy has clearly exceeded reasonable bounds.

Police militance is hostile to the aspirations of other dissident groups in our society. Police view students, the anti-war protesters, and blacks as a danger to our political system. Racial prejudice pervades the police attitudes and actions.

Police response to mass protest has resulted in a steady escalation of conflict, hostility, and violence. The police violence during the Democratic National Convention in Chicago was not a unique phenomenon. We have found numerous instances where violence has been initiated or exacerbated by police actions and attitudes. Police violence is the antithesis of both law and order. It leads only to increased hostility, polarization, and violence--both in the immediate situation and in the future. Certainly it is clear today that effective policing ultimately depends upon the cooperation and goodwill of the police, and these resources are quickly being exhausted by present attitudes and practices.

Implicit in this analysis is a recognition that the problems discussed in this chapter derive from larger defects. Their importance reflects the urgent need for the fundamental reforms discussed elsewhere in this report--reforms leading, for example, to more responsive political institutions and an affirmation of dissent. No government institution appears so deficient in its understanding of the constructive role of dissent in a constitutional democracy as the police.

You have done this before—but do it again in the conclusion—

You might reject here explicitly, any "riff-raff theory" of [?] as well as [?] police policitization as well as notions that policemen are "Criminals who ended up on the right side of the law."

Police spokesmen, in assessing their occupation, conclude that
what they need is money, manpower, and freedom from interference by the
civic government and the courts. As this chapter has indicated, this
view is mistaken. What is needed is a major transformation of the
police culture and ideology by, for example bringing a greater variety
of persons into police work and providing better training. Because of
time limitations, this Task Force has not developed specific proposals
for legislative or executive action. We have, however, given thought
to such proposals, and in what follows we shall discuss the types of
action we feel must be taken. We recommend that the commission adopt
these policies and that proposals be presented for governmental action.

A first step would be a thorough appraisal by the Department of
Justice of the support given by the federal government to that ideo-
logy. This would require several efforts: examining and evaluating
literature distributed by the federal government to local police agen-
cies; examining all programs sponsored by the federal government for
the education of police; attempting to create an enlightened curricu-
lum for police training all over the country concerning the role of
political activity, demonstration, and protest in a constitutional
democracy.

A second step toward a meaningful transformation of the
police ideology and culture would be the establishment of a
Social Service Academy under the sponsorship of the United States
government and the direction of the Department of Health, Education
and Welfare. Like the military academies, this institution would
provide a free higher education to prospective police, social
workers, and urban specialists who, after graduation, would spend

a minimum of three or four years in their chosen specialty.
Internships would be arranged during one or more summers, and police
graduates would undoubtedly be considered qualified to enter
police departments at an advanced level. The academy would provide
the prospective policeman an opportunity for the equivalent of a
college education. Moreover, it would attract a larger variety of
people into police work--and help bring a desirable change in
dominant police culture and ideology.

Accompanying the creation of this academy should be the
development of a system of lateral entry in police departments.
This has been recommended numerous times in the past, and we can
only urge that consideration be given to a program of federal
incentives to achieve this end. Generally speaking, across the
country one police department cannot hire a man from another police
department unless that man starts at the bottom. The only exception
is in the hiring of police chiefs. This situation is analagous to
a corporation which filled its executive positions exclusively with
persons who had begun their careers with that corporation. One can
imagine how dismal the corporate scene would be if inbreeding was
the fundamental and unshakable norm in the acquisition of personnel.
This is the situation in most police departments.

The combination of these two programs would no doubt lead to
increased pay for police. Lateral entry itself would tend, through
the market mechanism, to drive wages up, and the insertion of
academy-trained recruits into the labor pool would have the same
result. The quality of people and training which we envision should

make policing a profession, in the full sense of that term. As
this result is approached, substantial increases in police pay
would be necessary and desirable, and these increases should be
substantially more than the ten or fifteen percent usually
mentioned.

The impact of these changes will be felt only over a period of
perhaps ten years. Yet a short run means to alleviate the problems
discussed above is a necessity. Several possibilities exist. First,
the lack of police manpower is in part due to a problem of defini-
tion. Thus certain functions which the police now perform, such
as traffic control, could be performed by other civil servants.
Other writers and commissions have recommended such a redefinition
of the "police function," and we concur.

In need of similar re-examination is the definition of "crime."
This is not the best of all possible worlds, and resources are
limited. Thus even disregarding the philosophical debate over
legislation in the area of "private morality," a rational allocation
of police resources would remove certain conduct from the criminal
law. Gambling, sexual relations between consenting adults, and
drug use (especially of such nonaddictive drugs as marijuana) are
prime examples. Not only would such action free police resources
for more important uses, but it would also remove one source of
police corruption and public disrespect for law.

If communities are to be policed adequately--and this concept
includes the community's acceptance of the policing as well as the
quality of the policing--the principle of community control of the

police seems inescapable. Local control of the police is a fairly
well-established institution in the suburbs, and it may well be a
necessity in the central cities. We recognize that the
implementation of this policy is a complex matter--that different
plans would be appropriate in different situations and that
different types of control for different police functions may be
desirable. We feel, however, that the principle is sound and that
alternative models should be developed and utilized.

Finally, institutionalized grievance procedures are badly need-
ed, especially in our large cities. It is clear that effective
machinery must be external to the offending governmental agency if
it is to be effective <u>and</u> be perceived as effective. Ideally, the
police should not be singled out for such treatment, but it is
imperative that they be included. We endorse the suggestion by the
Commission's Task Force on Law and Law Enforcement that a federal
grievance procedure be established.

May, 1968;[13] a Baltimore committee reported in the same month;[14] a New York committee presented recommendations to Mayor Lindsay for court procedures during emergencies in August, 1968;[15] and the American Bar Association reviewed the problems of courts during civil disturbances in the spring issue of the _American Criminal Law Quarterly_.[16]

We shall draw on these reports, as well as other materials, to describe judicial operations during civil disorders. Here we should like to note that inquiries listed--with the notable exception of the chapter in the Kerner Report--are more concerned with the problem of court _inefficiency_ during crisis periods than with whether "efficient" procedures, including those used during "normal" periods, are just and fair. They implicitly or explicitly adopt what might best be characterized as a "methods engineering" approach and seek technical answers to logistical problems. Although an "inefficient" court clearly runs the risk of doing injustice, it does not follow that an "efficient" one necessarily deals fairly and humanely, or even "legally," with those who are brought before the bench.

Many official proposals are aimed at preserving orderly procedures during a crisis and resuming "normal" conditions as soon as possible. It is especially risky, however, to cite the operation of the judicial system during "normal" periods as a standard for justice. The everyday operations of the courts, particularly the lower courts, have drawn sharp criticism from a variety of reliable observers,[17] especially for the way they dispose of cases involving members of minority groups. We shall return to this problem later after discus-

Routine Justice and Riot Justice

The courts are ill-prepared to cope with the volume of cases encountered in civil emergencies. If we ask why, the reason that comes to mind is strain--the added caseload simply is too much for the courts to handle. Any operating system, from a washing machine to a government bureau, breaks down from overload. Yet the "strain" explanation suggests an implicit assumption we believe to be unfounded: that the courts ordinarily offer services that are consonant with ideals of due process of law under an adversary system, and that the weight of additional cases prevents the courts from operating properly. If that were true, it would suggest as remedy that the courts be geared up to high performance through emergency measures-- i.e., build an overload circuit into the washing machine--thus reinstituting usual standards of quality. By contrast, we believe the evidence points to a direct relation between the way courts function during emergency situations and the way they function normally. Not only are the courts ordinarily poorly staffed, under-staffed and ill-equipped; more importantly the actions of courts during civil disorders are an extension of ordinary practices writ large, given public attention, and made vivid. The remedy then points to fundamental changes in the system, since the present design is not doing the job, and an overload circuit will prove ineffective. In this section, we will examine routine justice as it proceeds in the very same areas discussed previously: volume, bail, detention, right of counsel. The similarities, we believe, will become evident.

Order and Justice

The criminal courts, like all legal institutions, are also "political" in the sense that they are engaged in formulating and administering public policies.[105] The ties and differences between the political and judicial systems, however, are complex: although it is important to recognize that the courts and politics [the political system] are related institutions, we must not overlook their distinctive characters.

The judicial system is tied to the political system in several ways. Judicial personnel are sometimes elected; even more often they are appointed by political officeholders. Also the enforcement of judicial decisions is often left to political officials. Finally, the laws the judiciary is empowered to interpret and apply are created and can be changed through political processes. In general, the closeness of the courts to the political system does much to insure the flexibility of our legal system, its openness to change.

At the same time the judicial system is relatively insulated from politics. The selection of judicial personnel is guided in some measure by standards developed according to legal rather than political competence, and tenure arrangements have developed to protect judges from political interference. Moreover, judges are expected, and in considerable degree expect themselves, to be constrained by constitutional, statutory, and case law and by general principles of legality, in their assessment of evidence and their decisions. Such constraints are intended both to protect individuals against arbitrary state action and to prevent the courts

'standard of "neutrality" and "legality" but did not meet broader

notions of social justice. Of course, the potential for this

conflict had already existed, since both neutrality and justice were

thought to be desirable in the courts in different contexts.

Increasingly, courts were perceived as acting in a manner contrary to

social justice. For example, the chief judge of the Court of

General Sessions in Washington, D.C., has defended "neutrality" and

"objectivity" by saying:

> When faced with a mass civil disorder, there will be
> great pressure to disregard the particular violation--
> especially if the activity is nonviolent; especially
> when it is in support of a cause which is obviously
> just; and especially when you happen personally to
> agree with some of the basic aims of the demonstrators.
> We, the judges, cannot afford to succumb to that kind
> of temptation.[110]

So civil rights workers soon learned that "neutrality"--at least a

strict judicial interpretation of it--did not necessarily provide

social justice.

But that was only part of the problem. An authority can manage

a claim of "neutrality" provided it is also consistent. Yet an

increased exposure to the courts--especially the lower courts--

showed them to be far from a model of consistency. An observer of

civil rights activity in San Francisco in the summer of 1964

commented:

> Scores of defendants all accused of the same crime
> are being tried by different departments of one
> system. There are variations in rulings on the
> admissibility of evidence, variations in the
> attitudes of judges toward the cases and, most
> importantly, great variations in outcome. Some
> jurors have complained that attempts have been

> made to "gag" them in the deliberation process.
> I know of one instance of three boys who alleged
> that they were sitting together that night at the
> Sheraton Palace. One of the boys was acquitted,
> one of the boys was convicted, and one of the
> boys will be tried again because of a hung jury.
> The boys expressed in amazement to me: "And we
> were sitting side by side!"[111]

Finally and perhaps most important, students more and more tended to view the courts as enforcers of rules which were themselves arbitrary. For example, students during the 1964 Free Speech Movement at the University of California challenged the administration's attempt to end a long tradition of political activity near Sather Gate. Judge Robert Kroninger, when faced with sentencing students arrested during the Free Speech Movement, made the following evaluation: "Resistance to the rule of law whether active or passive is intolerable, and to describe criminal conduct as civil disobedience is to made words meaningless."[112] Yet from the perspective of the student protesters, merely to describe their civil disobedience as criminal conduct is equally meaningless. For them the alternative was to acquiesce to an administration which, according to the report of its own prestigious investigative committee, had "displayed a consistent tendency to disorder in its own principles."[113]

Similarly, the courts have come to be seen as enforcing laws which are technicalities either designed or used to suppress dissent. Thus, after the April, 1968, peace march in Chicago, a distinguished Commission reached the following conclusion:

> By attempting to discourage protest by withholding
> (parade) permits, the City invites disaster at some
> time when it may have constitutional reasons for
> prohibiting a particular assembly. . . . The First
> Amendment is meaningless unless dissenting individuals
> attempt to take advantage of the rights it affords. If
> such individuals do not make the attempt, it is true
> that there is no violence, no conflict, no overt re-
> pression of speech; there is also no freedom. . . .
> In a democracy, it should not require courage to defy
> authorities in order to express dissenting views.[114]

Congressional enactment of a law specifically aimed at draft card

burning--after this was already used as a means to voice dissent--

is another example. Moreover, anti-war protestors and blacks have

been charged with criminal offenses---often of an omnibus nature such

as "mob action"--to which police actions have contributed.

Another reason for the growing disenchantment with courts is

that the escalation of protest has put an enormous burden on traditional

disciplinary and criminal procedures. The basic problem is not the

larger number of cases, but rather that courts are being asked to

perform tasks for which they are inherently unsuited. This becomes

increasingly true as protest increases and it becomes more difficult

to draw lines between dissent and criminality.[115]

The criminal process is based on the implicit assumption that

crime, by and large, is an individual enterprise, or at most an en-

terprise encompassing only a small proportion of any community. The

lower criminal courts are designed to handle a large volume of mis-

demeanor cases in which most defendants plead guilty and do not con-

test the authority and legitimacy of the courts. Moreover, the process

assumes that those activities defined as "crimes" are disapproved of

by a large proportion of the community. This is not true of

contemporary mass protest, if the community in which the protest occurs
is taken to be the most relevant.

Often a significant segment of the protesting community is in-
volved in protest "crimes"--as for instance in Watts, Detroit, Berkeley,
and Columbia--and a large proportion do not define the activity as
"crime." Moreover, protesters do not accept the court's authority to
decide the disputes. This situation is one in which even further dis-
enchantment and erosion of the concept of legality are likely; as such
it presents a crisis for the courts. For by being required to pass
judgment over communities which do not support the judgment, courts
are placed in an impossible political situation. The federal courts
have had to do that in the South; in the North, municipal courts are
in something of the same political position with respect to the black
communities. Yet given the similarities between federal courts en-
forcing the law in the South and municipal courts enforcing the law
in black communities in the North, the differences are even more pro-
found. The black communities are black, and they are segregated as a
result of a history of white domination going back to slavery. So the
most accurate analogy is to the colonial court, for the black com-
munities of America--segregated communities providing the maids and
janitors and carwashers for more affluent whites--come close to being
internal colonies. And courts--because of their assumptions and re-
strictions--cannot be expected to deal adequately with such political
issues.

*what would you do
about it? You cannot
blame the courts for this*

Recommendations

To those who seek recommendations for improving the performance of the courts during civil crises, we can offer no simple--or even difficult--solutions. When the courts become a central political forum, it seems reasonable to infer that the traditional political machinery is malfunctioning. For the courts, the fundamental problem is that they are organized to do one sort of task--adjudicating--and that in civil disorders they are asked to deal with the outcome of political conflict as if it were only a "criminal" matter. Under such conditions, they inevitably become and are perceived as an instrument of power rather than of law.

Given the fact that the courts will probably continue to be burdened with the responsibility of responding to mass protests, every effort should be made to protect the civil liberties of defendants. Several reforms are needed in this respect:

(1) The criminal courts are in serious need of thorough reorganization so that they may be capable of meeting even minimal standards of justice, decency, and humanity under normal conditions. Such reorganization would help to eliminate some of the more flagrant abuses of legal rights during a civil disorder. More significantly, it would help to eradicate one of the sources of such emergencies, for there is good reason to believe that injustice and the ensuing loss of faith in the authority of the law move rational persons to extra-legal action. It is especially tragic that those who have most reason to be disenchanted with our society--particularly the poor and ethnic minorities--

are treated most unjustly by the courts. Our criticism is not primarily aimed at court officials, for in an important sense the personal competence of such officials is the least of the problems requiring reform. Much more important is the fact that we have not furnished the courts with financial, administrative, and jurisprudential resources commensurate with their importance in a society aspiring to constitutional democracy.

(2) During a civil crisis, criminal sanctions should be used with discretion and accuracy. The tendency of the courts to deal with political protesters as "criminals" points to a larger difficulty in American law, a difficulty referred to by the President's Commission on Law Enforcement and Administration of Justice:

> The generality and imprecision of most disorderly
> conduct statutes allow the police to exercise a
> broad discretionary authority in deciding which
> conduct to treat as criminal. . . . These excessively
> broad laws are applied in excessively broad ways that
> lead to convictions for some conduct that is harmless
> or should be protected.[116]

It is our impression that an increasing proportion of arraignments for such "crimes" as "disorderly conduct" involve persons who are engaging in political protest that, for the most part, is "harmless or should be protected." Moreover, police action during riots tends to concern itself with activities which vary from curfew violations to arson. The failure to use proper discretion in making arrests and to apply criminal sanctions accurately is likely to encourage disrespect for law and may even contribute to civil disorder.

(3) The actions of the courts during a civil disorder should

or after the riot. Sentences should be individually considered and pre-sentence reports required. The emergency plan should provide for transfer of probation officers from other courts and jurisdictions to assist in the processing of arrestees.[117]

We support these recommendations of the Kerner Commission with the following reservation: "Clearly some emergency measures are needed to permit the courts to operate in an orderly fashion during a civil crisis. The danger is that such "temporary" measures become permanent and "emergencies" become routine. We are especially concerned with the trend toward devising "emergency measures" at the expense of fundamental reforms in the criminal justice system. Recent official investigations of the operation of the courts in crisis suggest a concern for seeking new laws and new judicial techniques for controlling "rioters." Thus, most cities are presently exploring the possibility of preventive detention legislation,[118] and a blue-ribbon commission in Baltimore has recommended the passage of a "scavenging" law in anticipation of future riots.[119]

These trends lead us to believe that preparations are being made to deal efficiently with future civil disorders while little is being done to remedy the social and political grievances which motivate such disorders. We also believe that a number of assumptions, both in social psychology and in official conceptions, have served to obscure and undermine the political character of contemporary protest. In our concluding chapter, we intend to assess those assumptions.

augmented by seeing others who are equally excited and also rioting."[22]

The retention of the concept of contagion illustrates the degree to which most theories of collective disorder remain bound by earlier perspectives. The conception of the escalated riot involving heavy sniper fire illustrates the reciprocal relation between an inadequate theoretical framework and an inadequate attention to questions of fact, for, as the Kerner Commission exhaustively demonstrated, the existence of "heavy sniper fire" in ghetto disturbances is largely a myth.[23] It is the kind of myth, however, which fits very well the theoretical presuppositions dominating much collective behavior theory. It is also the kind of myth which may turn out to be self-confirming in the long run.

In summary, official and collective behavior theories of riots are inadequate for the following reasons:

(1) They tend to focus on the destructive behavior of minority groups while accepting the destructive behavior of authorities as normal, instrumental and rational. Yet established, thoroughly institutionalized behavior may be equally destructive, or considerably more so, than are riots. No riot, for example, matches the destructiveness of military solutions to disputed social issues.[24] Available evidence suggests both that a) armed officials, acting in fear and concert, often demonstrate a greater propensity to violence against persons than unarmed civilians; and b) these actions escalate the intensity of the disorder. Furthermore, as the report of our Chicago study team well illustrates, riots are not unilaterally provoked by disaffiliated groups. Collective protest involves interaction between the behavior

of "rioters" and the behavior of officials and agents of social control.
Each "side" may on close inspection turn out to be equally "riotous."
The fact that the behavior of one group is labelled "riot" and that of
the other labelled "social control" is a matter of social definition.[25]

(2) They tend to describe collective behavior as irrational, form-
less, and immoderate. Less emotional scrutiny of riots indicates that
they show a considerable degree of structure, purposiveness, and ration-
ality.[26] Nor is "established" behavior necessarily guided by rational
principle. While the beliefs underlying a riot may frequently be in-
accurate or exaggerated, they are not necessarily more so than, say,
commonly held beliefs about racial minorities by dominant groups, the
perception of foreign threats to national security, of the causes of
crime, of threats to internal security, and so forth. A measure of
irrationality, then, is not a defining characteristic of riots; rather
it is an element of many routine social processes and institutions.
The more significant difference may be that established institutions
are usually in a more advantageous position from which to define "ration-
ality."

The "inappropriateness" of riots is clearly a variable, depending
on the availability of alternative responses. Whether riots are
"appropriate" or not is surely a question of circumstance, depending
upon the goals sought and the alternative means available. Only by
neglect of the relevant institutional setting can "inappropriateness"
be considered a definitive characteristic of riots. Historically,
riots have been used as a form of political bargaining in the absence

[handwritten marginalia: or unused - often ghetto blacks fail ... to use the existing channels because they have not built the necessary political organizations. Certainly this may unimportant factor.]

of other channels of effective action. Where such channels are atrophied, nonexistent, or unresponsive, the riot may become a quasi-established, relatively standard form of political protest.[27]

Hans W. Mattick, who was employed by the Kerner Commission to do research on the sociological aspects of riots, described the underlying political character of recent urban riots:

> The content of the riot is reciprocal, like a broken bargain. It consists of claims and denials made in the substance and conceptions of life, liberty, and the pursuit of happiness. The parties to the bargain are the Negro community and the white majority, living under the rule of law, at some level of social accommodation. In process of time the predominant social forces come to shape the law in accordance with the differential distribution of power between the white majority and the black minority. Such consolidations of power are reinforced with irrational myths about black inferiority and white supremacy, and supported by discriminatory behavior patterns and prejudicial attitudes. As a result the Negro community experiences unfair treatment at the hands of the white majority and grievances accumulate. When claims of grievance are made, they are denied, minimized, and rationalized away. When legal attacks are made on discriminatory patterns, the formal law is changed in a grudging, rearguard action and represented as progress. Meanwhile informal procedures are devised to subvert the formal changes in the law. Grievances continue to accumulate and soon the grievance bank of the Negro community is full: almost every aspect of social life that has a significant effect on the life chances of Negroes seems blocked. The progress of the law has been too little and too late. At this juncture of history, after a series of prior incidents of similar character, the final incident takes place and violence erupts.
>
> Any attempt to understand the nature of a riot based on final incidents is, more frequently than not, to deal with symptoms rather than causes. Indeed, final incidents are routine and even trivial. They are distinguished in retrospect because they happen to have been the occasion for the eruption of violence; otherwise they resemble ordinary events.[28]

Beyond this, it is questionable whether there exists any necessary correlation between appropriate or moderate behavior and the use of established means. A strong preference for "normal channels" is discernible in many of the critiques of disorderly protest, black or otherwise. However, in human history, witches have been burned, slaves bought and sold, and minorities exterminated through "normal" channels. The "rioters" in Prague, for example, may not be "senseless" in believing that the Soviet Union is attempting to crush Czechoslovakian aspirations for democracy; nor are they necessarily "irrational" in perceiving unresponsiveness in "normal channels." The propriety--and to a large degree the rationality--of disorderly behavior is ultimately determined by historical outcomes, in the light of existing alternatives.

(3) Finally, it is insufficient to evaluate riots in terms of "tension" and "frustration." It is not that this perspective is wrong, but that it tells at once too little and too much. Too little, because the idea of "tension" or "strain" does not encompass the subjective meaning or objective impact of slavery or subordinate caste position or political domination. Too much, because it may mean almost anything; it is a catch-all phrase that can easily obscure the specificity of political grievances. It is too broad to explain the specific injustices of the social structure against which civil disorders may be directed; nor does it help to illuminate the historical patterns of domination and subordination to which the riot is one of many possible responses.

The difficulty with most traditional collective behavior theory is that it treats protest and riots as the "abnormal" behavior of social groups and derives its conceptual assumptions from psychological

rather than from political premises. It may well be asked what remains of the idea of collective behavior if a political perspective is adopted. Does such a perspective imply that there is no such phenomenon, or that there is not a "carnival" element or "contagion" element in riots that have political roots? Such an implication is not intended. We recognize that there may be an element of "fun" in being caught up in a collective episode, whether race riot or panty raid. (Some years ago, it was customary for Yale students to overturn trolley cars after football victories.) What we do object to is the substitution of a psychological analysis for a political one. The psychological analysis pays little attention to the content of the episode and describes its form. We, obviously, have reversed the order.

Is form significant? Yes, provided that few inferences are drawn from it. We do not object to collective behavior theories which attempt to generalize about interaction and development in a non-judgmental fashion. By contrast, we are most critical of those theories that are inherently political, and that inadvertently use scientific jargon to discredit political positions. (We say "theories" rather than "theorists" because we doubt that the writers had that intention.)

But even when "form" is stressed without depreciating the context of collective behavior, we still question the explanatory power of much collective behavior theory. From the point of view of a political analysis, the question has to be asked, "Why did Yale students formerly overturn trolley cars only after major football games but and now seem more interested in peace marches?" Collective behavior theory, as presently developed, does not offer

adequate answers to that question, or to similar ones.

We have discussed collective behavior theories of riot to indicate how widespread and dominant certain assumptions concerning riots are. These assumptions sometimes spill over into analyses of less violent forms of collective protest, although the tendency to thus generalize has not been widespread. But it has been true that the collective behavior view of riots as pathological has been adopted by officials who have analyzed riots. The next section deals specifically with these official views, or views intended to enlighten established elites.

Official Conceptions of Riot

Instigators

Since riots may include thousands of participants, it is difficult to explain the resulting violence purely in terms of a criminal or "riff-raff" element. This problem is resolved by some official commissions which, while generally appreciating that riots attract some popular support and participation, argue that riots are invariably aggravated by the criminal activities of a small group of provocateurs who take advantage of human weakness and transform basically non-violent individuals into an irrational mob.

Thus, riots are widely characterized as outlets for pent-up frustrations and grievances sparked by a few. In Chicago, according to the 1919 Report, even "normal-minded Negroes" exhibited a "pathological attitude to society which sometimes expresses itself defensively in acts of violence and other lawlessness."[29] The Harlem riot also drew upon the participation of "normal" citizens:

is evident in its selective character: stores and supermarkets with a reputation for discrimination and exploitation ~~are~~ tend to be singled out by loot-ers.[34] Looting, therefore, is not merely random or senseless violence.

Finally, the emphasis on the irrational and "hypnotic"[35] aspects of rioting tends to obscure the interactional nature of riots. It is misleading to ignore the part played by social control agencies in aggravating and sometimes creating a riot. It is not unusual, as the Kerner Commission observed, for a riot to begin and end with police violence.

Abnormality

Almost every official riot commission has pointed out that riots are abnormal and useless:

> The problem will not be solved by methods of violence.[36]

> The avenue of violence and lawlessness leads to a dead end.[37]

> There can be no justification in our democratic society for a resort to violence as a means of seeking social justice.[38]

> (U)nless order is fully preserved, . . . no meaningful, orderly, and rational physical, economic or social progress can occur.[39]

This "violence doesn't pay" argument is misleading on two counts. First, it assumes that riots are the only kind of collective violence. The commissions of 1919, 1943, and 1968 do not even mention the possibility of a connection between war and domestic violence. It is a matter of moral judgment, then, to attribute "normality" to one kind of violence but not to another.

Second, whether or not violence is "useless" is a problem which can

Seems off the point. Whatever
may be true of wars, how does
this affect whether violent
rioting "pays."

be resolved by empirical investigation. Rioting is not a particularly

novel or unusual technique for expressing grievances. Instances of such

rioting by both the respectable and disreputable poor in eighteenth and

nineteenth century Europe have been well documented by historians.[40] As

Hobsbawn has noted, the pre-industrial city mob "did not merely riot as a

protest, but because it expected to achieve something by its riot. It

assumed that the authorities would be sensitive to its movements, and

probably also that they would make some sort of immediate concession."

Like the modern riot, the classical mob included a cross-section of "the

ordinary urban poor, and not simply of the scum."[41]

Collective violence by powerless groups acts as a "signaling device"

to those in power that concessions must be made or violence will prevail.[42]

Hobsbawn gives the example of the Luddites, whose "collective bargaining

by rioting was at least as effective as any other means of bringing trade

union pressure, and probably _more_ effective than any other means avail-

able before the era of national trade unions."[43] Like contemporary rioters,

the "social bandits" of nineteenth century Europe were regarded as

"honorable" and enjoyed the protection of the local community.[44]

Similarly, Rimilinger notes that those involved in the development of

European trade unionism were "convinced of the righteousness not only

of their demands but also of the novel means proposed to enforce them."[45]

In conclusion, the available evidence suggests that riots are

participated in by a predominantly youthful cross-section of the lower-

class community, that they are supported (usually passively) by other

segments of the black community, that they are often rational and pur-

poseful, and that they are not a historically unique form of social

protest. Although it is generally recognized that riots are motivated in part by legitimate grievances, the ensuing political response clearly reveals that order has been given priority over justice. After the Harlem riot in 1935, it was reported that "extra police stand guard on the corners and mounted patrolmen ride through the streets. . . . To the citizens of Harlem they symbolize the answer of the city authorities to their protest. . . . It offers no assurance that the legitimate demands of the community for work and decent living conditions will be heeded." Yet the Harlem Commission warned that riots would recur so long as basic grievances were not answered.[46] Over thirty years later, the Kerner Commission reported a similar finding that "in several cities, the principal official response has been to train and equip the police with more sophisticated weapons."[47]

Social Control of Riots

Official conceptions of riots have been translated into recommendations combining a program for the reduction of social tensions with a call for the development of strategy and technology to contain disruption. On its face, this dual approach seems both reasonable and feasible. It suggests sympathetic response to legitimate grievances, and at the same time it offers the prospect of sophisticated, measured, and controlled force to protect civic order. After considerable analysis, however, we have come to believe that it would be most inadvisable for this Commission to adopt this two-pronged approach, because, while seemingly reasonable, it is ultimately unworkable.

A commission, in much the same way as a society, has only
limited resources--political resources in this case. If it is to be
effective, it follows that it must set realistic priorities. Im-
plicit in the two-pronged theory is the assumption that, in practice,
reform measures have about the same prospect of gaining executive and
legislative support as control and firepower measures. Historical
experience, however, suggests no such equation. On the contrary,
commissions from the Chicago Commission of 1919 to the Kerner Commis-
sion have adopted the dual approach and have lived to observe control
recommendations being implemented without concomitant implementation
of social reform measures. Thus, following the Kerner Commission,
there has been considerable development of riot control weapons and
programs in our urban areas,[48] without similar efforts, recommended
by the Commission, to meet underlying and legitimate grievances. We
believe, from the evidence, that it is more sensible to implement
recommendations for control than recommendations for altering the
social structure. Because massive social reform is essential and
because this Commission and society have only limited resources, so-
phisticated weaponry has no place in the report of this Commission.

There are various possible levels of social reform, ranging from
merely token and symbolic amelioration of fundamental problems to
significant changes in the allocation of resources--including political
power. We feel that contemporary efforts at reform in this country
remain largely at the first level. Precisely because society leaves
untouched the basic problems, the cycle of hostility spirals: there
is protest, violence, and increased commitment to social control;

as we spiral in this direction, the "need" for massive social control

outstrips the capacity of democratic institutions to maintain both

social order and democratic values. Little by little, we move toward

an armed society which, while not clearly totalitarian, could no

longer be said to rest upon the consent of the governed.

We need to reverse the spiral. A genuine commitment to funda-

mental reform will have positive effects, thus reducing the need for

massive social control. The reduction of control should also occasion

positive benefits by reducing polarization and hostility; that, in

turn, should decrease disaffection, thus decreasing the need for force,

and so forth. Only if the roots of disorder are attacked can the

spiral be reversed and the problem of social control rendered manage-

able within a democratic framework.

The ramifications of reducing force and increasing reform are

evident if we examine the connection between anti-war, student, and

black protest. For example, a reduction of military spending and

involvement overseas would reduce the level of anti-war and student

protest and free resources which could then be used to combat the

problems of the ghetto. Such reform would, in turn, reduce the need

for massive social control.

The two-pronged approach makes a third mistake in assuming

that the escalation of violence is unrelated to the strategies of

social control adopted. Our evidence suggests that an increase in

the commitment to "order"--a diversion of resources into domestic

social control and away from redress of social grievances--is not

'and covert penetration supply an effective technique of management."[51]

Perhaps the most important thing we have learned from the Vietnam war is that power and covert surveillance may well have the unanticipated effect of increasing resistance. Indeed, the literature of guerrilla warfare stresses that revolutionaries are made through violence. So, too, the young man who encounters the hostile actions of a policeman is likely to increase his hostility toward the society and to be attracted to groups that express such hostility.[52] Moreover, in measuring consequences of domestic military escalation, we must add the political and social dangers of depending on espionage as an instrument of social control, including its potential for eroding constitutional guarantees of political freedom.

For these reasons, we urge this Commission to reject the conventional two-pronged approach to contemporary American protest, not because it is ill-intentioned, but because it cannot work. We must not make the mistake in our domestic policies that Henry Kissinger has found in our handling of the Vietnam war--we must not permit "our military operations to have little relationship to our declared political objectives."[53]

If this Commission makes recommendations toward the development of more sophisticated control techniques, it will--for the reasons stated above--inadvertently move itself into the self-defeating position of the control camp. The combination of long range reform and short range order sounds plausible, but we are highly doubtful that it will succeed. This nation cannot have it both ways: either it

'will carry through a firm commitment to massive and widespread politi-
cal and social reform, or it will develop into a society of garrison
cities where order is enforced without due process of law and without
the consent of the governed.

Jerry: This one or the other
argument seems most questionable to
me. I agree about the danger that
the public will do this respond to
the control recommendations first and
we should warn against this. But the country
will not respond to reform recommendations
alone. It will not to improve control
whatever we say. To be effective,
we must persuade that movement
toward better control must be accompanied
by movement toward reform. Besides we
must strengthen police to control violent crimes.

We have a good precedent in 19th
century England, which achieved
relative social peace by a program
of reform for workers and tenant
farmers accompanied by development
of the modern police. And as England
proves (and you yourself cite on riot control)
police can control by peaceful
means, even without deadly weapons (over)

Would you consider a revision
along these lines?

LMC

Campbell

January 8, 1969

Professor Jerome Skolnick
Center for the Study of Law
   and Society
2224 Piedmont
University of California
Berkeley, California 94720

Dear Jerry:

Enclosed are Lloyd's and my comments on the
"Black Militancy" Chapter, which we both regard as
extremely useful. I seem to have a larger number of
comments than Lloyd does.

We both have problems with the discussion of
anti-colonialism -- particularly the failure of the
present draft to provide a detailed linkup between this
rather sophisticated and intellectual perspective and the
actual violent conduct of blacks in the urban ghettoes.

The Conclusion beginning at IV - 61 (which I would
retitle something like "Patterns of Future Violence")
seems to me to be a vitally important part of your Chapter,
and one that is not now fully developed. My main comments
are on pages IV - 65 and IV - 67, where I suggest: (1) the
need to develop the idea that future racial violence will
see an increase in "more strategic acts of violence and
a shift from mass riots to sporadic warfare," and to dis-
tinguish between the kind of political violence you are

talking about and terrorism or individual acts of violence
for private gain or other non-political motives; (2) the
need to rehabilitate the Kerner Report's basic recommendations
after you have previously expressed the view that the Kerner
Report basically misinterpreted black power and contemporary
black militancy. I am enclosing information from the Justice
Department's Civil Disturbance Information Unit as footnote
material for your discussion of recent disorders, and I am
attaching an article from today's New York Times referring
to a firebombing incident and other instances of serious
violence apparently associated with black student protest.
(We have also been told that there have been bombs planted
at San Francisco State College which did not go off: as I
suggest on page IV - 65, your report should at some point --
probably there -- refer to the instances of person-oriented
violence in connection with black campus protest.)

More comments to follow.

Sincerely,

James S. Campbell
General Counsel

Enclosures

cc: Lloyd N. Cutler

JSC/cah

CHAPTER IV

BLACK MILITANCY

Introduction

We begin this chapter with a number of misgivings. This is by
no means the first official commission to investigate violent aspects
of black protest in America. On the contrary, official treatments of
the "racial problem" may be found far back in American history, and
official investigations of racial violence have been with us since
1919. Occassionally, these investigations have unequivocally con-
demned the participants in racial disorder, both black and white,
while neglecting the importance of their grievances. More often,
their reports have stressed that the resort to violence is under-
standable, given a history of oppression and racial discrimination.
All of these reports, nevertheless, have insisted that violence can-
not be tolerated in a democratic society. Some have called for far-
reaching programs aimed at ending discrimination and racism; all have
called for more effective riot control. None of them have appreciably
affected the course of the American racial situation.

[handwritten margin note: Citation needed — perhaps also a short run-down of all the race riot commissions]

[handwritten margin note: Citation to Clark's testimony before Kerner Commn ?]

Thus the cycle of protest and response continues. Violence
is employed where other techniques have failed; the use of violence
is again investigated, again understood, and again deplored.

There are grounds for skepticism, therefore, concerning the fate
of yet another report on black militance. In addition, we are faced
with a number of more specific problems. In the first place, our
subject is too vast and too complex to be dealt with adequately in
the space of a single chapter. Second, black protest is a dynamic
phenomenon which cannot be properly studied apart from the larger
political and social trends of American society. Indeed, a major
finding of our analysis is that the direction of black protest must
be seen in the light of the structure of American political institu-
tions. But limitations of both time and space preclude a thorough
analysis of those institutions. Third, we have not been able to do
a measurable amount of field research (although we have done some
interviewing) due again to time limitations, and also to the suspic-
ion with which this Commission is viewed by some militant blacks.
Finally, it is difficult to add to the recent and exhaustive Kerner
Report.

Consequently, our analysis is limited to certain specific issues.
We have avoided generalizations about the "racial problem" and its
solutions. Those wishing to understand the broad social and economic
conditions of black Americans, and the kinds of massive programs
needed to remedy those conditions, should look to the Kerner Report
and to the vast body of literature on the subject. Much of this has

been said before, and we see little point in saying it again. Al-

though we have substantial reservations about some aspects of the

Kerner Report, we do not wish to undermine its basic analysis, which

has already suffered Presidential and Congressional indifference.

Our general aim, rather, is to examine the events of the past

several years (including especially those events which have transpired since publication of the Kerner Commission Report in March 1968,) with the object of understanding why many black Amer-

icans find it increasingly necessary to employ, or envision, violent

means of effecting social change.

The following chapter is divided into three main sections. In

the first, we examine the interaction between black protest and gov-

ernmental response which caused many participants in the civil rights

movement to reject traditional political processes. We then analyze

the importance of anti-colonialism in providing new meaning and

ideological substance for contemporary black protest. We have

found it particularly important to stress that for many black mil-

itants, racial problems are international in scope, far transcending

the domestic issue of civil rights. The urban riots have been a

second major influence on contemporary militancy, and this section

concludes with an analysis of the meaning of the riots for the

black community and for black organizations.

The second section considers some major themes in contemporary

black protest, and examines their origins in the history of black

protest in America, the anti-colonial movement, and the present

social situation of black Americans. Many of these themes are most

clearly expressed in the actions of militant youth in the schools.

The final part of this section analyses the nature and extent of this

increasingly significant youth protest.

We conclude with an analysis of the extent and direction of ghetto violence since the publication of the Kerner Report, and the implications of that violence and the political response to it, for the future.

Two related points should be understood. First, this chapter does not attempt to encompass the entire spectrum of black protest in America. Rather, it is concerned with new forms of political militancy that have recently assumed increasing importance in black communities. Its general outlines are fairly clear, even though, as we write, new forms and facets of perspective are being generated. We regard what follows as an _introduction_ to a phenomenon whose importance has been inadequately appreciated.

Second, it is important to keep the violent aspects of black protest in perspective. The connection between black militancy and collective violence is complex and ambiguous. There has been relatively little violence by militant blacks in this country. This is true historically, and it is true for the contemporary situation. It must also be remembered that much of the violence attending black protest has come from militant whites--in the case of the early race riots and the civil-rights movement--or from police and troops, in the case of the recent ghetto riots. On the other hand, we cannot be optimistic about the future. Recent developments clearly indicate that black Americans are no longer willing to wait for governmental action to determine their fate. At the same time, we find little

[handwritten margin notes:]

Too fast a statement in view of your own observations at IV-65.

against white persons

despise the popular impression conveyed by news media emphasis on a few episodes of spectacular violence by black radicals.

in 19—, 19— and 19—

of the 1940's and 1930's

of the past few years.

"relatively" little violence. the point seems far stronger as to person-oriented violence — as opposed to property-oriented violence, where I doubt you can say there has been

action. David Walker, in his An Appeal to the Coloured Citizens of the World (1829), called white Americans "our natural enemies" and exhorted blacks to "kill or be killed."[7] The abolitionist Frederick Douglass, discussing the kidnapping of escaped slaves and their return to the South under the Fugitive Slave Act, argued that "the only way to make the fugitive slave law a dead letter, is to make half a dozen or more dead kidnappers." In supporting John Brown's armed raid at Harper's Ferry, Douglass advocated the use of any and all means to secure freedom: "Let every man work for the abolition of slavery in his own way. I would help all, and hinder none."[8] There is a remarkable similarity between Douglass' statement and a recent one by Malcolm X who says, "Our objective is complete freedom, complete justice, complete equality, by any means necessary."[9]

At the same time, the use of legal argument and of the ballot is far from dead in the contemporary black protest movement. The history of black protest is the history of the temporary decline, fall, and resurgence of almost every conceivable means of achieving black well-being and dignity within the context of a generally hostile polity, and in the face of unremitting white violence, both official and private. Where black protest has moved toward the acceptance of violence, it has done so after exhausting nonviolent alternatives and a profound reservoir of patience and good faith.

This is the case today. In this section, we examine the events leading up to the most recent shift in the general direction of militant black protest--the shift from a "civil rights" to a "liberation" perspective.

This is good — perhaps more examples are warranted, esp from the early years of this century.

Civil Rights and the Decline of Faith

From the decline of Garveyism in the 1920's until quite re-
cently, the dominant thrust of black protest was toward political,
social, economic and cultural inclusion into American institutions on
a basis of full equality. Always a powerful theme in American black
militancy, these aims found their maximum expression in the civil
rights movement of the 1950's and early 1960's. Today, these aims,
while actively pursued by a segment of militant blacks, are no longer
at the forefront of contemporary militancy. Several features of this
transition stand out: 1) The civil rights movement was largely di-
rected at the South, especially against state and local laws and
practices, and, in general, it saw the federal government and courts
as allies in the struggle for equality. The new movement, while
nationwide in scope, is primarily centered in the black communities
of the North and West, and is generally antagonistic to both local
and federal governments.

2) The civil rights movement was directed against explicit and
customary forms of racism, as manifested in Jim Crow restrictions
on the equal use of facilities of transportation, public accomo-
dations, and the political process. The new movement focuses on
deeper and more intractable sources of racism in the structure of
American institutions, and stresses independence rather than inte-
gration.

3) The civil rights movement was largely middle-class and inter-
racial. The movement for black liberation integrates middle and
lower-class elements in a rejection of white leadership.

4) The civil rights movement was guided by the concepts of nonviolence and passive resistance. The new movement for black liberation stresses the ideas of self-defense and of freedom by any means necessary.

For the civil rights movement, the years before 1955 were filled largely with efforts at legal reform, with the NAACP, especially, carrying case after case to successful litigation in the federal courts. Among the results were the landmark decisions in Shelly v. Kraemer[10] striking down restrictive covenants in housing, and the series of cases leading up to Brown v. Board of Education[11] declaring that the doctrine of "separate but equal" was inherently discriminatory in the public schools. The Supreme Court directed southern school jurisdictions to desegregate "with all deliberate speed," but in the following years little changed in the South. The great majority of black children remained in segregated and markedly inferior schools; blacks sat in the back of the bus, ate in segregated facilities, and were politically disenfranchised through the white primary and the poll tax. Southern courts and police continued to act as an extension of white caste interests. Established civil rights organizations, lulled by judicial success in the federal courts, lapsed into a state of relative somnolence.[12] There was a considerable gap, however, between the belief of the NAACP and other groups that major political changes were in sight and the reality of the slow pace of change even in the more "advanced" areas of the South. The gap was even greater between the conservative tactics and middle-class orientation of the established

civil-rights organizations and the situation of the black ghetto

masses in the North.

Since the NAACP, the Urban League, and other established groups

continued to operate as before, new tactics and new leaders arose to

fill these gaps. In 1955, Mrs. Rosa Parks of Montgomery, Alabama,

refused to give up her bus seat to a white man, and a successful boy-

cott of the bus system materialized, led by a local minister, the

Reverend Martin Luther King, Jr. Around the same time, with less

publicity, another kind of organization with another kind of leader-

ship was coming into its own in the northern ghettos. Elijah

Muhammed and the Nation of Islam represented those segments of the

black community that no one else, at the moment, was representing:

the northern, urban, lower-classes.

Neither the direct-action, assimilationist approach of King

nor the separatist and nationalist theme of the Black Muslims were

new. Rather, they were traditional themes which had been adopted

in response to specific situations. Direct action was used by the

abolitionists prior to the Civil War,[13] by left-wing organizers in

the ghetto in the 1930's, by CORE in the early 1940's; it had been

threatened by A. Phillip Randolph in his March on Washington in 1941,

but called off when President Roosevelt agreed to establish a Federal

Fair Employment Practices Commission.[14] The roots of separatism are

equally deep, beyond Marcus Garvey to Martin Delaney and the American

Colonization Society in the eighteenth century.[15]

The move to direct action in the south brought civil rights

protest out of the courts and into the streets, bus terminals,

restaurants, and voting booths, substituting "creative disorder"[16]

for litigation. Nevertheless, it remained deeply linked to the

American political process and represented an innate faith in the

protective power of the federal government and in the moral capacity

of white Americans, both northern and southern. It operated, for

the most part, on the implicit premise that racism was a localized

malignancy within a relatively healthy political and social order;

it was a move to force American morality and American institutions

to root out the last vestiges of the "disease".

Nowhere were these premises more explicit than in the thought

and practice of Martin Luther King. Nonviolence for King was a

philosophical issue rather than the tactical or strategic position it

was for many younger activists in SNCC and CORE.[17] The aim was "to

awaken a sense of moral shame in the opponent."[18] Such a philos-

ophy presumed that the opponent had moral shame to awaken, and that

moral shame, if awakened, would suffice. During the 1960's many

civil rights activists came to doubt the first and deny the second.

The reasons for this ~~lay not so much~~ did not lie primarily in white southern terrorism

illustrated by as in the killing of NAACP leader Medgar Evers, of three civil rights

workers in Neshoba County, Mississippi, of four little girls in a

dynamited church in Birmingham, and many others. To a large ex-

tent, white southern violence was anticipated and expected.[19]

What was not expected was the failure of purpose, protection, and

sense of urgency of the federal government, and of liberal white

allies in the civil rights movement.

Activists in SNCC and CORE met with greater and more violent

southern resistance as direct-action continued during the sixties.
Freedom Riders were beaten by mobs in Montgomery; demonstrators
were hosed, clubbed and cattle-proded in Birmingham and Selma.
Throughout the South, civil rights workers, black and white, were
victimized by local officials as well as by night-riders and angry
crowds.

Despite the passage of civil rights legislation and legal
support for integration, southern courts continued to apply caste
standards of justice. Official violence of the past--beating, shoot-
ing, and lynching--was supplemented and sometimes replaced by of-
ficial violations of the law. Judges, prosecutors, and local bar
officials explicitly attempted to suppress the civil rights move-
ment, without any pretense of harmonizing competing interests within
the ambit of the law.

At the same time, the problems of white violence and southern
judicial intransigence were compounded by political constraints on
the federal government, such that it failed to move decisively
toward radically altering the southern situation.

Not only did white liberals and government officials not argue
the legitimacy of the activists' claims; they affirmed them.
Nevertheless, in practice, field operatives of the government,
especially agents of the F.B.I., were accused of vacillation, partic-
ularly in protecting civil rights workers. "Maintaining law and
order," said a Justice Department official, "is a State responsi-
bility."[20]   Later, in the aftermath of ghetto riots and riot com-
missions, militants were to ask why law and order was a state re-

sponsibility when white southerners rioted but a problem needing

massive federal intervention when black northerners did. At the

time, many activists--and even some "established" members of older

organizations--began questioning the integrity of a government which

praised its own sponsorship of civil rights legislation while

failing to challenge southern violence.

At the March on Washington in 1963, John Lewis of SNCC

voiced the growing lack of enthusiasm for more civil rights bills.

"This bill will not protect young children and old women from

police dogs and fire hoses for engaging in peaceful demonstrations..."[21]

Federal policy also began to show less enthusiasm for the civil

rights movement. In Albany, Georgia, the federal government pro-

secuted civil rights demonstrators who picketed a local grocery,

while local police officials who attacked and severely beat the

demonstrators were not prosecuted under available federal law.[22]

Events like these led many militants to ask, with Lewis, "whose side

is the government on?"[23]

> The simple and harsh fact, made clear in Albany,
> and reinforced by events in Americus, Georgia, in
> Selma and Gadsden, Alabama, in Mississippi, is that
> the federal government abdicated its responsibility
> in the Black Belt. The Negro citizens of that area
> were left to the local police. The U. S. Constitu-
> tion was left in the hands of Neanderthal creatures,
> who cannot read it, and whose only response to it has
> been to grunt and swing their clubs.[24]

Even many moderates agreed with the Urban League's Whitney

Young that the government was "reacting rather than acting"[25] in

the drive for Negro rights. Activists who had been in the South

were inclined to agree with a white observer that the American government seemed "uncommitted emotionally and ideologically to racial equality as a first-level value . . ."[26] By 1963, some civil rights workers were beginning to lose faith in that government and in the major political parties. "We cannot depend on any political party, for both the Democrats and the Republicans have betrayed the basic principles of the Declaration of Independence."[27]

Faith in the political process, and in the viability of the traditional alliance between blacks and the liberal elements in the Democratic Party, suffered another blow in the failure to seat the Mississippi Freedom Democratic Party delegation at the 1964 Democratic convention.[28] The MFDP represented both a rejection of southern white-only Democratic politics and a fundamental belief in the good offices of liberal Democrats, whose compromise offer of two seats among the regular Mississippi delegation was seen as an insult.

The MFDP episode climaxed a growing disillusionment with the white liberal. As a black commentator wrote in 1962, "Negroes are dismayed as they observe that liberals, even when they are in apparent control, not only do not rally their organizations for an effective role in the fight against discrimination, but even tolerate a measure of racial discrimination in their own jurisdictions."[29] The recognition that civil rights laws would not suffice to bring blacks into full equality in American society furthered the search for more intractable sources of disadvantage in American institutions. Militants began to examine the reasons why

discriminatory practices remained in such traditionally "liberal"
institutions as labor organizations, schools, and civil service.
The liberal's motives became suspect. Suspicion extended to an-
other traditionally "friendly" institution--academic social
science, and its representatives in the federal welfare "establish-
ment." The Moynihan report, which many blacks took as an affront,
was interpreted as an attempt to place the blame for continued
discrimination in the Negro community and not on the structure of
racism.[30]

The increased criticism of liberals, academics, and federal
bureaucracies was part of a broader turn to a renewed critique of
the situation of blacks in the North. To a large extent, and de-
spite such evidence as the Harlem uprisings of 1935 and 1943, most
white northerners had congratulated themselves on the quality of
their "treatment" of the Negro vis-a-vis that of the South. But with
the explosion of Harlem again--along with several other northern
cities--in 1964, attention began shifting to the problem of insti-
tutional racism in the North, and this shift was accelerated by
the Watts riot the following year. In a real sense, the riots not
only surprised liberal and academic whites, but civil rights leaders
as well. While undermining the moral credibility of liberal
northerners, the riots deprived most civil rights leaders of a
vocabulary with which to express the deeper problems of the north-
ern ghettos. There was a widespread sense that civil rights lea-
ders either could not or would not speak to the kinds of issues
raised by the riots, and that a wide gulf separated those leaders--

mostly of middle-class background--from the black urban masses.
During the 1964 Harlem riot, for example, Bayard Rustin and other
established civil rights leaders were booed and shouted down at
rallies and in the streets, while crowds shouted for Malcolm X.[31]

By the mid-1960's, then, civil rights activists had petitioned
the federal government and the white liberals and found them want-
ing. They also found themselves increasingly out of touch with the
vocal ghetto masses. At the same time, another issue began to
emerge. Militants began to ask whether there was not a contradic-
tion between the lack of action at home and the nature of certain
American committments overseas: "How is it that the government
can protect the Vietnamese from the Viet Cong and the same govern-
ment will not accept the moral responsibility of protecting people
in Mississippi?"[32]

For some blacks, this contradictory performance further indic-
ated the government's lack of concern for the Negro. In 1965,
the McComb branch of the Mississippi Freedom Democratic Party issued
a leaflet which caught the mood of disillusionment and suspicion:

> 1. No Mississippi Negroes should be fighting in
>   Vietnam for the White Man's freedom, until all
>   the Negro people are free in Mississippi . . .
> 4. No one has a right to ask us to risk our lives
>   and kill other colored people in Santo Domingo
>   and Vietnam, so that the white American can get
>   richer. . . . We don't know anything about Com-
>   munism, Socialism, and all that, but we do know
>   that Negroes have caught hell right here under
>   this American Democracy.[33]

Concern with the war and its implications for black people inten-
sified along with the war itself. In January, 1966, SNCC issued

activists met and merged with the voices of northern, urban, lower-class protest. In looking toward the anti-colonial struggle, black militants acquired a new conception of their role in the world and new models of collective action.

The Impact of Anti-Colonialism

Throughout most of the past century the world was dominated by whites. The domination was political, economic, social and cultural; it involved nothing less than the reclassification of the majority of the world's population as somewhat less than human. "Not very long ago, the earth numbered two thousand million inhabitants; five hundred million men, and one thousand five hundred million natives."[35]

Today this is no longer true. The great majority of lands formerly under colonial domination have gained at least formal autonomy. The impact of this development has yet to be completely assessed, but it is clear that no discussion of the character of racial conflict in America can ignore it.

Black militants in America have frequently looked to Africa for recognition of common origins and culture, and the influence has been reciprocal. W.E.B. DuBois saw that the "problem of the color line" was international in scope, and was a guiding force behind the movement for Pan-African unity. The ideas of Marcus Garvey and other American and West Indian black nationalists stimulated the development of African nationalism and informed the intellectual development of such African leaders as Kwame Nkrumah.[36]

How were non-white populations classified during the centuries prior to the last one? Did they fare any better then?

existence of a technological society in Egypt to have an emotional impact: "I believe what most surprised me was that in Cairo, automobiles were being manufactured, and also buses . . ."[48] "I can't tell you the feeling it gave me. I had never seen a black man flying a jet."[49]

Power

The successful revolt against colonialism has changed the structure of power in the world, and this fact has not been lost on black militants in America. It demonstrated that peoples supposed to be culturally and technologically "backward" can emerge victorious in struggles with ostensibly superior powers; and it has developed in many militants a consciousness that, in global terms, people who are not white represent the majority. This consciousness is rooted in the development of black militancy in America.

Significantly, successful anti-colonial movements are evidence that the military and technological supremacy of the major Western powers is incapable of containing movements for national liberation. The eventual victories of such movements in Algeria and Kenya, and the inability of a massive and costly American effort to deflect the course of the national liberation movement in Vietnam, are not lost on American blacks. If nothing else, these facts demonstrate that should urban insurgency come to this country, it would require a massive and frustrating effort to control, at enormous costs to all involved. Perhaps above all, the aura of invulnerability which may have surrounded the technologically powerful white nations—have substantially crumbled: "Two-thirds of the human population

to change through orderly political processes; "revolt is the only way
out of the colonial situation, and the colonized realizes it sooner or
later. His condition is absolute and calls for an absolute solution; a
break and not a compromise."[67] The rejection of compromise meant a cor-
responding rejection of the native middle class, which was seen as para-
sitical, timid, and generally antagonistic to the struggle of the native
masses for liberation.[68] The motive force of the anti-colonial revolution,
for these writers, lay in the lumpenproletariat of the cities. Through
revolutionary violence, Fanon wrote, "these workless less-than-men are
rehabilitated in their own eyes and in the eyes of history."[69]

With the rise of urban insurrections in the American ghettos in
the 1960's, many American militants saw in this perspective a framework
for understanding these issues which the traditional assimilationist ideo-
logy of the civil rights movement could not adequately encompass. Above
all, anti-colonialism offered a compelling analysis of the condition of
the urban lower-class black. The nature of the riots lent support to
this analysis, despite official claims that riots were merely temporary
set-backs in a general pattern of racial harmony.

The Impact of Riots

Although it is difficult to assess accurately the various influences
on contemporary black militancy, the Northern urban riots are surely impor-
tant. Whereas anti-colonialism provided, directly or indirectly, a model
of cultural identity and a sense of international influence, riots both
dramatized the failure of the American polity to fulfill the expectations
of the civil rights movement; and demonstrated the gap between black leader-

and the prevailing sentiments of their constuencies.[70] The urban

riots, then, have had important consequences for black leaders as

well as for governmental action. Newer and younger faces and or-

ganizations have emerged in recent years to represent the interests

of the urban lower-classes, and the older representatives of the

civil rights movement have been required to redefine their political

programs to accommodate these new forms of militancy. A recent

statement by Sterling Tucker, Director of Field Services of the

National Urban League, indicates that established black leaders are

well aware of the new militancy:

> I was standing with some young, angry men not far
> from some blazing buildings. They were talking
> to me about their feelings. They talked out of
> anger, but they talked with respect.
>
> 'Mr. Tucker,' one of them said to me, 'you're a
> big and important man in this town. You're always
> in the newspaper and we know that you're fighting
> hard to bring about some changes in the conditions
> the brother faces. But who listens, Mr. Tucker, who
> listens? Why, with one match I can bring about more
> change tonight than with all the talking you can
> ever do.'
>
> Now I know that isn't true and you know that isn't
> true. It just isn't that simple. But the fact that
> we know that doesn't really count for much. The
> brother on the street believes what he says, and
> there are some who are not afraid to die, believing
> what they say.[71]

wholesale rejection of our national traditions, our public institutions, our common goals and way of life. Advocates of black racism encourage political rebellion in the place of political participation, violence in the stead of non-violence, and conflict rather than co-operation."[75] Implicit in the "riff-raff" theory is the idea that riots are unilaterally violent, that public officials and agencies merely respond in defense against the violence of "irresponsible advocates," and that the riots have little wider meaning in the black community.

The "riff-raff" theory has been challenged by various studies. As long ago as 1935, the Harlem Commission reported that "among all classes there was a feeling that the outburst of the populace was justified and that it represented a protest against discrimination and aggravations resulting from employment."[76] More recently, a study of participants in the Watts riot suggests that 46% of the adult population in the curfew zone were either actively or passively supporting the riot. The riot had a "broad base" of support and was characterized by "widespread community involvement."[77] Although participants in the Watts riot were predominantly male and youthful, support for rioting was as great from the better-educated, economically advantaged, and long-time residents as it was from the uneducated, poor, and recent migrants.[78]

The Kerner Report provided further evidence to contradict the "riff-raff" theory but its significance was lost in the mass of facts and figures. The most convincing attack on this theory came from Fogelson's and Hill's study of participation in the 1967 riots which

was published at the end of the Kerner Commission's supplemental
studies. The authors found that (1) a substantial minority, ranging
from 10 to 20 percent, participated in the riots, (2) one-half to
three-quarters of the arrestees were employed in semi-skilled or
skilled occupations, three-fourths were employed, and three-tenths
to six-tenths were born outside the South, and (3) individuals between
the ages of 15 and 34 and especially those between the ages of 15
and 24 are most likely to participate in riots.[79]

Riots are generally viewed by blacks as a useful and legitimate
form of protest. Survey data from Watts, Newark, and Detroit suggest
that there is an increasing support, or at least sympathy, for riots
in black communities. Over half the people interviewed in Los Angeles
responded that the riot was a purposeful event which had a positive
effect on their lives.[80] Thirty-eight percent of the population in
the curfew area said that the riot would help the Negro cause. "While
the majority expressed disapproval of the violence and destruction,"
writes Nathan Cohen in the LAR study, "it was often coupled with an
expression of empathy with those who participated, or sense of pride
that the Negro has brought worldwide attention to his problem."[81]

That riots are seen by many as a legitimate and instrumental method
of protest has drastic implications for "riff-raff" theory. "Is it
conceivable," ask Fogelson and Hill, "that...several hundred riots
could have erupted in nearly every Negro ghetto in the United States
over the past five years against the opposition of 98 or 99 percent
of the black community? And is it conceivable that militant young
Negroes would have ignored the customary restraints on rioting in the
United States, including the commitment to orderly social change, unless

Cultural Autonomy

The strain toward black liberation mixes indigenous and inter-
national influences. The resurgence of interest in cultural autonomy
reflects both of these influences, as well as the unique problems
confronting black Americans during the mid-1960's. Three elements of
that situation are especially significant.

First, with the rise of an international outlook and a conco-
mitant recognition of America's role in supporting oppressive regimes
overseas, black Americans found themselves in a society which appeared
to be bent on suppressing nonwhite ambitions on a world-wide, as well
as domestic scale. Looking backward at the long history of white
domination in this country, and outward at American neocolonialism,
militants questioned the cultural bases of American values: "I do not
want to be a part of the American pride. The American pride means
raping South Africa, beating Vietnam, beating South America, raping
the Phillippines, raping every country you've been in."[107]

The exclusion of blacks from the mainstream of American culture
has made rejection of that culture less difficult, for as James Baldwin
suggests:

> The American Negro has the great advantage of having
> never believed that collection of myths to which white
> Americans cling; that their ancestors were all freedom-
> loving heroes, that they were born in the greatest
> country the world has ever seen, or that Americans are
> invincible in battle and wise in peace, that Americans
> have always dealt honorably with Mexicans and Indians
> and all other neighbors and inferiors, that American men
> are the worlds most direct and virile, that American women
> are pure.[108]

The thrust toward cultural assimilation became considerably weakened

important implications for social policy, flow from this conception.

On the one hand, the current cultural arrangements become relatively

immune from independent criticism by blacks; on the other hand, the

distinctness of black behavior comes to be seen as pathological.

> Yesterday's rural Negro may have had something like
> a folk culture, so the myth goes, but today's urban
> Negro can be found only in a set of sociological sta-
> tistics on crime, unemployment, illegitimacy, desertion,
> and welfare payments. The social scientists would have
> us believe that the Negro is psychologically maladjusted,
> socially disorganized and culturally deprived.[114]

This elitist perspective implies that something must be done to bring

blacks up to the cultural standards of the "community"; or, at the

extreme, that blacks themselves have to clean their own houses--

literally and figuratively--before "earning" admittance into the

American mainstream.[115] A long-term result of the denial of black

culture was the entire set of conceptions centering around the notion

of "cultural deprivation": black children failed in schools because

they came from a "cultureless" community, not because the schools did

not teach.[116] Central to this perspective was the ideology of American

public welfare, with its commitment to raising the moral standards of

the poor and its public intrusions into the family arrangements of ghetto

blacks.[117]

The drive toward cultural autonomy, therefore, was in part a re-

jection of the cultural vacuum of "welfare colonialism" into which the

black community had been thrown. It was also an organizational response

to the failure of white liberals to fulfil the promise of the civil

rights movement of the 1950's. For the most part, white supporters of

the movement for civil rights thought in assimilationist terms. Their

Political Autonomy and Community Control

The movement of black militants toward a concern for political autonomy, with a corresponding rejection of traditional political avenues and party organizations, is a result of several influences. One we have already noted--the failure of traditional politics to play a meaningful part in the drive for black dignity and security. Passing civil rights legislation is not the same as enforcing it. Pleading for goodwill and racial justice from the relative sanctuary of Congress, the Courts, or the White House is a good deal easier than committing a massive federal effort to eradicate institutional racism. On a local level, it occasions no great difficulty to appoint a few Negroes to positions of some influence; the crucial test is whether local government acts decisively to correct the problems of the ghetto and to provide a genuine avenue of black participation in community decision-making. On all of these counts, most local governments have failed or, more accurately, have hardly tried. The result is that local government becomes, to those beneath it, oppressive rather than representative. Certainly, there are "differences within the system," the structure of political power in a given community is usually less monolithic than it appears from below, and there may be several loci of influence rather than an organized and cohesive "power structure." But these points are only meaningful to those who enter the system with some pre-established influence. A critical fact about the black ghettos of the cities--and of the black belt communities of the South--is their traditional lack of such a base of influence. Lacking this, blacks have participated in the

political process as subjects rather than citizens.[120] Traditionally, black political leaders have been less a force for black interest than middlemen in a system of "indirect rule": "In other words, the white power structure rules the black community through local blacks who are responsive to the white leaders, the downtown, white machine, not to the black populace.[121]

A recent study of decision-making positions in Chicago illustrates the extent of black exclusion from the centers of influence. Of a total of 1,088 policy-making positions in federal, state and local government in Cook County, only fifty-eight, or five percent, were held by Negroes in 1965. Blacks comprised at least twenty percent of the county's population. Blacks were especially underrepresented in local administrative positions, including city and county governments, the Board of Education, and the Sanitary District, as well as in Federal Civil Service and Presidential appointive positions.[122] There was no black representation at all in the decision-making positions in the Metropolitan Sanitary District, for example, and only one percent of local administrative positions were held by blacks.[123] Further, "not only were Negroes grossly underrepresented in Chicago's policy-making posts, but even where represented they had less power than white policy-makers. The fact is that <u>the number of posts held by Negroes tended to be inversely related to the power vested in these positions-- the more powerful the post, the fewer the black policy-makers.</u>"[124]

And the study concludes:

> ...even where represented their power is restricted, or their representatives fail to work for the long-term interests of their constituency. It is therefore

political exclusion in America in a variety of ways. There has been

a traditional strain of separatism, manifested in schemes for removal

to Africa or for setting aside certain areas in the United States for

all-black control; several militant groups express similar aims today.[127]

For the most part, however, contemporary black protest is oriented to

the idea of black community control and/or the development of indepen-

dent black political bases and a black political party. The response

to the idea of "Black Power" has ranged from accusations by black intel-

lectuals of liberal pragmatism and anti-intellectualism,[128] to white

criticism of its inherent racism and retreat from the goals of integra-

tion. The Kerner Report argued that advocates of Black Power had

"retreated into an unreal world"; that they had "retreated from a

direct confrontation with American society on the issue of integra-

tion and, by preaching separatism, unconsciously function as an

accommodation to white racism."[129] *But in our view* These responses constituted a

misinterpretation of American political history, of the decline of

the civil rights movement, and of the goals of contemporary black

protest.

As we suggest in several places in this report, the interpre-

tation of American political history as one of the peaceful and

orderly inclusion of diverse groups into the polity is inaccurate.

We need not recapitulate here: Many groups have used violence as an

instrument of social change; some minorities have been forcefully

repressed. It is highly unrealistic to expect the *mere* goodwill of the

larger society to ultimately reduce the condition of black political

exclusion. The idea of black political organization is based on the *hard*

of life

even one with generally benevolent attitudes,

fact that no political order transfers its power lightly; and that if

blacks are to have a significant measure of political control they must

organize into a position of bargaining strength:

> Before a group can enter the open society, it must
> first close ranks. By this we mean that group
> solidarity is necessary before a group can operate
> effectively from a bargaining position of strength in
> a pluralistic society. Traditionally, each new ethnic
> group in this society has found the route to social
> and political viability through the organization of its
> own institutions with which to represent its needs with-
> in the larger society.[130]

The notion that advocates of black autonomy have "retreated from

a direct confrontation" with white society "on the issue of integra-

tion" is misleading. It ignores both the fact that the decline of the

goals of the early civil rights movement came about as the direct result

of societal, and especially governmental, inaction, and that blacks

may be expected to modify their tactics after decades of such inaction.

It also fails to appreciate the fact that black protest now aims, at

least in theory, at a transformation of American institutions rather

than inclusion into them.

> Thus we reject the goal of assimilation into middle-
> class America because the values of that class are
> in themselves anti-humanist and because that class
> as a social force perpetuates racism...Existing
> structures...must be challenged forcefully and
> clearly. If this means the creation of parallel
> community institutions, then that must be the solu-
> tion. If this means that black parents must gain
> control over the operation of the schools in the
> black community, then that must be the solution.
> The search for new forms means the search for insti-
> tutions that will, for once, make decisions in the
> interests of black people.[131]

This is not separatism, nor is it racism. Militant leaders from

Malcolm X to Huey P. Newton have stressed the possibility of coalitions

with white groups whose aim is radical social change.[132] The Black
Panther Party has links with the Peace and Freedom Party, and their
candidate, Eldridge Cleaver, ran for President on the Peace and Free-
dom ticket. For the most part, this political stance is better de-
scribed as a kind of militant pluralism, in which not whites, but
traditional politics and politicians of both races, are rejected.

Describe this & its racial make-up

Militant Youth

The themes of black militancy seem to be most attractive to the
young. The Kerner Report observed that there was enough evidence by
1966 to indicate that a large proportion of riot participants were
youths. It also suggested that "increasing race pride, skepticism
about their job prospects, and dissatisfaction with the inadequacy
of their education, caused unrest among students in Negro colleges
and high schools."[133] The events of 1968 support this finding. The
schools are more and more becoming the locus of a whole spectrum of
youthful protest, from negotiation to violence. This section attempts
to describe the nature of this phenomenon, and to account for its
significance and apparent increase in the last few years.

In 1967, seventeen percent of *urban* civil disorders involved schools
to some degree. In January through April, 1968, forty-four percent
involved schools. Of the April disorders following Dr. King's death,
nearly half took place entirely on schools or adjacent grounds, while
nearly another third began in schools and spread to surrounding areas.[134]
Most of these school disorders were connected in one way or another
with the assassination of Dr. King. But, according to the Lemberg Center

Youthful militancy has focused on the school, for it is here that for the first time expectations are cruelly raised and even more cruelly crushed.[139] The protests raise many issues: student unions, curriculum reform, black teachers, democratic disciplinary proceedings, "soul" food, busing, boycotts, amnesty for "political" offenders, teaching of black history and African languages, police brutality, and many others.

In the last two years, most urban school systems have been disrupted by militant protest. Police and students fought outside Manual Arts High School, in Los Angeles, in October of 1968; the school was boycotted by over half the student body on October twenty-third, while the president of the faculty association petitioned the Board of Education for "adequate personnel to maintain supervision and security in order that the teacher may teach."[140] New Jersey schools were disrupted at the beginning of the 1967 school year: interracial fighting, vandalism, and strikes occurred at Barringer High School in Newark and at Trenton High School.[141]

Chicago was the scene of two major school disturbances in 1967. A rally to protest police brutality, held outside Forrestville High School on the southside, ended in fifty-four arrests and twelve injuries.[142] A local gang leader was credited with clearing the street when the police were ready to use force.[143] Nevertheless, the police were required to fire warning shots in order to disperse the rally. The next day, a spokesman for Students for Freedom, a group within the high school, promised to "initiate a boycott . . . unless the police and others who patrol the school as if it were a

New York. On October twenty-first, about 20,000 black students boycotted classes and presented the Chicago Board of Education with an extensive list of demands, including locally controlled schools, student participation in decision-making, more black teachers and history courses, more technical and vocational training, greater use of black business services to schools, and holidays to commemorate the birthdays of Dr. King, Malcolm X, Marcus Garvey, and W. E. B. DuBois.[153]

Not all of the school protest comes from students. New York schools have been disrupted by striking teachers and angry parents protesting the black communities' demands for decentralization of authority and local control of schools. These demands are not merely reformistic proposals but rather contest the right of powerful institutions, such as the teachers' union and the board of education, to determine educational policy.[154]

Many of the recent high school protests have achieved concessions for black students and minor reforms in the educational process. The following examples of successful protests in northern California reflect the national trend. At Ravenswood High School in East Palo Alto militant black students demanded the resignation of the principal and the hiring of a black principal in his place. After sit-ins and class boycotts by the students, the principal resigned and the Board of Education agreed to hire a black principal to fill the job. The students also demanded that a black nurse be hired, that one of the math teachers be fired, that the bus system be restructured, and that the cafeteria be reopened. The board

agreed to hire teacher-aides and to open study halls, to offer black history classes in Swahili (if teachers could be secured), to drop some of the remedial classes and to institute a Saturday night dance for the students. Fifty-five percent of the teachers in the high school signed a letter that was submitted to the board to the effect that they agreed with the students' demands on curriculum but not on personnel.[155]

In Oakland the demand for black history courses was met.[156] The Oakland School Board also withdrew $77,000 from its reserves for more classroom supervisors and classroom supplies. A further $25,000 was transferred from the building fund and used to improve lighting in the halls of some of the schools in the district.[157] In Emeryville a reopening agreement was worked out between school officials and fifty parents. This agreement called for the hiring of a black coach, for more black performers at school assemblies and for more black history courses.[158]

The Berkeley Board of Education supported the demands of the Black Student Union "in principle" and voted $46,000 to transfer two teachers to counselor jobs, to hire black consultants for African dance classes, to provide "soul" food in the cafeteria, and to appoint a black curriculum co-ordinator. The Board also unanimously voted to explore the feasibility of implementing the other demands made by the students.[159] Other successful protests in northern California included the appointment of a Negro to the Board of Education in the Sequoia Union High School district and the boycott of grapes in Berkeley schools in response to student

Court decisions and federal poverty programs have drawn attention
to but not solved the inadequacies and inequalities of our public
school system. Teachers and other of society's "dirty workers"
are also revolting against school conditions and providing black
students with moral and practical support. Parents and community
representatives implicitly and sometimes explicitly encourage
youthful protest. "If we had done this twenty years ago, our
children wouldn't have to be doing this today. These children
will make us free."[168]   Nor can we discount the importance of the
war in helping to stimulate militancy among high school youth.
"We don't want to be trained in ROTC to fight in a Vietnam war.
We want ROTC to train us how to protect our own communities."[169]

The available evidence suggests that we are presently witnes-
sing a rise of a generation of black activists, enjoying wide
support from their communities and relatives, committed to the
principles of local community control and cultural autonomy, and
disenchanted with techniques of peaceful protest associated with the
civil rights movement of the 1950's. Given this militant partic-
ipation by black youth, it is difficult to accept the Kerner
Report's conclusion that "the central thrust of Negro protest in
the current period has aimed at the inclusion of Negroes in American
society on a basis of full equality rather than at a fundamental
transformation of American institutions." The available evidence
suggests that "inclusion" and "integration" have become largely
irrelevant to black youth. By contrast, demands of groups like the

as still valid

*Non seq.
"inclusion"
and "equality"
seem to
be consistent
with quoted
demands.*

Black Panthers for cultural autonomy and decentralized power are gain-

ing ascendency. As Herman Blake testified before this Commission:

> You can't go through any community without
> seeing black youth with Huey P. Newton buttons
> and 'Free Huey'. Many of them who have no
> connection with the Panthers officially, wear
> the Panther uniform. We all groove on Huey.
> No two ways about it. We dig him. And I use
> that rhetoric because that's the way it is.
> Not for any exotic reasons.[170]

And, as the Reverend John Fry has suggested in Chicago's South

Side ghetto, "What is means to be a man is to be a Blackstone Ranger."[171]

Whatever differences may exist between militant black groups, their

programs generally speak to self-defense, political independence, com-

munity control, and cultural autonomy. These themes challenge American

social arrangements at a deeper level than did the movement for "civil

rights" and, in doing so, they reveal problematic aspects of our

national life which have been taken for granted, at least by whites.

Thus, since the publication of the Kerner Report, the thrust of black

protest, at least among the young, has shifted from equality to libera-

tion, from integration to separatism, from dependency to power.

~~Conclusion~~ Patterns of Future Violence

As we have pointed out throughout this report, group political

violence is not a peripheral or necessarily pathological feature of

American political history. For many black Americans today, violent

action increasingly seems to offer the only practical and feasible

opportunity to overcome the effects of a long history of systematic

discrimination. The events of this year suggest that violent racial

disorders of 1968 matches these in scope. The specific explanation
for this is far from clear, It lies somewhere in the interaction
between more massive and immediate "riot control" efforts by authori-
ties, and the apparent perception by many blacks that the "spontaneous
riot," as a form of political protest, is too costly in terms of black
lives. It is clear that some militant ghetto organizations, such as
the Blackstone Rangers in Chicago and the Black Panther Party in Oak-
land, have made direct and markedly successful efforts to "cool" their
communities, especially in the wake of the King assassination. These
efforts are spurred in part by the belief that a riot would provide the
opportunity for police attacks on ghetto militants:

> We don't want anything to break out that will give
> them (the police) the chance to shoot us down. They
> are hoping that we do something like that but we are
> passing the word to our people to be cool.[179]

Blacks did not participate except peripherally, in the Chicago events
during the Democratic National Convention. There were no riots in the
black neighborhoods of Chicago. If this is a genuine trend, the de-
cline of the large-scale riot has important analytical implications.
It provides a kind of test for competing perspectives on the sources
and meaning of riots. If the decline of riots means the decline of
disorders in general, then the view of riots as controllable explosions
rooted in black "tension" makes a good deal of sense. If, on the other
hand, the decline of the riot means only a change in the character of
violent black protest, then the roots of black violence may go deeper
and reach more profoundly into the structure of American institutions.

There is some evidence to suggest that the decline in the scale of

[handwritten note in right margin: Citation - Walker Report]

Develop these concepts — critical

riots coincides with an increase in more strategic acts of violence and a shift from mass riots to sporadic warfare. In July, Cleveland police were attacked by armed black militants, and the resulting disorder saw three police killed. There were several attacks on police in Brooklyn in the late summer; in August, two policemen were wounded by shotgun fire; in early September, two policemen were hit by sniper fire as they waited for a traffic light.[180] In mid-September, a police communications truck was firebombed, slightly injuring two policemen.[181] In Harlem, two policemen were shot and wounded, reportedly by two black men, as they sat in a parked patrol car.[182] Two September attacks on police took place in Illinois; in Kankakee, a policeman was wounded in what police termed an "ambush" in the black community;[183] in Summitt, black youths reportedly fired shotguns at two police cars, injuring two policemen.[184] In the same month, eighteen black militants were arrested in St. Louis following a series of attacks on police, including shots fired at a police station and at the home of a police lieutenant.[185] During October, the San Francisco Bay Area was the scene of the bombing of a sheriff's substation and sniper fire against firemen in the black community.

Correspondingly, as we indicate in Chapter VII on the police and more generally in the last chapter, the police and social control agencies increasingly view themselves as the political and military adversaries of blacks. This official militancy has even taken the form of direct attacks on black militant organizations. Black youth has become a special target for governmental and police action. Despite

though discussed later, a little more detail here based on Marotti Report would be useful.

this section should include instances of violence in connection with black campus protest — e.g., New York Times, 1/8/69, p. 36, col. 2, especially since the student protest is nothing...

frequent successes in high schools, youthful militancy has often met
with tough-minded programs of social control on the part of police
and school officials. Most "helping" programs--job training, summer
outings, athletic events, tutoring and civic pride projects, etc.--
are seasonal and employ short-term recreational strategies to "keep
a cool summer" and distract youths from more militant kinds of activi-
ties. Some authorities feel, for example, that "riots are unleashed
against the community" from high schools and that the granting of
concessions to students will only encourage further rioting.[186]

Consistent with this policy, intelligence units are supplementing
youth officers and the police are developing sophisticated counter-
insurgency techniques of gang control.[187] The size of the gang in-
telligence unit in Chicago has been increased from thirty-eight to
200.[188] Governmental programs on behalf of urban youth rarely involve
young people in the decision-making process. A modest program of job
training in Chicago which appointed local youth leaders to positions of
administrative responsibility was harrassed by police and discredited
by a senate investigation.[189] Rather than increasing opportunities
for the exercise of legitimate power by adolescents, public agencies
have opted for closer supervision as a means of decreasing opportunities
for the exercise of illegitimate power.[190]

In conclusion, it is clear that the massive national effort, rec-
ommended by the Kerner Commission, to combat racism through political
and peaceful programs did not materialize and shows few signs of
doing so in the near future. Despite widespread agreement with the

Commission's insistence that "there can be no higher priority for national action and no higher claim on the nation's conscience,"[191] other priorities and other claims still seem to dominate the nation's budget.

This last paragraph of simple reiteration of the Kerner Report's recommendations needs some further development because you have previously shown how Kerner completely missed the boat on Black Power and contemporary black protest (e.g. its separatism, its radical, non-assimilationist nature, etc). If that is so, might not this basic defect ~~cause~~ cause the basic conclusions to be in error also? Some discussion of how K. is right, partly for the wrong reasons, seems called for.

ISR

Teachers Local 1002.

Strike May Spread

SAN FRANCISCO, Jan. 7 (AP)—The state college at San Jose, 50 miles south of here, faces a teachers strike tomorrow.

The Teachers Union there plans a walkout to support its undisclosed demands and to back the San Francisco teachers. The latter are demanding more pay, smaller class loads and a larger voice in the administration.

WISCONSIN PROTEST DISRUPTS INAUGURAL

Special to The New York Times

MADISON, Wis., Jan. 6—Five young demonstrators against the draft disrupted inaugural ceremonies in Wisconsin's state Capitol Monday, delaying an inaugural address by Gov. Warren P. Knowles, who had just been sworn in for a third two-year term.

The demonstrators burned copies of Federal draft regulations and called their actions "a symbolic rejection" of Selective Service regulations.

Four of the demonstrators said they were students at the University of Wisconsin and the fifth said he was not a student. They were booed by an audience of about 500 when they appeared in the rotunda as the Governor, a Republican, was beginning his speech.

There were no arrests and the Governor remained standing at the podium until the demonstration had ended. He then resumed his speech.

The inaugural ceremonies and the swearing in of the State Senate and Assembly returned Wisconsin to complete Republican control from the first time since 1959.

In addition to Mr. Knowles, other state officers inaugurated for two-year terms were:

Lieut. Gov. Jack Olson; Secretary of State Robert Zimmerman; State Treasurer Harold Clemens, and Attorney General Robert Warren.

Eastern Orthodox Christmas Celebrated in Bethlehem

BETHLEHEM, Jan. 6 (AP)—Christmas Day for the world's 145,000,000 Eastern Orthodox believers was ushered in here Monday by midnight ceremonies in the Basilica of the Nativity, which was built over a small grotto revered as the birthplace of Jesus.

Shortly after midnight, Patriarch Benedictos I of Jerusalem celebrated the nativity, watched by Israelis and Arabs.

MOSCOW, Jan. 6 (AP)—Russian Orthodox faithful attended a Christmas midnight mass Monday at Moscow's Yelokhovsky Cathedral.

1,000 Pairs of Shoes Stolen

problem, he said, was not financing but "anarchy and insurrection."

"... We here in Sacramento," he said, "have not only a right —but a responsibility—to set

academic excellence.

"There are events which try our tempers, and there are times when we are tempted to make changes in the system to get at the destructive and un-

A Dean's Home Is Firebombed; Coast College Officials Guarded

Special to The New York Times

SAN MATEO, Calif., Jan. 7—Special police guards were ordered for officials of the College of San Mateo today after the firebombing of a dean's home.

The police refused to discuss the special protection, but an official of the school, which is a junior college, confirmed reports that special guards were being used.

The bombing occurred just before 1 A.M. at the home of Philip C. Garlington, dean of instruction. Although the home was severely damaged, Mr. Garlington and his wife escaped without injury.

Minority group students on the campus have been demanding that the college create autonomous ethnic studies departments. Last month a student rally ended in an outbreak of violence that caused damage to several buildings on the campus.

Other Incidents

Tight security measures were ordered then, and only students and persons with legitimate business were admitted to the campus. Those measures are still in effect.

Mysterious fires have been set on the campus. Last week

shots were fired through the windows of a home where a member of the school's board of trustees had lived. No one was injured but the shooting raised tension in the community.

According to a college spokesman, the trustees met privately today and discussed what they consider the "steady and gradual escalation in the seriousness of the violence" surrounding the dispute between school officials and dissident students.

Clifford Erickson, chairman of the board, announced later that a citizens committee had been formed to build a reward fund for information on what persons are involved in the violence.

Police officials refused to say whether or not they felt there was any connection between the student dispute and the off-campus violence directed at college officials.

"There has been too much guessing and conjecture already," said Capt. William Andreasen of the San Mateo Police Department. "I can only say that we have an investigation under way."

YALE SCHULMAN, 74, SYNAGOGUE OFFICER

Yale Schulman, a contributor to many Jewish organizations, died Sunday night at Doctors Hospital after a long illness. He was 74 years old and lived at 250 West 94th Street.

Mr. Schulman, a past national treasurer and an honorary director of the United Synagogue of America, served 10 years as a member of the board of overseers of the Jewish Theological Seminary. He was an honorary trustee and former treasurer of Congregation Shaare Zedek, 212 West 93d Street.

He was a director of the United Jewish Appeal of Greater New York, and vice president of the East Side Hebrew Institute.

Until his retirement in 1956, Mr. Schulman was president of Hudson Clothes, Inc., a wholesaler of men's clothing, 890 Broadway.

Surviving are two daughters, Mrs. Arthur H. Bienenstock and Mrs. Leonard Goodman; two

Reagan Picks Reinecke As Finch Replacement

SACRAMENTO, Calif., Jan. 7 (UPI)—Gov. Ronald Reagan chose Representative Ed Reinecke today to replace Lieut. Gov. Robert H. Finch who has been named Secretary of Health, Education and Welfare.

Governor Reagan scheduled a news conference for tomorrow morning to officially announce the appointment of the California Republican to the No. 2 spot in the state administration.

Mr. Reinecke is now serving his third term on Congress. He represents a district that includes portions of the San Fernando and Antelope Valleys north of Los Angeles.

He is a mechanical engineer and makes his permanent home in Tujunga, Calif. The disclosure that he would be the new Lieutenant Governor came on his 44th birthday.

Cursing Magpie Loses Job

History's Lesson for Radical Students

By Elliot Carlson

"The movement"—as today's youthful rebels like to call their loose federation—appears to have entered a new and self-destructive phase.

Lately, New Left youths at the University of Wisconsin denied lecturers the opportunity to speak on South Africa, and radicals at New York University refused the podium to a South Vietnamese minister. At Harvard, students denied the faculty the right to meet in private session. Black militants at Brandeis and Swarthmore seized and held university buildings.

Just a few days ago members of the Students for a Democratic Society, onetime champion of "participatory democracy," smashed a student placement office at Columbia University after they were blocked from halting military recruiting at the school. "We are showing the university that every time it helps the war in Vietnam we will exact reprisals," declared an SDS leader.

To young radicals, disruptions like these no doubt seem like innovative responses to a worsening political situation. But as its estrangement deepens and its tactics become more provocative, the youth movement itself, paradoxically, gradually seems less innovative—and, indeed, less novel.

The movement, to be sure, remains formless and elusive, a curious mixture of forces constantly in flux. Even so, it increasingly invites comparison with the ideological and emotion-charged youth movements of yesteryear that once shaped—not always for the better—European and Asian politics.

Pattern of Decline and Fall

Even though rebellious groupings of alienated young people seeking drastic change are new to America, they have been staples of European life. Such movements were frequently short-lived, suggesting a recurring pattern of decline and fall. Idealistic at the outset, they often gave way to disillusionment when youthful passions failed to correct the grievances of the ages. Many youth movements had profound effects, although they were often the opposite from those intended.

Generally, youth movements project a progressive and forward-looking appearance, and sometimes they approximate the stereotype. In the 1830s, students backed movements that helped win democratic constitutions in Greece, France and Belgium. At the same time there emerged "young" movements in Europe like Young Italy, Young Poland and Young Ireland—all aimed at expelling foreigners ruling their countries.

But youthful idealism is a capricious force that has been tapped by mountebanks as well as progressives. Guiseppe Mazzini, the Italian patriot who organized Young Italy, admonished: "Place the young at the head of the insurgent masses; you do not know . . . what magic influence the voices of the young have on the crowd. . . . Consecrate them with a lofty mission; inflame them with emulation and praise; spread through their ranks the word of ire. . . . Speak to them of country, of glory, of power, of great memories."

But not all the "lofty missions" with which youths have been consecrated have been progressive. Many youth movements have been downright reactionary.

Consider the Gymnasts, organized in 1815 by German students dismayed by Napoleon's military successes in their country. To break down class distinctions and create a feeling of national unity, the Gymnasts wore gray shirts and emphasized physical regeneration. Rowdy and crude, they invaded and broke up lectures of professors they considered anti-national.

The "gray shirts" were finally crushed after they collected the books of anti-nationalist writers and burned them in a huge public bonfire. But even though short-lived, they anticipated later youth movements that used the same techniques more effectively.

Though they may be influential for a time, youth movements seldom achieve their most cherished goals. The reasons are complex, but mostly they reflect the nature of youth revolt itself. For one thing, such groups are often unified by the naive faith that intractable problems—invariably identified with a morally suspect adult world—will yield in the face of youthful exuberance.

Despite their tender age, rebellious youths are perpetually in a hurry. They not only want freedom *now!*, they also seem to want perfection *now!* In their haste they sometimes recall the pitiful children's crusades of the early 13th century, when thousands of French and German youngsters converged upon the Mediterranean believing—incorrectly, as it turned out—it would divide and allow them to cross to proceed to the wars.

Unhappily, this impatience frequently breeds an intolerance and an indifference to the means by which change can be accomplished. When its "magic influence" fails to work, youth groups frequently yield to authoritarianism. In so doing, they often set in motion forces that contradict their own aims and speed their demise.

A case in point is provided by the Narodniks, the Russian youths who preached agrarian socialism among the peasants in the 18th century. For years the students were almost the only group to engage in demonstrations demanding freedom and economic reform. But in 1881 they sought to accelerate the process of reform by assassinating Alexander II. As a result they helped usher in a more extreme tyranny, that of Alexander III.

Apparently there is something in the chemistry of youth movements that militates against balance. Chinese students in the 1920s understandably viewed Confucianism, the classical language and family-arranged marriages as stultifying and out-moded. But they tended to limit the creativity of their impact with simplistic arguments. "The source of all evils is the force which destroys our personal individuality, . . . and this force is our family!," raged one Chinese youth.

Rejecting China's past in toto, they helped undermine national self-confidence and, at the same time, any belief in the country's traditions. Student strikes and riots greatly weakened Chiang Kai-shek in the 1930s and aided the downfall of the nationalist regime after World War II. "Though the construction of a modern civilization was the proclaimed goal of the leading reformers, their efforts in this respect were overshadowed by their destructive activities," writes Ts'e-tsung Chow in his book, "The May Fourth Movement."

Some youth movements view the future with dread. Thus, a few groups mingled reform with nostalgia for an imaginary past, as did Young England, a coterie of dissident To-ries led by Benjamin Disraeli in the 1830s. Alarmed by the liberal spirit of the times, Disraeli and his followers sought to recreate in England a benevolent feudal system that never existed.

Later, the Wandervogel, the German youth movement of the early 20th century, modeled itself on the rambling scholars of the middle ages. Like youth groups today, the German movement was a protest against parents, commercialism and the allegedly dehumanizing effects of industrialism. Youths complained of sterile human relationships and the "atomistic individualism" engendered by industrialism and the growth of large cities.

As Peter Gay writes in "Weimar Culture," "Alienated sons sought out other alienated sons and formed a great 'confederation of friendship.'" To find haven from a fast-changing Germany, Wandervogel youths—equipped with rucksacks and guitars like today's hippies—took to the woods for long rambles and group singing.

More romantic than intellectual, "the movement" celebrated the simple life. One Wandervogel poster read, "All youth must combine to fight against everything that is rotten and corrupt in our society. . . . Come to our meetings as simple men and women; leave at home powder and paint and stupid fashions."

Rise of Militarism

But the easygoing Wandervogel groups were shattered by World War I, which deepened youth's disillusionment with the older generation. In the place of Wandervogel youths emerged the Bunde, a more disciplined set of groups that organized summer camps and war games and idolized the soldier. At the same time, post-war youth groups gave expression to the anti-rationalism and anti-Semitism that had been latent among the Wandervogel.

Despising liberalism as an alien creed, the German youth movement glorified the fatherland and national history. Emotional and confused, they were easily swayed by demogogues and "lofty missons" emanating from the lunatic fringe. Even while considering themselves superior, Bunde youths frequently conferred approval upon the Hitler youth, Nazi Party rowdies who broke up meetings of left-wing adversaries.

Boasted one youth leader: "German youth turns away from liberalism with nausea and especial contempt. . . . In the liberal man German youth sees the enemy, par excellence." Longing for a heroic past, one youth journal noted, "We do not want to discuss anymore, we want only to act."

Even without a coherent philosophy, the movement helped shape the intellectual climate and contributed to the cynicism that undermined the Weimar Republic. Few youths were overt Nazis, but "nevertheless it remains true that the existence of the free youth movement greatly assisted the Nazis in their seizure of power," observes R. H. S. Crossman, the British writer and social critic.

He adds: "From Hitler's point of view, its vitally important function was to prevent the development of any concrete belief in freedom among the sons and daughters of what should have been the Weimar establishment."

Like radicals today, the German movement seemed trapped inside fatal contradictions. Suspicious of intellectual analysis, the German youths, like many New Left protesters, preferred romantic gestures and grand demonstrations.

Just as radical leader Tom Hayden today celebrates the New Left's "wariness of blueprints" and programs, a favorite slogan of German youth in the 1920s was "Our lack of purpose is our strength." Ultimately, both the New Left and German youth...

smashed a student placement office at Columbia University after they were blocked from halting military recruiting at the school. "We are showing the university that every time it helps the war in Vietnam we will exact reprisals," declared an SDS leader.

To young radicals, disruptions like these no doubt seem like innovative responses to a worsening political situation. But as its estrangement deepens and its tactics become more provocative, the youth movement itself, paradoxically, gradually seems less innovative—and, indeed, less novel.

The movement, to be sure, remains formless and elusive, a curious mixture of forces constantly in flux. Even so, it increasingly invites comparison with the ideological and emotion-charged youth movements of yesteryear that once shaped—not always for the better—European and Asian politics.

Pattern of Decline and Fall

Even though rebellious groupings of alienated young people seeking drastic change are new to America, they have been staples of European life. Such movements were frequently short-lived, suggesting a recurring pattern of decline and fall. Idealistic at the outset, they often gave way to disillusionment when youthful passions failed to correct the grievances of the ages. Many youth movements had profound effects, although they were often the opposite from those intended.

Generally, youth movements project a progressive and forward-looking appearance, and sometimes they approximate the stereotype. In the 1830s, students backed movements that helped win democratic constitutions in Greece, France and Belgium. At the same time there emerged "young" movements in Europe like Young Italy, Young Poland and Young Ireland—all aimed at expelling foreigners ruling their countries.

But youthful idealism is a capricious force that has been tapped by mountebanks as well as progressives. Guiseppe Mazzini, the Italian patriot who organized Young Italy, admonished: "Place the young at the head of the insurgent masses; you do not know . . . what magic influence the voices of the young have on the crowd. . . . Consecrate them with a lofty mission; inflame them with emulation and praise; spread through their ranks the word of ire. . . . Speak to them of country, of glory, of power, of great memories."

But not all the "lofty missions" with which youths have been consecrated have been progressive. Many youth movements have been downright reactionary.

Consider the Gymnasts, organized in 1815 by German students dismayed by Napoleon's

volt itself. For one thing, such groups are often unified by the naive faith that intractable problems—invariably identified with a morally suspect adult world—will yield in the face of youthful exuberance.

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Just as radical leader Tom Hayden today celebrates the New Left's "wariness of blueprints" and programs, a favorite slogan of German youth in the 1920s was "Our lack of purpose is our strength." Ultimately, both the New Left and German youths seemed to prefer the isolation of their own movements to the fashioning of realistic plans. As Walter Laqueur wrote of German youths: "Many members went through an emotional experience they believed to be incomprehensible to outsiders."

An End in Itself

New Left youths today seem to regard their movement with the same mystical reverence. The result is that "the movement" becomes an end in itself, from which it is a short step to the ethical nihilism and storm trooper tactics that are now familiar on campuses. Strangely, youth movements tend to transform themselves into what they fear most. In Germany, what began as a protest against an interest-motivated, atomistic and impersonal society, ended by smoothing the way for even worse evils.

In the U.S. today, New Left radicals seem similarly determined to belie their original slogans. Scorning police, New Left tactics brought the police to the campus. Practicing disruption, radicals have weakened the processes that protect the dissent they celebrate. Inadvertently, young rebels have helped move the country rightward.

Curiously, rebellious youths seem to be presiding over their own dissolution—and enjoying it. This perhaps wouldn't be such a bad thing if the young radicals did not insist on involving the entire society in their downfall. If the New Left rebels were less contemptuous of history, they would do well to heed Peter Gay's critique of the Wandervogel:

"Flight into the future through flight into the past, reformation through nostalgia—in the end, such thinking amounted to nothing more than a decision to make adolescence itself into an ideology."

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Sitting Out the DANCE

The U.S. Government has done it again! They have spent thousands of dollars of our money to tell themselves what we all have known all along. The newest Gov't. commission on violence, headed by Uncle Miltie Eisenhower, has received the report of one of its task forces: "It is safe to say that by now the only effective countermeasure against the bitterness that leads to violence would be a termination of the war in Viet Nam."

The report goes on to say that the only way to end student protests is to grant at least some of the demands. Black people will not be pacified by "law and order", and racist whites and militant blacks are likely likely to soon engage in a race war.

Thanks, fellas. This, like the oldie but goodie Walker "Police Riot" Report, is just some more of the shocking "Truth" about the Establishment sent down to us by Gov't. liberals. As I read it and get all excited about the exposure of the "Word," I almost forget that it takes very little effort for them to recognize the obvious for our sakes while doing nothing about it for their own. Is this "freedom of speech" or pacification of the Crazies and liberals? Or are those actually both the same thing?

Thanks, fellas. Now, one more time. ah-one, and ah-two, and ah-three...

Pigs at large! The other night I and some other people were not allowed into the police station in Georgetown. We wanted to post bail for a guy who was busted on the street for passing out leaflets. While we were waiting outside, outraged, two good friends were brought in for hitch-hiking. The pigs still unlawfully held us outside of their station, threatening to bust us if we or any of us tried to come in. One of us called a lawyer to check on the law. Baby, a police station is not private property and they can't keep you out. So I went in. They tactfully ignored me.

Each weekend the occupying police forces in our neighborhoods harass people, discriminate against us, misuse and break the laws. When they did that to the Jews in Brooklyn, the angry local people patrolled the streets with shotguns and called themselves "Macabees". In the South, black "Deacons" did the same. We don't have guns, and it might be a bad idea to play with them out in the open. But we do have people, cars, lawyers, more brains than they ever can get together, and amongst us, some money. We can find out the laws they are breaking and make them toe the line. We can sit outside that precinct with money and bail people out. We may even grow large enough and strong enough to do that for the 13th precinct as well, and more. But for now, if you would like to help me organize a group to watch the Georgetown pigs or other pigs and their precincts on weekend nights, or if you would like to help me set up a benefit to raise bail monies for kids, then leave word with the Free Press for Lincoln at 638-6377.

Campbell

January 7, 1969

AIR MAIL

Professor Jerome Skolnick
Center for the Study of Law
  and Society
2224 Piedmont
University of California
Berkeley, California 94720

Dear Jerry:

Enclosed are Lloyd's and my comments on the Introduction
and first three Chapters of your report, together with an
article on the characteristics of students who participated
in a recent sit-in at LSE (supplied by Marvin Wolfgang --
you may already have a copy). The material on LSE may be
useful in your section in Chapter III on foreign students,
which now appears to omit any reference at all to English
students.

You will note that our major criticisms are of the
Anti-War Protest Chapter, with my main comments being at
II - 1 and II - 70. Both of us feel the Chapter needs sub-
stantial revisions and reorganization along the lines sug-
gested -- mainly, I would say, in the direction of recovering
some of the Horowitz material which seems to have dropped
out of this draft, and, even more importantly, of avoiding
the appearance of indulging in an attack on the war for its
own sake, rather than for the sake of the analysis of the
anti-war movement. At present we think the discussion is
rather badly unbalanced, over-discussing the war as such

and under-discussing the movement, while repeatedly failing
clearly to attribute the attacks on the war to the protesters
rather than to the authors of the report.

As I said on the phone yesterday, we are all generally
delighted with your monumental opus, and you are hereby
authorized to use the unexpended funds remaining under your
contract to do the revisions and additions that will make
this into a landmark (particularly the annotated bibliography
which we discussed on the phone yesterday and which I continue
to think would be extremely useful).

I will be sending along our comments on the remainder
of your book in the next couple of days.

Regards,

James S. Campbell
General Counsel

Enclosures

JSC/cah

cc: Lloyd N. Cutler

*(Only these pgs.
with Cutler ol
Campbell notations
are attached)*

1/7

farmer revolts, as well as tumultuous urban demonstrations in

sympathy with the French Revolution, were used by Jeffersonians

to create a new two-party system over the horrified protests of

the Federalists. Northern violence ended southern slavery and

southern terrorism ended radical Reconstruction. The transfor-

mation of labor management relations was achieved during a wave

of bloody strikes, in the midst of a depression and widespread

fear of revolution. And black people made their greatest political

gains, both in Congress and in the cities, during the racial strife

of the 1960's.

All this does not mean, however, that violence is <u>always</u>

effective or <u>always</u> necessary. Such a belief would merely create

a new myth--a myth of violent progress--which <u>could easily be</u>

<u>refuted by citing examples of violence without progress</u> (such as

the American Indian revolts) (and progress without violence.

*Needs actual
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Expand
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The point, really, is to understand the inertia of political

and economic power, which is not as easily shared or turned over to

powerless outsiders as the myth of peaceful progress suggests.

The demands of some domestic groups for equality and power have

been impossible to meet within the existing political and

economic systems. The admission of Indian tribes, members of

labor unions, or the mass of oppressed black people to full

membership in American society would have meant that existing

systems would have had to be transformed, at least in part, to

make room for the previously excluded and that, in the transfor-

mation, land-hungry settlers, large corporations, or urban

political machines and real estate interests would have had to
give ground. Transformation and concomitant power realignments
were refused to the Indians, granted, at least partially and
after great social disorder to workers, and are currently in
question for black people in American society. The moral is not
that America is a "sick society" but that, like all other societies,
it has (failed to solve the oldest problem of politics--the
problem of the nonviolent transfer of power.

Disposing of the myth of peaceful progress may also shed
some light on another current illusion: the notion that domestic
ethnic groups that escaped from their ghettos nonviolently are
somehow superior to those that did not. In the first place,
"nonviolence" is a misleading term. European immigrants parti-
cipated, at various times and in differing proportions, in
political movements often productive of disorder--socialist,
anarchist, populist, and fascist. Whether German, English, Irish,
Italian, East European, or Russian, their struggle to unionize
implicated them deeply in labor-management warfare. Immigrants in
urban areas fought each other for control of the streets,
participated in race riots, and engaged in a kind of politics not
meant for those with weak stomachs or weak fists. They created
organized crime in the United States and used criminal activity
both as a way of exercising community control and as a method of
economic advancement when other routes were closed.[17] And they
did not hesitate, once some power had been obtained, to employ
official violence through control of local governments and police

forces against emerging groups as militant as they once had been.

Second, it is clear that those groups which rose rapidly up the politico-economic ladder (and not all immigrant groups did) were the beneficiaries of a happy correspondence between their group characteristics (including economic skills) and the needs of a changing economic and political system. To put it baldly, they were lucky, since collective virtues which are an advantage at one stage of national development may be irrelevant or disadvantageous at another. Were immigrants of rural peasant stock, such as the Irish or the Southern Italians, to come to the United States today, they would find themselves in a position very similar to that of rural southern blacks and whites now entering northern cities, their skills almost valueless and their traditional social institutions irrelevant. Even immigrants with industrial skills and an urban outlook, such as the Jewish arrivals of 1890-1920, would find themselves less mobile today, small entrepreneurs in an age of corporate concentration and post-industrial automation, like the Puerto Ricans of present-day New York. Politically, earlier immigrants reaped the benefits of decentralization--the possibility of taking over an urban machine or a state legislature--and were the chief beneficiaries of the political realignment created by the Great Depression. In short, the steady pace of national centralization and unification on all levels, political as well as economic, has made it progressive-ly more difficult for powerless groups to break into the power structure.

Like most ideologies, the myth of peaceful progress is intended at bottom to legitimize existing political arrangements and to authorize the suppression of protest. It also serves to conceal the role of official violence in the maintenance of these arrangements.

Official violence has been a major element in the pattern of domestic mass violence discussed thus far. Ever since the eighteenth century, those wishing to justify individual instances of revolt on grounds of self-defense have pointed to prior acts of violence by those in authority. In the midst of the Green Mountain Boys uprising, for example, Ethan Allen wrote the governor of New York, "Though they style us rioters for opposing them and seek to catch and punish us as such, yet in reality themselves are the rioters, the tumultuous, disorderly, stimulating factors . . . ."[18]

Once mass revolt has begun, the most common question is whether "official violence," reform, or some combination of force and reform will end it. Military suppression has ended some rebellions, such as those of the Indian peoples; capitulation to the insurgents, as in the case of the Reconstruction Klan, terminated others. At most times during their history, however, Americans confronted by violent uprisings have responded ambiguously, alternating the carrot of moderate reform with the stick of mild suppression. During the ghetto uprisings of the past few years, police and troops called in to suppress disorders have often used excessive violence, as in Newark and Detroit, but have

not committed massacres--for example, by machine-gunning looters.
With a few exceptions (such as the U.S. Army's treatment of the
Indians) this has been the recurrent pattern of attempted
suppression of domestic revolts: frequent excesses of official
violence without mass murder. And along with suppression has gone
moderate reform, from the offers of state and colonial legislatures
to remedy some of the grievances of the Appalachian farmers to the
civil rights legislation of the 1960's, enacted almost directly in
response to southern sit-ins and northern rioting. The problem,
hwoever, is that these methods are so seldom effective. The
historical data suggest that once law-abiding Americans reach the
point of mass disobedience to law, their revolts will be ended
neither by moderate force nor by moderate reform.

Both techniques were attempted during the eighteenth century
farmer uprisings; revolts in New Jersey, the Carolinas, Pennsyl-
vania, New York, and Massachusetts were squelched in relatively
bloodless battles, while legislatures held out the olive branch
of compromise on such issues as legislative apportionment,
taxation, and court procedure. Still, until the Jeffersonian
accession, the revolts continued. Similarly, the North-West axis
which came to control Congress in the decades before the Civil War
attempted to end southern insurgency by combining law-enforcement
(e.g., Jackson's Force Act, passed in response to South Carolinian
"nullification" of the Tariff of 1828) with a series of famous
compromises on the issue of slavery. Despite the offer of the
Crittenden Compromise of 1860, the South seceded. Even during

demonstrating. For instance, on October 1, 1968, one hundred "welfare patrolmen" picketed New York City's Social Services Department.

Nor are the demonstrators all of one particular political persuasion. Among those who have resorted to this mode of expression are students who demonstrated _for_ Humphrey (urging Senator Eugene J. McCarthy to support him) outside the San Francisco Civic Center Auditorium on October 15, 1968, _against_ the sit-in at Columbia University, _for_ the war in Vietnam, and _for_ stricter enforcement of the law.

Examples

Wide segments of the public condemn protest indiscriminately. James Reston observed that "the prevailing mood of the country is against the demonstrators in the black ghettos and the universities," even though most of these demonstrations are peaceful.[22] _Life_ magazine states, "Certainly it is a matter of concern when Americans find the ordinary chanels of discussion and decision so unresponsive that they feel forced to take their grievances to the street."[23] The majority of the citizenry tends to focus its attention on the communicative acts themselves, condemning both them and their participants. For instance, seventy-four percent of the adult public in a California poll expressed disapproval of the student demonstrations at Berkeley in 1964[24] although they were actually nonviolent. Perhaps media reports of the "Berkeley riots" shaped public opinion.

Asked explicitly about the right to engage in "peaceful" demonstrations ("against the war in Vietnam") forty percent of the

people sampled in both December, 1966, and July, 1967, felt that
the citizenry had no such right. Fifty-eight percent were prepared
to "accept" such demonstrations "as long as they are peaceful,"
leaving a major segment of the public unaware that such demon-
strations have the same legal status as writing a letter to a
congressman or participating in a town meeting.[25]

The situation is somewhat similar to the first appearances of
organized labor strikes. Not only the owners and managers of
industrial plants but also broad segments of the public at the
beginning of the century did not recognize the rights of workers
to strike and to picket factories if their grievances were unheeded.
Strikes are more widely accepted now, even though they have fre-
quently been associated with violence by workers, management and the
police. Yet according to the Harris poll, "The majority (seventy-sev-
en percent of those sampled) feel that the refusal to work is the
ultimate and legitimate recourse for union members engaged in the
process of collective bargaining. . . ."[26]

It is important to note that as more of the public learned
to accept strikes, they erupted less frequently into violent
confrontations; the most important factor seems to have been an
increased readiness to respond to the issues raised by the strikers
rather than merely responding to the act of striking. Perhaps
contemporary social protest will provoke similar transformations
both in the public mind and in social institutions.

In the chapters that follow, we present a social history of
anti-war, student and black protest. Our analysis is intended to

CHAPTER II

ANTI-WAR PROTEST

Introduction

In the past three years protest against American involvement

and conduct in Vietnam has become so familiar to our national life

that it has almost acquired the status of an institution. Few

people today would think of asking why this social force came into

existence or how it has sustained itself and grown; even the move-

ment's opponents seem resigned to its inevitability. Future histo-

rians, however, will probably marvel at the outpouring of protest

and seek to explain it by reference to unprecedented conditions, for

in many respects the very existence of a broadly based, militant

opposition to foreign policy marks a sharp departure from longstanding

and deeply embedded traditions.

Our analysis examines two main issues: how did the anti-war

movement grow?; what is its organization and ideology? In examining

the growth of the movement, we emphasize the importance of events, to

try to show how these events, which were widely communicated, led to

a deep skepticism about the war among wide segments of the American

public; and also led to an amorphous set of organizations to oppose the war.

The indebtedness of the anti-war movement in the United States to an unfolding chain of events can scarcely be overestimated. In some advanced countries, such as Japan, protest has been virtually ritualized over the years. Attendant street violence is predictable and the issues are likewise stable--military pacts, foreign bases on native soil, delay in the return of confiscated territory, hospitality to nuclear submarines, etc. American war protest, by contrast, has until recently been a marginal, easily ignored phenomenon. The 1863 anti-draft riots had more to do with ethnic rivalries than with principled objections to the Civil War, and in other wars a chorus of jingoism has drowned out the voices of dissent.[1] Once a war has gotten under way, those who formerly counselled against participation in it have sometimes emerged as its staunchest champions; World War II is perhaps the best example of this. Furthermore, although American wars have varied in the enthusiasm of their reception at home, nothing remotely like the Vietnam protest movement has previously appeared.

It is especially interesting that the wars most closely resembling the current one did not generate a comparable reaction. In the 1840's the United States annexed a large portion of Mexico and suppressed a "native uprising" under the cover of dubious legal arguments. Few listened to Henry Thoreau's protests against this action, and when Abraham Lincoln rose in the House of Representatives to detail the President's sophistries he doomed his chances for reelection. In the 1890's the United States aligned itself temporarily with Philippine

nationalism in order to destroy Spain's colonial power, and then turned

to suppression of the nationalists themselves. Despite the fact that

there were more than 100,000 Filipino casualties, mostly civilians,

no concerted protest was heard; indeed, American historians are still

reluctant to see the Philippine episode as the cynical and brutal

adventure described by Mark Twain.[2] A similar mental blackout has

accompanied the numerous American incursions into Latin America, first

by private filibustering expeditions and later by the Marines. There

were no significant protests when Secretary of State Knox justified

sending the Marines into Cuba in 1908 by remarking that "The United

States does not undertake first to consult the Cuban Government if

a crisis arises requiring a temporary landing somewhere."

Turning to recent history, we must note that the chief public

objection to the invasion-by-proxy of Cuba in 1961 was that the

invasion failed. And President Johnson was able to mobilize

overwhelming Congressional and public support for the invasion of the

Dominican Republic in 1965, first on grounds of protecting American

civilians and then with the retrospective justification that the

"Sino-Soviet military bloc" had been behind the Dominican revolution.

There have actually been significant exercises of American power that

the American public has hardly noticed at all: few Americans are

aware of the United States' invasion of Russia after World War I, coups

against Iran and Guatemala, the invasion of Lebanon, the Congo

expedition to depose Lumumba, the attempted overthrow of the neutralist

government of Laos, and the quiet deployment of 55,000 troops in

Thailand. It is thus evident that a tradition of anti-interventionism

Dienbienphu in 1954, the Geneva Accords and the establishment of the

Diem regime in the same year, and the alleged success of Premier Diem

in establishing a "democratic one-man rule." Until his deposition and

assassination in November, 1963, Diem was the object of recurrent

idealization in American press releases. The State Department White

Paper of 1961 gave official sanction to his claim that South Vietnam

was a victim of unprovoked aggression from without. Numerous

statements from high government officials promised an early end to

the Communist threat in Vietnam. At the same time, Diem's ruthlessness

toward dissenting political factions, the patent failure of the

strategic hamlet program, the Buddhist protests beginning in May, 1963,

and the self-immolations beginning in the following month, together

with the colorful and newsworthy deportment of the Premier's sister-in-law,

Mme. Nhu ("I would clap hands at seeing another monk barbecue show"),

all served to focus American interest on Vietnam. This interest could

hardly be characterized as protest, but when the Diem regime was

replaced by a dizzying succession of strongmen, juntas, and shadow

governments and the war continued to grow, the American public was

disturbed.

The American presidential election campaign of 1964 can hardly be

overrated as a precondition of the protest movement. In that campaign

President Johnson recommended himself as the candidate of peace, as

opposed to a man who would defoliate forests, bomb the North, and "send

American boys nine or ten thousand miles from home to do what Asian

boys ought to be doing for themselves." It seems fair to say that the

anti-Vietnam movement has been energized in part by a deep personal

bitterness against the speaker of those words, and without the promises
of 1964 the movement might have assumed a milder character. President
Johnson's 1964 victory was overwhelming and was widely described as a
"landslide." Certainly, he was perceived as a man of enormous
executive ability. Perhaps because of the confidence given him in
1964, large numbers of normally apolitical citizens have felt not simply
misled but betrayed, and this feeling has been exacerbated by the
insistence of the Johnson administration that its policies merely
honored commitments made by Presidents Eisenhower and Kennedy.

President Roosevelt, too, campaigned as a peace candidate and then
made war, but the public felt no contradiction; America had been
"stabbed in the back" by other powers. World War II and the Korean War
as well conformed to the national expectation that conflicts are always
begun by others. Unfortunately for the Johnson administration only
a vague and dubious analogue to this claim could be made in the case
of the Vietnam war, and doubts about it could incubate for months and
years as the government reiterated its position. The Tonkin Gulf
incidents of August 2-4, 1964, and the Pleiku airbase attack of
February 7, 1965, were no substitute for a "Pearl Harbor." The very
effort to minimize American involvement lowered morale, not only because
the assertions were regularly disputed but also because the absence of
official jingoism discouraged formation of the patriotic myopia that
prevails in any fully mobilized country. Public ambivalence and
dismay could only increase as escalations were denied and assessments
of the strength of the South Vietnamese regime were shown to be fanciful.

in retrospect

In short, the American people had to cope with some of the risks and
anxieties of war without benefit of a "wartime emergency" mentality.

At any given phase the majority of protesters claimed readiness
to be reconciled to the government if certain questions could be
satisfactorily answered. The mood of injury and estrangement that
has increasingly characterized the anti-war movement has had much to
do with the failure to provide such answers. Protesters who read the
Geneva Accords of 1954 expressed puzzlement at President Johnson's
description of the aim of U.S. policy as "observance of the 1954
agreements which guaranteed the independence of South Vietnam,"[4]
since the Geneva Accords make no mention of South Vietnam and indeed
provide a timetable for the reunification of the northern and southern
parts of the country. Similarly, the government claim that we are in
Vietnam to guarantee self-determination has not proved credible to
students of the post-Geneva period, in which Premier Diem explicitly
refused to follow the election procedures laid down in the Accords.[5]
Students of the Vietnam situation who wondered why the 1965 State
Department White Paper omitted any mention of the elections could learn
from the White Paper of 1961 that the South Vietnamese government had
avoided the "well-laid trap" of the proposed elections. The 1965
version did not even look consistent with itself, since the claim of
massive North Vietnamese military involvement over a five-year period
was backed with only twenty-three biographical sketches of "North
Vietnamese" prisoners, seventeen of whom were in fact born in South
Vietnam. As books about the war proliferated, growing numbers of
Americans began to learn how the current Vietnamese situation had

evolved from the unstable conclusion of the Indochinese war, in which

the U.S. had openly supported French colonialism against the Vietnamese.

As more and more facts fell into place, increasing numbers of American

citizens [reluctantly concluded that their government could not afford]

to be truthful about its real purposes in Vietnam.

The most important part of the government's case for intervention,

namely the view that the National Liberation Front of South Vietnam

represented the aggressive expansionism of international Communism,

looked doubtful to many observers. Government-sponsored publications

such as Douglas Pike's Viet Cong[6] supported the claim of many South

Vietnamese neutralists, such as the Buddhist Thich Nhat Hanh, that the

N.L.F. consisted largely of non-Communists. As Nhat Hanh wrote:

> The majority of the people in the Front are not Communists.
> They are patriots, and to the extent that they are under
> the direction of the Communists, it is an unconscious
> acceptance of control, not allegiance to Communist
> ideology. I know it is a hard fact for Americans to face,
> but it is a fact that the more Vietnamese their troops
> succeed in killing, and the larger the force they introduce
> into Vietnam, the more surely they destroy the very
> thing they are trying to build. Not only does the Front
> itself gain in power and allegiance, but Communism is
> increasingly identified by the peasants with patriotism
> and takes an increasingly influential role in the
> direction of the Front.[7]

While most peace advocates were willing to concede the N.L.F.'s

dependency on the North Vietnamese government, few, if any, could

accept the theory, reiterated by Secretary Rusk and others, that the

insurgents in South Vietnam were carrying out a master plan of world

conquest drawn up in Moscow and/or Peking. Too much was known about

the indigenous grievances behind the fighting: the refusal to

implement the Geneva Accords, the American replacement of French

power in protection of the old Vietnamese ruling class, the excesses
of the Diem regime in the internment and torture of dissenters, the
persecution of non-Catholics, and the restoration of a feudal
landholding structure. There were, to be sure, comparable factors
in the South Korea of Syngman Rhee, but they had seemed insignificant
when set against North Korea's aggression. North Vietnamese aggres-
sion was more problematical, and in the years since 1950 Communism had
lost the image of a monolithic force of conquest. The Sino-Soviet
dispute, the fragmentation of the East European bloc, and the U.S.
government's own efforts at detente with Russia all served to undermine
the official picture of Diem's opponents as an invading army equipped
and dispatched by "world communism." Indeed, the statistics offered
in the 1965 White Paper, "Agression from the North," left an impli-
cation that nearly all the enemy's military equipment must have been
introduced into Vietnam (in disregard of the Geneva terms) by the
United States. Thus, Appendix D to the White Paper listed the cap-
tured enemy-manufactured weapons in an eighteen-month period as
seventy-two rifles, sixty-four submachine guns, fifteen carbines,
eight machine guns, five pistols, four mortars, three recoilless
75-mm. rifles, three recoilless 57-mm. guns, two bazookas, two
rocket launchers, and one grenade launcher.[8] According to other
Pentagon figures, this constitutes roughly two and one-half percent
of the weapons captured in the same period, during which 23,500
American troops were introduced into Vietnam.

The Legitimacy of American Intervention

The issue of the legitimacy of American intervention in Vietnam
has been a continual irritant to American war protesters and the
government's claims in this area have been repeatedly challenged.
President Johnson's repeated assertion that "three Presidents . . .
have committed themselves and have promised to help defend this small
and valiant nation"[9] seemed to many students and protesters to be a
serious misrepresentation of the attitude of President Eisenhower
toward the Diem government and at best an allusion to informal plans
rather than to binding commitments.[10] Instead of satisfying critics
of the war, government appeals to the Geneva settlement seem to have
focused attention on our refusal to sign the Accords and our
installation of the Diem regime in the hope of preventing the imple-
mentation of their provisions. Nor have critics been placated by
retroactive citations of the SEATO pact, which does not seem to them
to justify the unilateral measures taken in defense of the South
Vietnamese regime.[11] The administration's references to the U.N.
Charter have similarly failed to placate critics who compared the
document with American actions.

Opponents of the Vietnam war have long argued that it violates
the U.S. Constitution, which grants Congress the sole authority to
make war. One possible retort is that made by Under-Secretary of
State Nicholas Katzenbach, who told the Senate Foreign Relations
Committee on August 17, 1967, that the constitutional clause at
issue "has become outmoded in the international arena."[12]

The more usual line of reasoning, however, is that Congress granted the President full power to make war in the Tonkin Gulf Resolution of August 7, 1964, when he was authorized "to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression."[13] This broad interpretation of the resolution's meaning has been explicitly repudiated by some of the Senators who voted for it (e.g., Senator Gaylord Nelson;[14] and the floor sponsor of the resolution, Senator Fulbright, subsequently describing his sponsoring role as something "I regret more than anything I have ever done in my life."[15]). War critics have been fortified by the researches of Senator Fulbright and others into obscurities surrounding the background and nature of the Tonkin Gulf incidents.[16] These critics concluded that the attacks on the Maddox and the Turner Joy were not wholly unprovoked, and that the administration suppressed a good deal of compromising knowledge in pressing for immediate passage of the resolution. Furthermore, it has been widely reported that the substance of the Tonkin Resolution had been drafted long before the Tonkin incidents occurred, thus giving rise to speculation that the subsequent acts of escalation had been decided upon earlier-- in fact, during the period when President Johnson was denouncing Senator Goldwater's "reckless" recommendation of the same measures.[17] Whatever the merits of this obscure case, the anti-war segment of American opinion has had ample incentive to depreciate the Tonkin Resolution.

Peace Activists' Defiance of Law

Anyone seeking to understand the occasional willingness of peace

activists to defy the law should bear clearly in mind the widely held

opinion in the anti-war movement that the war itself is illegal: a

violation of the Constitution and the U.N. Charter, of treaties

banning warfare, and of numerous international conventions regarding

mistreatment of prisoners, use of chemical warfare, "ill treatment or

deportation . . . of civilian population from occupied territory . . .

wanton destruction of cities, towns or villages," etc. [18] Government

arguments against allegations of civilian bombing, use of gas and

fragmentation bombs, and the depopulating of whole districts have usually

consisted in denial of the facts--followed later by partial or full

concession when, as in the case of Harrison Salisbury's New York Times

dispatches from Hanoi in December 1966, further denial would no longer

be believable. The "war crimes" issue has been of central importance

in the drift of many protesters toward a stance of personal resistance--

the resistance which they claim the United States prosecutor at

Nuremburg stated to have been a legal duty of German citizens in

World War II.

The embittered atmosphere of the peace movement must also be seen

in the context of the so-called credibility gap. On every aspect of

the war, from explanation of its origins through characterization of

our role, praise of the South Vietnamese regime and its progress toward

democracy, description of the unfailing success of all American

military operations, minimization of civilian casualties, astronomical

"body counts," [19] and denials of enemy and neutral gestures toward

negotiation, the American government has incurred the charge of duplicity. This at any rate is how the administration has been perceived by those who disagree with its policies. And this effect has been heightened by the coupling of American assurances of willingness to negotiate with renewed escalations. James Reston expressed the confusion of many Americans when he asked, "Do these policies complement one another or cancel each other out? Does half a war offensive and half a peace offensive . . . add up to a whole policy or no policy?"[20] When all shades of misgiving about the war were repeatedly scorned as cowardly and unpatriotic—as the timidity of "Nervous Nellies" and "cussers and doubters"—the effect was to turn disagreement into rage.

The Media Challenge to the Administration Position

It may well be asked how the peace movement was able to sustain confidence in its own view of the war when the administration consistently challenged that view. One important part of the answer is that television thrust the citizenry into vicarious attendance on the battlefield every day. The documentary material gathered by reporters and cameramen has been consistently more eloquent than the military dispatches (known in the Saigon press corps as "The Five O'Clock Follies") dealing with the same events. It has often been remarked that this is the most fully reported war in history; one could go further and say that this is the only war in which millions of citizens in their homes have been granted access to immediate experience and background knowledge that would enable them to doubt their own government's version

of what was happening.

Another factor favoring the movement's growth has been the refusal
of many highly placed persons to go along with the administration
policies and assertions. Senate "doves" such as Fulbright, Morse,
Hatfield, McGovern, Gruening, Gore, Kennedy, Mansfield, Hartke, and
McCarthy provided continual incentive to further dissent, and they
were sometimes joined in criticism by "hawks" like Symington, Stennis,
and Russell. While some members of the Kennedy administration stayed
in office under President Johnson and helped to make war policy, many
others did not; men like Galbraith, Reischauer, Kennan, Schlesinger,
Sorenson, and Hilsman strengthened the widespread feeling that
President Kennedy would have handled things differently. Influential
war correspondents like Neil Sheehan, Malcolm Browne, David
Schoenbrun, Richard Halberstam, Peter Arnett, and the late Bernard
Fall also had an important hand in shaping public opinion.
Disillusioned veterans like Don Duncan, rebels within the armed
services like Ronald Lockman and Howard Levy, young draft resisters
facing jail, first-hand observers of the Vietnamese countryside like
former International Voluntary Services director Don Luce, clergymen
and scholars at home, and distinguished foreigners like U Thant, Pope
Paul, Gunnar Myrdal, and Arnold Toynbee all gave encouragement to
critics of the war. By 1968 the opinion polls declared that the
dissenting minority had become a majority.

This is not to say, however, that advocates of negotiated or
unilateral withdrawal had become a majority. Charts I and II show
that while "doves" have come very close to outnumbering "hawks," they

out   the costs of the war---the actual money costs, such as $300,000

for each dead Vietnamese alleged to be an enemy soldier, and the costs

in American casualties, the devastation of Vietnam, and the weakening

of domestic unity and morale. Peace activists were startled to find

the Republican Party on their side, but this was within the logic of

the American political calendar.

On the same day that the Blue Book appeared, the _Wall Street_

Journal declared the war unwinnable and likened it to an "incurable

disease." And indeed, the New York stock market responded with

great enthusiasm when President Johnson announced his revision of bom-

bing policy on March 31, 1968. In record trading, the market rose

sharply. Financial analysts pointed out that the President's de-

cision not to run for re-election was probably less important than

the prospect of lower interest rates and a redress of the balance-

of-payments difficulties which the war had exacerbated. "'Peace is

bullish,' summed up the general response of the executives interviewed."[21]

Of all ingredients of anti-war sentiment, there can be little

doubt then that one has been paramount: the course of the war itself.

Presumably a brief and successful assault against the enemy in Vietnam

could not have aroused sustained criticism in this country; there is

nothing in the previous history of American interventions to suggest

otherwise. Never before had the American public been offered so many

false official predictions or been given so much documentary evidence

of military and political frustration. The practice of describing

every encounter as an American victory eventually produced a deep

skepticism in the public: if the war was so one-sided, why was it

lasting so long? Why were South Vietnamese desertions higher every year? Why were the provinces and even the cities becoming less instead of more secure? Thus, Clare Hollingworth, writing in the Conservative London Daily Telegraph on November 2, 1968, estimated that the enemy had by then gained administrative control of 1800 of South Vietnam's 2500 villages and over 8000 of its 11,650 hamlets. "Indeed, Saigon administers less than eight million of the total population of 17 million and of this eight million some four-and-a-half million are soldiers and civil servants paid by the state." How could the enemy sustain such awesome casualties and still mount major offensives? And how were we ever to "win the hearts and minds of the people" with a policy of Free Strike Zones, B-52 saturation bombing, random Harassment and Interdiction bombardment of the countryside, the burning and bulldozing of villages, crop poisoning, and the forced herding of masses of peasants into detention camps?

Understandably, the greater part of American public interest was centered on the vicissitudes of our own troops. Great heroism was displayed in the successful defense of Con Thien in the fall of 1967 and again of Khe Sanh in the eight months preceding July, 1968; but the strategic significance of these costly outposts turned out to be virtually nil. Two hundred eighty-seven Americans were reported to have died in the November, 1967, "Battle of Dak To," including the celebrated capture of Hill 875; the hill was abandoned ten days later because, once again, its possession had no meaning in a war lacking front lines. The newspapers were full of bitter comments from GI's who lived through the ordeal and wondered why it had been necessary.

As the war dragged on, media commentators began to strike a gloomy note. Lou Cioffi's ABC Forecast for 1967 stated that "The American people must get used to the idea of American troops there for the next five, ten or eighteen years. The South Vietnamese army is badly trained and badly equipped, and its officers are more interested in politics and graft." U. S. News and World Report on March 6, 1967, described the failure of such massive sweeps as Operation Junction City, and asked rhetorically, "Is victory possible?" In August of 1967 R. W. Apple of the New York Times wrote an extraordinarily pessimistic series of evaluative essays under such headings as "Growing Signs of a Stalemate."

Most analysts agreed that the Tet Offensive of early 1968 called for a serious reassessment of the American position in Vietnam. Beverly Deepe remarked in the Christian Science Monitor (February 3, 1968), "The Communists' three-day blitz war . . . has opened up the possibility of the United States losing its first major war in history." The Tet Offensive seems to have marked the nadir of official in the public mind credibility, after which the government's statements about the war gradually became more modest. The American public was profoundly upset, as Chart III makes plain.

Public skepticism was epitomized in the Herblock cartoon showing
an American officer turning out communiqués ("We now have the
initiative . . . . The enemy offensive has been foiled . . . .
Besides, we knew about it in advance") in the wrecked headquarters
of the American mission. "Everything's okay," he says on the
phone, "--they never reached the mimeograph machine."
Conceivably the skepticism was wrong, but its existence helps to
show why the domestic peace movement continued to gather strength.

The Movement's Resort to Radical Dissent

An analysis seeking to show why the peace movement was not
snuffed out might well stop at this point; it is apparent that events
continually favored the cause of protest. Since the ultimate
subject of this investigation is violence, however, emphasis must
be laid on those factors which have lent the movement its capacity
for occasional fury and desperation. Some elements have already
been touched upon: the length of the war and its high casualties,
the credibility gap, the contemptuous treatment afforded sincere
critics of the government, a sense of personal betrayal at the hands
of President Johnson, a belief in the illegality of the war and
doubts about government professions of readiness to negotiate.
Three final considerations must now be added: the plight of
draft-age young men, revulsion at the means of warfare employed
in Vietnam, and cynicism about those South Vietnamese who have been
kept in power by American force.

Draft-Age Men

Everything that has been said thus far is pertinent to an understanding of the way many draft-eligible young men felt and feel about the war. For them, however, the overriding question was not merely whether to lend approval to the American effort, but whether to lend it their bodies and perhaps their lives. There have always been conscientious pacifists, but the Vietnam war has been the first to produce a sizeable number of draft resisters, men willing to spend several years in Federal prison rather than fight in a particular war that they considered immoral. The attitude of Congress, the Selective Service System and the courts has been that such persons are indeed criminals; as the prosecutor of George Dounis, who received four years in prison for draft refusal, stated, "Crimes of conscience are more dangerous than crimes of greed and passion." Conscientious objection was respected only if the objector could swear that he opposed war in any form, and Congress and the draft system overrode the Supreme Court's Seeger ruling of 1965 that religious objection need not entail "belief in a supreme being." On October 26, 1967, the national director of Selective Service recommended that local draft boards issue punitive reclassifications to unruly peace demonstrators. The effect of such measures, when combined with the impression made by the war itself, was to drive some young men into open resistance, others out of the country, and still others into seeking occupational and educational deferments.

The announcement in early 1968 that most such deferments would
be cancelled made the issue of cooperation or noncooperation
inescapable for large numbers of youths who opposed the war. Even
before that announcement, twenty-two percent of the respondents
to a survey of Harvard senior men said they would go into exile or
jail rather than serve in the army; ninety-four percent disapproved
of the conduct of the war.[22] And the posture of such young men
forced many of their elders to choose whether to lend them moral
support or allow them to be generally regarded as disgraced felons.
It is often alleged that men like Dr. Spock, the Rev. Mr. Coffin,
and the brothers Berrigan have urged resistance upon the young,
but in fact their actions were taken in response to such resistance
and in sympathy with it. The conviction and sentencing of these
men has served to multiply support for their position. Here again
the Vietnam war has introduced a new and surprising element into
American public life.

The Tactics of the War

In attempting to understand how such a reversal of traditional
attitudes could have been effected, historians of this period will
surely put stress on the peculiarly vivid impression that the
tactics of the Vietnam war have made on the public, chiefly through
television films. Napalm in particular has touched the imagination
of the public, as in the following description by Martha Gellhorn
in the Ladies' Home Journal, January, 1967:

> In the children's ward of the Qui Nhon provincial
> hospital I saw for the first time what napalm does.
> A child of 7, the size of our 4-year olds, lay in the
> cot by the door. Napalm had burned his face and back
> and one hand. The burned skin looked like swollen,
> raw meat; the fingers of his hand were stretched out,
> burned rigid. A scrap of cheesecloth covered him,
> for weight is intolerable, but so is air. His grand-
> father, an emaciated old man half blind with cataract,
> was tending the child. A week ago napalm bombs were
> dropped on their hamlet. The old man carried his
> grandson to the nearest town . . . . Destitute,
> homeless, sick with weariness and despair, he watched
> every move of the small racked body of his grandson.[23]

Or again, the account by Richard E. Perry, M.D., in Redbook,

January, 1967:

> The Vietcong do not use napalm; we do . . . .
> I have been an orthopedic surgeon for a good number
> of years . . . . But nothing could have prepared me
> for my encounters with Vietnamese women and children
> burned by napalm. It was sickening, even for a
> physician, to see and smell the blackened flesh.
> One continues for days afterward getting sick when
> he looks at a piece of meat on his plate because the
> odor of burned flesh lingers so long in memory. And
> one never forgets the bewildered eyes of the silent,
> suffering napalm-burned child.[24]

Widely available reports like these may help to explain why the

manufacture and use of napalm have become almost as great an issue

for anti-war activists as the total war policy to which it

contributes.

These passages also remind us that victimization of civilians

has occupied an important place in the consciousness of dissenters.

Harrison Salisbury's reports of the effect of American bombing on

the population of North Vietnam constituted one of the major

episodes in the growth of the anti-war movement. But the much

greater devastation of South Vietnam was a subject of public concern

New Yorker magazine) and more succinctly by prizewinning corres-
pondent Peter Arnett: "Burning homes, crying children, frightened
women, devastated fields, long lines of slowly moving refugees."[27]
A later A.P. report from Saigon described the general strategy of
which such episodes partook:

> The United States high command, preoccupied for
> two years with hunting down North Vietnamese
> regulars, now is looking more toward the populated
> valleys and lowlands where the enemy wields potent
> political influence and gets his sustenance. Quick
> gains are hoped for by forced resettlement of
> chronically Communist areas, followed up with
> scorched-earth operations that deny enemy troops all
> food, shelter, and material support. Central high-
> land valleys are being denuded of all living things;
> people ringing the Communist war zones in the South
> have been moved. Some American observers recently
> in the Mekong Delta say that the Vietnamese Army,
> long hated and feared, now is regarded as less of
> a threat to the countryside than the Americans.[28]

There was, of course, terrorism on both sides of the
Vietnamese war, but the domestic peace movement did not regard
the enemy's practices as justifying our own. Indeed, there
appeared to be a qualitative difference. That the enemy could blend
into the population necessarily resulted in more indiscriminate
assaults from the American side. Whereas the N.L.F. might
assassinate an unpopular village chief, the Americans would be more
likely to destroy the village itself with 500-pound bombs,
helicopter gunships, riot gas to smoke the inhabitants out of
hiding, and cluster bomb units to finish them off. Such measures
were frequently chosen in order to liquidate a guerrilla band that
had left the area hours or days earlier.

A dispassionate and expert account of air weaponry and tactics
can be found in Frank Harvey, Air War: Vietnam, a book written
at the urging of Air Force and aviation spokesmen. One learns from
Harvey not only the range of the American arsenal and the manner
in which targets are chosen by Forward Air Controllers, but also
the attitudes that pilots and helicopter gunners must cultivate.
Thus: " . . . it was fortunate that young pilots could get their
first taste of combat under the direction of a forward air controller
over a flat country in bright sunshine where nobody was shooting
back with high-powered ack-ack. He learns how it feels to drop
bombs on human beings and watch huts go up in a boil of orange flame
when his aluminum napalm tanks tumble into them. He gets hardened
to pressing the fire button and cutting people down like little
cloth dummies, as they sprint frantically under him. He gets his
sword bloodied for the rougher things to come."[29] Such information
as this, widely disseminated in a paperback book, understandably
formed a contribution to the peace movement.

Similarly, the revelation of the use of chemical and gas
warfare strengthened the movement. Crop-poisoning chemicals had
little effect on mobile enemy soldiers, but the tactics of starvation
worked effectively against small children, pregnant women, the
aged, and the sick.[30] And the New York Times pointed out in an
editorial of March 24, 1965, that the "nonlethal" gas which
Secretary McNamara belatedly announced we were using in Vietnam
"can be fatal to the very young, the very old, and those ill with

heart and lung ailments."[31] (The use of any gases was a violation of
the U.S.-German Peace Treaty of 1921 and the Geneva Protocol of
1925.) Even placid Americans were affected when, during the early
weeks of 1968, American forces attempted to dislodge guerillas from
Hue, Ben Tre, and Saigon itself by saturation bombardments of
heavily populated areas. "We had to destroy the city in order to
save it," said one American officer in a much-quoted remark about
Ben Tre.

The South Vietnamese Regime

The fact that the South Vietnamese government (or governments--
there have been ten since 1963) lent encouragement to such assaults
against the South Vietnamese population directed interest to the
question of which social forces were being favored by the American
presence. Despite the rapid turnover at the top, it has been
apparent that the faction best protected by U.S. power has been that
which was opposed to full Vietnamese independence in the days of
the Indochinese war. The New York Times, in an editorial of October
11, 1966, raised the possibility that "if the United States 'wins'
this war, it will be for the old ruling classes . . . ,"[32] and Asian
scholar George McT. Kahin has discussed "the understandable
tendency for many South Vietnamese to regard an American-supported
Saigon regime as having a good deal in common with its French-sup-
ported predecessor--particularly when almost every senior army
officer and the overwhelming majority of top civilian officials
collaborated with the French."[33] Most Americans who were disturbed

about the war took note of certain manifest features of the Saigon
regime: religious persecution, corruption and inefficiency,
reluctance to undertake full mobilization or to participate in
dangerous operations, eagerness to have the war extended by the
Americans, rigged elections, press censorship, laws forbidding
advocacy of neutralism, arbitrary imprisonment of dissenters, summary
executions, etc. More important than any of these tendencies,
however, was the relationship of the regime to the peasant farmers
who make up an overwhelming majority of the population. When
"pacification" did not mean death, it meant the American-sponsored
return of absentee landlords who would collect rents as high as
sixty percent of a rice crop and "extort back rents for the time they
fled the Viet Cong."[34] American backing of the hated landlords may,
in the final analysis of this war, turn out to have been more
decisive for its outcome than all the military engagements taken
together.

The reason this aspect of the war deserves mention in a study
of the American peace movement is that a negative assessment of
the Saigon government has formed part of the political education
of many demonstrators. If, as Representative Gerald Ford said,
"Americans must pay more to make Saigon interests richer and the
Vietnamese people more completely dependent on us,"[35] and if
Premier Ky was correct in saying that the Communists "are closer
to the people's yearnings for social justice and an independent
national life than our Government,"[36] then it was natural for large

numbers of Americans to ask themselves why we were willing to deliver and receive so much suffering to keep that government from being overthrown. For reasons discussed above, the official explanations in terms of fostering self-determination, honoring commitments, and preventing world conquest left many citizens unsatisfied.

In the absence of government arguments acknowledging our support of Vietnamese feudalism or our long-range interests in Southeast Asia, dissenters were left to draw their own inferences. Some concluded that we were preparing for war with China. Some, taking note of our $1,600,000,000 base construction program in Vietnam, decided that we had no intention of abandoning such an investment in the event of a truce. Young Americans began paying attention to those "Old Leftists" who had been saying for years that the United States, with its vast foreign investments and its deployment of troops around the globe, was, in fact, the expansionist power to be most feared. The late Martin Luther King, Jr. reached exactly this conclusion and his opinion was influential. For many, disapproval of the American role in Vietnam spilled over into scrutiny of our support of numerous oligarchies in Latin America, Asia, and southern Europe. The concept of a "Free World" devoted to "democracy" began to look faulty, and the history of the Cold War was reassessed as a power struggle rather than as a morality play.

Even the term "Imperialism," once the exclusive

property of sloganeers of the Left and Right, gained currency as
a respectable characterization of American behavior. It was
difficult to deny that we had become the world's major
counterrevolutionary power, prepared, as Secretary Rusk announced,
to intervene anywhere with or without treaty commitments. The
Secretary's exact words, spoken before the Senate Preparedness
Committee on August 25, 1966, were as follows: "No would-be
aggressor should suppose that the absence of a defense treaty,
Congressional declaration or U.S. military presence grants immunity
to aggression."[37] Given the rather loose working definition of
"aggression" that was used to justify such measures as the invasion
of Santo Domingo, many observers interpreted the Secretary to be
implying that no legal restraints would prevent the United States
from forcefully imposing its will on other nations to prevent inter-
nal change. The same observers argued that this influence was
being constantly exercised already in the form of economic and mili-
tary subsidies fo fascist regimes, counterinsurgency training
programs, and actual infiltration of other governments--as, for
example, in the successful placing of admitted CIA agent Antonio
Arguedas in the Bolivian cabinet as Minister of the Interior.

During the period of the Vietnam war there were other
developments within the structure of American society that gave
impetus to radical dissent. The racial polarization described in
the report of the Presidential Riot Commission assumed
frightening proportions, and was clearly worsened by the diversion
of "Great Society" funds into war spending. The major political

parties did not prove very responsive to sentiment for peace, and
when a strong third party arose it drew strength from race hatred
and sword-rattling. The Vietnam expenditures which had possibly
averted a recession in 1965 ended by contributing to a serious
inflation. Problems of conservation, traffic and pollution were
largely neglected. Assassination haunted our public life. The
power of military institutions grew until, by 1967, nearly one
American in ten owed his job to "defense." And universities, the
unofficial headquarters of the peace movement, were shaken by
student protest, hampered by Federal research cutbacks, and exploited
for the development of biological warfare weapons, counterinsur-
gency theory, and riot-control technology.

The anguish of many protesters was summed up in Senator
Fulbright's remark that we have become a "sick society." "Abroad
we are engaged in a savage and unsuccessful war against poor people
in a small and backward nation," he told the American Bar
Association. "At home--largely because of the neglect resulting
from 25 years of preoccupation with foreign involvements--our cities
are exploding in violent protest against generations of social
injustice."[38] This widely shared assessment of the situation
forms the context for an understanding of the peace movement's
evolving mood and tactics, to which we now turn.

The Movement

Background, Organization, Style

There is little general agreement about the makeup and nature of the Vietnam protest movement. From within, the movement seems disorganized to the point of chaos, with literally hundreds of ad hoc groups springing up in response to specific issues, with endless formation and disbanding of coalitions, and with perpetual doubts as to where things are headed and whether the effort is worthwhile at all. From without, as in the view taken by some investigating committees and grand juries, the movement often looks quite different; a conspiracy, admittedly complex but single-minded in its obstruction of American policy. In the latter interpretation, leaders and ideology are of paramount importance; in the former, the movement is simply people "doing their own thing."

The position taken here will be that the peace movement does have some broad continuities and tendencies, well understood by the most prominent leaders, but that its loosely participatory, unstructured aspect can scarcely be overestimated. Would-be spokesmen can be found to corroborate any generalization about the movement's ultimate purposes, but the spokesmen have few constituents and they are powerless to shape events. Tom Hayden's influence on the developments outside the Democratic Convention in Chicago, for example, was probably miniscule compared to the Chicago authorities, and Hayden's subsequent call for "two, three, many Chicagos" has no status

as a strategical commitment. If there are to be more "Chicagos"
it will require similar occasions, similar attitudes on the part of
civic and police authorities, similar causes for political despera-
tion, and similar masses of people who have decided on their own
to risk their safety. No one, including Tom Hayden, will show up
for ideological reasons alone or because someone told him to.

The more one learns about the organizational structure and
development of the peace movement, the more reluctant one must be
to speak of its concerted direction. As the following pages will
show, the movement has been and remains in a posture of responding
to events outside its control; the chief milestones in its growth
have been its days of mass outrage at escalations, bombing
resumptions, draft policies, and prosecutions. As Chart IV shows,
the size of demonstration varies directly with the popular
opposition to the war during the period 1965 to 1968. Thus, the
strength of the movement would seem to be causally related to
widespread American attitudes and sentiments toward the war.
(This finding does not imply that violence in the anti-war movement
correlates with the size of the protest movement, since there are
far greater numbers of opponents to the war then the tiny fraction
that supports violent tactics.)

15

When we reflect on the variety of the critics of the war, we
can well understand that the movement has never yet had the luxury,
or perhaps the embarrassment, of defining either its parameters or its
long-term aims. There is a widespread feeling among those who
participate in active criticism of the war that the movement would
collapse without the support of a worsening military situation and
a domestic social crisis, and this feeling gains credence from the
slackening of protest after President Johnson's speech of March 31,
1968, and the preoccupation with "straight" politics during the
McCarthy and Kennedy campaigns. Although it may seem tautological
to say so, one must bear in mind that the chief sustaining element
in the Vietnam protest movement has been the war in Vietnam. Not
even the most avid partisans of the movement can guarantee its
continued growth when the issues become less immediate and dramatic.

This fact needs to be emphasized repeatedly in view of the
widely divergent political opinions of people who must be counted
as having served the movement. The Chinese-oriented Progressive
Labor Party has been part of the movement, but so have Senator
Hatfield and U Thant. The Communist journalist Wilfred Burchett
has had less impact than Harrison Salisbury, and the Republican Blue
Book on Vietnam probably accomplished more than Bertrand Russell's
International War Crimes Tribunal. For that matter, it is
unlikely that any demonstration mobilized American opinion as
effectively as Premier Ky did when he declared his admiration for
Adolf Hitler. Innumerable small events such as that casual remark
drew great numbers of normally apolitical American citizens into

signing petitions, participating in vigils and marches, and supporting

peace candidates. One must resist the tendency, fostered both by

would-be leaders and by those who want to blame them as the source

of all trouble, to identify the movement with its most radical and

estranged segment, or to take too seriously the political impact

of demonstrations. The anti-war movement is not a fixed group of

people; it is something that has been happening to America. And

demonstrations are typically an outcome of events uncontrolled by

the movement, rather than a generator of future actions. It is

usually the response to the demonstration that catapults it, as in

the Chicago demonstration, into the status of an "event."

Several other considerations reinforce an attitude of caution

about describing the peace movement in terms of its organizational

structure. The most effective groups in marshalling mass protest,

such as the National Mobilization Committee to End the War in

Vietnam and the Students for a Democratic Society, have extremely

fluid membership and virtually no national control over their

membership's behavior. In fact, the former committee has no real

membership at all; it is merely a coalition of "leaders" from various

smaller groups who would disagree with one another on a number of

fundamental points but are willing to appear in the same march or

demonstration. The very name of the most prominent group in New

York City, the "Fifth Avenue Peace Parade Committee," expresses the

prevailing subordination of ideology to coalition tactics. It is

only a small exaggeration to say that the role of organizational

leadership in the movement is restricted to applying for permits, holding press conferences, announcing the time and place of demonstrations, and mailing appeals for funds.

Again, it should be understood that anti-war groups tend to spring up to give focus to activities that already exist. A few pacifists picket the Naval Weapons Depot at Port Chicago, California, they decide to stay there indefinitely, as the Port Chicago Vigil, and the vigil rallies support from the anti-war community. Draft cards are destroyed by individuals, prosecutions begin, the press takes notice, and, in response, an organization called The Resistance is formed. The Resistance in turn poses a challenge to draft-ineligible sympathizers who see their young friends being treated as criminals, and so additional organizations like RESIST and the Committee for Draft Resistance are formed. Businessmen, VISTA volunteers, writers and artists, clergymen, doctors, student body presidents, and so forth typically get together in ad hoc groupings whose sole aim may be to place an advertisement in a newspaper; the political work of forming common attitudes has been done in advance by the mass media and the plain facts about the war.

There are, of course, very many groups that do have long-range purposes and articulated Left ideologies, but none of them is

people who are resistant to traditional political rhetoric, and
they have also formed an important bridge between the peace
movement and such critical institutions as the U.S. Congress and
the United Nations. Their very commitment to nonviolence has given
them a political weight that the more "political" groups have found
difficult to acquire. Furthermore, the entire Vietnam peace movement
is indebted to the nonviolent activists for developing innovative
tactics of protest in the 1950's and for focusing interest on the
issues of militarism and the nuclear arms race that have subse-
quently entered the national political dialogue.

The Social Bases of the Anti-War Movement

Insofar as the anti-war movement has an ongoing membership,
it can best be characterized along social as opposed to
organizational lines. The most striking fact about the movement and
its most obvious handicap is that it has had to rely largely on
middle-class professionals and pre-professional students. The
worker-student collaboration that surfaced in France in the spring
of 1968 seems remote from the American scene. Labor officials such
as George Meany and Jay Lovestone have taken more "hawkish"
positions than the Johnson administration, and the AFL-CIO is known
to be working closely with government agencies in such projects as
the surreptitious combating of Leftism in affiliated Latin
American unions. With notable exceptions, rank-and-file American
workingmen have not supported the peace movement, either because
they felt that the war protected their jobs or because they

disliked the style of the most colorful protesters or because they
were outside the institutions where an anti-war consensus was
allowed and encouraged, or simply because they have in a
fundamental way become the most conservative of political actors--
they tend to follow the lead of government, especially if the
government is supported by the unions. Workingmen, like business-
men, were made uneasy by such side effects of the war as inflation
and high taxes, but they were largely indifferent to arguments
couched in terms of disillusionment with the Cold War or violations
of international law. To the degree that the peace movement
emphasized disarmament, sympathy with foreign guerillas, and
self-consciously anti-bourgeois styles of protest, it actually
drove the labor movement away. The confusion of many workers was
expressed in the finding that some of them who had supported Robert
Kennedy in the 1968 primary elections intended to vote for George
Wallace in November.

Within its middle-class and relatively well-educated base of
strength, the peace movement seems to have drawn most heavily from
teachers, students, and clergy. It would be a bit facile to call
these categories the movement's mind, body, and conscience,
respectively, but there is some truth to such a description. The
teachers were instrumental in learning and making known the history
of American involvement in Vietnam and in engaging government
spokesmen in debate. Students performed this function, too, and
in addition they provided the confrontational tactics and the sheer

blacks has been a deeply held theme of conscience for a vanguard of

middle-class white students, it has been outside the normal scope

of their lives; they have had to seek out battlefields in the

Deep South or in unfamiliar ghettos. The Vietnam war, by contrast,

has directly affected them in several respects. Most obviously,

students have been subject to the draft; their academic studies have

been haunted by the prospect of conscription and possible death for

a cause in which few of them believe. When the manpower needs of

the war eventuated in the cancellation of many graduate defer-

ments in early 1968, the anti-war movement was naturally

strengthened. From the beginning, however, the war had been an

on-campus reality by virtue of the presence of military and

war-industry recruiters, the extensive cooperation of university

institutes and departments with Pentagon-sponsored research, the

tendency of universities to award honorary degrees to official

spokesmen for the war, and of course the normal campus atmosphere

of controversy and debate. By 1968, as for example in the Columbia

rebellion, it was becoming difficult to distinguish the anti-war

effort from the effort to remake the internal structure of the

universities.

Clergymen have been especially prominent in the peace movement

in contrast to their relative silence during former wars. Partly

as a result of the decline of abstract theology and the humanizing

influence of figures like Pope John, partly because of

habituation to nonviolent protest in the civil rights movement, but

above all because of the difficulty of reconciling the claims of religious doctrine with the demands of the Vietnam war, religious leaders have increasingly placed themselves in the opposition. As the most active group, Clergy and Laymen Concerned About Vietnam, declared in a position paper of early 1967, "Each day we find allegiance to our nation's policy more difficult to reconcile with allegiance to our God . . . .We add our voice to those who protest a war in which civilian casualties are greater than military; in which whole populations are deported against their will; in which the widespread use of napalm and other explosives is killing and maiming women, children, and the aged . . . ." Well-known clerics like William Sloane Coffin, Robert McAffee Brown, Philip and Daniel Berrigan, and even Martin Luther King associated themselves with the cause of draft resistance, while Cardinal Spellman was roundly criticized for identifying the American forces as Christian knights and was picketed by fellow Catholics for trying to muzzle the Revs. Berrigan and others.[40] The times seemed to have changed utterly since the Cardinal's popular trips to Korea and his decisive influence in the installation of Diem in 1954. Even President Johnson could not attend church without risking exposure to an anti-Vietnam sermon--a new vicissitude among the many burdens of the Presidency.

Another component of the peace movement deserves special consideration, not so much for its decisive role as for its future potential. The effort of white radicals to enlist

black Americans in their ideological ranks is a longstanding
feature of American Leftism, and has become a subject of general
concern in the wake of the serious urban uprisings of the past
few years. People both within and outside the anti-war movement
would like to assess the degree to which black political
consciousness has been altered by participation in the movement and
by exposure to the war. This interest has to do with the
long-range prospect of black insurrection rather than with any
immediate hope of bringing the Vietnam war to an end. The question
is not whether blacks will turn out in large numbers to
demonstrate and march, but whether the issues of war protest will
feed naturally into the so-called black liberation movement, as the
issue of racial integration (insofar as it concerned white
activists) to some degree laid the groundwork for the anti-war
movement itself.

There are two opposite and perhaps equally plausible
interpretations. If attention is restricted to the overt involve-
ment of blacks in the anti-war issues as defined by white radicals
and pacifists, little evidence can be found to indicate real
coalition. Insofar as they are militant, black Americans are
unsympathetic to the nonviolent ethic of the pacifists; insofar
as they are economically deprived, they desire the material goods
which the radicals despise as tokens of an unjust economic system;
and insofar as movement tactics court exposure to police billy
clubs, blacks cannot work up the requisite enthusiasm. Unlike the

black soldiers to be transported to Chicago in anticipation of
possible rioting at the time of the Democratic National Convention.
It remains to be seen whether resistance of this sort will spread,
but there seems to be little reason for complacency among those
white officials who have hitherto assumed that blacks would be
only too happy to choose Vietnam over unemployment and
dsicrimination at home. Black radicals from Malcolm X and Robert
Williams through Stokely Carmichael and Eldridge Cleaver have told
their brothers that they are in effect the colonized Viet Cong of
America. If that perspective is adopted by great numbers of blacks,
it could well prove to be the most serious of the Vietnam war's
domestic effects.

Tactics and the Question of Violence

Violence within the current anti-war movement has been a
focus of considerable attention on the part of reporters and
analysts, and pro-movement theorists have sharpened this attention
with a good deal of talk about the necessary passage "from
dialogue to protest to resistance." In a rough and ready way this
outline of the movement's changes in attitude is serviceable, but
only if certain reservations are kept in mind. Much of the
so-called resistance has taken the form of nonviolent civil
disobedience by individuals or groups whose purpose has been moral
witness. Individual draft resisters have engaged in a form of
noncooperation which has dramatized their outrage at the war but

has not impeded its implementation. And nearly all the violence that
has occurred in mass demonstrations has resulted, not from the
demonstrators' conscious choice of tactics, but from the measures
chosen by public authorities to disperse and punish them. Even
after the bloody "battle of Chicago" it can be said that the
American anti-war movement has not yet deliberately embraced
violence. Peace demonstrators are still going through a mental
adjustment to the physical precariousness of protest.

It is less than the whole truth to say that the movement has
been drifting toward confrontationism. This does apply to some
longstanding activists, but others have recently given their energies
to conventional electoral politics. The McCarthy and Kennedy
campaigns, the "abdication" of President Johnson on March 31, 1968,
and the subsequent Paris negotiations renewed, at least for a
while, the traditional tendency of dissent to express itself
through established channels. The enthusiasm and energy with which
many college protesters joined the "Children's Crusade" of the
McCarthy campaign should serve as a reminder that there is nothing
final about a posture of resistance. America remains, as it has
always been, a country in which genuinely revolutionary or even
obstructionist activity is rejected by the great majority of
dissenters. Significantly, the first serious incident of anti-war
violence following the President's March 31 speech occurred outside
the Democratic Convention in August, and the Chicago Study Team's
report clearly points to the complicity of the city administration

the hands of government spokesmen, the accusations of cowardice
and betrayal, the relative unresponsiveness of Congress to anti-war
sentiment, and especially the clubbings by tactical squads,
National Guardsmen, and Army troops have bred desperation. It is
safe to say that by now the only effective countermeasure against
the bitterness that leads to violence would be a termination of the
war in Vietnam. Until that occurs, the more moderate element
within the movement will find itself increasingly out of touch with
the small minority who actually seek violence and can claim that
milder tactics have proved unsuccessful. Curiously enough, the
very achievement of the movement in finally obtaining majority
support for peace has played into the hands of the super-militants,
who point out that the warmakers have not capitulated merely because
of public opinion. In the eyes of those opposing the Vietnam war,
the nomination of two champions of President Johnson's war policy,
and the election of the one who had favored military intervention
in Vietnam since 1954 and now favors a stepped-up arms race, were
seen as tokens of a serious defect in the democratic process. As
in the "black liberation" movement, time may be running out for
those who counsel prolonged patience and trust.

While there have been scattered acts of real violence committed
by anti-war activists, by far the greater portion of physical harm
has been done to demonstrators and movement workers, in the form
of bombing of homes and offices, heavyhanded crowd-control measures
used by police, physical attacks on demonstrators by American Nazi

Party members, Hell's Angels and others, and random harassment
such as the Port Chicago Vigil has endured. Counterdemonstrators
have repeatedly attacked and beaten peace marchers, sometimes with
tacit police approval. Sometimes, as in the San Francisco Police
Tactical Squad assault on demonstrators and bystanders picketing
Secretary Rusk on January 11, 1968, a minority of demonstrators have
triggered police violence with provocative acts. In such cases the
unstructured and undisciplined nature of the demonstration
unfortunately permits the confrontationists on both sides to have
their way. It must be said, however, that while militant
demonstrators do have the power to ensure that brutal police tactics
will be used, they do not have the power to prevent them. Most
Americans who watched the Democratic Convention of 1968 on
television must be aware by now that when police are encouraged by
public officials to regard free assembly as subversive, they do
not need provocation in order to attack everyone in sight. When,
as at Chicago, police provocateurs mingle among the demonstrators
and "incite" their fellow officers to violence by such acts as
lowering the American flag, there is clearly no chance for the
spirit of nonviolence to prevail.

Rights in Conflict, the report of the Commission's Chicago
Study Team, not only provides ample documentation for what the study
group called the "police riot" at Chicago; it also offers a
paradigm of the way in which violence can emerge, not from the
schemes of individuals, but from the volatile mixture of elements

that are drawn together in such an event. The report makes clear

that there were indeed provocative tactics on the part of some

demonstrators—tactics which were intended to "expose the

inhumanity, injustice, prejudice, hypocrisy or militaristic

repression" of the society.[48] It is doubtful, however, that any

demonstrators anticipated or welcomed the extent to which the forces

of law were in fact provoked to violence, and it is clear in

retrospect that such violence was inherent in the attitudes of police

and civic authorities to the demonstrators, irrespective of any

provocation. The Chicago Study Team's report also documents the

largely futile efforts of National Mobilization Committee leaders

to arrive at tactical ground rules that would be honored by all

demonstrators.[49] The inability of leaders to give guarantees of

peaceable behavior was a factor in the denial of parade permits,

which in turn was a factor in the brutal excesses committed by the

police. In retrospect, it would appear that the most critical

decision lending to violence was the denial of Lincoln Park to the

demonstrators. Since the police were _required_ to clear the park

of some 1500 to 2000 people, it might have been anticipated that

violence would erupt.

Thus, much of what passes for the violence of the anti-war

movement is usually ascribed to the wrong party, and much of the

tactical debate within the movement itself has not been about

whether to commit violence but whether to expose oneself to it.

When movement spokesmen have counselled "resistance," they have not

meant such things as the bombings of draft boards and ROTC buildings,
but rather acts of obstruction such as mill-ins, the blocking of
traffic, the temporary and symbolic "seizure" of university
buildings, the "imprisonment" of CIA or Dow recruiters, the granting
of "sanctuary" to discontented soldiers, and the harassment of
pro-government speakers. One can disapprove of such acts and still
recognize that they do not constitute the instrumental use of force
to conquer political opposition. They have a symbolic and
expressive character that is quite lacking in the use of nightsticks
and MACE and rifle butts. This has been true even of the most
colorful acts of defiance, such as pouring blood on draft files or
even napalming them, as was done by the "Milwaukee Fourteen" and
the "Catonsville Nine." These religious activists were willing to
mutilate some pieces of property and incur long prison terms to
raise moral issues about the violence of the Vietnam war. They were
not literally attacking an enemy, but dramatizing what they felt to
be the intolerable savagery of the military system.

By far the greater part of movement obstructionism has been
conducted by college students, usually on their own campuses and in
response to university cooperation with the war effort.
Significantly, most of the agitation has had to do with the draft,
first over the question of releasing class ranking to the Selective
Service System, then over the punitive reclassification of
protesters, and then over the cancellation of whole categories of
deferment. Other draft-related activities, such as protests at

induction centers and the organizing of "Vietnam Commencements"
to dramatize the plight of graduating seniors who were to be
conscripted into a war they found abhorrent, were fed by discontent
with the entire draft structure and its announced purpose of
"channeling" deferred men into defense-related work.[50]
Similarly, a general _malaise_ over the gradual militarization of
national life contributed to the obstructionist mood that prevailed
on dozens of campuses in the 1967-68 harassment of Dow and CIA
recruiters. Students justified their tactics by referring to the
violence of the war and their inability to stop that violence through
ordinary means.[51] Many people within the movement, including
non-pacifists, thought that the students were jeopardizing their
own academic freedom in resorting to abridgements of free assembly
and speech, but no answer could be made to the argument that
university and national adminstrators had shown themselves
indifferent to more decorous forms of dissent.[52]

For many protesters the phrase "from protest to resistance" has
nothing to do with physical obstruction of any sort; it means
instead that individuals, having exhausted normal channels of
dialogue and petition, must take a personal stance of non-
compliance with the war. Tax refusal, the declaration of medical
students that they would refuse to serve, the turning down of
government grants and prizes and invitations to the White House were
all examples of such resistance. The overridingly important
categories, however, have been draft resistance and the association

of draft-ineligible persons with draft resisters. It is
reasonable to suppose that this has been the point of maximum
common focus between the peace movement and its antagonists.
Nothing has aroused greater anxiety and outrage among people out-
side the movement than the burning of draft cards and the willing-
ness of eminent citizens to stand beside resisters and applaud their
patriotism. The Justice Department and local grand juries and
prosecutors have been similarly absorbed in this aspect of the
peace movement; perhaps the most widely noticed and debated event
in the movement's history has been the Boston trial of Dr. Benjamin
Spock, Rev. William Sloane Coffin, Jr., Marcus Raskin, Mitchell
Goodman, and Michael Ferber for "conspiracy" to aid draft
resistance.

In a technical sense the "Spock trial" was a success; four of
the five defendants were convicted. If, however, the main purpose of
the trial was to prevent draft resistance and its adult support,
the effect produced was exactly the opposite. The Spock case
became a rallying-point for the entire movement, an inducement for
thousands of wavering dissenters to throw in their lot with the
defendants by declaring their "complicity," and a subject of
national misgiving over the use of a figurative notion of
conspiracy to inhibit acts of real and symbolic speech. The second
thoughts inspired by this trial were best summarized by one of the
jurors, Frank Tarbi, who later wrote:

eyes of many this be subversion, then may it at least
be understood as an effort to subvert one's beloved
country into its former ways of justice and peace.

Finally, let me say that I would hope that such
an action would stir the uninformed citizens of today
to become better informed citizens tomorrow. For this
war is not being waged by evil men. In our time all
it takes for evil to flourish is for a few good men
to be a little bit wrong and have a great deal of power,
and for the vast majority to remain indifferent.[54]

Resistance within the military services has also been of growing

importance to the anti-war movement. Considerable support has been

mustered for non-cooperators like "the Fort Hood Three," Private

Lockman, and Captain Howard Levy. Court-martialed and sentenced to

military prison, these men are nevertheless heroes to the movement—

all the more so because they stood up to the system after they had

foregone the protection of civilian law. Repugnance for the war has

become so strong that retired officers like Admiral Arnold True and

former Marine Corps Commandant, General David M. Shoup, have spoken

freely against it. Veterans have been prominent in anti-Vietnam

activities.[55] Deserters in Sweden and elsewhere have been greeted

with sympathy, pilots shot down over North Vietnam have publicly ex-

pressed contrition, reservists have made legal challenges to their

activation, AWOL soldiers have been given sanctuary in churches and

universities, and others have participated in pray-ins and peace

marches as well as flocking to "GI coffee houses" and reading anti-

war newspapers sponsored by the movement. These acts hardly constitute

an insurrection against American policy. They do, however, indicate

that it is becoming increasingly difficult to instill a "proper" attitude

of unthinking aggressiveness into American conscripts.

This raises the large question of where the peace movement is heading next. Everything that has been said here should inspire caution on this matter, for we have seen that the movement's options have been continually defined by unanticipated public events, and this will surely remain the case. The most one can do is extrapolate from recent tendencies and add that American society at large--and especially the makers of national policy--will finally determine whether the movement's desperation will be accentuated or overcome. As in the past, the movement can be counted on to respond more according to its temporary mood than according to ideology or a strategic plan.

Having made that caveat, we can perhaps suggest that two lines of development within the peace movement are especially likely to flourish. One is the increasing preference for structural analysis as opposed to moral protest. After a certain number of months and years of begging their elected leaders to take mercy on the people of Vietnam and to meet the crisis at home, protesters inevitably begin asking themselves whether they have been conceiving the problem truly. Why has the United States become, in Robert Hutchins' words, "the most powerful, the most prosperous, and the most dangerous country in the world"?[56] Is it possible that our Vietnam involvement is "not a product of eminent personalities or historical accidents, [but] of our development as a people"?[57] Protesters are questioning whether the war might not be an expression of the welfare bureaucratic state, with its liberal rhetoric, its tendency to self-expansion, its growing military establishment, and its paternalism toward the downtrodden? Doubts like these have been gradually eroding party loyalties and creating

Jerry—
What happened to the
Table of Demonstrations
that was attached to
the Horowitz paper?

Even if the Table line
is not used — which
I think it should be,
after appropriate
correction & expansion —
still the text ought to include
a factual description of the
major demonstrations during
the history of the movement, and
done chronologically and
self-consciously as a
short history of the
development of the movement.
I think the
chapter still
lacks a
sense of
development,
of unfolding
events, of
contemporary
history.

NOTES FOR CHAPTER II

1. See Willard A. Heaps, Riots U.S.A.--1765-1965 (New York: Seabury Press, 1966); and Lawrence Lader, "New York's Blodiest Week," American Heritage, June, 1959, pp. 44-49, 95-98.

2. See Twain's polemical writings, "To the Person Sitting in Darkness," and "On the Killing of 400 Moros." For a scholarly development of such policies and attitudes see Walter La Feber, The New Empire: An Interpretation of American Expansion 1860-1898 (Ithaca, New York: Cornell University Press, 1963).

3. New York Times, March 9, 1968, p. 2; and November 1, 1968, p. 11.

4. U.S. Department of State Bulletin, August 31, 1964, p. 299.

5. All pertinent articles and the final declaration of the conference and reprinted in Vietnam: History, Documents and Opinions On A Major World Crisis, ed. Marvin E. Gettleman (Greenwich, Conn.: Fawcett, 1965). The entire text can be found in George McTurnan Kahin and John W. Lewis, The United States in Vietnam (New York: Dial, 1967).

6. Cambridge, Mass.: M.I.T. Press, 1966.

7. Vietnam: Lotus in a Sea of Fire (New York: Hill and Wang, 1967), p. 68.

8. See I. F. Stone's Weekly, March 8, 1965.

9. Why Vietnam, U.S. Government Publication, August 20, 1965, p. 5.

10. See President Eisenhower's letter to Diem of October 23, 1954, emphasizing the dependency of any economic aid on forthcoming "assurances" and "performance" in the area of "needed reforms." No mention is made of military assistance in Department of State Bulletin, XXI, November 15, 1954, 735f.

depict is at least partly the _result_ of student outbursts rather than
the cause--after an event (e.g., Columbia), strategists and
ideologues try to assimilate and rationalize what occurred. Never-
theless, when movement participants attempt to justify and persuade
each other that confrontation and resistance are politically
necessary, the arguments described above are those most frequently
used.

To a considerable extent, acceptance of the moral or
practical validity of these arguments depends on one's view of
"revolution," especially in a society like the U.S. It is probable
that most people who go about their daily routines at home and at
work and in the community cannot seriously contemplate anything
resembling a revolution in American society, if by revolution one
means armed warfare between the state and organized insurgents who
aim to overthrow it. ᴬ/One factor which encourages new left
activists to take the idea of revolution seriously is that most of
their communication about political issues occurs within a
relatively isolated community of radicals. ᴮ/Committed student
radicals have become profoundly disillusioned with the possibilities
for peaceful change within American society and are also becoming
convinced that, as in Chicago, authorities will be unable to adjust
to militant protest and insurgency. ᶜ/It thus becomes possible for
a circle of people who share similar feelings and convictions to
ignore or dismiss "practical" objections to revolutionary politics
and to view psychological preparation for revolutionary action as
the only practical and moral course available.

college students suggest that the majority of students come from
homes which may be described as moderately conservative and
Republican. Moreover, the higher the family income and educational
levels, the more likely it is that the student will have Republican
and conservative parents. All studies of student activists, how-
ever, indicate that they are recruited from that segment of the
student population whose parents are Democrats. Studies based on
students' reports of their parents' political views suggest, more-
over, that the parents of activists tend to be more liberal on
issues relating to foreign policy, domestic welfare, civil rights,
and civil liberties than the parents of non-activists.

These conclusions are strongly reinforced by a study which
interviewed the parents themselves. Not more than fifteen percent
of activists' parents are reported to be Republicans, and even these
often turn out to be liberal on many issues. Another fifteen to
twenty percent of activists' parents are reported to be "socialists"
or otherwise radical. This is, of course, a far higher percentage
than one would find in a random sample of college students, but it
suggests that most student activists have moved away from the liber-
alism of their parents to more radical positions.

Thus, although there is broad agreement between most movement
participants and their parents on political directions (especially
with respect to foreign policy, disarmament, support for civil
rights, support for freedom of speech, acceptance of increased
public spending for social welfare purposes, and a generally
unfavorable attitude toward "hard-line" anti-communism), it is

parents typically had <u>high</u> expectations and standards with regard to
intellectual and creative activity, academic work, and socially
useful activity. Moreover, it is clear that differences in
punitiveness and restrictiveness between the parents of activists
and those of non-activists are not marked. In one recent study,
comparing twenty-five liberal parents active in civil rights with
a similar number of conservative parents active in opposition to
open housing, few differences in the extent of permissiveness were
found. Nevertheless, nearly half of the liberals' college age
children had become active in student protest, while only two of the
children of conservatives were politically active. This and other
studies have demonstrated rather clearly that the political activity
of young people is strongly related to the political interests
and attitudes of their parents and shows no substantial relationship
with permissiveness as such.[41] In any case, the propensity of young
people for disruption of institutions and defiance of authority is
more clearly a result of their experiences with those institutions
and that authority than a result of their early disciplinary treatment by their
parents.[42]

The research reviewed here indicates that the behavior of
student activists is <u>not</u> a projection of rebellion against
parental authority; it tends to show that humanist parents
foster character traits and attitudes which may engender ques-
tioning of tradition, convention, and authority. It may be neces-
sary to add that such traits and attitudes have always been ones
which Americans have claimed to value. The tendency for youth with

"democratic" character structures and "humanist values" to become
angry opponents of the political system results from the failure
of that system to fulfill its claims.

The principal determinant of the degree of radicalism which
an activist espouses and the kinds of activity he is likely to
join tends to be the length of his exposure to the movement and
his prior experience with it. Once a student becomes involved in
movement activity, it is not possible to predict his attitudes
and behavior solely on the basis of the values and attitudes of
his parents. Thus, for example, in the spring of 1968, among stu-
dents who opposed the war in Vietnam, there was a tendency for
those with little or no prior activism to participate in the Presi-
dential campaign of Senator Eugene McCarthy, while those who were
veterans of anti-war protest were more likely to participate in
draft resistance and direct action.[43] A study of volunteers who
worked in the "Vietnam Summer" project in 1967 showed that the
youngest volunteers were on the whole less radical in their
attitudes than those in their early twenties who had substantial
experience in the movement.[44] The conclusion to be drawn from
these studies is that "educated humanism" predisposes young people
to participation in the movement; that the movement is, however,
broadening its constituency beyond the ranks of the "educated
humanists"; that particular modes of activism and political
attitudes are shaped by experiences in the movement rather than
by family socialization.

Colleges and Universities in America

The student movement described here draws its participants from the college and university campuses in the United States. (In the next section, we shall briefly discuss college and university student activism outside the United States. In another chapter, we explore some aspects of the activism of high school students, an increasingly prevalent phenomenon). Even "non-student" participants, those specters of administrative and political polemics, turn out largely to be students taking leave and, in any case, are mostly persons of college student age. The demands and fears of the movement itself help make this so; those "over thirty" are suspect, as is widely known. Further, the activities of the movement, always closely associated with campus life, have turned even more directly toward the structure and operation of the educational establishment. Student activists have come to see that the connections between the university and government, the

fact that it is governed by the "establishment" and its appointees, and its curricula are all society writ small--and that the university is therefore in need of radical change. For these reasons, among others, we must examine at least briefly higher education in America.

The Changing Role of Higher Education.

In 1900, approximately one percent of the college age group attended academic institutions; by 1939 this had grown to fifteen percent. It nevertheless remained true that both private and public institutions of higher learning largely served upper income groups in the United States. The plenitude of denominational colleges in the United States is evidence of the ways in which colleges served specific populations of ethnic or religious character. Public universities were hardly different: state schools largely served the agricultural and business needs of local and state groups.

In recent years the American University has become a national institution; its students are likely to be drawn into occupational groups and communities outside the local confines of its formally designated clientele. Denominational colleges have lost a great deal of their special cultural character. Research has become diverse as the populations served have extended through many institutional areas

sities have gained neither clarity of purpose nor dire   on. They

are not necessarily willing or able to assess the rela   impor-

tance and value of their greatly extended interests.   hermore,

the university's independence from outside agencies,   ical pow-

is in constant danger of becoming

ers, and interest groups has been seriously compromis   cause of

the high cost of both education and research, which r   res the

university to seek financial support from the very gr   from which

it would like to be independent. Thus involved in p   policy, the

university finds its response to public issues probl   . Fun-

ctioning within the realm of public controversy with   early de-

may have difficulty in being

fined purpose, it cannot be forthright in its respons   students'

criticisms, demands, and actions.

Faculty

In using the term "multiversity," Clark Kerr i   es the

fragmented character of the contemporary American i   ion of

higher learning, its separation into specialized un   ed in

nothing save opposition to the central administrati   ne

important cause of this fragmentation is the develo   the

professors and graduate students from generalists i   ialists.[46]

This process, made necessary by a veritable explosi   formation

tion in all fields of study, results in a trend to   es-

sionalism, that is, identifying oneself more with   l-

leagues everywhere and less with one's local admini   s.

Increasingly, it is according to the demands of hi   of study,

not those of the administration, that a scholar's   success,

and acceptance are determined. Only a few universities, such as Harvard and Chicago, have traditions of sufficient prestige to assure the loyalty of their faculties. Then, too, the members of these faculties come from all over the world. In general, the prestige of any institution comes from the eminence of its individual scholars rather than from the mystique of the institution itself.[47]

This derivation of prestige from the faculty makes for an academic seller's market, with sellers whose interests are professional and national, if not international, and buyers whose interests are largely organizational and local. Such disparity of interests is a major source of conflicts, in which the faculty opposition is more effective today than it has been in the past.[48] Whatever their sources, mistrust and animosity between faculties and administrations are very much in evidence at many American universities, and this hostility is very little assuaged by a sense of common commitment to the university as a repository of unique values and traditions.

Studies of student activists indicate that they have close ties to faculty; activists are not unknown and anonymous faces in the classroom.[49] But outside the classroom faculty have little effect on rules governing student conduct. Both at Berkeley and at Columbia, faculty had no formal role in disciplinary procedure. At Columbia there was no senate or single body in which the undergraduate faculty met regularly to consider policy of any kind. The distance of the faculty from decisions related to student life--especially disciplinary proceedings--leads to mistrust and resent-

ment of administration by both students and segments of the
faculty.

In most student confrontations and protest actions on campus
the administration is singled out as the target. Students accept
the premise that these officials can, at will, develop and carry
out policies in the major areas of political concern. For example,
"new left" critiques of universities imply that research policy
and use of government funds is largely a matter of administrative
decision rather than of faculty desire. Yet the administration's
capacity for controlling the content of faculty research is greatly
limited by the universities' need for capable research personnel.
Efforts of administrators to enunciate priorities of values have
been resented and opposed by segments of the faculty. At major
institutions, significant portions of the faculty adopt a research-
oriented perspective that stresses the requirements of their
particular discipline. Other faculty feel a stronger obligation
not only to teaching, in the narrow sense, but in the students as
developing personalities. Strain between differing segments of
the faculty results in a university policy arrived at by a series
of compromises, committees, and balancings of interests. More
than most students understand, university officials--presidents,
vice presidents, provosts, and deans--are severely limited in
both power and authority by faculty values and interests.

Faculty interests fail to generate bonds with the university
as an institution. There is no definition of what the university

student bodies has made the informal and autonomous role of student cultures and communities much weaker. The inclusion of students in campus policy-making is a recognition that formal political means are necessary to provide adequate representation. When issues arise which students perceive to be significant, it is only realistic to expect that students will demand to have a voice in policy-making concerning those issues.

The absence of students from a wide range of university decision-making has two important consequences for the generation and maintenance of disruptive behavior and political activism. First, it diminishes the opportunity for administrators and faculty to recognize and represent student interests in university policies. Second, the absence of students in positions of shared decision-making legitimates the violence and disruption of student protests. It makes credible the assertion that there are no other ways for students to be heard and to effect policy.

The appearance of students on university committees is not, however, a solution or even a major step in the development of campus harmony. Several caveats and qualifications must be understood. Student representation must not be manipulated by administrators and faculty; conflict of interests in many areas between students and administration, students and teachers, must be recognized and dealt with. This means that in many areas students must play a genuine role in decision-making and that their interests must receive recognition and at least some power.

different measures from those applied to vandalism after a drunken party.

The campus demonstrations and protests which have formed the basis of much of the violence and disruption of the 1960's are closer to labor disputes than to violations of accepted campus rules of the kind for which disciplinary codes were developed. They are concerned with basic questions of policy and policy-making. If universities are to persist in disciplining students for illegal acts or for actions viewed as detrimental to the institution, they must redesign such procedures according to contemporary judicial structure, including stricter rules of evidence and of counsel, appointment of qualified judges, and the equivalent of a jury system. Universities lack "campus lawyers," the power to subpoena, and legitimated and trained judges. Although they are adequate for the adjudication of misdemeanors and "family affairs," university disciplinary procedures seem grossly unfair and biased when judged by standards based on procedures of justice in American courtrooms. Campus administrations must recognize that as parties to the dispute they cannot expect to adjudicate as well. Universities might even experiment with outside arbitration, treating the situations as what they usually are--political disputes--rather than as simple violations of accepted rules.

A deeper question arises, however, which affects the conception of the campus as a self-governing institution. As universities have ceased to be personal and paternal communities con-

cerned with character development, the centrality of the academic function has emerged. The activity of the students, whether violent, disruptive, or otherwise unsanctioned, needs to be judged by the university in relation to their academic roles; some distinction must be made between the academic and the civil roles of students. Thus, in many cases where universities now seek to discipline students for illegal acts, such matters of discipline should be solely the responsibility of civil authorities: students should not be punished by universities for infractions of the civil law.

This view by no means champions a blanket use of police whenever protests arise. To request the presence of civil authorities is itself a matter of policy, to be arrived at by procedures similar to those on which other policies are based. Rather, this view recognizes that the university is now the repository of academic values, and that disputes between students and officials are political conflicts about policies and procedures which must be viewed as matters of internal negotiation, not primarily as the violation of rules. The existence of widespread unrest is an indication of the weakness of authority. This absence of authority, institutional loyalty, and trust, does not cause student protest, but it creates a structure and an atmosphere in which it is hard for universities to respond either to the issues or to the protests. To make any improvement in this situation, university officials, faculty, students, and trustees must make a conscious effort to balance the pluralism of contemporary university

Student Protest and Social Change *Abroad* [55]

We have discussed the student movement of the 1960's and
emphasized its differences from earlier campus activism in the
United States, particularly its political orientation and its drive
to challenge and restructure authority both on campus and off. We
have considered some of the personal characteristics of student
activists, and some of the features of U.S. colleges and universities
in the 1960s, that in some sense underly and explain this distinc-
tiveness. Perhaps our understanding of the current student can be
further advanced by analyzing some of the ways in which it resembles
or differs from student movements in other nations. Even the most
casual observer is aware that student protest is now a world-wide
phenomenon. In 1968 alone, student demonstrations and strikes
paralyzed universities in nations as far apart, geographically and
culturally, as Japan, France, Mexico, West Germany, Czechoslovakia,
Italy, and Brazil.

Conventional wisdom is much given to the view that youth is
"naturally" rebellious. We are not surprised when young persons
experiment with adult ways and criticize those who enforce con-
straints, because we know that youth is "impatient." Nor are we
unduly shocked when young persons protest the failure of adults to
live up to their professed values, since we know that youth is
"idealistic." Such views, whatever their ultimate truth, have the
virtue of providing comfort for adults and, no doubt, for many
young people. Such views assume that young people will outgrow their
impatience and will experience the difficulties of actualizing

Horowitz
paper to
Mr. Shookat
on   (writer)
2/3/69

January 29, 1969

MEMORANDUM

To: Mrs. Judith Toth

From: James S. Campbell

Re: Draft Section of Commission Report on
      Violence and Radical Black Militancy

This memorandum will convey some of my partially-
formed ideas about the kind of draft that you should
be working on. I see the first phase of this project
as a draft of 40 or 50 typed pages, which we would
submit to the Commission a few days in advance of its
meeting on Friday, February 14. The draft would be
designed to place in perspective the phenomenon of
"radical black militancy" -- i.e., that segment of the
larger black protest movement which espouses retaliatory
violence in excess of the legal right of self defense
(see our Progress Report and Kerner Report, Bantam ed.,
p. 233). Necessarily, this will involve some fairly
substantial discussion of other aspects of black protest
such as the traditional civil rights movement and ghetto
riots, but the emphasis should be on those blacks who
advocate violence as a means to achieve some political or
social goal: these are referred to by Commissioners Harris
and Higginbotham as "radical black militants" and I see
no reason why we should not adopt that terminology.

As our Progress Report suggests, our take-off point
should be the Kerner Commission Report, particularly its
basic finding that "white racism" is responsible for the
explosive mixture that has been accumulating in our cities.
According to the Kerner Report, white racism is responsible
for the deepening racial division in our society and for
the continuing polarization of the American community.
Given this finding and the materials which our Commission
staff has produced, I think that we should approach radical
black militancy as one kind of response to white racism.
In the process, we will have to refine the notion of racism
somewhat, and we can bolster the Kerner Commission's finding
with the Survey findings of the Assassination Task Force,
which should be available for your use within the next four
or five days. This Survey material reveals white society in
America as still surprisingly hostile to the goal of full
racial integration.

The first part of your draft would thus define
radical black militancy, describe the Kerner Commission's
findings (and our own findings) on white racism, and
state our analytic approach as being that we can best
understand radical black militancy as a response to this
country's tradition of white racism and Negro inferiority.

The next section would trace contemporary white
racism to its historical sources in the institution of
slavery and the ethos of that institution. Here you
would draw on the essays by Comer and Hartz, on the testi-
mony by Benjamin Quarles on September 18, and on the dis-
cussion of the KKK from the History Task Force essays on
vigilantism. (See also the Hackney essay on the South,
especially at p. 774.) The idea would be to show that
current white racism -- which we would be careful to
treat primarily as "institutional" racism, as much as,
or perhaps even more than, personal or individual racism --
grew organically out of slavery and is essentially an
historical legacy of our national past. Perhaps some
of the material from Meier and Rudwick on 20th Century
race riots would be of secondary usefulness here.

The next section would state what slavery-racism
has meant to the Negroes, both objectively and subjectively.
Objectively, slavery-racism has produced the "bitter fruits"
which the Kerner Commission has cataloged in overwhelming
detail (see esp. the summary statement at p. 203ff of
the Bantam ed.). Here we would not go into any detail,
but simply refer to the Kerner Commission highlights.
We would go into more detail on the subjective results of
slavery-racism, drawing primarily on Comer's essay (see,
e.g., the material on self-destructive Negro attitudes at
p. 663), on the testimony by Price Cobbs, the author of
Black Rage, and on the Skolnick chapter (such as the anti-
colonial, revolutionary ideology that prevails among con-
temporary black radicals). One element that we should
touch on in this subjective analysis is the fact that
welfare programs alone do not satisfy the black need for
"dignity."

With this sort of background, I think you could then
use the remaining material in Skolnick's chapter as the
basis of a "political analysis" of the position which
radical black militancy occupies in the black community as
a whole. We would be able to say what the goals of this

group are and how they overlap with goals of blacks
generally; we would be able to discuss the issues involved
in the radicals' attempt to radicalize the larger black
community; and we would be able to discuss in a general
way the kinds of responses which the larger community
should make to minimize and isolate the radical element
and to prevent its willingness to use violence as a
political tool from spreading more widely throughout the
black community. This discussion would not involve any
specific recommendations at all, but would only discuss
principles of response in a sort of general way.

This may seem like a tall order for the amount of
time and space available to you -- but I think that we can
at least sketch out the major features of an essay along
these lines in time for the Commission meeting on
February 14.

November 14, 1968

MEMORANDUM

To: Commission Staff

From: Skolnick

Re: Interim Report

    What we've tried to do in this interim report is to suggest the
main sorts of conclusions and evidence that our final report will
produce in much greater detail. We didn't have time to write
fifteen pages so we wrote 46. Anyhow, we tried.

    We're beginning to think that Ambassador Harris was right in
suggesting a change of title. How does "Collective Protest and
Societal Response" strike you? We're inclined to think it covers the
subject matter more accurately. (Of course, one "punchy" word would
be preferable, but the only title we can think of is "BOOM!" Now how
does that grab you?)

<u>Interim Report</u>

TASK FORCE

COLLECTIVE PROTEST AND SOCIETAL RESPONSE

Report prepared for the President's National Commission on the Causes and Prevention of Violence. This duplicated version is for the private distribution of Commission staff and any reproduction of it, in part or in full, is prohibited without the express consent of Jerome H. Skolnick.

November 14, 1968

Our task force is studying university rebellion, anti-war protest, black militancy, and the responses of the social order to these phenomena.

Presumably, every Task Force is to make recommendations related to the "causes and prevention of violence." But there are a number of difficulties in doing so.

The first difficulty inheres in the political character of the term "violence." By anybody's definition, war is the most violent of human activities. Surely the war in Vietnam is the most intensive violent activity that has recently occurred in the world. Yet, because of our nation's involvement in Vietnam, and the sacrifices made by young American men, it may be difficult for us to consider the war as a violent phenomenon to be explained and understood by this Commission. Most people and governments do not object to — may not even be sensitive to — their own violence, but only that of their adversary. So, in wartime, violence may be defined as heroism or wanton destruction, depending upon which side is making the definition.

Second, violence is something we desire to prevent because it is ostensibly the most socially undesirable phenomenon extant. But is it? As has often been noted, death and injury on the highways, air pollution, and lung cancer have taken a greater toll of lives than the Vietnam War and other explicit forms of violence. And as Senator Kennedy pointed out following the assassination of the Rev. Martin Luther King, the indifference and inaction and slow decay that afflicts the poor can be just as deadly and destructive as the shot of the bomb in the night. Third, violence is an enormously variable phenomenon. Two kids slugging it out on a playground constitutes violent activity. So does a nuclear war between two nations.

So we have tried to keep our definition of violence reasonably straightforward and have employed a fairly simple working definition -- violence is the use of force intended to injure or to kill persons, or to destroy property. Under such a definition traditional non-violent forms of civil disobedience, such as the occupation of a segregated lunch counter to protest the constitutionality of racially discriminatory statutes, are excluded. Also excluded is the use of obscene language in public even though such behavior may be highly discourteous. We can point to reprehensible behavior that is non-violent; we can point to unlawful behavior that is non-violent; and we can point to violent behavior, such as the shooting of a fleeing murderer by a policeman, that is neither reprehensible nor unlawful. So we must not confuse violence with illegality or reprehensibility. In short, our abstractions may signify a variety of behaviors, desirable and undesirable.

In writing about demonstration and protest we have been especially sensitive to the difficulties of attaching social reality to wide ranging abstractions. The concept "violence" is one such abstraction. Two others are "police" and "looters." For example, suppose somebody raises the question as to whether or not the "police" should be sent in to quell a student protest or demonstration at a university. Put in that fashion the question assumes the abstraction "police" necessarily means something concrete and understandable. Yet, if we were to raise the question with a more

carefully attuned sensitivity to contemporary social reality we might
ask whether we should send in a group of men, mainly lacking in
higher education, who are both physically strong and politically
committed; whether we should arm these men with guns and clubs and
other weapons, such as eye irritants; and what the short and long
range consequences will be of sending in such armed men? If the
question for decision had been addressed in the past with that reality in
mind we might have come up with some different answers.

"Looter" is another word that tends to obfuscate reality.
"Looting" has called forth the anger of a Mayor who publicly reprimanded
his Police Superintendent and his police force for not shooting and
maiming these "looters." But of course, a "looter" is usually an
ordinary ghetto resident -- often a woman or a child -- who steals
something like a pair of shoes or a case of beer during a collective
uprising. He or she is typically a petty thief. But by substituting
the word "looter" for "petty thief" a public official can evade the
penalty structure of the criminal law, call for arbitrarily administered
force -- and still remain in office. So one of the main directions
of our report has been to probe the social realities of abstract terms.

In following through on this perspective, we have been impressed
by the importance of putting our analyses into a context of both
natural history -- the decisions and events leading to protest --
and the meaning of protest to all the participants, the protesters
as well as the authorities. We have tried to learn and to communicate

what demonstration and protest means to the student, to the anti-war demonstrator, to the black militant.

Similarly, we have tried to describe what these phenomena appear to indicate to constituted authorities, and we have been especially sensitive to the capacity of authorities to respond appropriately to demonstration and protest. Our analysis has not been limited to the concrete responses of authority, but has gone on to consider what we believe to be more important -- that is, the theoretical assumptions and ideological underpinning of authoritative response. Our evidence has led us to conclude that, at every level, the law enforcement establishment has misinterpreted the broader meaning of contemporary demonstration and protest in the United States. Where law enforcement analysts have attempted broader analysis, it has ranged from seemingly sophisticated "counter-insurgency" theories that fail to recognize the political character of protest, to simplistic but widely disseminated "Communist conspiracy" theories.

By contrast, we view contemporary demonstration and protest as both symptom and cause of a revolution in conceptions of social reality. The significance of a conceptual revolution may be illustrated by quoting from Thomas Kuhn's classic, <u>The Structure of Scientific Revolutions</u>:

> Examining the record of past research from the vantage of contemporary historiography, the historian of science may be tempted to exclaim that when paradigms change, the world itself changes with them. Led by a new paradigm, scientists adopt new interests and look in new places. Even more important, during revolutions scientists see new and different things when looking with familiar instruments in places they have looked before . . . Insofar as their only recourse to the world is through what they see and do, we may want to say that after a revolution scientists are responding to a different world. (p. 110, Phoenix Books, 1962)

Perhaps the most famous and consequential illustration of a scientific revolution was the Copernican. It affected not only the direction of scientific inquiry, but touched off a continuing conflict over the authoritativeness of religious dogma. Once it was understood that the earth revolves around the sun, the social institutions of the earth could never be the same.

In social life, as well as in the social sciences, what is truly revolutionary is a fresh paradigm of how social reality might be or ought to be. In our report, we shall analyze the new forms of protest in American society as attempts to hammer home newly perceived conceptions of social reality which have been forged and sharpened through crisis.

THE ANTI-WAR MOVEMENT

The anti-war movement can be traced to a definitional issue of paradigmatic proportions. Is the Vietnam conflict a civil dispute between Vietnamese or is it an aggressive invasion by one neighbor of another? Does the United States have a moral duty to be in Vietnam or was U. S. involvement unnecessary, and perhaps even immoral? In seeking to explain the Vietnam war protest movement it is useful, for purposes of contrast, to recall the Korean War which resembled the Vietnam War in several respects and occurred within the memory of many current protesters. Why did the Korean War fail to generate militant and broadly based opposition? Of the reasons that present themselves, perhaps the most persuasive is that in 1950 there were hardly any Americans who questioned the Cold War policy of containment -- except of course for those

who favored "roll back" and "liberation" of Communist occupied territories. Furthermore, the rise of Communist China abroad and of McCarthyism at home did not allow for the development of a respectable anti-war segment of opinion. When the Korean War broke into public consciousness it was all at once with an undeniable invasion from the Communist North; the public had no more time to reflect than did President Truman.

But the Tonkin Gulf incident of August 2 through August 4, 1964 and the Pleiku Airbase attack of February 7, 1965 were no substitute for the Communist invasion in Korea. Public ambivalence and dismay could only increase as escalations were denied and fanciful assessments of the strength of the South Vietnamese regime were insisted upon. The inability or refusal of the administration to provide satisfactory responses to what came to be known popularly as the "credibility gap" gave repeated and continuing strength to the anti-war movement by reinforcing a conception of the war that was at odds with the government's explanation.

On every aspect of the war, from explanation of its origins to characterization of our role, praise of the South Vietnamese regime and its progress toward democracy, description of the unfailing success of all American military operations, minimization of civilian casualties, and denials of enemy and neutral gestures toward negotiation, the American government incurred the charge of duplicity. It would be an endless chore to document the instances; for purposes of this report it suffices to say that this is how the administration has been perceived by those who disagree with its Vietnamese policies; and when all expressions of misgiving about the war were scorned repeatedly by a president

who had run on a "peace" platform -- as the timidity of "nervous
nellies" and of "cussers and doubters" -- the effect was to turn
disagreement into bitterness.

The view of the war entertained by the peace movement was sustained
through several sources. Television brought the events of the war
dramatically into the homes of millions of citizens. Influential
war correspondents like Neil Sheehan, Malcolm Brown, David Shoenbrun,
Peter Arnett, David Halberstam, the late Bernard Fall, and perhaps
most importantly, Harrison Salisbury, disputed the government's
interpretation of the war. The refusal of many highly placed persons
to go along with the administration's policies and assertions, especially
the senatorial "doves" such as Fulbright, Morse, McGovern, Hatfield,
Gruening, Gore, Kennedy, Mansfield, Hartke and McCarthy provided continual
dissent and they were sometimes joined in criticism by "hawks" like
Symington, Stennis, and Russell. Men like Galbraith, Reischauer,
Kennan, Schlesinger, Sorenson and Hilsman strengthened the widespread
feeling that the war was at least a "mistake." Distinguished foreigners
like U Thant, Pope Paul, Gunnar Myrdal and Arnold Toynbee all gave
encouragement to advocates of peace. Even NATO allies were openly
critical of the U. S. engagement in Vietnam. By 1968 the opinion polls
declared that the paradigm of the war held by the dissenting minority
had become at last the view of the majority.

Of all the ingredients of the peace movement there can be little
doubt, however, that one was paramount: the course of the war itself.
Never before had the American public been offered so many false official
predictions or been given so much documentary evidence of military and

political frustration. The practice of describing every encounter
as an American victory eventually produced a deep skepticism in the
public: If the war was so one-sided, why was it lasting so long? Why
were South Vietnamese desertions higher every year? Why were the
provinces and even the cities becoming less instead of more secure?
The Tet offensive of 1968 was the final "victory" to produce a deep
disbelief in the American public.

Of special significance, perhaps, was the cost of the war. For
conservatives, the spending required by the war appeared to be undermining
the stability of U. S. currency. "Peace" developments were followed by
rises in stock prices. For liberals, the massive spending in Vietnam was
interpreted as undermining the achievement of a "Great Society."

Since the ultimate object of this investigation is violence, however,
we must emphasize those factors which lent the movement its capacity
for occasional fury and desperation. Some factors have been already
touched upon: the length of the war and its high casualties, the
credibility gap, the treatment afforded sincere critics of the
government, a sense of personal betrayal at the hands of President
Johnson who had run as a peace candidate, and doubts about government
professions of readiness to negotiate. Four additional factors must now
be added: the questionable legal status of the war, the plight of
draft age young men, the revulsion at the means of warfare employed
in Vietnam, and cynicism about South Vietnam's political and financial
dependence on the United States.

Anyone seeking to understand the occasional willingness of peace
activists to defy the law should bear clearly in mind their common opinion
that the war itself is illegal: a violation of the Constitution and the

U. N. Charter of Treaties banning warfare, and of numerous international
conventions regarding mistreatment of prisoners, use of chemical warfare
"ill treatment or deportation of civilian populations from occupied
territory . . . wanton destruction of cities, towns or villages," etc.
(The quotations are from Allied Control Law Number 10, promulgated in
1945 for the trial of war criminals.) Reinforced by the "war crimes"
tribunal held in Sweden, this conception is strongly held by a significant
proportion of protesters. Such a view was especially salient to many
draft eligible young men for whom the question was not merely whether
to lend approval to the American effort, but whether to lend it their
bodies and perhaps their lives. There have always been draft evaders,
but the Vietnam War has been the first to produce a sizable number of draft
resisters, willing either to leave the country or to spend several years
in federal prison rather than violate their consciences. Thus, 22%
of the respondents to a survey of Harvard senior men said that they would
go into exile or jail rather than serve in the army; 94% disapproved of
the conduct of the war. (New York Times, January 15, 1968.)

There was of course terrorism on both sides of the Vietnamese
war, but the fact that the enemy could blend into the population
necessarily resulted in more indiscriminate and seemingly senseless
assaults from the American side. Even placid Americans were affected
when, during the early weeks of 1968, American forces attempted to
dislodge guerillas from Hue, Ben Tre and even Saigon itslef by saturation
bombardments of heavily populated civilian areas. "We had to destroy
the city in order to save it," said one American field officer in a much
quoted remark about Ben Tre.

Finally, most Americans who were disturbed about the war took note

of certain manifest features of the Saigon regime: religious
persecutions, corruption and inefficiency, reluctance to undertake
full mobilization or to participate in dangerous operations, eagerness
to have the war extended by the Americans, widespread draft evasion,
rigged elections, press censorship, laws forbidding advocacy of neutral-
ism, arbitrary imprisonment of dissenters, summary executions, etc.
Perhaps most important of all was the relationship of the regime to
the peasant farmers who make up an overwhelming majority of the
population. When "pacification" did not mean death, it meant American
sponsored return of absentee landlords who would collect rents as high
as 60% of a rice crop and "extort back rents for the time they fled
the Viet Cong." (Fred Emergy, Saigon Correspondent of the London _Times_,
March 10, 1967.) Indeed, American backing of the landlords may in the
final analysis, turn out to have been more decisive for the outcome
of this war than all the military engagements taken together.

In our final report and to some extent in the next section on
student protest we will describe the movement itself. But, the factors
which led to a rejection of the administration's view of the war are far
more important in understanding the anti-war movement than its organizational
features. For the most part, the organization of anti-war protest has
been haphazard and non-violent. All of our evidence has been that
organization within the movement has resulted not in violence but rather
in non-violence. There is within the movement a continuing concern with
non-violence on the part of most peace demonstrators, including many who
have been clubbed and gassed in demonstrations. When violence takes
precedence within the movement, it can be best understood not as a

consequence of permissive rearing or revolutionary doctrine or a
breakdown in traditional morality, but as a sign of desperation.
Confrontation tactics were felt to be necessary to dramatize the
urgency of stopping the war. To many of the protestors the carnage
in Vietnam served to legitimize the relatively minor destructiveness
of the movement. As a Harvard student explained to an alumnus "...the
demonstration against Dow...it has to be compared to what you're
protesting against. When a lot of people here at Harvard compared
holding a man for seven hours against the travesties and crimes of
Vietnam, the differences in the two acts were quite clear. At Columbia,
the people felt there was no other way to get things done." (Nicholas
Von Hoffman, "The Class of '43 is Puzzled." The Atlantic, October, 1968).
Beginning in a spirit of dialogue, greater portions of the movement,
especially among the young, have found themselves bitterly angry and
resentful at the government. They believe that the government has
acted illegally, immorally, and duplicitously and some of the young are
willing to act upon that belief.

STUDENT PROTEST AND THE GENERATION GAP

During the 1930's and the 1940's the effect of a widely revered
President and an enemy who symbolized absolute evil was to affirm
the U.S. as the ethical center of the universe for American liberals.
Although the rest of the world might have been more skeptical about
this status, it appeared to fulfill earlier conceptions of the superiority
and "manifest destiny" of the country. Domestic failings such as
racial injustice and McCarthyism were overshadowed by the dismal realities

of life behind the Iron Curtain in the 1950's, and especially
Khruschev's validation of the crimes of the Stalin era. In the late
1950's, however, the image of the U.S. began to tarnish. The U-2
incident, which exposed America and its President as being capable
of provocative military acts and public deceit in the supposed interest
of national policy; the Bay of Pigs incident, which revealed full-
blown the extensive power and corrupting possibilities of the CIA in
international affairs; the assassination of the Presdient, the
assassination of the President's accused assassin on the TV screens
of the nation; the Warren Commission, which failed to quash gnawing
doubts; the Dominican intervention, which dramatized the history of
the U.S. support for anti-Communist regimes, no matter how reactionary
and brutal; and finally, the escalation of the minor conflict in Vietnam
into a full-blown and exceedingly horrible war, each step taken with
a denial that the war was in fact expanding -- these major incidents
made possible a revolution of Copernican proportions in the position
of the United States in the ethical universe.   From the shining
center of this universe in the 1940's, the United States fell first
to the status of an "ordinary" country in the 1950's, and then as
the war in Vietnam became increasingly brutal and destructive, the
United States to many of its own young plunged into outer darkness.
To some it became an ethical outlaw, to others a fallen angel and,
to a portion of the New Left in America, the devil incarnate.

Our research and other studies suggest that student activists
are _not_ rebelling against the values of their parents, but are instead

trying to implement these values through action. Student activist
tendencies are especially related to parental beliefs that intellectual
and esthetic pursuits are more worthy than material success, and
that the really important things in life are opportunities for
free expression and humanitarian concern. In short, the students
are acting out the liberal ideals of the parents.

The major focus of organized student protest revolves around the
Vietnam war and its domestic repercussions; close to one-half of American
campuses have experienced some activity in the last year concerning
the war, the draft, military recruiters, military research and other
war-related issues. Protests by white students concerning racial
issues are a second major focus of organized movement activity,
though this has declined among white students over the past few years.
Purely local issues rarely spark major campus confrontations, though
a large percentage of American campuses have experienced protests
over dormitory regulations and living conditions, student power,
disciplinary action and freedom of expression. According to the
National Student Association there were, during the first half of
the 1967-68 academic year, 71 separate demonstrations on 62 campuses
(counting only demonstrations involving 35 or more students). By the
second half of the year, the number had risen to 221 demonstrations
at 101 schools.

Contemporary student protest takes place within the context of
a university structure whose systems of authority and governance have
become problematic. Universities have become larger and more complex;

at the same time they have become more deeply involved in issues
of national policy, especially through research. The involvement
of the university in local and national issues opens it to scrutiny
and criticism, but its growth in scale and complexity has not yet
been accompanied by the development of adequate channels for the
expressions of disagreement and for student and faculty participation
in decision-making. Where students cannot be effectively heard
through existing channels, protest necessarily takes place outside
them. And as the Cox Report and other investigations have shown,
too often the response of administrators to student grievances has
been punitive and unsympathetic. Rather than examining the nature
of their own commitments and understandings, university administrators
have frequently misinterpreted student protest as the work of a
minority of malcontents bent on disrupting for its own sake. As a
result, the genuine grievances of students have been channelled into
overt confrontation.

STUDENTS FOR A DEMOCRATIC SOCIETY

The more radical activists in the student movement have been
attracted to the Students for a Democratic Society which claims
about 7,000 "national" (i.e., dues-paying) members, and at least
35,000 members in its several hundred local chapters. According to
data collected by Richard Peterson of the Educational Testing Service,
there were, in 1965, SDS chapters (or other "student left" organizations)
on 25% of American campuses; by 1968, the number had grown to 46%
(a figure larger than that claimed by SDS). SDS began in competition

with other new and old left groupings; by now, however, SDS vastly
overshadows in size and reputation the other left-wing groups
(such as the DuBois Clubs, the Young Socialist Alliance, Progressive
Labor, and the Campus ADA). In structure, SDS is really a loose
federation of diverse local chapters and political tendencies. Each
chapter has complete autonomy; in recent years, the national decision-
making bodies and the national convention of SDS have failed to establish
any clear-cut policies or programs.

Although SDS chapters were responsible for at least 30 major on-
campus demonstrations last year, including, of course, the Columbia
rebellion, there is no evidence that such demonstrations are selected
or planned in any central fashion. SDS publications and leaders
advocate "student power," "institutional resistance," "getting the
military off the campus" and "disruption" as strategies for advancing
the "revolution" and for "radicalizing" students. But demonstrations
usually arise out of particular campus conditions and the decision of
local campus groups. The majority of campus demonstrations do not
originate with SDS chapters at all.

At present, the primary function of SDS is to serve as the most
militant and ideological wing of the general student movement -- a position
which sometimes isolates its chapters from the mainstream of campus
activism and other times puts it in the forefront of leadership. Perhaps
most importantly, the SDS serves as a continuing symbolic affirmation
of the generation gap, and provides incoming students with an organiza-
tional base from which to speculate, to generate political ideas, and
to contemplate action. Whatever one's evaluation of SDS sponsored

campus action, it is a serious error simply to write the SDS off as
some sort of "lunatic" fringe. On the contrary, many students feel,
in and outside of SDS, that the organization provides a forum to try
out and implement fresh ideals of social justice. This is not to suggest
that SDS chapters always act "responsibly," or do not constitute a
threat to the established patterns of American higher education. On
the contrary, they would consider themselves a failure as an organization
if it did not. But the "threat" is serious and fundamental, and usually
gains or loses adherents depending upon the inadvertant "cooperation"
of campus authorities. Administrative failure to respond seriously
and with understanding usually radicalizes moderate students into the
SDS position. In any event, there is no doubt that the SDS has
wrought a qualitative change in American campus life.

SINGLE ISSUE ORGANIZATIONS

Other organized expressions of student unrest may be found in
the myriad of independent, "single issue," organizations and committees
which flourish on most major campuses. The most important issue is, of
course, the Vietnam war and the draft; the most important expression
of opposition is located in a non-violent national movement of young
men--"The Resistance"--who refuse cooperation with Selective Service;
many have returned their draft cards or burned them; of these, a
number have been reclassified as delinquent, inducted and have refused
to serve. The Resistance sponsors periodic draft card "turn-ins,"
operates draft counselling services, and agitates among students and
other youth in favor of non-cooperation with the war effort.

Other anti-war groups include the Student Mobilization Committee
to End the War in Vietnam, a coordinating body for a number of local
anti-war groups, as well as a variety of local independent action

committees. The Mobilization-oriented groups favor large mass
demonstrations, such as those held at the Pentagon in October,
1967 and in Chicago at the Democratic Convention. They have also
sponsored nation-wide 1-day student "strikes" against the war,
which have had some success.

There are literally hundreds of other single-issue committees
and groupings on campuses across the country, ranging from civil
rights support groups to sexual freedom leagues. Their diversity
and growth reflects the widespread increase of student participation
in public affairs, and the volatility of campus politics. The
majority of students desire more latitude for self-expression, more
personal autonomy, and have a greater consciousness of their collective
interests than did previous generations of students. The new style
of local campus politics reflects the seriousness of the present-day
student body, and the precipitous decline of the old "collegiate"
values and styles. Thus, campus radicals have catalyzed an indigenous
student movement for university reform that has the broad support
of students irrespective of their attitudes concerning general social
and political issues.

BLACK STUDENTS

No discussion of student protest would be complete without a
separate description of the Black Student Movement. Of recent origin,
Black Student Unions and Afro-American Associations exist on most
campuses with a significant number of black students. Until a few
years ago, black students tended to be individualistic, assimilationist
and politically indifferent; the black power drive, however, has
offered a clear direction for educated Negroes to give collective
expression of their grievances and to identify with the black community.

Black student spokesmen are at least as militant as white
radicals, especially in terms of tactics advocated, but black
student organizations have been more oriented toward negotiating
specific reforms and concessions, than white radicals. At the same
time, the militant stance of black students is a major factor in
increasing the militance of white students, whose commitments to
justice and equality are continuously greeted with skepticism and
derision by blacks. At Columbia the white student seizure of
various campus buildings was in part an outcome of overtly expressed
doubts by black students that the whites were really prepared to
do what was necessary to challenge the university and resist the
police. It should be clear that, for the most part, black students
have more to lose in a personal sense when they participate in
civil disobedience than do the usually more affluent white students;
on the other hand, their protests have been more effective since
their demands are usually specific, and manageable within the frame-
work of university authority. Moreover, as at Columbia, a black
student protest can muster at least symbolic support from the wider
black community, and thus involves wider interest than the campus.
As it is mistaken to separate the "anti-war" movement from campus
protest, it is even more erroneous to separate black students from
their brethren in the wider community.

BLACK MILITANCE

The Black Student movement reflects a revolutionary trans-
formation in perspective occurring in the black communities through-
out America. The point can be made most dramatically by suggesting
that the term "Negro" is coming to have a revised meaning -- it suggests
a man with a "black" skin who clings to and supports white values.
A "black" man is one who is striving to define and to achieve a sense
of positive identity with other black men and women in this country
and throughout the world.

The movement to achieve black dignity has stressed the importance
of black culture and black history. The development of a distinctive
black culture of course requires a sense of independence from whites.
                      is
This / because of the obvious fact that white culture, white values,
and white definitions have dominated the black communities of America.
There is a widely quoted phrase in the Kerner Commission Report that
is exactly to the point. "What white Americans," the Commission
said. "have never fully understood -- but what the Negro can never
forget -- is that white society is deeply implicated in the ghetto.
White institutions created it, white institutions maintain it, and
white society condones it." Thus, the distinctive characteristics
of black culture have been obscured by white society, and white
societal symbols and values must be rejected to bring black culture
into contemporary focus.

The black cultural movement is especially difficult for white
liberals to accept, partly because it violates libertarian ideals,
and partly because it has created a new ethnic stereotype, the "whitey"
or the "honky," the cultural equivalents of "Negro" and "nigger."

It is the black equivalent of epater le bourgeoisie, of sticking pins in cherished white values, to tear away and reveal such prized traditions as freedom and liberty as white traditions of slight relevance for the history of the black man. History is therefore the main instrument for developing a black culture because cultural transformations of paradigmatic proportion are made possible through new historical interpretation. If black revisionist history is successful, educated men will no longer be able to write, as Professor Joseph Bishop did in a recent Harper's article:

> The function of the Bill of Rights, which in the English-speaking countries ended the alternating persecutions of temporary minorities by temporary majorities, is to set bounds to the power of the majority to coerce the minority--and, as the price of this protection, to delimit the outer boundaries of the minority's freedom to disobey with impunity the majority's laws. I will defend the proposition that it is the best governor ever invented for the democratic engine and that, indeed, it is the principal reason why our democratic engine has lasted nearly two hundred years.

This is an eloquently written illustration of the sort of celebrationist statement to which we have all been exposed countless times in our lives and which we usually registered without question. It supports the traditional "liberal" world view. But the traditional "liberal" world view has been revealed as a "white liberal" world view. To a man with a sense of the history of black men in the English speaking world, such a statement is ridiculous on its face. Where was the Bill of Rights for slaves? Has the Bill of Rights significantly protected the interests of black citizens after slavery? Frederick Douglass offered a black man's version of

America in a Fourth of July oration delivered in 1852:

> What to the American slave is your Fourth of July? I
> answer: a day that reveals to him, more than all other days
> in the year, the gross injustice and cruelty to which he is
> the constant victim. To him your celebration is a sham;
> your boasted liberty, an unholy license, your national
> greatness, swelling vanity; your sounds of rejoicing are
> empty and heartless; your denunciation of tyrants, brass-
> fronted impudence; your shouts of liberty and equality,
> hollow mockery; your prayers and hymns, your sermons and
> thanksgivings, with all your religious parade and solemnity,
> are, to him, mere bombast, fraud, deception, impiety and
> hypocrisy--a thin veil to cover up crimes which would
> disgrace a nation of savages . . .

> You invite to your shores fugitives of oppression from
> abroad, honor them with banquets, greet them with ovations,
> cheer them, toast them, salute them, protect them, and
> pour out your money to them like water; but the fugitive
> from your own land you advertise, hunt, arrest, shoot, and
> kill. You glory in your refinement and your universal
> education; yet you maintain a system as barbarous and
> dreadful as ever stained the character of a nation--a system
> begun in avarice, supported in pride, and perpetuated in
> cruelty.

> You shed tears over fallen Hungary, and make the sad
> story of her wrongs the theme of your poets, statesmen and
> orators, till your gallant sons are ready to fly to arms
> to vindicate her cause against the oppressor; but, in re-
> gard to the ten thousand wrongs of the American slave, you
> would enforce the strictest silence, and would hail him
> as an enemy of the nation who dares to make these wrongs
> the subject of public discouse!

The works and life of Frederick Douglass form an important component

of new courses and curriculum in American history precisely because

they are still so relevant. A revisionist history not only rewrites

the past -- if successful, it also enlightens the meaning of the

present.

Power, or the capacity to influence decisions, especially those

that shape the course of one's own life, is a necessary condition for

dignity. How do people come by power? One important means, surely,

is through control of an economy. Black people presently hold only
a paltry share of American economic power.

A recent study of Chicago revealed that "out of 6,838 positions
identified in business corporations, Negroes held only 42 (six-tenths
of one percent). Thirty-five of these were in insurance, where Negroes
occupy six percent of the 533 posts. But all thirty-five were in two
all-Negro insurance firms. The other seven positions were in four
smaller banks. In banks in general, Negroes occupied three-tenths
of one percent of the policy posts. There were no Negro policy makers
at all in manufacturing, communications, transportation, utilities and
trade corporations . . . the legal profession, represented by corporate
law firms, had no Negroes at big policy levels."

Amazingly enough, the study also found more Negro-controlled
businesses in Chicago than in any other major city in the North.
So similar surveys in other Northern cities would reveal an even
smaller percentage of Negro policy makers in the business world.
(Harold M. Baron, "Black Powerlessness in Chicago," Trans-Action,
November, 1968.)

Another means of gaining power is to be in the position of an
exploited proletariat, capable of organizing and withholding labor,
thereby disrupting the economy. Because of racial discrimination
black workers are not simply a classical proletariat. They have been
discriminated against by American labor as much as by American
corporate enterprise, perhaps in part because black workers have been
the traditional "scabs," employed by the major corporations, to break
strikes.

Given this general situation, how are American Blacks to respond

to improve their social situation? There are two complementary
strategies, each of which is being pursued. One strategy requires
a consciousness of identity. For example, labor organizing tra-
ditionally hammered home to workers the theme that they were not part
of the company, that their identity was with other workers. And this
was often a difficult message to get across, as any old-time labor or-
ganizer will testify. Just as the unions adopted a rhetoric of
brotherhood, so do blacks, and so does any group that is attempting
to develop itself to improve its power and dignity.

A second strategy is to locate some force comparable to controlling
the economy or the withholding of labor. The force that the black
community has located and exploited is the capacity to disrupt social
stability. Ghandi, of course, was the first to understand and implement
this force politically through large-scale civil disobedience. In America,
the black community has relied upon both non-violent and violent tactics
to implement stability disruption as a resource for achieving economic
and social equality. In this country, the grievances of the non-violent
have often been disregarded, and the black community has responded with
threats and actual violence. Such violence has occurred largely <u>without
overt conspiracy</u>, through a common sense of black identity.

STABILITY DISRUPTION AND LAW ENFORCEMENT

When stability disruption becomes part of a larger strategy
for achieving power, it becomes increasingly difficult for a social
analyst to draw a line between crime and political activity. This
is not to suggest that legal authorities cannot draw such a line. A
young black man who sets fire to a Vietnamese but is lawfully considered

to be serving his country. A young black man who sets fire to a downtown department store is engaged in an act of arson, or an act of revolutionary heroism, depending upon his view of constituted authority. The meaning of the concept of crime is under continuous revision, and when that happens the related concepts, "political action" and "civil liberties" receive associated shock waves.

Revolutionary situations pose a terrible dilemma. Many Americans find themselves in sympathy with the motives of the revolutionaries, deplore violent means, and at the same time recognize that an emphasis upon order may impede necessary and desirable social change. The dilemma is particularly agonizing when they find themselves increasingly unable to distinguish between contemporary morality and immorality. Which is preferable, the violent revolutionary act or the severe social sanctions that slowly, sometimes negligently, impinge upon masses of human beings on the basis of racial or ethnic characteristics?

Americans have not fully recognized that the needs and concerns of most black people in our society are different from those of the comfortably situated. The black man living in the inner city is not so concerned with freedom of expression as an abstract ideal, nor in drawing fine distinctions between expression and action. He has real and immediate legal concerns that are not presently being satisfactorily attended to by institutions in the legal order.

The judicial response to riots indicates that urban blacks have good reason to doubt the good faith and legitimacy of the legal system, especially its capacity to live up to its own rhetoric and ideals. The Kerner Commission pointed out serious deficiencies in the

administration of justice in the disorders in the summer of
'67 -- deficiencies which were still observed in other cities as
recently as the outbreaks following the murder of Dr. Martin Luther
King.

Arrest rates in riot situations alarm people but often bear
little relation to the actual number of convictions. In Detroit,
only 60% of those arrested for felonies had sufficient evidence
against them to merit hearings. And of those cases that
went to a hearing, half were dismissed. In Newark where 1,500 were
arrested in a period of five days, mass indictments of 100 or more
defendants were handed down by the Grand Jury with an average
deliberation of less than two minutes a case.

Usually no provisional plans were made for transportation and
detention of prisoners. In Washington, D. C. this past spring, over
1,700 people were arrested -- at times crowding cells built for eight with
up to sixty persons. The Kerner Commission pointed out that in Detroit
in the summer of '67, 1,000 arrestees were held in an underground garage
for several days without adequate food or water. In Newark, a large
proportion of those arrested were held in an armory without adequate
food, water, toilet or medical facilities.

Rarely has there been adequate representation of the majority of
the prisoners at the bond hearings. In Chicago, lawyers were often not
allowed in either the detention facilities to locate a prisoner
or in the courtroom to defend at the bond hearing. The volunteer
organizations in Chicago had to put tremendous pressure on the courts
to even participate in the proceedings while officials in Washington

with many less arrests admitted that without a massive influx of volunteer
lawyers, the situation would have been impossible. Chicago's Prosecutor,
Public Defender, and Chief Judge's offices denied the need for volunteer
lawyers until nearly a week after the incident. In the initial
weekend with over 500 extra cases a day, there was no appreciable
increase in administrative or clerical personnel.

Bail in all the major cities we have studied was oppressively
high. In Detroit, with one exception, the judges uniformly set bonds
ranging from $10,000 to $200,000. 45% of those charged with curfew
violations had bonds between $10,000 and $25,000. The prosecutor
in Detroit announced high bail as public policy to keep people off the
street, and at times bond money was not even being accepted. In Chicago,
there were often hundreds of persons waiting several hours, even days,
to pay bail. Prisoners were unable to be located and the records window
was unaccountably closed most of the time. Nervous Sheriff's police
pointed guns at people whose only crime was having to wait to post
bail for a friend or relative.

The courts, in effect, suspended rules of due process and cooperated
with other public agencies to quell the disturbance. As one judge in
Detroit declared, "we had no way of knowing whether there was a revolution
in progress or whether the city was going to be burned down or what
. . . the only course was to keep prisoners locked up so they wouldn't
go out and start rioting again. This was accomplished by setting high
bonds that few of the prisoners could meet."

In the administration of criminal justice, the poor man, black or
white, is faced with a paucity of defense attorneys. A landmark Supreme

Court decision like Gideon, requiring that every accused felon be accorded
a defense attorney, is not as progressive a step as it initially
appears. The function of the defense attorney in our adversary system
is to provide, as stated by Dean Francis Allen, ". . . a constant,
searching, and creative questioning of official decisions and assertions
of authority at all stages of the process." In fact, however, we do
not have an adversary system of criminal justice, but an overcrowded
administrative system that depends upon the close-knit assistance of all
functionaries, defense attorneys included. Our lower courts,
expecially, are a disgrace, with administrative concerns prevailing
over concerns for justice.

In general, we do not have enough competition in the criminal
law system, and we do not have enough competent lawyers. As a result,
the right to counsel may not be, to the man faced with a criminal
charge, what it appears.

Other Supreme Court decisions also have little if any effect.
Observers of police practices in action argue that Supreme Court
decisions, rather than handcuffing the police as is frequently alleged,
tend to be irrelevant. It was relatively easy for police to evade
the consequences of Mapp v. Ohio. McCray v. Illinois virtually
premises judicial control of police upon police truthfulness.
Indeed, it might be suggested that the exclusionary rule has had more
of an impact on the Supreme Court than it has had on the police.
There are decided limits of judicial control of police, and these must
be understood and recognized.

The black man in the inner city is often faced with
examples of police corruption in our urban centers -- a subject in-
cidentally not considered by the Kerner Commission. Police corruption,
precisely because of its wider ramifications, is a more politically
sensitive issue than police brutality and police harassment. These latter
problems are not limited to interactions with white policemen only.
In fact, Negro policemen have been known to be even more brutal than
white, and the black man often has less of an opportunity of sustaining
a case of victimization against the Negro cop. Our inner city black
communities sometimes appear to be occupied countries, colonial outposts,
with colonial police, black and white, living off graft, keeping an
eye on the natives, and putting them in their place.

POLICE RESPONSE TO DEMONSTRATION AND PROTEST

Writing in 1962, James Baldwin vividly expressed the isolation
of the ghetto policemen as follows:

> ...The only way to police a ghetto is to be oppressive. None
> of the Police Commissioner's men, even with the best will in the world,
> have any way of understanding the lives led by the people they swagger
> about in twos and threes controlling. Their very presence is an insult,
> and it would be, even if they spent their entire day feeding gumdrops
> to children. They represent the force of the white world, and that
> world's criminal profit and ease, to keep the black man corraled up
> here, in his place. The badge, the gun in the holster, and the
> swinging club make vivid what will happen should his rebellion become
> overt...

> It is hard, on the other hand, to blame the policeman, blank,
> good-natured, thoughtless, and insuperably innocent, for being such
> a perfect representative of the people he serves. He, too, bleieves
> in good intentions and is astounded and offended when they are not
> taken for the deed. He has never, himself, done anything for which
> to be hated -- which of us has? and yet he is facing, daily and
> nightly, people who would gladly see him dead, and he knows it.
> There is no way for him not to know it: there are few things
> under heaven more unnerving than the silent, accumulating contempt
> and hatred of a people. He moves through Harlem, therefore, like

occupying soldier in a bitterly hostile country; which is precisely what, and where he is, and is the reason he walks in twos and threes. (James Baldwin, Nobody Knows My Name (New York: Dell Publishing Company, 1962), pp. 65-67.)

If it is possible, since 1962 the situation has polarized even more and the positions have hardened. Let us look at the world, first of all, from the point of view of the policeman. It is hard to say why men join the police force, but the evidence we have indicates that police recruits are not especially sadistic or even authoritarian, as some have alleged. On the contrary, the best evidence that we have been able to accumulate, from the works of such police experts as Neiderhoffer and MacNamara, suggests quite the opposite. That the policeman is usually a gregarious young man with some social ideals, some athletic experience and a rather conventional outlook on life. He is also increasingly less educated than he was twenty-eight years ago. Neiderhoffer points out, in what I think may be the most significant observation in his useful book Behind the Shield, that in June, 1940, following the depression, more than half the recruits to the New York City Police Department were college graduates. But during the last decade men with college degrees have rarely reached five percent of the average recruit class. As Neiderhoffer writes,

In the 1930's...top-grade patrolmen in New York City earned three thousand dollars a year. They owned houses and automobiles; they could afford the luxuries that were the envy of the middle-class; and they were never laid off. In the panic of the Depression, the middle-class began to regard a police career pragmatically.

So as the affluence of the country has risen in general, the desirability of policing as a profession has dropped. A bright young man with a college degree hardly finds policing to be the most inviting of all professions. This is so for many reasons, partly the size of salary

relative to alternative opportunities, partly the red tape and rigidity and bureaucracy that permeates the police establishment, and the stigma that is attached to being a policeman.

For as Baldwin points out, in fact, the policemen are the people who are doing the dirty work of the society. The resentment of the average working policeman extends not only to the Negro in the black community, but it also includes his highest superiors within the department, the courts, and those politicians who do not publicly and privately support police demands for stern and unyielding enforcement of the criminal law. It is no secret that in the New York City Police Department, the Mayor of New York, John Lindsay, would win an unpopularity contest hands-down. Similar disputes with city authority are now taking place in Detroit and Cleveland. The man in politics today who represents the hopes and aspirations and central feelings of the rank-and-file policemen is George Wallace, just as in 1964 it was Barry Goldwater.

What has happened between 1964 and 1968, however, is that the political feelings of the rank-and-file policemen have been mobilized as never before, and in the state of New York, for example, the Policemen's Benevolent Association is very probably the most powerful single lobby in the state legislature. Since 1965, as a result of public fear, coupled with an intensive and extremely well-organized campaign by the Policemen's Benevolent Association, the New York City Policemen's Benevolent Association was able to muster support to defeat a New York Civilian Review Board that was backed by Governor Rockefeller, Mayor Lindsay, Senator Javits, and the late Senator Kennedy. In short,

the police took on the political establishment and won. Ever since
then, the politicization of the police has been increasing at a rapidly
accelerating rate.

One of our staff members, who was for five years an officer in the
Los Angeles Police Department, has conducted interviews on the politics
of police on the West Coast and in New York City. His notes are
revealing:

> In beginning my interviews with the NYPD, my opening question
> was usually, "What do you consider to be the greatest problem facing
> the policeman on the beat?" Almost to the man their answer was
> "lack of respect." In discussing this lack of respect the officers
> would mention the general disrespect for authority which they see
> as permeating our society. Parents and teachers were usually included
> with the police as the recipients of this disrespect, with the next
> step being a disrespect for our laws which then leads to a rising
> crime rate.

> The police interviewed felt that ghetto violence was the most
> critical problem for the policeman on the street. They felt that
> Mayor Lindsay has shown enormous unconcern for the policeman on the
> beat. For example, police charged that officers are forbidden to
> return fire at snipers when the police are at the scene of special
> problems such as the school walkout currently taking place in
> Brooklyn. Their instructions are to seek cover when fired upon and
> call for a special team of sharpshooters. To the officers this sounds
> as if they are being made sacrificial lambs to the minority community.
> More than one officer expressed the complaint that the police were
> being made the scapegoats by politicians who wanted to stay in office
> as well as by minority groups who are dissatisfied with their inferior
> position in society. Several officers admitted that the Negroes
> had many legitimate complaints but that the police should not
> be blamed for the injustices inflicted by our entire society.

We also interviewed a major official in the New York Police Department
who felt the charges were either misleading or untrue, but he acknowledged
that a morale problem exists in the department. For example, concerning
sniper fire, he said that the department does prefer that marksmen fire
at snipers rather than chance having police misfire into buildings

and harm innocent people.

In our opinion, the "sniper" situation sharply personifies the dilemma faced by civil authorities. Working police are becoming increasingly edgy and strained as the black communities become more militant. The beat cop's solution -- quick repression -- is no solution at all and can only result in a heightening of violence. City officials have to consider the wider implications of police action, but the policeman takes a worm's-eye view of the situation, and understandably stresses the danger to himself. American police, as presently constituted, as presently organized, and with present ideology, are virtually incapable of responding to civil disorder in anything like a disinterested fashion. Why?

We suggested earlier that certain features of the policeman's role require him to be somewhat suspicious and defensive. The policeman must respond to danger, and the situation of the policeman in the urban ghetto is frequently a dangerous one that cannot be denied and certainly should not. At the same time, police as an organized group would appear to exacerbate the danger of their position by politically opposing the groups that they are required to police.

This is not always the case, of course. There have been times and individual instances where police have behaved with genuine sympathy and understanding and a degree of identity with the travails that beset disadvantaged communities. Many police well understand that disorders are symptomatic of fundamental grievances, and there is a significant group of educated and professional police in forces throughout the country.

But most police, and certainly most official police organs, are totally unsympathetic to minority group aspirations, as well as to other groups demanding change. In part, this is because police are frequently the object of hostility from protesting segments of the society. But they are also the object of such hostility because they openly and publicly express hostility against protesting groups.

This brings us to the critical question that must be answered, namely, what factors are responsible for the politicization of the American police into an increasingly militant and ultra-conservative constituency? Our analysis suggests several related factors, including: the acceptance and persistence of a number of dubious theories concerning the causes of crime, conspiracy and the dangers of policing, the political character of the police establishment itself, and the role of prominent police spokesmen and official agencies in fostering the prevalent outlook of the rank-and-file of the police.

Let us begin with questionable theories. Police typically espouse a free-will theory of crime. As Mr. J. Edgar Hoover testified to the Commission on September 18, 1968, "Those who choose to break the law or commit acts of violence know that the punishment no longer fits the crime." By emphasizing individual choice such a statement implicitly rejects the notion that racial discrimination, unfair treatment, poverty, lack of education, unequal employment opportunity, and the like are important causes of criminality. From that position, crime control is directed toward alleviating social problems and the community is urged to reform institutions that create the problems.

By contrast, the free-will theory views the individual as "master

of his fate" and rejects the notion that under similar conditions,
response in advantaged groups would be similar to disadvantaged groups.
Such a theory, moreover, does not even consider the idea, lately being
developed by social scientists, that "crime" is all too often a matter
of definition. Thus, for example, marijuana use which until approximately
1940 was exclusively practiced within the Mexican and Negro communities,
is severely penalized, while alcohol use is not. As the white middle-class
begins to use marijuana, we see increasing signs of understanding and
tolerance for marijuana use, and a general rejection of the simplistic
sorts of accusations regarding marijuana use that were put forth by the
Federal Bureau of Narcotics in the 1930's when Negroes and Mexicans were the
prime users of marijuana.

Policemen interviewed by our Task Force, echoed the view that instant
gratification and permissiveness in child rearing has led to a generation
"that thinks it can get what it yells for." Indeed, one officer justified
the use of physical force on offenders as a corrective for lack of
childhood discipline. He said, "If their parents had beat them when they
were kids, they'd be straight now. As it is we have to shape them up."
In point of fact, the evidence is overwhelming that persons reared in
authoritarian homes and who receive considerable corporal punishment
while young are more likely to commit violent criminal acts than those
from permissive backgrounds.

Perhaps the most significant support for the ultra-conservative
political philosophy of the police has been provided by the "Communist
conspiracy" theory. The following example illustrates this theory:

> Communists are in the forefront of civil rights, anti-war,
> and student demonstrations, many of which ultimately become
> disorderly and erupt into violence. As an example, Bettina
> Aptheker Kurzweil, twenty-four year old member of the Communist
> National Committee, was a leading organizer of the

"Free Speech" demonstration on the campus of the University of California at Berkeley in the fall of 1964.

These protests, culminating in the arrest of more than 800 demonstrators during a massive campus sit-in, on December 3, 1964, were the forerunner of the current campus upheaval.

In a press conference on July 4, 1968, the opening day of the Communist Party's Special National Convention, Gus Hall, the Party's General Secretary, stated that there were communists on most of the major college campuses in the country and that they had been involved in the student protests. (J. Edgar Hoover, testimony to Commission, September 18, 1968.)

Responsible evidence is to the contrary. For example, a commission was appointed by the Regents of the University of California (with William E. Forbes as Chairman, Phillip L. Boyd as Vice-Chairman, and with a membership of Edwin W. Pauley, Mrs. Dorothy B. Chandler, Norton Simon, Jesse W. Tapp, and William K. Coblentz. Jerome C. Byrne was special counsel to the committee.) to study the FSM. On the question of Communist influence the committee reported as follows (p. 56),

> We found no evidence that the FSM was organized by the Communist Party, the Progressive Labor Movement, or any other outside group. Despite a number of suggestive coincidences, the evidence which we accumulated left us with no doubt that the Free Speech Movement was a response to the September 14th change in rules regarding political activity at Bancroft and Telegraph, not a pre-planned effort to embarrass or destroy the University on whatever pretext arose.

Regarding the Students for a Democratic Society, Mr. Hoover (on p. 62) makes a similar charge, that "The Students for a Democratic Society has been described by Gus Hall, General Secretary of the Communist Party of the United States of America, as part of the 'responsible left' which the Communist Party has 'going for us'."

In investigating the disturbances at Columbia University, the Commission headed by Archibald Cox, former Solicitor General of the

United States, writes on page 189, "We reject the view that ascribes
the April and May disturbances primarily to a conspiracy of student
revolutionaries." No observer of the American social scene gives
quite as much credence to the perspicacity and analytical judgment
of Mr. Gus Hall as does the Director of the Federal Bureau of Investigation.
Yet, this "Communist conspiracy" interpretation of demonstration and
protest has permeated the American police establishment. Indeed, by
the standards employed by leading police spokesmen to identify a conspiracy,
it would not be erroneous to conclude the United States police constitute
an ultra-right wing conspiracy. We hasten to add that we do not believe
that statement; but we do believe that if standards similar to those
employed by the police establishment were employed by our Task Force, we
would be justified in making that sort of accusation.

We regard it as most serious and disturbing that the sort of
intelligence presented by and to the police in the United States and to
the general public is simplistic and distorted. To be sure, there are
quite serious criticisms that reasonable men could make of student
protest or black militancy or anti-war protest. But the Communist
conspiracy theories presently being propagated by the police establishment
need to be explicitly disavowed by this Commission.

WHITE BACKLASH

To many white Americans the discontent which black people more
and more vociferously express is surprising and unjustified.
Distinguished commentators rarely fail to point out (Glazer, 1968) that
a great deal of "progress" has been made in the past several decades,

and particularly in the past few years, in the social and economic
conditions of non-white Americans. However, as the social psychol-
ogist Thomas Pettigrew (1963) has suggested, what appeared at first
glance to be "real gains" for Negro Americans fade into "psychological
losses" when they are compared with the standards of the more af-
fluent white majority. Pettigrew's "real gains - psychological losses"
analysis is as applicable in 1968 as it was in 1963, despite some
progress in closing the disparity between white and non-white life
styles in the past five years. Thus, a 1967 publication of
the Bureau of Labor Statistics entitled Social and Economic Con-
ditions of Negroes in the United States provides figures in "black
and white" that demonstrate that Negro Americans have made many gains
in income, education, occupational status, and other areas in recent
years. But these figures in black and white can be read from either
a black or a white perspective. To many white Americans such figures
apparently suggest that Negroes should be happy with the progress
that is being made. After all, the statistics show, for example, that
for the first time the number of Negroes moving into well-paying
jobs has been substantial: since 1960 a net increase of 250,000
non-white professional and managerial workers has occurred. From a
black perspective, however, the more important statistics may be those
that show that a non-white man is still three times as likely as a
white man to be in a low-paying job as a laborer or service worker.
Similarly the white defender of the status quo may point out that 28%
of non-white families earned more than $7,000 per year in 1967 --

-- double the 1960 proportion. For black people the more relevant
fact may be that median non-white family income in 1967 was still only
58% of the median white family income.

Most importantly, from a black perspective, two facts are
paramount. First, that even when economic gains have been made,
blacks have rarely been offered positions of power within American
industry or labor. Second, young men in the black communities are
becoming more and more economically depressed. In June, 1966, the
Bureau of Labor

> [S]tatistics reported on the deteriorating condition of black
> people in this country. In 1948, the jobless rate of non-white
> males between the ages of fourteen and nineteen was 7.6 percent.
> In 1965, the percentage of unemployment in this age group was
> 22.6 percent. The corresponding figures for unemployed white
> male teen-agers were 8.3 percent in 1948, and 11.8 percent
> in 1965. (pp. 18-19, Carmichael & Hamilton, Black Power,
> Vintage Books, 1967.)

PROTESTS AND THE PACE OF CHANGE

Public opinion surveys conducted by pollster Louis Harris
and others have shown that the gradualist racial sentiments of most
whites conflict with the increasingly urgent demands of black Am-
ericans for their share of the affluence of America -- for better
jobs, better houses, and better education for their children now.
This gap has manifested itself on issues such as the causes of riots,
the pace of racial change, and the appropriateness of various means
for achieving intergration and equality. For example, a 1966 Gallup
poll found that whereas 58 percent of white Americans thought that the
Johnson administration was pushing integration too fast, only

5 percent of the black Americans interviewed shared this opinion. Conversely, 32 percent of the blacks but only 10 percent of the whites thought integration was not being pushed fast enough.

The pattern of approval or disapproval of protests and demonstrations is similar to the observed differences in regard to the appropriate speed of integration. In a 1965 Harris poll a representative sample of Americans was asked whether they felt that demonstrations by Negroes had helped or hurt the advancement of Negro rights. While two out of three white respondents said that the demonstrations had hurt more than they helped, two out of three Negro respondents expressed the opposite view. For the most part, responses to more specific questions about protests and demonstrations yield the same racial gap. Thus the Harris survey found that in May of 1968, 80 percent of the Negro interviewees but only 29 percent of the whites approved of the Poor People's March in Washington, D. C. Only with regard to riots and the use of violence do the majority of both races agree in expressing disapproval, and even here the level of white disapproval is considerably higher than Negro disapproval.

RIOTS: THEIR CAUSES AND CURES

An especially profound discrepancy exists between black and white perception of the causes of riots. In their 1968 survey of opinions in 15 large U. S. cities, Campbell and Schuman (1968) found that:

> Negroes and whites do not perceive the riots in the same terms. Most Negroes see the riots partly or wholly as spontaneous protests against unfair conditions, economic deprivation, or a combination of the two . . . The white population in the 15 cities is more divided on the nature of riots. A large

segment, roughly a third on several questions, takes
a viewpoint similar to that of most Negroes, viewing
the disturbances as protests against real grievances,
which should be handled by removing the causes for grievance.
Approximately another third see the riots in very different
terms, however, emphasizing their criminal or conspira-
torial character, their origin in a few men of radical
or criminal leaning, and the need to meet them with police
power. The balance of the white population in the 15
cities mix both views in various combinations.

Comparable results were obtained in a Harris Opinion Survey on the

perceived causes of riots conducted in the summer of 1967. The racial

differences in opinion in the following table clearly support the

Harris assertion that white and Negro views on the causes of riots

are "really out of register."

Table 4. Most frequent spontaneously mentioned causes of Negro rioting
by white and Negro adults. (From: "After the Riots: A
Survey," _Newsweek_, August 21, 1967)

	White %	Negro %
Outside agitation	45	10
Prejudice - promises not kept, bad treatment	16	36
Poverty - slums, ghetto conditions	14	28
Lack of Jobs - unfair employment	10	29
Negroes are too lazy to work for their rights	13	5
Uneducated people - don't know what they are doing	11	9
Teenagers looking for trouble	7	7
Law has been too lax	7	1/2

In view of their assessment of their situation it is small
wonder that Negroes feel alienated from American society and
government. In April of 1968 56% of the Negro respondents told
Harris interviewers that they agreed with the statement "I don't
have nearly as good a chance to get ahead as most people." Only
17% of the white interviewees expressed such a belief in limited
opportunity. In the same poll 52% of the Negroes and 39% of the
whites agreed with the statement: "People running this country don't
really care what happens to people like me." Similarly, blacks are more
critical than whites of government at the federal, state, and local
levels. (Campbell and Schuman, 1968.)

CONGRESSIONAL BACKLASH

If black and white Americans disagree about the causes of riots,
and have different beliefs about their ability to influence the
government, according to both Gallup and Harris polls they are in
substantial agreement on the crucially important question of steps
the government should take to prevent future racial outbreaks.
Clear majorities of both whites and Negroes support federal programs
to tear down the ghettos and to give jobs to all the unemployed
(Harris 1967). The Campbell and Schuman 15 cities survey sub-
stantiates this conclusion:

> There is a majority support in the white sample for
> government action to provide full employment, better
> education, and improved housing in parts of cities
> where they are now lacking. . . Support for such
> programs declines somewhat but remains at a majority
> level even when the proviso is added for a ten percent
> rise in personal taxes to pay the costs.

Apparently the level of public support for proposals such as
those recommended by the Kerner Commission has been underestimated
by congressmen and others in political office. Perhaps the press
has oversold the notion of a white backlash, and has placed too little
emphasis upon public approval for massive federal spending to over-
come racial inequities. Although a minority of white Americans oppose
such programs, the preponderance of American public opinion would
support a war on poverty that goes far beyond any of the measures
seriously considered by recent congresses. Thus the important gap
hindering the resolution of interracial conflict does not appear to be
that between blacks and whites. The more important discrepancy is
between public willingness and congressional unwillingness to undertake
federal programs that will initiate real progress toward racial equality
in jobs, housing, and education.

CONCLUSION

The American public, both black and white, is fearful and
apprehensive about its future well-being. There are long range and
deeply held apprehensions about world conflict, as well as domestic
strife. The white citizen fears his black neighbor as a potential
threat to his safety on the streets. The black citizen fears the
overwhelming power of the white community, mistrusts the white
establishment, and is especially suspicious of the good faith and
disinterestedness of the American police. There is no doubt that in
the black communities of America, the police are not perceived as

friendly peace officers offering the community safety and protection.

The emotional responses of every segment of the American public are understandable. It is all too easy to comprehend the apprehension of lower-middle-class whites, the bitter anger of the blacks, the frustrations of the young, and the resentment felt by the police.

From the perspective of each group, the promise of America has not been fulfilled. The white American values stability in a world of change; the black American, equality in a world of prejudice; the young, genuine participation in American politics; and the police, respect for authority in a time of revolt.

This Commission must take seriously the grievances of every segment of American society, black and white, young and old, police and policed. But grievances are not the same as solutions, and the Commission must take a far broader view of the possibilities and consequences of any proposed solutions than is possible within the ambit of a particular interest group.

The classical American style, the pluralist solution operating within the civic culture, is to strike a balance and an exchange between haves and have-nots, between the claims of the present and those of the future, and between a defense of nationhood and the legitimate restraints individuals put upon the nation (not to mention the demands of other nations upon our own).

We believe that the classical American style is inappropriate to the problems of contemporary America. This nation is currently in a state of polarization, not pluralization. The conclusion we must

draw from all available evidence is that a moral choice must be made
-- by the private sector and the public sector, by the law enforcement
agencies and by those against whom the law is being enforced, by radical
protesters and radically oriented property holders. That choice is
either the Democratic State or the Garrison State. We must not simply
replace the conservative canard of "law and order" with the genteel
rubric of "law and order with justice," for "justice" in that context
may easily descend to a secondary principle, while American society
drifts inexorably into a state of internal militarization. We cannot
speak contentedly, as did a Juvenile Court Judge during the Detroit
riot of 1967, of containing domestic strife through streamlined
instruments of social control:

> The paratroopers assigned to juvenile court during the
> 1967 riot were well equiped and had been battle-trained
> in Vietnam. They were the best the nation had to offer.
> (Judge James H. Lincoln, Detroit Juvenile Court, on the
> 1967 riot.)

Under conditions of the "social revolution" so eloquently described
by David Ginsburg in his testimony to this Commission, the choices become
severely circumscribed. There can either be full participation of black
men in the affairs of Washington, D. C., or 500,000 National Guardsmen
can be occupied with escorting 50,000 federal employees to and from their
offices each workday morning and evening. There can either be full
participation of young people, minority groups, and radical ideological
spokesmen in political party conventions, or every future convention will
require a detachment of counter-insurgent shock troops knowledgeable
in the fine art of building barbed wire fences. Thus, the primary

issue for this Commission is the direction of its recommendations regarding the establishment of "law and order" in America.

No one should ever doubt that a society of "law and order" can be built. The historical evidence is clear that Germany under Adolf Hitler and the Soviet Union under Joseph Stalin had less "crime in the streets" than did the Weimar Republic or Russia during the Constitutional Duma. Penalties for stealing a sack of potatoes can be fixed at one year imprisonment per pound stolen. The consequences for mass demonstration against questionable foreign policies can be pegged so high that demonstration will, in fact, cease to be a viable instrument of participation. The real question is: does the price of gaining obedience exceed the social value received? For obedience is not the equivalent of domestic tranquility. This is where the real "cost-effective" planning is requir d.

At present, the price for total obedience in the society would seem to be total repression. The current wave of repressive populism indicates that a significant portion of the citizenry believe in the defense of their property values and ideological values at any price. Most Americans, however, do not go along with this resurgence of the American right-wing. Most Americans at present do not support the Vietnam war, and are not opposed to federal spending to improve the social conditions and participation of the black citizens of America. Most Americans abhor violence but it would be irresponsible for this Commission not to point out that, an absence of disorder in a society whose technology and values are rapidly changing, suggests social stagnation and repression rather than

domestic tranquility. To demand total non-violence, to demand
total obedience in the name of "law and order" is simply to oppose
social and political change. For if we adopt the "law and order"
perspective, or even if we talk about judicious mixtures of "law and
order" and social reform, we shall merely be reinforcing outworn
stereotypes.

If this Commission were to take a "law and order" perspective, it
would be invoking "military solutions" for political problems -- to
deny that demonstrations and protest in this country have political
significance and legitimate meaning. We believe that a Democratic
society must correct grievances and must envision the adoption of fresh
perspectives. America requires today not only that the public sector
go all out for radical social change, but that the private sector
participate in altering the social and economic structure of America.

It may be instructive to recall that early nineteenth century
England, at the beginning of the industrial revolution, was faced with
crime in the streets and riots in the cities. It took an enlightened
Tory, Sir Robert Peel, to develop a domestic police who did not carry
arms, who achieved the respect of the populace, and who did not fire
upon mobs in the streets. In the nineteenth century, the working classes
were the "niggers" of English society. Within a century the working
classes were given the vote and were accorded full participation in the
society. We have taken several centuries to begin to incorporate black
men into a white society. We have endured well beyond our time. Unless
we wish to substitute modern slavery for old-fashioned slavery, we must
move this country toward a new participatory Democracy. The "winds of
change" must breathe new life into America.

NATIONAL COMMISSION ON THE CAUSES
AND PREVENTION OF VIOLENCE

726 JACKSON PL., N.W.
WASHINGTON, D.C. 20506

Jan 10 1969

Jim —

You criticisms look
very useful.

I straightened the financial
problem out with Bill in
about 90 seconds.

When the Chicago Tribune
gets around to calling me
a Berkeley Beatnik, and you
an incompetent for hiring me,
you might find the enclosed
review useful.

Jerry

...ng a crime from beat to bench

...CE WITHOUT TRIAL: Law Enforcement in Democra-
...ic Society. By Jerome H. Skolnick. John Wiley & Sons, Inc.,
279 pages. $7.95.

By James R. Thompson

THIS IS a book about the police in "Westville," the pseu-
donym for a "real" city [which is almost certainly Oakland,
Cal.]. It was written by a University of California sociologist
who, for a number of months, rode around in a squad car
with the patrol division, observed the vice squad in action
[to the point of taking part in several "raids"], and generally
watched the progression of criminal cases from the beat to the
bench.

Those of us who have played some active role in law en-
forcement have been trained to look with jaundiced eyes upon
sociologists who ride in squad cars; we distrust what they
say because we distrust the impressions they receive accom-
panying nice officers on nice cases in nice districts. Well,
now we will have to take it all back, or, at least abandon
generalizations about academic detectives. [Prof. Skolnick has
written an excellent book which ought to be at once satisfying
to those police who can look upon their profession with some
honesty and self-perception; to lawyers and judges who will
find some notions about police and police work confirmed,
and to the general reader who ought to find this excursion
into the world of the blue uniform a fascinating trip.]

Prof. Skolnick's report is especially timely since he ex-
plores, from the vantage point of the outsider with an inside
view, the police problems which have suddenly become public
problems—the charges of brutality; judicial "handcuffs" on
the traditional forms of arrest, search and interrogation; traffic
ticket quotas; the ethical use of informants and the like.

Perhaps startling to the layman, but certainly not to
those who have any experience in or around law enforcement
are some of the conclusions drawn in Skolnick's study:

On traffic ticket quotas: "It is doubtful that 'norms' are
needed because policemen are lazy. Rather, employment of
quotas most likely springs from the reluctance of policemen
to expose themselves to what they know to be public hostility
to traffic enforcement."

On political attitudes: ". . . it was clear that a Goldwater
type of conservatism was the dominant political and emotional
persuasion of police."

On racial views: "A negative attitude toward Negroes
was a norm among police studied."

On informants: "In general, burglary detectives permit
informants to commit narcotics offenses, while narcotics
detectives allow informants to steal. Each detective overlooks
criminality in another's primary area of jurisdiction, as a
means of gaining relevant information for his own assigned
specialty."

On unlawful searches: "The policeman claims that he
would never do this sort of thing to a respectable citizen, and
that the law should somehow recognize the difference in its
search-and-seizure rules between respectable citizens and known
criminals. The policeman is far less interested in questions
of constitutionality than in the reasonableness of a working
system."

On suppression of evidence: "Under the exclusionary
rule, there are two consecutive problems facing the policeman.
Initially, he must consider what behavior constitutes a legal
search. . . . Secondly, the policeman must develop a strategy
to make his behavior take on the appearance of legality, if
not the reality. The policeman sometimes finds it necessary
to construct an *ex post facto* description of the preceding events
so that these conform to legal arrest requirements, whether in
fact the events actually did so or not at the time of the arrest.
Thus, the policeman respects the necessity for 'complying' with
the arrest laws, but when he sees the case law as a hindrance
to his primary task of apprehending criminals, he usually
attempts to construct the appearance of compliance, rather than
allow the offender to escape apprehension."

THESE, of course, are only random and titillating samples.
They must be judged in the context in which Prof.
Skolnick places them and they are neither entirely correct
nor always true, as he acknowledges. The book does reveal
police faults—the occasional brutality; the sometime officious-
ness; the disturbing well-meant perjury and the tolerance of
some forms of vice, among others.

On the other hand, the book ought to be required reading
for those knee-jerk liberals who prate about "police states";
who view all attempts to strengthen the police hand against
the criminal as a trampling of "civil liberties"; who, wittingly
or unwittingly, glorify crime and the criminal until *their*
neighbor is hit over the head on an evening's-stroll.

The policeman's lot is *not* a happy one. The comfortable
citizen who growls at the parking ticket on his windshield
ignores the brutal, dirty, and cynical side of police work; the
necessity to deal with pimps, whores, drunks, bums, hoodlums,
street gangs, rioters, murderers, and petty thieves day after
day on bad hours, low pay, and, unfortunately too often,
undeserved public contempt. Indeed, one of the most valuable
aspects of the book is the attention it calls to the social isolation
of the police, or, more disturbingly, the increasing alienation
of the police from the rest of society. Quoting Colin MacInnes
in "Mr. Love and Justice:"

". . . The story is all coppers are just civilians like anyone
else, living among them not in barracks like on the Continent,
but you and I know that's just a legend for mugs. We *are*
cut off: we're *not* like everyone else. Some civilians fear us
and play up to us, some dislike us and keep out of our way
but no one—well, very few indeed—accepts us as just ordinary
like them. In one sense, dear, we're just like hostile troops
occupying an enemy country. And say what you like, at times
that makes us lonely."

Whatever their faults, I sleep a little better each night
knowing the police of America are on duty. Those who read
this book may sleep a little better too.

*James R. Thompson, assistant professor of law at North-
western university, is assistant editor-in-chief of the Journal
of Criminal Law, Criminology and Police Science.*

NATIONAL COMMISSION ON THE CAUSES
AND PREVENTION OF VIOLENCE

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LAW AND SOCIETY   BERKELEY, CALIFORNIA 94720

December 27, 1968

Lloyd N. Cutler
Executive Director
National Commission on the Causes
   and Prevention of Violence
726 Jackson Place, N. W.
Washington, D. C. 20506

Dear Lloyd:

I'm enclosing an original and two copies of the Task Force Report, and am sending one off to Jim Short in Pullman, Washington. I certainly feel that it satisfies the performance contemplated by Contract No. B99-4684, but I also feel that it could use some additional work before it is released to the public. The writing has some rough edges, and it could use a thorough check on footnoting such as we have not been able to provide, given our time limitations.
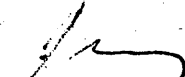
Personally, I feel very good about it, and I am pleased to have been offered the opportunity to do the job. We worked like the devil, and I'm rather proud of the amount and quality of the work we turned out in the brief time allotted to us. I hope you and the Washington staff find it satisfactory and useful.

I've contracted with three people to give this manuscript a careful and detailed criticism, deeper than, I suspect, any member of the advisory committee will find time to manage, considering the number of manuscripts they will receive. These are Mike Heyman, who will read it with lawyer's eye, David Matza, who will give it a sociologist's critique, and Frederick Crews, who will examine it for English and style. All three, as you know, are senior professors here at Berkeley, and should make a valuable contribution.

I expect that they will be paid, but I also expect that there will be enough money left over from the original contract to pay for these consultants (I contemplate paying them $750.00 a piece for at least a full week's work) plus yours truly to revise, plus an office staff. I would like the published version to be something we can all take pride in.

And a Happy New Year to you, and Tom, Jim, Bill, Ron, and Joe.

Sincerely,

Jerome H. Skolnick

JHS:cs
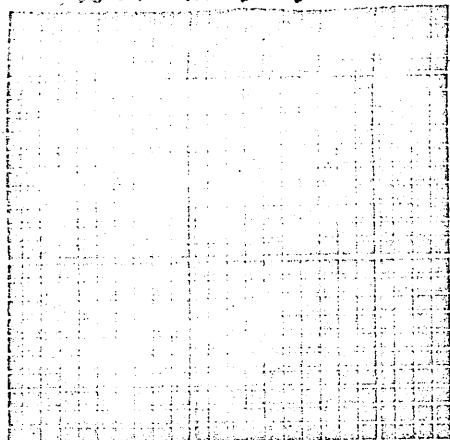
FINDINGS

Who occupied LSE?

Roger Hadley and Tessa Blackstone

Department of Social Administration, LSE

There has been a lot of speculation about the power of "militant" students at the London School of Economics. The subject was in the news again last week with the elections for a new student union. But so far there has been little quantifiable information about student militancy. However, with the help of twelve students from the Department of Social Administration, we were able to carry out a survey of student attitudes on the weekend of Sunday, 27 October. This was the weekend of the demonstration organised by the Vietnam Solidarity Committee. We found—contrary to many assumptions—that "non-militant" or at least non-political students were significantly involved in the occupation.

The Socialist Society had wanted to use LSE as a refuge for marchers. Then, on the Thursday before the march, when the school authorities refused permission for the school to be used for this purpose, about 200 students began an immediate sit in. On the following morning, when the director unexpectedly closed the school, the number of occupiers grew to at least 800.

What were the characteristics of the occupiers? This is the question we tried to answer.

The department students carried out all the interviews. They were instructed to approach people as randomly as possible, by approaching the first people they met at different vantage points in the school during Friday afternoon. They interviewed 110 LSE students, using a short questionnaire consisting of 15 pre-coded questions. This method has a number of limitations. It does not constitute a true random sample of students participating in the occupation, and the number interviewed is small. But since social scientists have not succeeded in devising rigorous methods for studying strikers or demonstrators in action, and there is a lack of hard data about activist students in Britain, we felt their methods were justified.

They found that the occupiers included a rather higher proportion of undergraduates than expected from their proportion in the school—76 per cent occupiers compared with 60 per cent of undergraduates as a whole. But the occupiers contained roughly the same proportion of women as in the school as a whole, and much the same proportion of overseas students. The age of the occupiers did not differ much from the students as a whole. But there were major differences in their field of study: sociologists and lawyers were strongly over-represented, particularly the latter. Few readers will be surprised about the presence of large numbers of sociology students, but the high participation of the more vocationally orientated law students was not expected.

The balance of social classes in the sample of occupiers was much the same as in the school as a whole (69 per cent had non-manual backgrounds and 15 per cent from manual, the remainder unclassifiable). Thus this evidence provides no support for those who argue that student militancy can be either attributed to working class students, uncertain of their status nor to the opposite view, also put forward frequently, that the active revolutionaries come from upper middle class. Most of the militants may be middle class, but so are most university students in Britain.

LSE's reputation for attracting or producing students with left wing views was confirmed by a survey of all fulltime students at LSE, carried out in 1967. But the occupiers were markedly more left wing. In 1967, 45 per cent of the home students stated a preference for Labour, 10 per cent parties or groups left of Labour. Home students among the occupiers were much more left wing: 34 per cent of them were left of Labour; Labour support had dropped to 24 per cent (see table). The distribution of party support among the occupiers appears to have much in common with that of the participants in the 27 October march (NEW SOCIETY, 31 October, 1968). The increased support for the left may be partly attributable to a larger proportion of LSE students as a whole identifying with the extreme left today than 18 months ago. It is not necessarily correct to assume that the occupiers were much more left wing than the students as a whole.

Unsurprisingly the occupiers were almost unanimous in their opposition to American involvement in Vietnam. 68 per cent were strongly opposed, 19 per cent opposed, and only 7 per cent supported the Americans. But the students were divided on how far to take opposition to the war.

On academic issues, our survey confirms that activist students are not more dissatisfied with the academic side of their education than the non-activists. We found that 69 per cent were satisfied with lectures and 58 per cent with staff contacts. But in both cases the left wing group students were markedly more dissatisfied than students with other political allegiances.

Most of the students questioned wanted to be represented on LSE committees dealing with the key issues of course content and academic appointments. 69 per cent wanted at least equal representation on decision making about course content, and 37 per cent on decision-making about staff appointments. If attitudes in the school during the previous year are any guide, then the occupiers were far more radical than the student body as a whole. When the same questions were put to students after the 1967 sit in, 35 per cent of the undergraduates and 22 per cent of postgraduates wanted at least equal representation in the determination of course content, and only 9 per cent of undergraduates and 7 per cent of postgraduates on academic appointments (see NEW SOCIETY, 4 July, 1968). But the students as a whole may have become more demanding since then.

There is an important point to be made about the sample. Almost a third of the students (31 per cent) in the sample were out of sympathy with the initial cause of the occupation: the decision to take over the school for the Vietnam demonstration. All but two of these students were opposed to the Director's decision to close the school on the Friday morning before the weekend. It can therefore be presumed that their presence in the school on the Friday afternoon represented participation in the occupation as a protest at the action of the administra-

SOME CHARACTERISTICS OF A SAMPLE OF THOSE WHO OCCUPIED THE LONDON SCHOOL OF ECONOMICS ON 25 OCTOBER

Students were asked: which political party or group most nearly reflects your own political views?*.

Conservative	8
Liberal	4
Labour	20
left of Labour	28
none	18
don't know	4

Vote at next election*

Conservative	7
Liberal	4
Labour	28
communist	6
would not vote	32
don't know	5

Support for American policy in Vietnam

strong support	—
support	8
oppose	21
strong opposition	75
no opinion	6

Father's occupation

professional/managerial	45
own business	20
clerical	11
manual	16
retired/deceased	18

Students were asked: by what method, if any, student views should be taken into account in school decision making on each of the following issues. They were asked to indicate one of the following categories for each issue: representation on school committees with students in the majority, equal numbers or a minority; consultation without representation; neither consultation nor representation; no opinion.

1. course content

majority	9
equality	67
minority	23
consultation	6
neither	3
no opinion	2

2. academic appointments

majority	5
equality	36
minority	32
consultation	21
neither	13
no opinion	3

Extent of satisfaction with:

1. lectures

very satisfied	15
fairly satisfied	61
fairly unsatisfied	23
very unsatisfied	9
no opinion	2

2. staff contact

very satisfied	18
fairly satisfied	48
fairly unsatisfied	23
very unsatisfied	12
no opinion	3

*overseas students are excluded. Their party preferences were divided as follows: left of Labour 5, Labour 8, Liberal Democrat McCarthyite 10, Conservatives 1, other 2, don't know 2.

Table gives numbers not %

tion. It also applied that this action had led to a substantial increase in the proportion of students involved in the affair.

On comparing these two categories of occupiers we found that although there were no important differences between them with respect to age, sex, nationality, or fathers' occupation, their attitudes differed in a number of ways. The students who did not support the occupation over Vietnam (nonpolitical occupiers) were less likely to hold left-wing views than those who did (the political occupiers). The non-political occupiers were less strongly opposed to American involvement in Vietnam. They were also more satisfied with lectures and much more satisfied with staff contacts than the political occupiers. A smaller proportion wanted at least equality in decision-taking on course content and still fewer wanted such representation in the appointment of staff. The non-political occupiers were drawn from most fields of study but were over represented amongst the lawyers-and under represented amongst the sociologists.

But what *is* significant is that the non-political occupiers were so involved. It shows how strongly "moderate" students feel about the limits of the legitimate power of the university authorities.

The common denominator amongst the activists, therefore, was not the status frustration of the upwardly mobile working class nor the political dilettantism of offspring of the upper classes, nor even dissatisfaction with the facilities of the school. They were united in this instance by the view that power should not be exercised by one section of the university community alone.

When policemen take on social work

Policemen engaged in juvenile liaison work are confronted, on the one hand, by the traditional system of police values with regard to offenders and, on the other, by a set of more welfare-oriented values specific to this kind of work. Maureen Cain, reporting on the schemes operated by four northern police forces (*British Journal of Criminology*, vol 8, No. 4, page 366), attempts to isolate and examine the areas where conflict may arise.

The formally defined function of the juvenile liaison officer is to supervise his charges with a view to preventing further offences and, thereby, further appearance in court. This is not necessarily incompatible with the traditional police role of crime prevention. But conflict may arise out of the relative position which this preventive type of work occupies in a hierarchically structured system of values and institutional goals. In traditional police work prevention is subordinate to other duties surrounding the apprehension and prosecution of offenders: in juvenile liaison it tends to be the primary objective.

Nowhere does the conflict inherent in this reordering of values and goals become more apparent than in the juvenile liaison officer's dealings with "potential offenders." Three of the four departments stretched the operational definition of this term to include not only children under the age of criminal responsibility and children who have not committed an offence, but also children who have been referred in confidence by some outside agency, whatever the reason for referral. Not infrequently these children have, in fact, committed offences. To prosecute or, indeed, to "record" and "clear up" the offences in such case would seriously endanger the liaison department's relations with the referring agencies, so the children are treated as "potential" rather than actual offenders. This makes for good public relations, but it constitutes nonetheless a marked departure from traditional police practice, geared to producing high detection and conviction rates.

Cain thinks the juvenile liaison officer can scarcely fail to see himself the object of conflicting role expectations. By choice and training he is a policeman, but his contacts are largely with people outside the force.

Cumbernauld views

The primary attraction of Cumbernauld New Town seems to be its housing. In *Cumbernauld '67* (Occasional Paper No. 1) the University of Strathclyde department of sociology describes a household survey carried out in the town in the autumn of 1967 on a 10 per cent random sample drawn from the electoral register. Out of 533 households, 495 responded.

Almost half of the sample (45 per cent) gave housing as their main reason for moving to Cumbernauld. Only 18.5 per cent said because jobs were available. This low priority given to employment is reflected in the figure for those unemployed before the move: 4.5 per cent.

Rents in Cumbernauld are high by comparison with nearby Glasgow. Only 12 per cent of the sample were in unskilled or semiskilled employment brackets at the time of the move. Since then there had been very little change in occupational structure: 42 per cent still worked in Glasgow, as against 51 per cent before the move. Again, the figure of 40.5 per cent now working in Cumbernauld compares with 22 per cent who were working there previously. 22 per cent had changed their jobs at least once since moving there; 57 per cent of housewives not presently employed would be willing to work if jobs were available; most of these would pay up to 50s a week for a whole-day nursery school or creche.

Cumbernauld's population seems to be largely self-selected. Three quarters (76 per cent) had made Cumbernauld their first choice, and 40 per cent already had family connections with the town. (It is the corporation's policy to assist relatives to settle in the town.) 19 per cent had already changed house since coming to Cumbernauld. Of these one third gave as their main reason for moving the type of accommodation offered, one eighth the need for their "own door." Proximity to work, schools and shops came very low in the list of priorities. The authors comment that the answers in this group may indicate a willingness to pay more for better facilities. However, only 21 per cent of the sample had considered buying a house in Cumbernauld: one third wanted their present house, nearly a third wanted a house by a private builder.

The vast majority (84 per cent) of households were satisfied. But among the general complaints about the town were lack of entertainment facilities, the high cost of living and the inadequacy of both shopping facilities and the town centre ("like a wind tunnel"). There were also complaints about the inadequacy of the public transport system. Cumbernauld was designed for full car ownership; only 59 per cent of the sample possessed a car. In fact 59 per cent of the sample travelled to work each day by car; only 22 per cent went by bus.
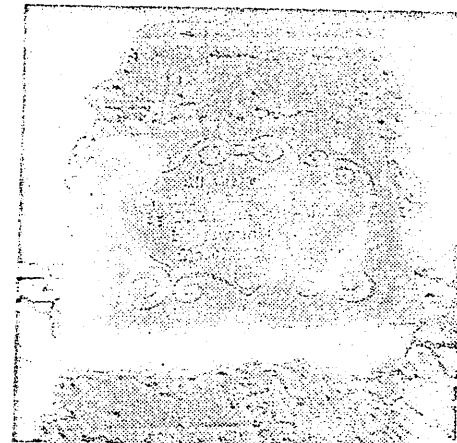
ARTS IN SOCIETY

Pub-shape and landlubber fashion
Reyner Banham

Dropping anchor with the rousing splash of a beer cap falling in the sink, the *Frigate* has just hove-to at the corner of Upper St Martin's Lane. It's the first of Watney Mann's line of "Schooner" pubs in the central London area. You know how it is with old nautical pubs—all that varnished plank work, clippers in bottles, and group portraits of the crew of the *Queenie S. Blenkinsop* clustering sheepishly around the Prune Trophy in sou'westers.

You do? Well forget it! The *Frigate* is no expression of the folkways of seamen ashore, but the fancy of Roy Wilson-Smith, architect, and Angela Maries who works in his office, and it can best be described as Fantasy on British Sea Shambles. It's a landlubber's view of the old heart-of-oak Navy Lark, and however much ingenious research and designer's craft has gone into it, the result would doubtless make an ancient mariner, who served before the mast, just about splinter his bowsprit.

Still, the Seven Dials area of London isn't exactly crawling with Old Salts these days; the rest of us—tourists, fugitives from *Blair* and the *Mousetrap*, denizens of Covent Garden and Odham's Press—can rejoice that London at last has another pub of pop fantasy to set alongside the legendary and too long unique *Prince of Wales* in Fortune Green, north London. The *Frigate* differs from the *Prince*, however, on two important counts: first, in being designed around this specific sailing-ship theme, whereas the *Prince* is total and unrestrained fantasy, and, secondly, in being a conversion, not a total rebuild.

The *Frigate* inhabits the shell of the old *Cranbourne*, an ornate Victorian boozer whose upper works make a nice foil for the plain dark slab of Thorn House behind. The lower floors have been punched out right through the cellars (hold?) and all the levels re-shuffled, and everything re-styled like the sort of dock-side scene that went out with Long John Silver's other leg.

And hardly a stick or string of all this is genuine. No, steady lads, the sticks *are* genuine—masts and spars from named ships, with brass plates recording what craft they were un-stepped from. But the rest is as cheerfully fakey as the Piltdown skull, the figureheads are fibreglass, the vast curv-

PORTRAIT OF A PROTEST

What did the 27 October anti-Vietnam march mean to most of the demonstrators?
Class origin counted for more than age, and true anarchism for very little.

Paul Barker

with
Humphrey Taylor
Opinion Research Centre
Emanuel de Kadt
and Earl Hopper
Lecturers in Sociology
London School of Economics

Why, exactly, did people come along to the anti-Vietnam demonstration in London on Sunday? The long run-up of speculation and rumour means that most of the subsequent news-coverage and editorial writing has been a mixture of resentment and relief that the expected violence did not come. The news photographs have concentrated, by and large, on the bit of violence that *did* happen, in Grosvenor Square. No one has tried to disentangle the true motives of the demonstrators, or to separate the various shades of opinion according to class background, or by age, or even (to take the most obvious potential division) between student and non-student.

The opinions of newspaper reporters standing on street corners are interesting up to a point, and so are elaborate analyses of how the various "revolutionary" splinter groups came into existence; but none of this helps one to understand the feelings and the attitudes of the mass of the demonstrators. Such opinions and such analyses, after all, are what led many to think that there would be widespread trouble last Sunday. So perhaps their reliability should be judged by that.

To try and pin down the reality which fell like a shadow between the pre-mortems and the post-mortems, NEW SOCIETY carried out a special sample survey of the demonstrators on the afternoon of the march. This article is a report of the results (which are tabulated overleaf, apart from some open-ended questions). They back up, and are backed up by, observations of the march and by the respondents' replies to a question seeking "any further comments."

Questionnaires were put by a team of 15 interviewers between 1 pm and 6 pm on Sunday. Out of 300 questionnaires we got 270 completed interviews. This amounted to about 1 per cent of the demonstrators. We tried to choose respondents at random (by head counting) at different points in the demonstration. They were first asked a "filter question" to establish whether they supported the demonstration or not. This cut out spectators and leaves a pretty accurate picture of the participants. Social class was established by asking demonstrators for their current occupation in enough detail for us to separate people into working class or middle class (strictly speaking into "manual" or "non-manual"). If a demonstrator's occupation was "student" (which included being still at school), we asked him his father's job—again to establish class background.

Let's get certain myths out of the way to begin with. The march was not a question of a vast mass of overseas activists. All but about 15 per cent, according to our sample, were British. This was evident from the march itself. There was a scatter of semi-private slogans like SUPPORT GREEK RESISTANCE or FREE OBI EGBUNA. But at least as common was FREEZE RENTS, NOT WAGES. ("What does that mean?" asked a girl secretary watching the march at Charing Cross. "They don't give a damn about the things that matter," said a journalist waiting for the march to arrive in Fleet Street: "though, do you remember how, if one said 'Suez' to people of our generation, we got all angry; do you remember that?")

Nor was there any flood of art school students, despite all the revolutionary scenes at Hornsey, Guildford, and so on. Only about a twentieth of the students were from art schools; and that meant only about one in 40 on the whole march. (One marvellous banner, swaying up Whitehall, nonetheless looked like a straight art-school job—or else like something out of *Barbarella*: STORM THE REALITY STUDIO, RETAKE THE UNIVERSE.)

Even students as a whole played a smaller part in the demonstration than the pre-publicity led one to expect. They were only just over half the sample.

However, one in ten of this half were still at school. Something seems to be growing up like the situation in France, where *lycéens* march alongside university students. (In Grosvenor Square I heard the juvenile chant, "All coppers are bastards," in that south English sub-cockney, which once punctuated mod-rocker battles on the beaches. Among this bunch of schoolboys there was the same readiness to rush forward till the cops were close. In Grosvenor Square, too, one of the few pieces of counter-provocation came from some boys aged between 12 and 16, carrying the Stars and Stripes and chanting "We want a riot" to the inflexions of a football crowd.)

The mass media seem to have played little part in influencing demonstrators to come along on Sunday. Considering the amount of newsprint and television time that the demonstration had beforehand, it's remarkable that, in answer to the question, "What source of information most influenced you to come?", newspapers were cited by only 13 per cent of our sample. Television rated only 3 per cent of the replies. Even wall posters and slogans rated that well. It's possible, though, that press and television coverage helps increase the preliminary tempo and strengthens motives that, in a sense, already exist. The sources of information most often named were friends and political groups. (Although it's not strictly this kind of source, some people said simply that they'd come out of sheer political conviction. Conviction seems a large component of the replies we grouped as "other" in the tables.)

One can't judge from this how all the advance publicity changed the *tenor* of the march, though about even that effect I am dubious. I think that all the people marching would have been there, whatever the news coverage. (Two thirds of our sample had demonstrated before.) Certainly our respondents were more hostile than favourable in their comments about publicity: "Violence is wanted by a minority, who are concentrated on by the press," and even, "I hope the publicity does not make it a failure."

Reporters and cameramen were prominent throughout the demonstration. An ITN film unit impeded the march more than the police did. But the press and broadcasters were really a kind of vanguard of the spectators, of whom there were thousands. It was the year's biggest tourist sight. In Grosvenor Square, at the end, there were so many more spectators than demonstrators that it ended with an attempted-conversion scene, like Speakers' Corner. *These* perhaps, the outsiders, were the people drawn by the publicity. They were not showing solidarity with friends or political groups, like many of our respondents: they were here in anticipation of what the press had said could happen.

One other piece of mythology is worth chipping at before I go any further. The rise in student protest tends to be linked with the increased numbers now studying social sciences. This, it is said, alienates them prematurely from society. But in our sample, almost equal proportions were studying science or technology, the humanities and the social sciences. Although the 28 per cent who were studying social science is higher than the proportion in higher and further education as a whole (and so implies that these students are *more* active than others), it doesn't seem to justify the emphasis that social science has been given.

What, then, were the marchers' main motives for marching, and what are the truly important distinctions between different groups? This began to emerge most clearly in the answers to a question which asked respondents what they had come to protest at. We gave them various answers to choose from, and didn't restrict them to any one answer.

	all	all students	manual students	non-manual students	manual non-students	non-manual non-students	all under 25	all 25+
bases	270	147	35	112	33	90	202	68
	%	%	%	%	%	%	%	%
1. Is this the first political demonstration you have been on?								
yes	30	35	37	35	39	18	33	21
no	70	65	63	65	61	82	67	79
2. What source of information most influenced you to come?								
friends	29	30	34	29	36	26	31	24
newspapers	13	13	11	13	15	12	12	15
wall posters or slogans	3	3	—	4	3	3	4	—
political group	28	31	34	30	21	24	30	22
television	3	1	—	2	6	3	2	3
other	24	22	20	22	18	31	20	37
3. Are you here to protest at?								
US policy in Vietnam	96	97	94	97	91	98	96	97
US policies in general	69	70	66	71	64	70	70	68
British policy on Vietnam	85	87	97	84	76	84	83	90
the general structure of British society	65	67	77	64	61	63	68	57
capitalism in general	68	68	86	62	64	69	69	65
all forms of authority	23	22	20	22	27	24	26	16
other	10	6	9	5	18	13	8	15
4. In Vietnam would you hope for a Vietcong victory or a compromise?								
victory	53	56	69	52	48	49	50	62
compromise	42	38	29	41	45	47	45	34
don't know	6	6	3	7	6	4	6	4
5. Where are the Vietnam peace talks going on?								
Paris	87	89	86	90	73	89	86	90
don't know	12	10	11	10	24	10	12	10
other place	1	1	3	—	3	1	1	—
6. In coming did you expect there to be violence on this demonstration or not?								
yes	70	74	80	72	64	67	76	53
no	22	18	14	19	27	28	17	38
don't know	7	8	6	9	9	6	7	9
7. Did you expect to be involved in violence yourself?								
yes	10	12	14	11	12	6	10	9
no	83	73	69	83	79	90	82	85
don't know	7	15	17	6	9	4	8	6
8. Have you ever belonged to, or actively supported, any of the following?								
Conservative	4	3	6	3	6	6	5	3
Liberal party	5	7	—	9	3	2	6	—
Labour party	28	23	20	24	27	36	24	40
communists	24	17	34	12	36	32	18	44
anarchists	11	13	11	13	6	9	13	4
CND	44	37	37	37	33	59	41	53
Committee of 100	24	21	29	19	12	33	23	26
Revolutionary Socialist Students Federation	20	23	31	23	9	17	21	18
any other socialist groups	17	23	34	20	3	17	17	19
9. Sex								
male	80	82	86	81	91	71	81	75
female	20	18	14	19	9	29	19	25
10. Age								
under 18	11	11	6	12	30	4	15	—
18-24	64	78	74	79	33	51	85	—
25-34	14	10	14	8	15	22	—	58
35+	11	1	6	—	21	22	—	43
11. Kind of school last attended								
grammar	41	47	46	47	21	40	46	29
secondary modern	20	11	17	9	58	20	18	24
comprehensive	7	10	14	8	9	2	8	3
public or independent	16	16	11	18	—	20	17	12
other, inc. foreign	16	16	11	18	12	18	11	32
12. Nationality								
British	84	81	83	80	94	84	88	72
other	15	19	17	20	6	13	11	28
not obtained	1	—	—	—	—	3	1	—
13. If higher or further education, where last studied full time?								
university	46	57	54	58	3	43	47	44
other	29	35	43	32	12	26	30	25
none	25	8	3	10	85	31	23	31
14. Main subject of study								
science and technology	20	26	23	27	6	16	19	24
social sciences	21	28	29	28	—	19	23	16
humanities	18	24	29	22	—	16	19	16
art school	5	6	9	5	—	6	5	6
other	7	6	9	5	9	8	6	9

Note: if percentages do not add up to 100 it is because of rounding; people gave more than one response in questions 3 and 8; the main subject of study (question 14) was not always obtained.
Manual/non-manual roughly equates with working/middle class.

The organising Ad Hoc Solidarity Committee was against American action in Vietnam and against "Labour complicity in the war." We cast wider than that. Protest about these two specifically Vietnam issues was greater than about other matters. But over half our sample said yes to many sections of a five-part protest slate. They were not only against British and US policies on Vietnam, but also against US policies in general (in other words, they were anti-American), against the general structure of present-day British society and against capitalism in general.

However, if it was a case of objecting to "all forms of authority," support dropped notably—from two thirds to about one third of the whole sample. In this, students followed the overall pattern. The role of anarchism, in one form or another, in the protest movement is overrated, though it may be that those who are anarchist-minded are fairly determined about it. (In a later question about what political group people actively supported, the anarchists did reasonably well.)

The main distinction that began to emerge over protest issues was between students of working class background and the rest. Working class students were much more opposed to capitalism in general than any other group was. They were much more opposed than their fellow students, and much more opposed, even, than workers who were on the march. Yet while capitalism lasts they will do better out of it than the workers will—viz, they will eventually earn more money.

But working class students were not so hostile to authority as many other marchers were. Only the over-24s, as a group, showed less objection to authority—which age made understandable in their case. Were working class students the hardest and most discontented core within the march?
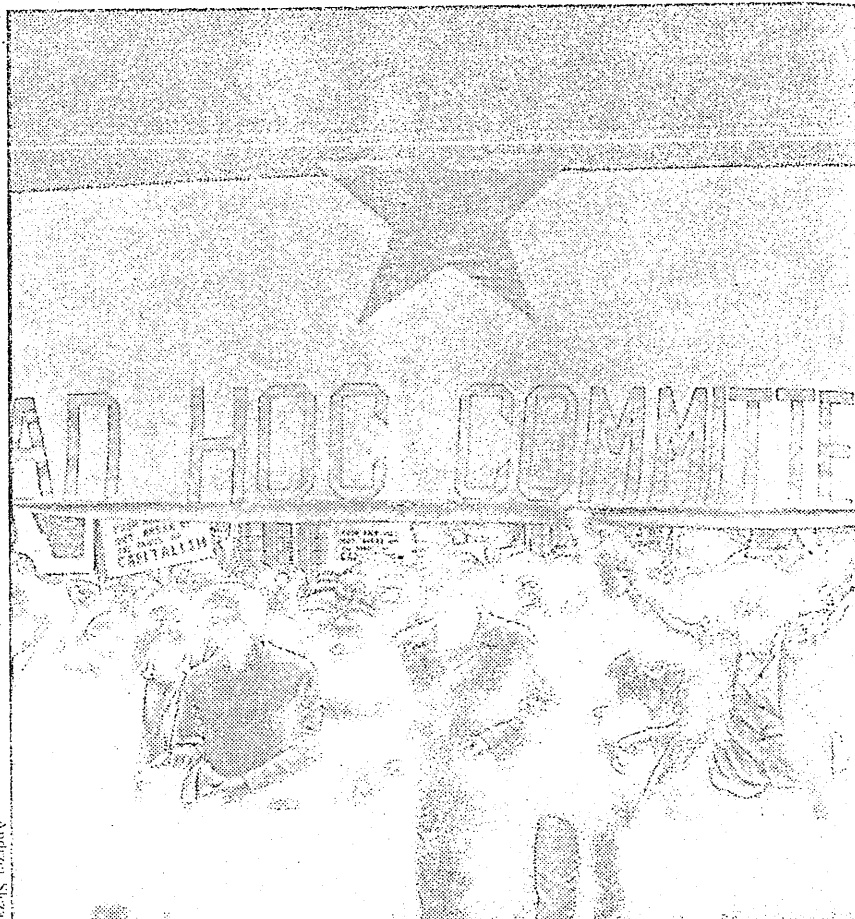
Other answers confirmed this. When working class students were asked whether they would hope for a Vietcong victory in Vietnam or a compromise, almost 70 per cent opted for a victory. (Once again, only the over-24s reached this kind of proportion: do objection to compromise, and an acceptance of some kind of authority, naturally go together?) The working class students had the strongest suspicion that there would be violence on the march. Nor were they so definite as other people about remaining out of it.

To be at college or university acted as a magnifying glass with these working class students, enlarging their class consciousness.

Class here seems to be much stronger than age. Throughout the questionnaire, we found that age played a minor part. So what happens to the notion that the young, in politics at any rate, are somehow different, and that we are moving to new ways of dividing society? Respondents, in their comments, referred sometimes to "waking up the middle class"; none referred to "waking up the middle aged." Class counted.

In general, the protesters were very pacific. It is true that the police mostly behaved well: they seem to have learnt from the Grosvenor Square rally in March, when they infuriated the protesters by throwing cordons across the march. It is also true that the organisers of the demonstration mostly tried to keep things calm. (The loudspeaker constantly blared: "Can we link arms; this will be a solid demonstration"; "We can be proud of a demonstration in the best tradition of the labour movement.") But most important, I would suggest, was the spirit of the demonstrators themselves. Though 70 per cent expected violence (perhaps because of the preceding news coverage and some of the leaders' earlier attitudes), over 80 per cent did not expect to be involved in it themselves. The remaining 20 per cent squares with the proportion of the marchers who appear to have gone on to Grosvenor Square later.

This peaceableness contrasted with the VICTORY TO THE NLF posters. Despite the leaders' attitudes, more than two fifths favoured a compromise settlement in Vietnam. (Participants seemed fairly well informed: a question on where the peace talks were being held confirmed this general impression by pro-

ducing the right answer, Paris, almost every time.)

Maybe this non-militancy is why one art student, the son of a bricklayer, said: "There are a lot of pseudos here." Yet non-militancy was the attitude with which people said they had come. If there had been a wider attempt before the march to find out what attitudes were, then there would have been less inflation of possible violence. In fact, the gaiety and bounce of moments in the march were very striking. The chant of "Ho, Ho, Ho Chi-Minh" was more like a US cheer-leader's call than a call to revolution.

Age differences told most when people were asked about their support for various political groups or parties. More of the over-24s, inevitably, were CND supporters because CND is now moribund. (All the same, two fifths of the younger marchers had supported it.) Not surprisingly, the Conservative Party didn't do very well; nor, despite Jo Grimond, did the Liberals: when we asked people an open-ended question about the person they admired most, Churchill (with five mentions) showed that at least one Conservative is okay; Grimond got only two mentions.

Labour came out best among the over-24s, who had mostly had the chance to vote; it came out worst among the working class students. It did fairly well among the middle class employees (better than among workers as such); there was probably a large overlap between these and the over-24s. The communists did remarkably well. A fifth of the sample expressed support (not membership), though for some marchers "communist" may have meant specifically "NLF." The student and non-student working class shared, for once, a strong affinity—with the communists.

The Committee of 100 had the same level of general support as the communists (24 per cent), though like CND it was much more favoured among the middle class. (This ties in with earlier findings, which tends to suggest the sample is representative.) CND itself attracted the largest favour, rising from 33 per cent among workers to 59 per cent among the middle class.

The anarchists got support from 11 per cent of the

634

Portrait of a protest

sample. The Revolutionary Socialist Student Federation (RSSF), founded after Daniel Cohn-Bendit came to Britain in June, got the support of 20 per cent. Other socialist groups got slightly less. (People were not limited to noting their "active support" for only one organisation.) Again, the working class students are more militant: over 30 per cent of them support the RSSF, as against just over 20 per cent of middle class students. It may be relevant that a disproportionate number of British working class students are male: in our sample they were somewhat above the march's four-to-one ratio between men and women.

Self-evidently, most of the demonstrators were between 18 and 24. More than two fifths had been to grammar school, or were still there: by far the largest school background on the march. This was a grammar school interpretation of a revolution; or, at any rate, of the right way to protest. Almost half the sample were university-trained, and most of the rest had some other higher or further education. Of actual students on the march, almost 60 per cent were at a university.

Besides all its avowed aims, the demonstration had a life style. "It's more light-hearted than CND used to be," one Scottish academic said. The first person I met on my way to the start of the demonstration was a Liverpudlian wanting to know the way to Cleopatra's Needle, where his mates were. (The young were more influenced to come by their friends; the older marchers by their beliefs.) The girl he was with could have been dancing, without looking out of place, in the Bag O' Nails discotheque the night before.

Similarly, among the newspaper-sellers, was a boy hawking *International Times*. And one man in Grosvenor Square remarked sadly: "The whole of swinging London seems to be here." It was not surprising: it was more interesting than the King's Road with the pubs shut, and more sympathisable-with than most political demonstrations are for such people, I suspect.

But life style is hard to pin down in a questionnaire that has to be asked quickly. As I've said, we asked

people whom they most admired. We also asked them what they were doing the previous Sunday. This produced, as an extreme case, the ex-secondary mod secretary who had been brought along by her friends. She had never actively supported any political group. When asked what she was doing at the same time the Sunday before, she said: "I was high." And I don't think she was the only one.

The question about hero figures produced a joyful scatter. Out of the 270 respondents, 145 gave straight answers. Guevara was named most often—by 17 people. Marx and Lenin came next, with 16 each. Gandhi, with eight, even beat Mao, who had six. Others in the four-five-six range were Trotsky, Luther King, Bertrand Russell, President Kennedy, Shakespeare, Churchill and Christ (on checking, you found the person who answered like this had, say, a methodist-minister father).

A whole modern pantheon, though with pop figures conspicuously absent (except for a solitary John Lennon). The heroes who got one, two or three votes varied wildly. Some were literary, like D. H. Lawrence; others local, like Ataturk, proposed by a Turk. Herbert Marcuse, the philosopher (in Germany and California, at least) of the anti-technocratic revolution, was named only twice.

After the march, the technostructure went its way, undisturbed. The banks waited calmly and unstormed for Monday. Demonstrators went to the Kardomah for a coffee with their NLF flags rolled under their arms. It was a fairly traditional day, without even, as one boy said, enough hash. When one student, a fitter's son now taking a classics degree, wanted to give a joke answer to the hero question, he said, "Felix the Cat." Felix the Cat has hardly been seen on a cinema screen for 30 years; it must be his father's way of turning off unwanted inquisitiveness. Yes, traditional.

Even those sons of the working class who've become simultaneously both students and militants, needn't trouble the technostructure much yet: the proportion of them at British universities is not rising. And, unfortunately, that's traditional too.

Day of Protest - Night of Violence:
The Century City Peace March
A Report of the ACLU of Southern Calif.
Sawyer Press,
July 1967 *

(50 pages)

Dissent and Disorder: A Report to the
Citizens ~~on th~~ of Chicago on the
April 27 Peace Parade. August 1, 1968
(The Sparling Commission) *   (44 pages)

These put Chicago in perspective. *

GSA FORM OA-2
SEPT. 1951 **ADMINISTRATOR'S COMMUNICATIONS CONTROL SLIP**

DATE

A 44820

FROM

Jerome Skolnick

SUBJECT

NO ANS REQ'D

Concerning letter of Oct. 14

RFRD	RFRD	RFRD	RFRD
J. Campbell	DATE	DATE	DATE
DATE 10-21-68	REPLY DISPATCHED	FILE DESIGNATION	
REPLY DUE			

LOCATOR COPY 1

ADMINISTRATOR'S MAIL

NATIONAL COMMISSION ON THE CAUSES AND PREVENTION OF VIOLENCE

726 JACKSON PL., N.W.

WASHINGTON, D.C. 20506

October 18, 1968

Mr. James S. Campbell,
National Commission on the Causes
    and Prevention of Violence
726 Jackson Place, N.W.
Washington, D.C. 20506

Dear Jim:

Concerning your letter of October 14: I am not sure what
it means to be "known in Washington only by a short title" but
that is perfectly all right with me provided that we understand
that the title on the report will be "Demonstration, Protest,
and Group Violence." Much as we appreciate Ambassador Harris'
suggestion, we cannot allow any of the Commissioners to revise
the titles or the materials in any of the sections of our report
according to their political concerns, even so sympathetic a
Commissioner as Ambassador Harris. The fact is that we are
studying the phenomenon of the relation between demonstration,
protest and group violence and any shortening of the title for poli-
tical considerations would be misleading. But if you want to
give us a nickname, for the time being, that's all right with us.
See you next week in Washington, and perhaps we can have a chance
to discuss this further with Ambassador Harris.

Cordially,

Jerome H. Skolnick, Director
Task Force
Demonstration, Protest and Violence

JHS:ek

As Old as Human Cruelty

BLACK RAGE. By William H. Grier, M.D., and Price M. Cobbs, M.D. Foreword by U.S. Senator Fred R. Harris. 213 pp. New York: Basic Books. $5.95.

By KENNETH B. CLARK

PSYCHIATRISTS William H. Grier and Price M. Cobbs offer their readers an accurate summation near the end of their book, "Black Rage": "The tone of the preceding chapters has been mournful, painful, desolate, as we have described the psychological consequences of white oppression of blacks. The centuries of senseless cruelty and the permeation of the black man's character, with the conviction of his own hatefulness and inferiority, tell a sorry tale.

"This dismal tone has been deliberate. It has been an attempt to evoke a certain quality of depression and hopelessness in the reader and to stir these feelings. These are the most common feelings tasted by black people in America."

In succeeding in stirring these feelings in their readers, the authors of "Black Rage" have joined the present fashionable cult of literate black and white flagellants who now believe that America's racial problem can be clarified and racial justice obtained through a sadomasochistic orgy of black rage and white guilt—or through conscious or unconscious black and white guile. "Black Rage," like "The Report of the National Advisory Commission on Civil Disorders," is among the most recent revelations of the nature and consequences of American racism that promises much but reveals little that is new.

It is quite unlikely that any reasonably intelligent American did not know that racism permeates our society and that the victims of racism would be angry and frustrated and would, therefore, seek a variety of rational and irrational, personal and collective forms of escape, accommodation or experiment with many forms of revolt. These truths are as old as human cruelty and oppression. There is little that another report or book can add to the understanding of the complexities of human arrogance, frailty, pathos, perversity and the persistent insistence on human affirmation which make for the endless struggle between the varieties of human cruelty and the demands for freedom and justice.

It may be characteristic of the pardonable hyperbole expected of dust-

MR. CLARK, professor of social psychology at City College, is the author of "Dark Ghetto" and "Prejudice and Your Child," and co-editor with Talcott Parsons of "The Negro American."

jacket blurbs to describe "Black Rage" as the first book to reveal the full dimensions of the inner conflicts and the desperation of the black man's life in America. But for books dealing with the serious problem of American racism this type of exaggeration confuses many issues and places an unnecessary handicap on a book which must be read and understood for what it is *not* as well as what it is.

"Black Rage" is not a definitive or particularly scholarly study of American racism. It presents a series of anonymous case histories, and as such it is merely an attempt on the part of two Negro psychiatrists to share their insights, as psychiatrists and as Negroes, concerning the effects of American racial prejudice upon the personality, perspectives and general social functioning of Negro Americans. The authors make their generalizations and conclusions on the basis of case studies of their patients, their personal observations and probably the writings of others— although this last is not clear because the authors do not cite directly the insights and findings of other students of this problem.

"Black Rage" is readable; it presents its case studies with clarity and relevance; and the authors write

with directness and a minimum of psychiatric jargon. But this very clarity and directness highlights some stark problems of psychiatric analyses of complex social problems.

Grier and Cobbs present their generalizations, no matter how obvious, as if they were brilliant new truths which had not been previously seen or understood by others. Interpretations and hypotheses are presented as if they were unquestioned and unquestionable findings and facts. Probably there is something about the primary dependence upon the perspective of patients, the inherent drama of personal pathology, together with the doctor-patient power relationship, which leads to this subtle and sometimes flagrant arrogance of psychiatrists and which results in their distortion of complex realities by their occupational pontification and profound oversimplifications.

This tendency to write as if every insight into the human predicament were new—this basic lack of scholarship or unwillingness to attribute similar insights to others—is indicated by the fact that relevant works of such serious students of the American racial problem as W. E. B. DuBois, Gunnar Myrdal, Charles Johnson and E. Franklin Frazier are not mentioned. Equally, if not more

unpardonable is the fact that nowhere in "Black Rage" are the works of such psychologists as Thomas Pettigrew ("Profile of the Negro American") and psychiatrists as Abram Kardiner and Lionel Ovesey ("The Mark of Oppression") referred to, although they are directly relevant.

The preoccupation of "Black Rage" with sexual identity in the Negro male and female and its ponderous analysis of the dynamics of interracial sexual behavior also reflect the psychiatric distortion of the more concrete realities of social problems. Indeed, it is understandable that from the primary source of data and the resulting perspective of psychiatrists the disturbing and titilating problems of sex may loom large as an important aspect of social injustice.

Yet the related problems of economic exploitation, overcrowded and deteriorated housing, filthy streets and criminally inferior and segregated public schools are much more disturbing day-to-day realities that dominate and constrict the lives of the average Negro American. A certain type of psychiatric mythology added to the historic and prevailing mythology of race makes sex interesting reading but does not make it primary to an understanding of the dynamics and consequences of racial injustice and its resulting anger.

The plethora of books such as "Black Rage," reflecting as they do the rhetorical crescendo of Negro anger, the banality of white liberalism, the caprice and ambivalence of white guilt and the continued venality and now deliberate cruelty of white supremacy make one fact now disturbingly, if not blindingly, clear: The simple need for affirmative action to correct correctable abuses, to control controllable expressions of human cruelty, can be obscured and postponed indefinitely by studies which purport to diagnose the problem and "to reveal the full dimensions of the inner conflict and the desperation" of American Negroes.

Psychiatric insights that dominated social-casework approaches and practice in America for decades did not change positively the predicament of the American poor. There is no reason to believe that this approach in itself will change the powerless predicament of the victims of American racism or increase the functional superego of privileged whites. Continued diagnosis of American white racism can become a monumental bore without the painful therapy of social action and social change. There is no such prescription in "Black Rage." The invasion of psychiatrists into this realm of words and their participation in the contemporary American racial rhetoric cannot be accepted as a diversion from or a substitute for the national commitment and social action which is imperative for racial justice in America.

Photograph by Charles Moore.

A participant in the April, 1963, riots in Birmingham, Ala.
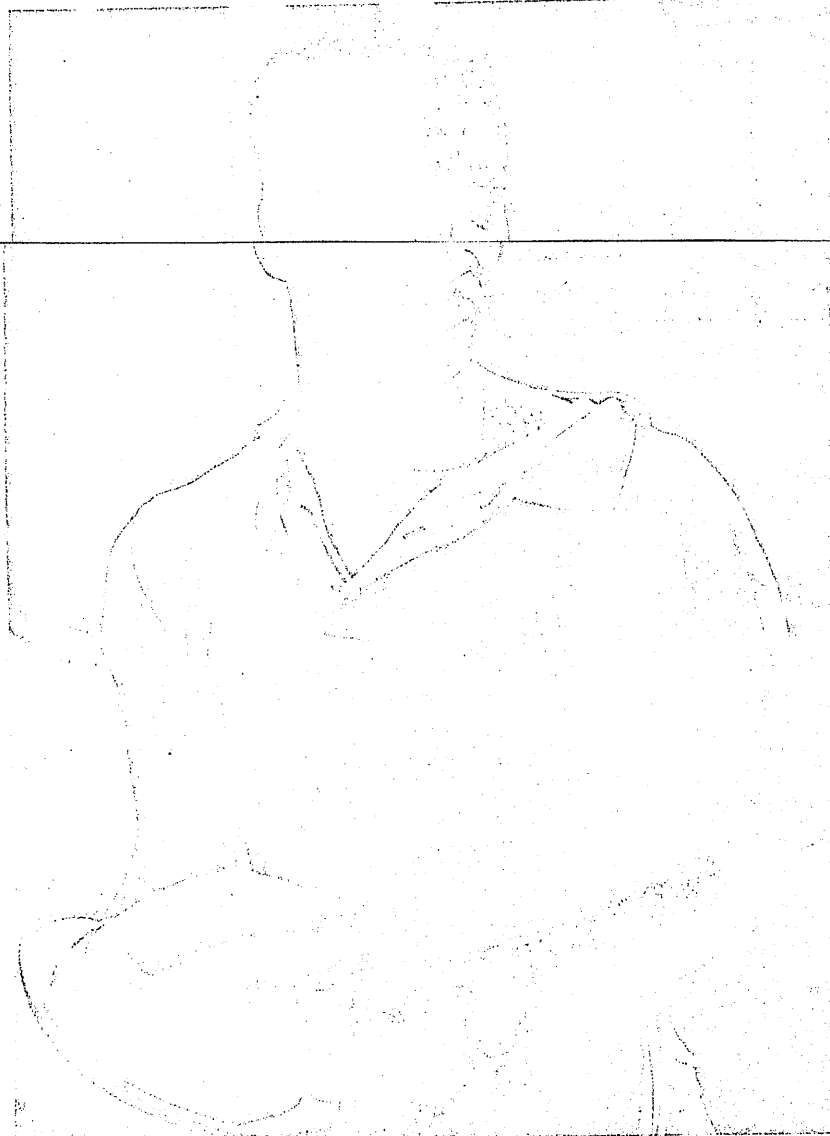
Campbell

October 14, 1968

Professor Jerome Skolnick
Center for the Study of Law
    and Society
University of California
2224 Piedmont
Berkeley, California 94720

Dear Jerry:

Enclosed for your information is the latest draft of our "Program Plan". The material on your Task Force is essentially the same as in the previous draft, the only differences being a few minor changes made by Ed Ursin and me on the basis of the drafts you have been sending back to us. We will probably do a final edition of the Program Plan fairly soon, and for that we should have a more current version of the outline of your Task Force report. As you begin to draft pieces of your report, I am sure that your conception of it is undergoing some modifications: for the information of the Commission and the staff back here, it would be very helpful if you would indicate these by sending us a revised outline.

You will note that for the purposes of the Plan you are denominated the Task Force on "Group Violence" rather than your longer chosen title of "Demonstration, Protest and Group Violence". This change was made because Commissioner Harris feels very strongly that the Commission should not be studying or making judgments about lawful,

constitutionally-protected demonstration or protest,
but only about violent, unlawful group action. Despite
assurances that we have no intention of condemning
peaceful protest, and that in order to understand the
violent protest it may be necessary to study the peace-
ful protest that preceded it, Mrs. Harris felt that a
re-naming of your Task Force would be desirable. Accord-
ingly, you are now known in Washington only by your short
title, "Group Violence". I am sure you will agree that
this was the most convenient way to solve the problem.

I have just begun to get into the Horowitz draft
chapter on the anti-war movement, which appears to have
a lot of interesting and useful material in it. If
that is any indication, your whole operation would seem
to be moving along very well.

Sincerely,

James S. Campbell
General Counsel

cc: Professor Ira M. Heyman
     University of California
     Law School
     Berkeley, California

Enclosure

JSC/cah

File
TF#2

NATIONAL COMMISSION ON THE CAUSES
AND PREVENTION OF VIOLENCE
726 JACKSON PL., N.W.
WASHINGTON, D.C. 20506

R O U T I N G   S L I P

The attached material was received
from Jerry Skolnick's Task Force and is
being forwarded to you for your informa-
tion.

Ed Ursin

Mr. Cutler
Mr. Barr
Mr. Campbell
Mrs. Leonard
Mr. Orrick
Mr. Sahid
Dr. Short
Mr. Ursin
Dr. Wolfgang
Mr. Wolk
Assassinations
Firearms
History & Comparative Perspectives
Law Enforcement
Media
Private Acts
Chicago
Cleveland
Miami
FILES ✓ 6

TASK FORCE

DEMONSTRATION, PROTEST AND GROUP VIOLENCE

Chapter V Outline: BLACK MILITANCY

I. INTRODUCTION

A. From the Kerner Commission to the Present.

Review of events following the death of Martin Luther King,
including the growing importance of new kinds of militant
leaders (Black Panthers, Blackstone Rangers, etc.) and new
styles of militant action (e.g., high school protests).

B. The Condition of Being Black in America.

Overview of:

1. formal and statistical evaluations of being black
(e.g., rates of infant mortality, disease, mental
illness, school drop-outs, criminality, illiteracy,
lynchings, etc.) and

2. subjective evaluations of being black (e.g., the
writings of Richard Wright, James Baldwin, Leroi Jones,
Howard Griffin, Eldridge Cleaver, Ralph Ellison, etc.).

C. The Significance of Anti-Colonialism.

Overview of the revolt against colonialism in Africa and
the meaning of anti-colonialism for black Americans.

II. PERSPECTIVES ON BLACK PROTEST

A. Critique of "Race" Commissions.

Assessment of conceptions of "riots" and their meaning in
official investigations from Chicago (1919) to the Kerner
Commission.

B. Critique of Social Science Approaches.

Assessment of collective behavior theories of "riots."

C. Social Control Implications of Conventional Perspectives.

Evaluation of social control programs which are implicit in
above explanations of "riots."

III. SOCIAL MEANING OF "RIOTS"

    A. <u>The Form and Character of Recent Riots.</u>

       Summary of data concerning:

       1. participants,

       2. circumstance and duration,

       3. targets and damage, and

       4. official violence.

    B. <u>Some Common Patterns of Recent Riots.</u>

       Overview of some essential aspects of riots, including:

       1. attacks on the symbols and property of "outside" institutions,

       2. demeaning "whitey,"

       3. assaults on and "confiscation" of property,

       4. affirming menhood and black pride, and

       5. political bargaining.

IV. FORMS OF BLACK MILITANCY

    A. <u>Historical Overview.</u>

       Analysis of the civil rights movement -- its goals, constituency
       and limitations. Discussion of the historical antecedents of
       contemporary "militancy" -- Garveyism, nationalism, separatism, etc.

    B. <u>Traditions of Militancy.</u>

       Analysis of collective and political trends in contemporary
       militancy, with particular emphasis on developments since the
       rise of Malcolm X.

    C. <u>Militant Youth.</u>

       Discussion of the "deviant" and "political" behavior of black
       youth.

NATIONAL COMMISSION ON THE CAUSES AND PREVENTION OF VIOLENCE

October 10, 1968

Mr. Jerome Skolnick
University of California
Center of Study for Law & Society
2224 Pedmont Avenue
Berkley, California

Dear Jerry:

This will confirm our conversation last evening in
which we agreed Amitai Etzioni's paper on "Peaceful Demon-
stration, Responsiveness, and Violence" should become a part
of your Task Force activities. I have agreed to a figure of
$2,000 for this paper. Amitai has indicated that he would
like a letter of confirmation addressed to him at the Center
for Policy Research, 800 4th Street, S. W., Washington, D.C.
I am sure this will be a fruitful contract.

Enclosed is a copy of my letter to Dan Walker indicating
that you hope to stop by in Chicago on your way to the hearings.

It was good to talk with you, good luck, and keep the manu-
scripts coming.

Cordially,

James F. Short, Jr.

Enclosure

Dictated by Dr. Short but not signed

CC: Amitai Etzioni
     Ed Ursin
     Jim Campbell

JEROME H. SKOLNICK, DIRECTOR
TASK FORCE
DEMONSTRATION, PROTEST AND GROUP VIOLENCE
LAW AND SOCIETY CENTER
BERKELEY, CALIFORNIA 94720

September 19, 1968

MEMO

To: Tom Barr, Jim Short, Ron Wolk

From: Jerry Skolnick

Re: Progress Report

The following items are enclosed for the second progress report:
copies of my memo; "A Program for Ensuring the Future Well-Being of
Trained Specialists on Violence," a tentative draft for the first
chapter; Flack's outline; the questionnaire for the Black Militancy
Chapter; outlines for police chapter and "Themes for Police Interviews";
some of Crawford's data for his presentation; and copies of Tony Platt's
bibliography.

Jerome H. Skolnick, Director
Task Force
Demonstration, Protest and Group Violence
Law and Society Center
Berkeley, California 94720

Monday, September 16, 1968

MEMO

To: Tom Barr, Jim Short, Ron Wolk

From: Jerry Skolnick

Re: Progress of Task Force on Demonstration, Protest and Group Violence

        I think the best way to proceed on informing you of what we've
done is to describe where we stand, chapter by chapter.

        Chapter 1. Skolnick and Currie have been working on that chapter.
I am enclosing a very rough first draft, which is already being con-
siderably modified and will doubtless look much different when
rewritten in final form. This is just to show you some of the initial
thoughts that we had. Some of them are almost certain to be dropped.
I'm increasingly beginning to think that the 'violence of institutions'
theme is a loser, and that we ought to use as few abstractions as
possible. Currie and I presented some of our early views and notions
to a group at the Center for the Study of Law and Society on September 11.
I will either enclose, if it's ready, or send along as soon as it is
typed, a transcript of those proceedings. I think you might find some
of the comments of some of the participants in the seminar of interest.

        Chapter 2. Richard Rubenstein has been given the assignment of
doing a first draft of this chapter, and he will be out here on
September 23 to present that draft and submit it to the critical thrusts
of a group of distinguished invitees. I am enclosing a list of the people
who have been invited to that seminar, which will be a part of a two-day
conference, with similar presentations to be made by Tom Crawford on
Chapter 6, David Chalmers on Chapter 6, and Irving L. Horowitz for
Chapter 4. Horowitz tells me that he is now on his second draft and will
have a third full draft by that date.

        Chapter 3. I am enclosing an outline of the paper that is to be
written by Richard Flacks, who gave a presentation here on September 3.
I am enclosing a transcript of that seminar, which was very good. If
these transcripts don't turn out too well, by the way, I will have the

tapes re-recorded and send you taped copies of these seminars. Several
constructive ideas came out of this seminar, including the need to con-
sider the propensity for violence of the new leadership of the student
movement, the dynamics of confrontation, and the problems of the adminis-
trator in this sort of situation. Flacks has agreed to consider these
issues in later drafts, and Joseph Gusfield has promised to deal with
the problem of the administrator in his paper, as well as dealing with
the dilemma of the administrator in relation to black students by comparing
what happened at Northwestern University with the recent events at the
University of Illinois. Furthermore, I have asked Flacks to build a
comparative perspective into his own materials, so that he will be com-
paring Berkeley, Columbia, and the University of Chicago, where some of
the development into violence did not occur. In addition, I have asked
Max Heirich of the University of Michigan to be a consultant on this
chapter, and have hired Terry Lunsford as a consultant for several days
to help me rewrite the papers that come in. Lunsford is a sociologist
and lawyer with the Center for Research and Development in Higher Education
at Berkeley, and the author of a very good report on the social and legal
aspects of the Free Speech Movement. Finally, I spoke with Neil Smelser,
who agreed with enthusiasm to taking a role in working on the chapter.

Chapter 4. Discussed above; Horowitz to present full draft
on September 24.

Chapter 5. Tony Platt is working on this chapter with Kermit
Coleman. He has developed a schedule of questions for black militants,
which is enclosed. Coleman is pursuing these interviews and Platt is
scheduled to present an outline or first draft by the middle of October.

Chapter 6. Papers and seminars will be presented on September 23
by Chalmers and Crawford. Crawford has major responsibility for this
chapter, although as Associate Director he will contribute data for
Chapter 5. These data will be mainly of a survey kind. I understand
that Crawford has been collecting survey data specifically related to
both chapters for the past six weeks.

Chapter 7. I'm enclosing a brief outline of some of the topics
that might be covered here. We had a seminar on some materials presented
by Ed Cray on September 13. Cray has collected a very useful set of notes
and clippings over the years. This chapter will be primarily written
by Skolnick and Rodney Stark, with sizable assistance by Sam McCormack.
Sam is a graduate student in criminology who was a Los Angeles policeman
for nearly five years. He is presently interviewing police on the west
coast on a number of topics concerning police attitudes; we also expect
to send him to the east coast to investigate some of the newer develop-
ments within police departments. A first draft of the chapter should be
available by October 16.

Chapter 8. I am enclosing a bibliography from Tony Platt for this

chapter. Tony is going to make a seminar presentation on Wednesday, September 18. I will have that transcribed and sent along to you.

Chapter 9. One of the goals of chapter 9 is to examine the assumptions of counter-insurgency theory. To that end, I have hired as a consultant a graduate student named Martin Leibowitz from the University of Washington, St. Louis. Leibowitz published an article with Irving Horowitz on political marginality and deviance in Social Problems recently. This was a very good article and Horowitz says that Leibowitz is the best graduate student in the department at Washington University, St. Louis. His main job would be to dig into this literature and I also hope that Robert Johnson's material would prove to be useful here. I am also expecting a memo from Ed Ursin on the availability of materials re handling of demonstration, protest and group violence. We are also ourselves in the course of collecting such materials, and some of these materials have already been sent to us by our Washington people. The policy recommendations and legislative recommendations in this chapter will be worked on heavily by Heyman, Ursin and Kermit Coleman.

In general, I think we're moving along rather well. We haven't got any product yet that I am anywhere near satisfied with, but everything that we have done so far has suggested quite clearly what its own limitations are. I have been most impressed with the quality of the criticism that we have received at the seminars, and I am certain that whatever inadequacies our reports and presentations have will be quickly and sharply pointed out by our perceptive critics.

Police

TASK FORCE

Demonstration, Protest, and Group Violence

Chapter 7: The Police and Mass Protest

I. Characteristic Responses to Protest and Collective Violence

A. A Compendium of Police Techniques, Tactics and Technology

1. Dispersion

2. Mass arrest

3. Selective arrest

4. Violence without arrest

5. Condoned vigilanteeism

6. Unlawful assembly (denial of permit, use of curfew, etc.)

7. Technology and gadgetry

8. Cooperation and restraint

B. Evaluation of Police Responses

1. Immediate practical difficulties

a. order may not be achieved

b. violence may not be escalated

2. Longer range public difficulties

a. polarization

b. undermining of police authority and legitimacy

II. Understanding Police Responses

A. The Dilemmas of Police Organization

1. Teamwork versus individuality

2. Personal versus impersonal conceptions of patrol

3. Structure of internal authority and discipline

a. solidarity and the lack of sanctions

b. rank-and-file politicization

B. The Persistence of Questionable Theories concerning the:

    1. Causes of crime

    2. The danger of policing

    3. The limits of public order and disorder

    4. Conspiracy and "outside agitation" as a cause of group violence

    5. The danger of protest and demonstration

    6. Social needs for "respect"

C. The Cult of Technocracy

    1. Public relations as human relations

    2. Conceptions of police role as control agent

    3. Mechanical saviors: the search for technical panaceas

D. The Political Character of the Police Establishment

    1. Responsiveness to the status quo

    2. Responsiveness to political leadership

    3. Definition of the social climate

E. The Political Character of the Police Rank-and-file

    1. Vis-a-vis the police establishment

        a. differences in political and social outlooks

        b. differences in concern for public relations

        c. distrust of commanders, courts, and political authority

    2. Intra-police Conflict: The Rank-and-file as militants

    3. Recruitment and turnover

PART ONE: Relative Deprivation, Powerlessness,
              and Black Militancy

Tom Crawford

TABLE 1. ATTITUDINAL MILITANCY AMONG MALE DETROIT NEGROES AS A FUNCTION OF PERCEIVED DISCREPANCY BETWEEN REAL LIFE AND IDEAL LIFE

Questionnaire Item	Ideal-Real Discrepancy	
	Low	High
Do you think that riots help or hurt the Negro cause?	Help 28% (14) Hurt 60% (30) D.K. 12% (6)	Help 54% (27) Hurt 38% (19) D.K. 8% (4)
Do you think most Negro Americans approve or disapprove of riots?	Approve 32% (16) Disapprove 36% (18) D.K. 24% (12)	Approve 54% (27) Disapprove 22% (11) D.K. 24% (12)
Do you approve or disapprove of Black Power?	Approve 38% (19) Disapprove 36% (18) D.K. 26% (13)	Approve 64% (32) Disapprove 22% (11) D.K. 14% (7)
Will force or persuasion be necessary to change white attitudes?	Force 40.4% (21) Persuasion 51.9% (27) Not Sure 7.7% (4)	Force 50.0% (26) Persuasion 34.6% (18) Not Sure 13.4% (7)
Group or person closest to own opinion on	1. NAACP (24) 2. King (12)	1. King (16) 2. Carmichael (10)
Group or person furthest from own opinion on civil rights.	1. Muslims (21) 2. Rap Brown (11)	1. Lyndon Johnson (19) 2. Muslims (14)

Figure 1: AN ENDS/MEANS SEQUENTIAL STAGES TYPOLOGY OF THE PSYCHOLOGY OF SOCIAL CHANGE

Real-Ideal Discrepancy	Perceived Locus of Reinforcement	
	External Control	Internal Control
Low	(1) Psychological Stage: CONTENT FATALISM Society: TRADITIONAL Behavior: PASSIVE	(4) Psychological Stage: CONTENT ACTIVISM Society: STABLE Behavior: REACTIVE
High	(2) Psychological Stage: DISCONTENT FATALISM Society: UNSTABLE Behavior: EXPRESSIVE	(3) Psychological Stage: DISCONTENT ACTIVISM Society: TRANSITIONAL Behavior: INSTRUMENTAL

TABLE 2: PER CENT OF LOS ANGELES NEGROES REPORTING WILLINGNESS TO USE VIOLENCE
BY THE COMBINED EFFECT OF RACIAL DISCONTENT AND PERCEIVED LOCUS OF
REINFORCEMENT

	Not Willing (%)	Willing (%)	Total (%)
Ideal-type external control and high discontent	42.9	57.1	100 (N=70)
External control and low discontent combined with internal control and high discontent	74.5	25.5	100 (N=102)
Ideal-type internal control and low discontent	87.4	12.6	100 (N=134)

TABLE 3: PERCENT YES RESPONSES TO THE QUESTION: "HAVE YOU EVER GONE TO A CIVIL
RIGHTS RALLY?" BY THE COMBINED EFFECT OF REAL-IDEAL DISCREPANCY AND
LOCUS OF REINFORCEMENT (Figures in parentheses indicate base for percent)

Real-Ideal Discrepancy	Perceived Locus of Reinforcement	
	External Control	Internal Control
Low	10.14 (77)	41.4 (157)
High	20.16 (180)	40.5 (202)

TABLE 4: PERCENT YES RESPONSES TO THE QUESTION: "HAVE YOU EVER TAKEN PART IN A
CIVIL RIGHTS DEMONSTRATION?" BY THE COMBINED EFFECT OF REAL-IDEAL
DISCREPANCY AND LOCUS OF REINFORCEMENT
(Figures in parentheses indicate bases for per cent)

Real-Ideal Discrepancy	Perceived Locus of Reinforcement	
	External Control	Internal Control
Low	3.8 (77)	17.1 (157)
High	15.5 (180)	28.2 (198)

TABLE 5: PERCENT MEMBERSHIP IN THE NAACP BY THE COMBINED EFFECT OF REAL-IDEAL
DISCREPANCY AND LOCUS OF REINFORCEMENT
(Figures in parentheses indicate base for per cent)

Real-Ideal Discrepancy	Perceived Locus of Reinforcement	
	External Control	Internal Control
Low	6.4 (77)	34.8 (195)
High	10.1 (178)	18.8 (202)

Tony Platt
September 12, 1968

Task Force on Demonstration,
Protest and Group Violence
Violence Commission

BLACK PROTEST, MASS ARRESTS AND THE JUDICIARY

Method and Data

This chapter will be based on data acquired through (1) official archives in Chicago, Detroit and Washington, D.C., (2) related and comparative data from Los Angeles, Newark, Atlanta and Baltimore, (3) interviews with lawyers, bar association representatives, and judicial officials in Chicago, Detroit and Washington, D.C., (4) official investigations of the administration of criminal justice under emergency conditions in Chicago, Washington, D.C., Newark, and Baltimore, (5) newspaper clippings on mass arrests, especially from Chicago, and (6) the following primary and secondary sources.

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A Program for Ensuring the Future Well-Being
of Trained Specialists on Violence

1. Adopt a conspiracy theory of the causes of violence

    A. Deny the possibility of genuine grievances

    B. Refuse to consult with persons other than constituted
       authorities

    C. Link demonstration and protest to (1) international
       communism (2) anarchism and hooliganism (3) long hair
       ;and beards (4) outside agitators

2. Denounce the breakdown of authority and morality

    A. Deplore permissive child-rearing (suggest that weekly
       strappings might be in order)

    B. Restore corporal punishment in the schools

    C. Stress corporal punishment in penal institutions

    D. Reinstitute prayer in the schools

    E. Denounce the decline of firmness in the clergy

    F. Require several daily pledges of allegiance to the flag

    G. Restrain the troublemaking press

3. Oppose the coddling of criminals

    A. Attack court restrictions on the police, whether or
       not such restrictions exist

    B. Arm police with the latest in weaponry and noxious
       chemicals

C. Stop and frisk regularly on ghetto streets

D. Send white police (preferably ethnocentric) into black
    areas

E. Build bigger tactical squads

F. Employ fierce police dogs and electrified cattle prods

G. Expand the scope of the criminal law, especially in the
    area of narcotics

H. Stiffen all sentences and reintroduce the systematic
    use of the death penalty

I. Build more and larger maximum security prisons

J. Divert resources from welfare and riff-raff subsidization
    to law enforcement and prison contruction

As a nation, we spend seventy-two and one half billion dollars
per year to fight external aggression. But as the major presidential
candidates and their advisors uniformly agree, the war against internal
aggression remains under-financed. To facilitate options, flexibility,
mobility and capability in the offensive against crime and disorder, we
must optimize and synchronize our total functional responsiveness
capability through a time-phased, contingency planned and projected
organizational mobilization. To implement these aims, the most viable
short-term and long-range strategic consideration would be the deployment
of a cadre of professionally trained specialists.

Student

August 22, 1968

TO: Jerry Skolnick

FROM: Dick Flacks

The following is a proposed outline for my position
paper on student protest. Ten major themes will be developed:

1.   Who protests—the initiating core.

a) An overview of research on the characteristics
of student protesters. Research indicates that
protesters come from families with unusually high
levels of educational attainment; are themselves
above average in academic performance; have values,
attitudes and interests which are associated with
strong intellectual commitment; and are often inter-
ested in pursuing academic careers. The student
movement, especially its activist core, is, in
large measure a revolt of those students who are
most committed to the university.

b) Research also shows student protesters to be
children of politically interested and socially
conscious parents, of high status and income. It
is a revolt of the most advantaged sector of the
youth population. It cannot be understood as a
rebellion against parental values, but as the
carrying forward of a political tradition with con-
siderable roots in American history.

2.   Student movement best understood as an expression
of deep value-conflicts in the society, stemming from
the consequences of affluence, from technological change,
from major shifts in the occupational structure, from
major transformations in American families and character
structure. The protesting student represents an emer-
gent cultural tradition and social stratum (the Educated
Humanists). This stratum has moved toward political op-
position, after a period of relative acceptance of es-
tablished institutions, because of its inability to
achieve effective influence in the main institutions of
the society, and because the social and political struc-
ture does not appear likely to reflect the most cherished
values of this stratum. It should also be mentioned that
this group is one of the most rapidly growing sectors of
the population.

3. Immediate political events have intensified these
general trends in politicizing and radicalizing humanist
youth. The racial crisis, the war and the draft have
had a profoundly disillusioning effect on these youth,
and have produced deep pessimism about their personal
futures and the future of the society in general.

4. The student revolt did not begin as an attack on
the university, nor is it "caused by" conditions on
the campus. But the revolt has turned increasingly
against the university, as the latter has come to be
perceived as damaging to the general social objectives
of the movement, as repressive in its impact on student
political involvement, and as actively aiding social
forces which are regarded as illegitimate by movement
participants. The general disillusionment of student
activists now includes the university as well as other
institutions. This was not true at an earlier stage,
and even now many students tend to have more hope for
the university than for any other institution.

5. Although student radicalism is rooted in extra-
university conditions, the movement gains support from
less political students because of a variety of condi-
tions on the campus. These include:

   a) Grievances about university paternalism, re-
   strictions of elementary student rights, deadening
   routine and curricular irrelevance.

   b) Arbitrary, bureaucratic and repressive exercise
   of authority by university administrators.

6. Student radicalism is likely to increase its appeal
to wider circles of the youth population because large
numbers of youth experience a variety of discontents.
Among these are:

   a) The general position of adolescents in the so-
   ciety.

   b) The failure of adult authority to accommodate to
   the so-called "new morality" and more expressive
   life-styles now attractive to the rising generation.

   c) The draft and other authoritarian impositions on
   youth.

   d) The inability of established authorities to cope
   with rising social problems, especially the racial
   and urban crises.

7. In addition to generating grievances, university conditions exacerbate the likelihood of direct and quasi-violent action, by failing to provide adequate means for students to influence university policy. These exacerbating conditions include:

a) Lack of student power in university governance.

b) Punitiveness rather than responsiveness by university authorities.

c) Inaccessibility of faculty and administration officials.

d) Refusal by university authorities to take student demands at face value. The tendency to treat political protest as a social and psychological problem, and to attempt to manage it, rather than to confront the issues raised by the students.

8. Student tactics are a direct consequence of the kinds of responses they receive to initial demands. But they are also influenced by the general political climate--i.e., the apparent unresponsiveness of the national political elites, is highly frustrating. In addition, the black revolution exerts very strong moral pressure on white students who support it--pressure to take action commensurate with the revolutionary rhetoric and action of black militants. There is an historical tendency for the white student movement to adapt its style in response to developments in the black community. The increasingly revolutionary stance of white student radicals needs to be understood as an expression of a deeply idealistic identification with the situation of American Negroes, and an unwillingness to accept complicity with their oppressors. Recently, among some, this sentiment extends to the plight of oppressed people throughout the world, especially in those countries directly subject to U.S. military intervention.

9. Major "explosions" on the campus--Berkeley, Columbia as most important examples--recounting of historical background of each, highlighting:

a) History of administrative unresponsiveness and restriction on free expression.

b) University involvement in racist or anti-humanist enterprises.

c) Absence of effective avenues for student influence on policy.

d) Widespread support of militant demands by other students and some faculty.

e) Negative consequences of police intervention.

f) Increased use of physical (as opposed to symbolic) violence by students as a consequence of the failure of reform efforts. Management of discontent has, in Berkeley case, only served to increase the possibility of violence.

10. Discussion of emerging administration efforts at social control, of administration, faculty and public stereotypes of the student movement, and evaluation of these. Efforts at social control seem to be crystallizing around an essentially mythical idea that student rebellion is the result of coordinated and planned activity by a small band of "anarchist" or "nihilist" persons, e.g. SDS. Control can be reasserted by isolating and removing such persons from the campus; by setting firm standards against disruptive protest and attaching severe sanctions to these; and by providing more regular channels for the expression of grievances and for student participation in management of the campus, while maintaining the existing structure of power and the established values and priorities of the American university. These steps, by themselves, neglect to deal with the very real failures of the American system of higher education; in addition, they seem likely to increase the potential for actual physical violence. They are based on a false image of the student new left, and a misreading of the content of student unrest. Recommendations of a more positive sort would include:

a) Universities should commit themselves fully to the task of confronting and opposing racism within their own walls and in the larger society as well.

b) Universities should free themselves from commitments to military and other interests which violate the humanist tradition.

c) Universities should strive for a genuine pluralism, so that the emergent radical counter-culture can come to feel that it has a legitimate place on the campus.

d) Universities should strive for a restoration of "community" by

1. Genuinely decentralizing and reducing the size of educational units.

2. Democratizing the governance of the university, and giving students full citizenship in the community.

3. Developing educational programs which are responsive to students' needs as human beings, rather than programs which train and socialize students to fulfill pre-established social slots.

TASK FORCE

DEMONSTRATION, PROTEST AND GROUP VIOLENCE

Inter-office memo

August 24, 1968

To: Jerome H. Skolnick   Sharon Dunkle
       Anthony Platt   Richard Speigelman
       Thomas Crawford   Howard Erlanger
       Elliot Currie   Kermit Coleman

From: Anthony Platt

COMMENTS   Re: First Draft of Questionnaire, Black Militancy Chapter.

I.   Goal:

     Interview leading black militants in a number of cities: Chicago,
     New York, Washington D.C., Detroit, Atlanta, Oakland--San Francisco
     Bay Area, and Los Angeles. West Coast interviews will be conducted
     by Berkeley office.

II. Sampling:

     Ask Chicago militants (whom we already know) to name their counter-
     parts in other cities. Contact SNCC, Core, ACLU, Urban League,
     Black Lawyers, etc. for their lists of the most militant leaders.
     Included in definition of "militancy" are exponents of revolutionary
     ideology, self-defense ideology, and black pride ideology (for
     example, Rap Brown, Black Panthers, and Russ Meek).

III. Start compiling lists of black militants in above cities. Test
     out interview in Chicago.

IV. Confidentiality:

     Confidentiality cannot be guaranteed. Provide code names for
     interviewees. Name of interviewees should not appear on tape
     cartridge. Coleman and Platt should keep two copies of code
     (not in the office). Make every effort to guarantee anonymity.
     Don't pressure interviewees into taped interviews. Turn off
     tape recorder when subject becomes evasive or hesitant.

V.   Before interview begins, explain purpose and nature of task force.
     Keep it short and honest. Wherever possible, use connections to
     introduce and legitimate you with interviewee. Try to develop
     reliable contacts in all cities.

VI. Ask interviewees for any of their published or unpublished papers,
     tracts, pamphlets, etc.

VII. The following is a draft of the interview guide that we discussed:

INTERVIEW GUIDE: BLACK MILITANCY

A. BIOGRAPHY

Get factual information on background of subject, including
    1) Age
    2) Educational experience
    3) Education, jobs, political and civic affiliation of parents
    4) Marital status, number of children, occupation of wife, etc.
    5) "Criminal" record
    6) When did you first become interested in _____
        (name of job, organization, or title).
    7) Who or what influenced you to become interested in_____?
    8) Probe experiences in former jobs.

B. CONSTITUENCY

Whom does subject represent, whom does he count as his supporters, probe
the following areas:
    1) Age, political affiliation, ideology of supporters
    2) Large scale organization or club or sect
    3) Source of funds. Especially probe organizations funded by
        local, state or federal government.
    4) Association with other organizations of militants (for example,
        Black Liberation Kouncil's relationship with Black Consortium).
    5) Probe hostile attitudes to other militant organizations.

C. IDEOLOGY

How does subject view the problems and goals of black people? Probe
following areas:
    1) Political ideology
    2) Economic ideology
    3) Attitudes to whites and white organizations
    4) Desegregation
    5) Integration
    6) Separatism
    7) Self-defense
    8) Role model (who has most influenced you, who would you most like
        to see as a national and/or local black leader?)
    9) Which writer has most influenced you?
   10) Reform vs. Revolution

When revelant, ask questions on JUDICIARY:

   11) Were you personally involved in disorders (uprisings, riots) in
       summer, 1967, or April, 1968. (If answer "No, proceed nevertheless).

12) Bail
13) Conditions in jail while awaiting trial
14) Legal defense
15) Lawyers, especially black lawyers
16) Accessibility to jails, courts, lawyers
17) How should the judicial system function in time of civil disorder?
18) Name lawyers you trust and can call upon in an emergency.

D. TACTICS AND MEANS

How are the ideological goals to be achieved? Probe following areas
(this is the most important part of the interview):

1) Civil disobedience
2) Economic boycott
3) Passive resistance
4) Marches, picketing, symbolic resistance (For example, Poor
   People's Campaign).
5) Self-defense (that is defensive violence).
6) Integration (that is appointing blacks to important positions
   in industry, government, the police, etc.)
7) Aggressive violence (that is guerilla tactics, rebellion,
   Fanon uprisings)
8) Working with or without whites
9) Liason with other organizations, contact with black militants
   in other cities

If this part of the interview is difficult, use the following
quotations from Harold Cruse as discussion points. What do you think of
the following comments: "If Negroes were actually thinking and functioning
on a mature political level, then the exclusion of whites--organizationally
and politically--should be based not on hatred but on strategy."

"Some of the young nationalists have evinced a new black form of anti-
intellectualism. The Negro intellectual, too, is suspect because he
is either middle class in origins, accepted by the middle class, or has
middle class leanings."

"The ideology of the Negro movement, and all its trends, protest against
the ill-effects of capitalist society but not against society itself."

"Negro leadership is not really fighting against the system, but against
being left out of it."

"It is true that too many whites, the very fact that so many Negroes are
protesting all at one time in so many different places, is unsettling
enough to induce certain opinion-molders to believe their own alarm
isn't propaganda. Ghetto uprisings like Harlem and Watts lend credence
to the spectre of revolution even more. But as long as these uprisings
are sporadic, the American capitalistic welfare state will absorb them
and, more than that, pay for the damage in the same way the government
pays for the destruction caused by hurricanes and floods. Uprisings are
merely another form of extreme protest action soon to be included under
the heading of Natural Calamities."

E. WRITE UP INTERVIEW

Immediately write up interview if not taped. If taped, write up your
impressions and evaluation of interview.

One central principle guides the analysis throughout
this Report. That principle is that group violence in America
is not a simple phenomenon, easy to understand and identify.
Facile slogans and hasty solutions will not serve the cause of
understanding. Nor, however, can we simply throw up our hands
in despair at the depth and complexity of the problem. The prob-
lem of group violence is complex, but it is not mysterious; it
is profound, but not unfathomable.

Above all, we will not examine group violence in iso-
lation, separated from its larger context; for, as we will dem-
onstrate, the violence in America cannot be understood apart
from the violence of America. And the violence of America is
not mysteriously contained somewhere in the American character
or culture, inaccessible to our understanding and control. The
violence of America is the violence of institutions. The violence
of indifference and inaction is less dramatic and less visible
than the violence of explosive action; but its consequences
are similar. Both kinds of violence maim and kill, damage and
destroy. Both kinds of violence are deeply embedded in the
structure of American institutions. In this sense, violence is
as American as cherry pie. It is as American as H. Rap Brown,
as American as the Ku Klux Klan, as American as strategic warfare;
as American as the urban ghetto and hungry children in Mississippi.

All of these things are American; they point to the fact
that the study of protest and group violence cannot be detached
from the broader question of the nature of American institutions.
In the short space of this Report, we cannot, of course, under-
take a thoroughgoing analysis of American society. We can, how-
ever, focus our analysis on the deep interconnections between
these two kinds of violence -- the violence of institutions and
the violence of frustration. To shirk this task would be to avoid
recognition of this central fact: the violence of frustration
is bred in the violence of institutions. The violence of instit-
utions is often hidden, routinized, and relatively silent; the
violence of frustration tends to be spreading immediate, dramatic,
and sudden. The violence of institutions may be strategic, sys-
tematic, and rationalized; the violence of frustration tends to
be sporadic, tactical, and ad hoc. For Because of this, the
violence of institutions tends to escape our attention--or, at
least, it escapes our attention as violence.-- while the violence
of frustration stands out, compelling attention and concern.

It will be one of the tasks of this Report to correct this
understandable but dangerous error in perception. In calling
attention to these issues, we do not attempt to moralize; neither,
however, do we intend to leave unpleasant things unsaid or con-
troversial matters untouched. Throughout, we will try to avoid
both shrill condemnation and immoderate tolerance. We do not

intend to point fingers of blame at any group or any individual;
we do intend to demonstrate that the actions of groups and indiv-
iduals -- whether in the name of protest or in the name of law
and order -- have human consequences which cannot be ignored.

In this introductory chapter, we will seek to place protest
and group violence in America in social and historical perspec-
tive. In doing so, we emphasize the fact that protest and group
violence are not peripheral to American society, but an integral
part of its past development and present structure.

I. Historical Meanings of Protest and Group Violence

Neither social protest nor explosive group violence is
new to American society. Throughout our history, groups have
confronted each other and the larger system, and these confron-
tations have frequently had violent outcomes. Group protest
and group violence are not peculiar to this era, nor are they
peculiar to any specific ethnic, political, or social group;
rather, they are inextricably related to the character of Am-
erican political, social, and economic institutions.

This nation was born in one such violent confrontation.
In one of its earlier episodes, reasonable men and solid cit-
izens dressed themselves in outlandish costumes and, in epic

disregard of property and propriety, threw a large quantity
of tea into Boston Harbor. This episode should serve to re-
mind us of several things which must be kept in mind in attempt-
ing to understand group protest and violence in America. It
reminds us that protest and violence are never easily eval-
uated, and that they are viewed in very different ways by
people located in different parts of the social order; it re-
minds us that protest and group violence cannot be easily dis-
missed as mere anarchy or senseless destructiveness, but, on
the contrary, may be guided by high and noble purposes; it re-
minds us that protest and violence are not always, or even
usually, the products of groups and individuals peripheral to
the main currents of our history, but, rather, of groups in-
volved in the process of creating their—and our—history.
It reminds us, also, that the disaffected are not somehow
different from the rest of us — less sincere, less stable,
more selfish — for, on the contrary, they have come from the
same traditions and experiences as all of us, and from every
stratum and every age group. It reminds us, finally, of the
close interconnection between group protest and meaningful
social change in American history.

If group protest has its roots at the beginnings of our
history, so too does the violence of our institutions. The

view that American history may be seen as the long, unruffled
unfolding of the democratic promise does not stand up to even
the most casual examination. Negro slavery and the beginnings
of the long near-extermination of the American Indian population
are roughly as old as the first British settlements in America.
Writing in the 1830's, Alexis de Tocqueville, the great analyst
of American democracy, spoke of the implications of this for
the American future:

> An absolute and immense democracy is not all that we
> find in America; the inhabitants of the new world may
> be considered from more than one point of view. In the
> course of this work my subject often led me to speak of
> the Indians and the Negroes...These two unhappy races
> have nothing in common, neither birth, nor features,
> nor language, nor habits. Their only resemblance lies
> in their misfortunes. Both of them occupy an equally
> inferior position in the country they inhabit; both
> suffer from tyranny; and if their wrongs are not the
> same, they originate from the same authors.
> If we reason from what passes in the world, we should
> almost say that the European is to the other races of
> mankind what man himself is to the lower animals: he
> makes them subservient to his use, and when he cannot
> subdue he destroys them.

Historically, the growth of the American economy and
the expansion of American territory went hand in hand with
the dislocation, subordination, or subjection of a host of
ethnic and political groups. More frequently than not, the
response of these groups took place beyond the confines of
the established political process. Two important aspects

of the American institutional structure helped to create
the context for this response. One was the failure of Am-
erican institutions to deal effectively or creatively with
the fundamental social problems attendant on rapid and largely
undirected social and economic change. The other, and related,
aspect was the inability of the established political process
to serve as an effective forum for the expression and amelior-
ation of group grievances -- especially the grievances of econ-
omically marginal or socially disfavored groups.

By default, the response of the American political
system to group problems and group protest tended to take on
a reactive, rather than active, character. Group protest
developed in a context of inaction and indifference, and
quickly became an integral, if informal, aspect of the over-
all political order. It remains so today.

The character of group protest as a form of political
action depends heavily on the response it brings from the
larger society. Here an important difference emerges between
the United States and many other Western democratic societies.
In some -- England, for example -- a strong tradition of the
legitimacy of group protest developed, in which even a moder-
ate amount of violent group action was seen as a legitimate
mode of constraining a positive response to group grievances
on the part of the established order. Demonstrations involving

a limited amount of destructive violence -- the breaking of
windows or annoying the police -- tended to be accepted as
an inevitable and not particularly harmful byproduct of the
political claims of subordinate groups. And the use of official
force under this conception of the place of protest tended to
be minimal. The major result of this was, as a rule, to lessen
the pressure toward the escalation of violence and, in doing
so, to reduce the overall level of group violence within the
social order.

The United States seems not to have developed such a
tradition. Lacking that kind of tradition, group protest --
particularly disorderly protest -- has more often than not
been seen as illegitimate in the eyes of the established order.
In contrast to other historical traditions, the customary
official posture in America has been to criminalize protest.
The criminalization of protest has involved two complementary
attitudes on the part of the official order which have struct-
ured its response to group protest. One is the conception
of the protestor -- and his actions -- as anti-social or deviant;
the other is an enlarged conception of the proper use of official
violence in situations of civil disorder.

These two attitudes are closely related. Where the pro-

testor is viewed as a criminally motivated violator of law
and order, there has usually been only abbreviated attention
given to his own conception of the situation, and an attenuated
respect for his rights as a member of the political community.
Rights lost by the protestor are translated into priveleges
gained by members of the 'established' community and, partic-
ularly, by its agents of social control.

Historically, the criminalization of protest and the
consequent exaggeration of the legitimate uses of official
violence have frequently characterized the official response
to group protest in America. As a general rule, this response
has led to an increase in the level of violence accompanying
group protest. Group clashes in America have shown a striking
tendency to evolve into major engagements rather than minor
skirmishes. A common pattern has tended to appear, along the
following lines: group protest accompanied by a relatively
minor amount of disorder, or what we may call 'primary violence;'
massive official use of retaliatory violence; the escalation
of the violence of protest in response to official violence,
or what could be called 'secondary violence'. The spiralling
character of group confrontation may continue until the resour-

ces of one, or possibly both, groups are exhausted. The characteristic evolution of group confrontation in America from conflict to violence must be seen in the context of the tendency to massive and exaggerated official response to disorderly conflict.

Again, this response has typically arisen from the failure to see --or at leat the failure to acknowledge -- the political or incipiently political character of group protest, and the consequent tendency to criminalize it. Out of this failure has developed the peculiarly inconsistent character of the American conception of law and order. Strictly speaking,'law' and 'order' may under certain conditions be contradictory principles, for legal conceptions of the rights of persons and of due process of law must necessarily conflict with the attempt to impose 'order' at any cost. The traditional call for 'law and order' as a response to group protest in America has generally been, in practice, the call for order with or without law. Not infrequently, it has been the call for repression in blunt opposition to legal restraints, and in flat disregard of the rights of the disaffected. From the lawless order of vigilante groups to the current attacks on the courts for

'coddling criminals', from the early Ku Klux Klan to the current demands for cops on campus, a significantly large sector of the American population has been eager to forget law in the interests of order. That this eviscerated conception of 'law and order' is inconsistent should be clear; that it is fundamentally self-defeating is a principal theme of this report.

Typically, then -- to recapitulate -- group protest has been an integral part of American history and of the American political process. The dynamic of social change, institutional violence, and group protest begins at the very beginnings of American society. Typically, group protest has been the more or less consciously political expression of the grievances of disaffected and disadvantaged groups. Typically, however, the societal response to protest has been guided less by considerations of law than by considerations of order, and by an exaggerated conception of the uses of official violence based on a more or less conscious conception of the criminal character of protest. This disjunction remains with us today; and it is compounded by the addition of some special problems of contemporary America.

II. Social Contexts of Protest and Group Violence

The Modern Context

Special features of contemporary society shape the wider
context in which protest and group violence take place today.
Two of these deserve consideration here: the increasing scale
and remoteness of contemporary institutions, and the explosive
development of the technology of violence.

There are few areas of life which have not been transformed
over the past several decades into larger, more complex, and
more remote institutional forms. We no longer need to be told
that we live in an era of 'Big' institutions; Big Business, Big
Government, and so on have become cliches, subject to rhetoric
which frequently generates more heat than light. Yet the
cliches contain important elements of truth, some of which
are relevant to our theme. Especially important is the fact
that the increase in scale and complexity of contemporary
institutions has rarely been accompanied by a corresponding
development of new modes of participation and new means of
holding the actions of officials accountable to their various
constituents. Old channels become insignificant; old structures
and bases of influence become irrelevant; and the 'system'

is set adrift from the control of those whose lives it influences. Indeed, it is not unreasonable to argue that the transformation of meaningful institutions into amorphous, unresponsive 'systems' is one defining characteristic of contemporary social structure.

It is a chief characteristic of systems, as opposed to institutions, that they develop in those subject to them a sense of impotence, of loss of significant control. Although systems are rarely so monolithic as their subjects see them, their lack of responsiveness and their failure to incorporate significant avenues of participation from below gives them a uniformity and impermeability in the eyes of those they affect. This pattern appears in the multiversity and the welfare establishment, in the economy and in the political order as a whole. As old structures like 'student government' become increasingly irrelevant, as traditional political parties become increasingly barren as sources of vital institutional change, people with grievances come to feel, more and more, that they are confronted by a 'system'. And where genuine channels of participation and influence turn out to be nonexistent, or to be blind alleys, protest necessarily takes place outside of 'normal channels'.

This problem is not new; probably there has never been
a time when men have not felt themselves confronted by inim-
ical systems beyond their control. What is new is the size,
complexity, and pervasiveness of such systems, and their
massive character vis-a-vis those who would confront them.
Again, one consequence of this is that older forms of influence
and participation are quickly made obsolete. Another is that
modern systems are capable of absorbing a considerable amount
of protest without the necessity of initiating meaningful
change. This tendency to quietistic absorption of protest
without serious attention to its root causes has the pre-
dictable effect of creating the escalation of protest and
intensifying the tactical aspects of group disorder. Where
it is difficult to make a dent significant dent, it is nec-
essary to pound a little harder and with more careful attention
to strategic weaknesses in the fabric.

At this point we should take note briefly of the second
feature of contemporary society noted above; the explosive
development of the technology of violence. Clearly this
needs no extended comment here. It is all too obvious that
the means of violence have becaome tremendously elaborated
in modern times. That we now have people earnestly engaged

in calculating 'megadeaths' should be sufficient indication
of the magnitude of this dubious acheivement. On the domes-
tic level, the striking power of many metropolitan police
departments exceeds that of the smaller armies of not too
long ago. That these means are primarily concentrated in
official hands does not make them any less violent. Beyond
this, there is a sense in which the existence of these
tools of violence is, or becomes, self-fulfilling. That is,
their very existence tends to constrain their use, precluding
milder forms of response. By way of analogy, psychologists
tell us that to understand the relation between guns and
aggression, we must consider the gun as an active rather
than a passive part of the generation of aggression; it is
not only an instrument of violence, but also a stimulus to
violence. In much the same way, the presence of massive
weaponry provokes its use.

These two conditions -- the tendency of 'systems' to
generate escalated protest and the elaboration of the tech-
nology of official violence -- are related, and together
provide the special context of contemporary group violence.
The intensification of protest, generated by the capacity

of modern institutions to absorb lower levels of protest, means that serious greivances tend to evolve quickly from protest to disorder. And while 'systems' are capable of absorbing or deflecting a great deal of protest, they are extremely vulnerable to disorder. It does not take very much to effectively disorganize a university or large sections of an entire city, for modern cities and universities are not built with the threat of disruption in mind. Given the threat == or the perceived threat -- which disorder poses, some kind of response is called for; and given the massive and elaborate nature of the instruments of control, there is a strong tendency for that response to be itself massive and elaborate. It is within this context that much contemporary group violence takes place.

The Violence of Institutions

Violence is not inexplicable; it comes from identifiable sources. Violence does not hover mysteriously on the surface of an otherwise untroubled social order. We have heard a great deal about violence being the result of a breakdown of law and order, or of a decline of respect for authority,

a rent in the moral fabric of society. Whatever these
phrases may mean, they neglect the crucial fact that, in
general, people do not do violence unless violence has
been done to them. Group violence is a symptom, pointing
to two underlying conditions; the existence of fundamental
social problems, and the failure of existing institutions
to correct them. In this section we consider certain
dimensions of what, following Senator Kennedy, we have
chosen to call the violence of institutions.

'The violence of institutions' is a way of suggesting
that not all violence is of the dramatic, explosive, and
highly visible kind. It is a way of suggesting that there
is a routine, day-to-day violence which afflicts many
people in a steady and corrosive way, an objective violence
which is a critical fact of life for the poor and disadvantaged,
and for many others as well. It is also a way of suggesting
that the conventional idea of 'order' is superficial and
obscuring, because it does not speak to the presence of
this less explosive but equally deadly kind of violence.
'Order' is generally used to mean xx the absence of collective
violence which directly threatens, physically or symbolically,
the existing pattern of relations in a society. By suggesting
the presence of another kind of violence, we are also suggest-

ing the need for another conception of order.

We may speak of at least these three dimensions of
the violence of institutions:

Victimization. When men are relegated to the lowest and
least rewarding rungs of the social ladder, whether by
repressive and discriminatory action or by inaction, we
may speak of victimization. While victimization may procedd
in the absence of violence, many of its consequences are
violent. To ᴍᴍ continue to force, or to allow, large
numbers of people to live in hunger, ᴅᴉꜱᴇᴀꜱᴇ and disease
is to ꜱʜᴏʀᴋᴍ violently shorten their lives. When these
conditions result, as they generally do, in a high rate
of infant mortality, this means that babies are being
killed. This is violence. In communities where men feel
powerless, hopeless, deprived and angry, the community
itself becomes a violent place, and is perceived by those
who live there as a violent place. Under such conditions,
the victimized do violence to each other to a degree
not easily understood by the more fortunate, who rarely
need to take account of it. This violence is contained
to a large degree within the community of victims, who
become victims twice over. Yet the call for law and order
apparently does not mean that we must put a stop to this

kind of violence, for this kind of violence threatens
no one but those who are already victims. The idea of
'order' here seems to mean the containment of violence,
its quarantine within certain fairly well-defined zones.
Police protection in such communities is notoriously
inadequate, and the law has been known to be lenient
with those victims whose anger is vented only against
those similarly situated.

Degradation. It is degrading to live in squalor and chaos
in the midst of an abundant society. The juxtaposition
                                    It is
of the abundance of society and the deprivation of the
disadvantaged which intensifies the anger of those at
the bottom, for the existence of this contradiction is
perceived as a sign that, in the eyes of the larger
society, they are beneath concern. This sense of degradation
is increased by daily assaults of a more direct kind
involving the denial of dignity. We may plausibly speak
of these assaults as psychic violence.

At the extreme, degradation involves the infliction
of physical violence. In the not-so-distant past, this
meant the forcible capture, transportation, and frequent
maltreatment of slaves. Today, it may mean the roughing-up

of black suspects by the police, and it may mean the
failure of police action against the violent behavior
of bigoted whites. In a less direct fashion, degradation
may still involve violent consequences; as in the amused
refusal to provide funds such that slum children will no
longer be bitten by rats.   On the level of psychic
                 degradation
violence, it means being called 'nigger'; it means
the welfare investigator in the middle of the night and
the failure to repair dilapidated schools and apartments,
the failure to collect the garbage and the denial of
respect.

    One meaning of 'degrade' is 'to wear down by erosion'.
These daily assaults involve a wearing down of the sense
of dignity, an erosion of the sense of manhood. In these
conditions, explosive violence may come to mean a way
of reasserting one's dignity and manhood.

    Degradation is most pervasive in the lives of the
poor, but it is not confined there. Renunkxavents The
experience of degradation can come into the lives of the
anyone who is mishandled or brutalized; and to those who
merely watch others so handled, on the television screen
or on the street.

(The third dimension was going to be dehumanization, but
I've decided this whole section is a loser.)

III. Forms and Uses of Protest

Though the violence of institutions is the breeding-
ground for group violence, group violence does not typically
stem directly from these conditions. Rather, it evolves in
several stages. The first stage involves the transformation
from random hostility and disorder to group action; the second
involves the societal response to group protest; and the last
stage involves the group reaction to the societal response.

Collective protest often appears unusual or unaccountable
because it frequently seems to arise during periods of rel-
ative prosperity or improvement in the condition of disad-
vantaged groups. This gives rise to the question 'why now,
when things are getting so much better?' This question
glosses over two points; the first is that while things may
indeed be getting better, they are rarely as good as the
comfortable think they are; the second is that it was probably
far worse before than we thought.

Lack of collective protest may be seen as indicating
contentment, when it actually indicates gross apathy, despair,
and the consequent inability to formulate and articulate
greivances. Disorder and hostility are present, but they
tend to be individualized and random, frequently directed

inward toward other members of the group rather than outward
toward the source of discontent. As such, disorder remains
confined, is less openly menacing to the established order,
and is easily dismissed as indicating individual criminality
or disorganization. The violence of institutions, however,
always leaves its mark. The absence of collective protest
does not mean that hostility and violence are absent in a
disaffected group; on the contrary, many observers have
noted a decrease in the level of personal violence where a
community becomes consciously involved in voicing its
greivances. Seen in this light, group protest must be
understood as a step forward from group disorganization
and random hostility, To see protest as inherently dis-
ruptive is to ignore the fact that disruption and disorganiz-
ation in some form always accompany the violence of instit-
utions; the contexts of violence do not simply go away if
we close our eyes to them. Protest marks a step toward
organization and toward collective responsibility. It
is a step toward the maturation of discontent.

Protest, then, insofar as it marks a growing conscious-
ness and clarity of greivances, must be considered a pro-

gression upward from mute apathy or random disorder, rather than a regression from an assumed state of harmony. It signals the transformation of discontent from mere hostility to political activity, from personal malaise to social awareness. We may therefore reject the simplistic notion that protest marks a 'breakdown' of something --law, order, harmony, authority -- and consider it, properly, as a step -- however halting, toward social reconstruction. We may also reject the notion that protest is generally, or even often, 'meaningless' or 'self-defeating'. However distant from our own perceptions, protest is always meaningful at some level of understanding; and it always has purpose, even if the rationality of its purposes is not immediately obvious to us.

In this connection, we may speak of two distingushable uses of protest, which are rarely separable in practice. One is the use of protest to gain concrete concessions, or to create or open channels for airing specific greivances. The other is the use of protest as a symbolic affirmation of control. These uses -- which may be called instrumental and symbolic uses of protest -- are usually combined. A

lunch-counter sit-in, for example, is both a demand for equal treatment and an assertion that one will no longer tolerate the entire system of social definitions which permits differential treatment on the basis of race.

Nevertheless, group protest differs in the degree to which it involves instrumental or symbolic aims. A demand for the integration of a particular school is different from a demonstration laying claim to the use of a city street; the demand that a particularly brutal policeman be fired is different from a rebellion affirming the right of ghetto residents to control their own community and the illegitimacy of white police intervention altogether. And it is reasonable to suggest that it is the latter kind of protest which is more and more beginning to supplant the former.

In both types of protest demands are made, but the demands are of different kinds and have different bases. And they require different responses. It is far easier to grant specific concessions than it is to relinquish control over people's lives -- including relinquishing the power to grant, or not to grant, concessions. Yet it

is precisely the demand for significant control over the
decisions which crucially affect one's life which animates
much of contemporary group protest.

We are more used to less demanding uses of protest.
When Negroes demanded equal accomodation in restaurants
and waiting rooms, there was little problem of understanding;
the objectives were specific and limited, threatening only
hard-core segregationists -- and most of us were not hard-
core segregationists. When the Negro protest moved North,
the gap of understanding increased somewhat; many Northerners
seemed to feel that discrimination was the South's problem
and not theirs. Yet for the most part, the objectives re-
mained limited, and the demands were for action from above,
not control from below. And the Kerner Report signalled
the acceptance by the nation as a whole that white racism
was everyone's problem, and described the kinds of concessions
white society must make; the kinds of things that whites
must do for the black community. In a sense, however, that
Report was outdated even before it appeared, for in the
meantime the Negro revolt had become transformed into the
black liberation movement, demanding not concessions but
control; not not white decision-making in favor of black

people, however benevolent, but black decision-making for
black communities. The demand for white benevolence is
replaced by the movement to put whites out of the benevolence
business altogether. It is the question of dependence versus
independence that is being raised, and most whites -- not
having fought in the American Revolution -- seem to find it
difficult to understand the question.

The quest for meaningful control, of course, is not
confined to the black community. It informs the demands
of students for a say in what the university does with its
money and for whom it does its research; it informs the
actions of those who feel that a war has been begun and
maintained without their consultation or consent. It in-
forms the groups who seek to experiment with unconventional
designs for living without harassment. It is a quest for
selfdetermination, and it must be understood as such; it
is a traditional American quest, and an international one
as well.

As yet, much of this kind of protest remains on the
symbolic level, and involves the construction of a sense of
autonomy and independence. As such, it is frequently mis-
understood as meaningless or self-defeating, but this kind
of characterization misses the point, as does the assertion

that this kind of protest alkenates the support of moderate
elements.   It is not that support from moderate elements is
being rejected per se, but that it is no longer the controlling
goal of protest or even a major tactical aim. A common thread
running through much contemprary protest is this; we welcome
genuine support on our own terms, but will no longer tailor
our demands to the presumed need ꜰꝏꝗꜱꝏꝗꝗꝏꝗꝗ to favorably
impress others whose claims are less pressing.   Making this
kind of favorable impression is far less important than gen-
erating a sense of autonomy, identity, and community in the
group itself.

A common theme, then, from the ghetto to the university
and beyond, is the rejection of a condition of dependence
and external control, a staking of new boundaries and a
demand for significant and not merely token control over
events within those boundaries.   It is obvious from this
interpretation that to speak of this type of protest as
'anarchy' or ;lawlessness' is to miss the point altogether.
What is demanded is not the breakdown of rules and of order,
but the supplanting of ᴡʜᴀᴛ ɪꜱ ᴘᴇʀᴄᴇɪᴠᴇᴅ ᴀꜱ ᴀ merely external and coercive order
by internal responsibility; not the disruption of authority
but the reestablishment of the kinds of institutions through
which authority may become something other than the policeman

for its own sake, but with the general and sometimes inchoate aim of replacing systems of authority and power which are perceived as irrelevant or destructive with new structures and new patterns.

This is not to suggest that these aims are always coherent or consistent; nor do we mean to romanticize the character of protest or minimize its frequently disturbing character. Protest does make hard and immediate demands on the established order; it cannot be denied that protest, especially when there is a sense among protestors of an absence of meaningful response, may become strident, uncivil, and a violent. It must be recognized, however, that these characteristics have their roots in the social context of protest and not necessarily or even usually in the character of protestors. On the one hand, the situation of enforced dependency against which much protest is directed is a weak context for the development of a coherent and responsible political culture. Reasonableness and responsibility flourish in conditions where people can participate meaningfully in the exercise of authority. Where they cannot -- where they are consigned to the status of children, wards, or subjects -- we should not be surprised by a certain amount of stridency and lack of coherence. On the

other hand, the societal response to protest also has much to do with the character that it assumes. To be not taken seriously on one's owb terms is to be demoralized. To have one's deeply felt greivances and deeply serious questions ignored, deflected, or glossed over is also to be deomoralized. Further, the character of encounters with the 'system' in large part determines the way it is perceived, and occasionally misperceived, by disaffected groups. When student greivances are met with hypocrisy, students come to feel themselves surrounded by a fundamentally and uniformly hypocritical administration, and differences within the system are understandably blurred. When antiwar protestors are met with clubs, they tend to view police in general as brutal and vicious. When ghetto blacks are dealt with violently and degradingly by police, all police become pigs. In these situations, the demand that distinctions be made and that a sense of proportion be maintained is not realistic.

(At this point we could set up a model of a sequential
process from protest to group violence. We might want
to set up the following kinds of stages;

1. The organization of discontent into protest;

2. The absorption or deflection of protest without much or
   serious attention to root greivances;

3. Escalation of protest to disorder, possibly including
   primary violence;

4. The official response to disorder and primary violence,
   leading to variable outcomes depending on the nature of
   the response; i.e., repressive response with much use
   of official violence, leading to a certain demoralization
   of protest and an increased sense of the legitimacy of
   violent action among the protestors, a sense that since
   cops are pigs, everything is permitted. We can assume,
   I think, that for everybody, even ghetto blacks, there
   are built-in restraints against the use of violence;
   but, to borrow terms from one of our colleagues, under
   certain conditions -- including the brutish behavior
   of police and other potential victims -- these restraints
   may be neutralized, allowing protestors, in disorderly
   situations, to 'drift' into violent action. This kind
   of model fits better, i think, than a model stressing
   implacable and irrevocable hostility on both sides. A
   critical factor on both sides is the seeking-out and

dissemination of rationalizations or neutralizations justifying,
before and/or after the fact, the departure from conventional
restraints on the use of violence.

Given a progressive rather than repressive response, the
use of group violence becomes (a) unneccessary (b) illegitimate,
since mechanisms for neutralizing restraint are absent or
largely so. Further, a progressive response which includes
protestors to a significant degree in decision-making on
the contested issues has a restorative effect on the political
culture of the disaffected group; and, for that matter, on
the other group as well, thus leading to a regeneration of
the general climate of political action and the possibility
of the construction of new and more adequate institutional
forms.

Also here we might want to talk about the effects of the
societal response in the politicization of conflict, tho
we might want to leave it for last chapter. In any case,
I think we might say something like this; given the repressive
response, group protest tends to remain at an essentially
pre-political stage, in the sense that it is forced to
concentrate more and more on the agents of the repressive
response itself -- cops, for example -- and less on the
development of long-range political strategy and goals,

especially of a positive or institution-building kind. In a sense, the repressive response maintains protest at a tactical level, while at the same time tending (as above) to legitimize the use of violence, leading to an overall climate of rather sporadic and tactical confrontations of a violent nature. A progressive response allows protest to come out of the cold and diminishes its need to focus on short-term tactical matters, as well as diminishing the probability of secondary violence, all of which enables the protesting group to concern itself with the formation and articulation of longer-range political goals.

At the extreme of a repeated repressive response, protest devolves into terrorism; at the progressive extreme, it evolves into collective bargaining. Again, these outcomes are in large part functions of the character of the societal response and have little to do with the nature of the group or its members; or, better, the nature of the group and the outlook of its members are themselves largely a function of the societal response.

In this way we can do two things which we probably need to do; avoid the (reasonable) criticism that after all, some of these people are really behaving rottenly; and at the same time avoid falling into a kind of acceptance of the primitive moralistic condemnation of that behavior.

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Authority and Legitimacy of Violent Action

(This turns out to be much more complex than I thought at
first, so I have little of a structured kind here. But these
things seem important;

A main point to be made is that we can think of a (system)
which on the one hand denies unconditionally the legitimacy
of disorderly violence for the disestablished, and on the
other hand places few significant restraints on the use of
violence by the established (both public and private), as
rather primitive. A more mature conception of 'order' means
both that a limited amount of situationally induced violence
is within the bounds of legitimacy, and that there are strong
restraints on the use of violence in the name of order. In
labor disputes, for example, a certain amount of violence
on the picket line is tolerated under labor law, and workers
involved are protected (up to a point) from retaliation by
the employer; and on the other hand, management is no longer
permitted to respond to this kind of disorder with goons or
an unrestrained plant police force. Thus you get the emergence
of a relationship in which both parties' greivances are res-
pected as legitimate, and the institutionalization of equal
restraints on both.

The situation with regard to participants in civil disorder

vis-a-vis the apparatus of social control is very different.
Here the balance is tipped to one side; you have in effect
a 'dual law' of violence; one law for the established, one
for the disestablished. This is true in both routine
and emergency situations. Cops, storeowners, owners of
houses have a great deal of latitude to use even deadly
violence; on the other hand, the propertyless and these in
various kinds of dependent statuses are denied the use of
even very minimal violent action.

Put crudely, the difference between this and the
labor situation is in the beginning one of power. It was
power coupled with a responsive government which enabled
the labor movement to overcome an earlier 'dual law'
situation. A problem now, therefore -- if we view the
transformation of labor-management conflict as a kind of
evolutionary process -- is that on the one hand the disaffected
groups tend to be rather powerless, and on the other the
government is not yet very responsive. As a result, we get
the continuing tendency toward easy criminalization of
disorder and lack of restraint on the use of official
violence, the violence of order.

This dual system of law goes hand in hand with a
dual set of moral perceptions of the legitimacy of violence.

It should be noted in this respect that 'violence' is
a matter of social definition, and further that the
social definition of what is violent and what is not is
continually contested. Violence is a definition imposed
on certain kinds of behavior by specific groups, and the
success of that imposition is largely a question of superior
resources for disseminating and enforcing that definition
in the hands of one (or more) contending groups. In our
case, it is fairly clear whose definition has been successful,
although this is not uniformly the case and, also, changes
every day, as more and more people are exposed to the
'violence of order' in more and more explicit fashion,
without the its covering by the abstractions which serve
to mask its character.

A point to be made here is that the use of neutral
language and abstraction to deflect or at least soften the
perception of the grisly nature of violence is not confined
to the violence of order. Just as 'crowd control' or 'strat-
egic bombing warfare' or 'police overreaction' are abstractions
glossing the facts of broken heads or burned bodies or Mace
in the face, so too are words like 'direct action' or
'confrontation'. This use of abstraction is part of the
ongoing contention over the establishment of various def-
initions of violence; it is a fundamentally political act

whose aim is the glossing-over of its political nature,
and political и̶н̶т̶к̶н̶ᴜ̶м̶а̶н̶ consequences, by technical lan-
guage.

It also glosses over the human consequences of action,
both official and unofficial, and of the human and variable
character of the participants in situations of disorder.
'Calling the police' may mean unleashing a man with a
pathological hatred of Negroes or people with beards. The
abstract idea of a 'crowd' to be 'controlled' may mean that
bystanders are brutalized. In all cases, the clothing of
conflict in abstraction serves to generate an aura of un-
reality and mutual incomprehension, adding a greater pol-
arization and mutual alienation of the contending groups.

The use of abstraction legitimizes violence by misnaming
it. We no longer have wars or even a Department of War;
instead we have police actions and a Department of Defense.
Apparently we no longer have police brutality, but only
police overreaction. Heads, however, are still broken;
and the growing awareness that beneath the technical rhetoric
of strategic warfare or the preservation of order lies
a growing number of battered human beings is not conducive
to self-restraint among those who may be tempted to use
violence unofficially. It is difficult for the disaffected

to take the demand for peaceful action seriously in a
                where
climate ▨▨ the massive deployment of official violence

▨▨▨▨▨▨ appears to be more and more the standard solution

to fundamental social problems both here and abroad. And

this duality in the official posture becomes more transparent

daily.

A Final Note

In the wake of the massive wave of ghetto uprisings in 1967, the Kerner Commission surveyed the carnage and said that 'violence cannot build a better society'. We may accept this as principle while, unfortunately, rejecting it as history. Historically, violence has been deeply implicated in the building of societies, both better and worse— including our own.

If we are to be serious about creating a less violent society, we cannot afford to be self-congratulatory. It will not do to rest on our historical traditions, some of which are indeed worth celebrating, some of which are not. It will not do to compare ourselves with other nations where the problems are deeper and more pervasive. If we are to be serious, we must face the fact that we find ourselves confronted by a choice; we may use our considerable re- sources to root out, as best we can, the violence of our institutions; or we may let that violence continue out of inaction and indifference, and await the consequences.

A few years ago, a man who was well acquainted with the violence in and of America spoke of this choice, and predicted the direction we would take:

> In the past, revolutions have been bloody.
> Historically, you just don't have a peaceful
> revolution. Revolutions are bloody, revolutions
> are violent, revolutions cause bloodshed and
> death follows in their paths. America is the
> only country in history in a position to bring
> about a revolution without violence and blood-
> shed. But America is not morally equipped to
> do so.

Less than a year after those words, Malcolm X died violently,

another casualty of this most recent of violent ages. The

challenge in the words remains.

We find ourselves in a revolutionary age. What our

revolutions will become is up to us.

Jerome H. Skolnick, Director
Task Force
Demonstration, Protest and Group Violence
Law and Society Center
Berkeley, California 94720

Monday, September 16, 1968

MEMO

To: Tom Barr, Jim Short, Ron Wolk

From: Jerry Skolnick

Re: Progress of Task Force on Demonstration, Protest and Group Violence

I think the best way to proceed on informing you of what we've
done is to describe where we stand, chapter by chapter.

Chapter 1. Skolnick and Currie have been working on that chapter.
I am enclosing a very rough first draft, which is already being con-
siderably modified and will doubtless look much different when
rewritten in final form. This is just to show you some of the initial
thoughts that we had. Some of them are almost certain to be dropped.
I'm increasingly beginning to think that the 'violence of institutions'
theme is a loser, and that we ought to use as few abstractions as
possible. Currie and I presented some of our early views and notions
to a group at the Center for the Study of Law and Society on September 11.
I will either enclose, if it's ready, or send along as soon as it is
typed, a transcript of those proceedings. I think you might find some
of the comments of some of the participants in the seminar of interest.

Chapter 2. Richard Rubenstein has been given the assignment of
doing a first draft of this chapter, and he will be out here on
September 23 to present that draft and submit it to the critical thrusts
of a group of distinguished invitees. I am enclosing a list of the people
who have been invited to that seminar, which will be a part of a two-day
conference, with similar presentations to be made by Tom Crawford on
Chapter 6, David Chalmers on Chapter 6, and Irving L. Horowitz for
Chapter 4. Horowitz tells me that he is now on his second draft and will
have a third full draft by that date.

Chapter 3. I am enclosing an outline of the paper that is to be
written by Richard Flacks, who gave a presentation here on September 3.
I am enclosing a transcript of that seminar, which was very good. If
these transcripts don't turn out too well, by the way, I will have the

tapes re-recorded and send you taped copies of these seminars. Several constructive ideas came out of this seminar, including the need to consider the propensity for violence of the new leadership of the student movement, the dynamics of confrontation, and the problems of the administrator in this sort of situation. Flacks has agreed to consider these issues in later drafts, and Joseph Gusfield has promised to deal with the problem of the administrator in his paper, as well as dealing with the dilemma of the administrator in relation to black students by comparing what happened at Northwestern University with the recent events at the University of Illinois. Furthermore, I have asked Flacks to build a comparative perspective into his own materials, so that he will be comparing Berkeley, Columbia, and the University of Chicago, where some of the development into violence did not occur. In addition, I have asked Max Heirich of the University of Michigan to be a consultant on this chapter, and have hired Terry Lunsford as a consultant for several days to help me rewrite the papers that come in. Lunsford is a sociologist and lawyer with the Center for Research and Development in Higher Education at Berkeley, and the author of a very good report on the social and legal aspects of the Free Speech Movement. Finally, I spoke with Neil Smelser, who agreed with enthusiasm to taking a role in working on the chapter.

Chapter 4. Discussed above; Horowitz to present full draft on September 24.

Chapter 5. Tony Platt is working on this chapter with Kermit Coleman. He has developed a schedule of questions for black militants, which is enclosed. Coleman is pursuing these interviews and Platt is scheduled to present an outline or first draft by the middle of October.

Chapter 6. Papers and seminars will be presented on September 23 by Chalmers and Crawford. Crawford has major responsibility for this chapter, although as Associate Director he will contribute data for Chapter 5. These data will be mainly of a survey kind. I understand that Crawford has been collecting survey data specifically related to both chapters for the past six weeks.

Chapter 7. I'm enclosing a brief outline of some of the topics that might be covered here. We had a seminar on some materials presented by Ed Cray on September 13. Cray has collected a very useful set of notes and clippings over the years. This chapter will be primarily written by Skolnick and Rodney Stark, with sizable assistance by Sam McCormack. Sam is a graduate student in criminology who was a Los Angeles policeman for nearly five years. He is presently interviewing police on the west coast on a number of topics concerning police attitudes; we also expect to send him to the east coast to investigate some of the newer developments within police departments. A first draft of the chapter should be available by October 16.

Chapter 8. I am enclosing a bibliography from Tony Platt for this

chapter. Tony is going to make a seminar presentation on Wednesday, September 18. I will have that transcribed and sent along to you.

Chapter 9. One of the goals of chapter 9 is to examine the assumptions of counter-insurgency theory. To that end, I have hired as a consultant a graduate student named Martin Leibowitz from the University of Washington, St. Louis. Leibowitz published an article with Irving Horowitz on political marginality and deviance in Social Problems recently. This was a very good article and Horowitz says that Leibowitz is the best graduate student in the department at Washington University, St. Louis. His main job would be to dig into this literature and I also hope that Robert Johnson's material would prove to be useful here. I am also expecting a memo from Ed Ursin on the availability of materials re handling of demonstration, protest and group violence. We are also ourselves in the course of collecting such materials, and some of these materials have already been sent to us by our Washington people. The policy recommendations and legislative recommendations in this chapter will be worked on heavily by Heyman, Ursin and Kermit Coleman.

In general, I think we're moving along rather well. We haven't got any product yet that I am anywhere near satisfied with, but everything that we have done so far has suggested quite clearly what its own limitations are. I have been most impressed with the quality of the criticism that we have received at the seminars, and I am certain that whatever inadequacies our reports and presentations have will be quickly and sharply pointed out by our perceptive critics.

AN ADDRESS BY HERBERT L. PACKER AT THE ANNUAL MEETING OF THE
STANFORD CHAPTER OF THE AMERICAN ASSOCIATION OF UNIVERSITY
PROFESSORS--MAY 13, 1968

Chapter
When our/president asked me to speak on this occasion,
neither he nor I foresaw that the subject of my talk would be
materially affected by the choice of date. He asked me to hold
two dates open--last Monday night and tonight. If the Chapter
had settled on last Monday (the first night of the sit-in in
the Old Union), neither you nor I would have been here and the
statesmanlike speech I had planned to make could have been filed
and forgotten. Tonight, my assigned topic--The "New Student" in
Higher Education--assumes the coloration of our joint and several
experiences during The Week That Was. When our president asked
me to speak on this subject he was kind enough to remind me that
"a title is exactly what the speaker makes it." I am grateful
for that license. Without it, my approach to the assigned topic
would give the air of a lecture on "Highway Safety" by the victim
of a drunk driver. A more apposite title for what I have on my
mind this evening would be something like "The Role of the
Faculty in Crisis Management During the Era of the 'New Student'."
And, come to think of it, my talk may still sound like a lecture
on "Highway Safety" by the victim of a drunk driver.

I should like to do three things this evening. First, I
shall briefly recapitulate the events leading up to our crisis
last week. Second, I shall focus close attention on what took
place during the crisis, with special reference to the role of

the faculty. Finally, I shall indulge in a few speculations about university governance in the future.

It is an old and honorable tradition of parliamentary debate that one who supports or attacks a given position must declare his interest. I am not altogether sure what my interest is, so all that I can do is lay before you the objective facts from which inferences of interest may be drawn. I have been for twelve years a member of the faculty of this University and for that same length of time a member of the Stanford Chapter of the A.A.U.P. From September 1965 to December 1966 I served as a member of the Executive Committee of the Academic Council. During that time I worked for increased faculty involvement in the governance of the University. To that end, in June 1966 I initiated the proposal for creation of the Senate, which has just been brought to fruition through the extraordinary labors of the present Executive Committee under the Chairmanship of Professor Kenneth J. Arrow. For the past sixteen months I have served as Vice Provost of the University, a role in which I, among others, have tried to bring a faculty viewpoint to bear in the councils of the administration. My interest has been and continues to be the promotion of the faculty as a coherent, rational and responsible decision-maker on matters of academic policy. Because I thought that an attainable goal I agreed to take my present post as Vice Provost. If I should ever conclude that it is not an attainable

goal, I shall of course leave that post.   My confidence in the attainability of that goal has been shaken by last week's events. So much for declarations of interest.

Our current crisis started last November when a group of students incited by at least one faculty member determined to obstruct the holding of interviews on campus by the Central Intelligence Agency. An irony of our current situation that may have escaped general notice is that a student plebiscite held last week rejected overwhelmingly the fascist view that underlay that attempt to prevent the CIA interviews from taking place. The demonstrators were largely unsuccessful in their attempt but the conduct in which some of them engaged was sufficient to constitute a prima facie violation of the University Policy on Campus Demonstrations, and they were accordingly charged with such violations before the Student Judicial Council. That Council refused to hear the case, on the ground that LASSU had rejected the University Policy on Campus Demonstrations. LASSU did so, incidentally, after the students were charged with violation. The Dean of Students then took the case for an initial hearing to the Interim Judicial Body, the tribunal expressly designated to hear such cases pending agreement by students, faculty and administration upon a permanent appellate tribunal. As the case was about to be heard by the IJB the SJC had a last-minute change of heart and asked to have the case remanded so that they could hear it.

The reason for the change of heart became clear when they decided the case favorably to the demonstrators on grounds largely irrelevant to their guilt or innocence. The Dean of Students then took the case on appeal to the IJB, again as expressly provided for. An appeal is designed, of course, to review possible errors in the original proceeding rather than to go through that proceeding again. Accordingly, the record of the original proceeding is needed for the scrutiny of the appellate body. The Student Judicial Council frustrated this scrutiny by refusing to make available to the IJB the tape-recorded record of the hearing before it. The Dean of Students then presented evidence to the IJB. With one exception the students did not appear at this hearing. It resulted in their conviction by a unanimous IJB, a tribunal consisting, I should remind you, of five of our colleagues on the faculty. For those students to attack the fairness of the IJB hearing and decision seems to me a perfect example of Chutzpah. The meaning of that term, to those of you who are unfamiliar with it, is exemplified by the story of the young man on trial for murdering his parents who asked for mercy on the ground that he was an orphan. The penalties recommended by the IJB were: suspension during Summer Quarter, 1968 for five of the seven and suspension for Summer and Autumn Quarters for the other two, who were second offenders, having been previously found guilty of charges growing out of the sit-in in President Sterling's office

two years ago. The IJB's decision was publicly announced on

Friday, May 3 and occasioned a noon rally in White Memorial Plaza

followed by a march to the Inner Quad in front of the President's

Office, where a series of demands was drawn up. These demands

were as follows:

> "That the recommendation of the IJB not be accepted and
> that the case be dismissed;
>
> that the IJB be disbanded;
>
> that a permanent appellate board be set up in the following
> way:
>
>> it will be composed of nine members;
>> four members will be students, chosen by students;
>> four members will be faculty, chosen by faculty;
>> one member will be chosen by the other eight from
>>   the law school student body;
>
> that this appellate board hear only appeals from defendants;
>
> that you answer these demands by noon, Monday, May 6, 1968
> in White Plaza."

That afternoon, an extraordinary meeting of the Executive Committee

and Advisory Board of the Academic Council was convened, in which

the situation was discussed at great length. Four elected leaders

of the student body took part in that meeting, as well as two

self-invited defendants in the CIA demonstration case. During

that discussion, the students conceded the legality of the IJB,

the pendency of good-faith negotiations in the Committee of Fifteen

to arrive at a satisfactory set of rule-making and judicial bodies

with significant student participation and their own lack of

expectation that the University would accept a judicial body

containing a majority of students. As a colleague of ours has written: "In substance, these students conceded that the demands they were presenting, under a deadline, were in violation of previous agreements and that they did not expect the demands to be accepted. They were presented, in short, not with hope of acceptance but so that they would be rejected."

This activist group was looking for a casus belli. They found one, which is easy enough to do and which can easily be done again. They had to act quickly, because the Committee of 15, which had been patiently working on a new legislative and judicial system was very close to agreement. Another few days and the issue the demonstrators sought might have permanently eluded them. The decision of the IJB was a godsend.

The President and his staff worked throughout the weekend to avert the crisis. Meanwhile, the activists continued to prepare for combat. At a meeting in Tresidder on Sunday night they voted to stage "some kind of militant demonstration" on Monday, confident in the anticipation that they had framed a set of demands that could not/wholly met.

The President's staff correctly foresaw that the likeliest mode of demonstration would be a sit-in and that the likeliest place would be the Old Union, which houses a variety of student service activities, including the Dean of Students Office, the Registrar's Office and the Admissions and Financial Aid Offices.

And so, late Monday morning that building was locked, in the vain
hope that burglary and forcible entry were offenses that Stanford
students would be unlikely to commit. Shortly before 1 p.m. the
Old Union was broken into and the sit-in began.

Meanwhile, the Committee of Fifteen (consisting, I should
remind you, of five students appointed by the President of ASSU,
five faculty members appointed by the Executive Committee and
five administrators appoint/by the President of the University)
continued its patient efforts to find a workable solution to the
underlying problem of student participation in rule-making and
judicial processes at Stanford. Those faculty members who think
the Administration a bastion of reaction and hoarded power apparently
do not even read the Daily's version of events. There are legiti-
mate, peaceful, unhysterical ways of bringing about change. The
Committee of 15, working far into the night, managed to hammer out
a solution to the problem of legislative and judicial structures
for making and enforcing policies on student conduct. In addition,
they recommended that the President make a decision on the CIA
demonstrators only after reviewing the record of both the SJC and
IJB hearings and after conferring with members of the SJC and IJB.
And they recommended that any further charges brought against
students before adoption of a permanent structure be brought before
a mixed faculty-student tribunal set up by the President after
consultation with C-15. In short, C-15 did not recommend amnesty

for the CIA defendants nor did it recommend amnesty for the current sit-in. The Executive Committee of the Academic Council kept in close touch with C-15 and on Wednesday afternoon shortly before the Academic Council meeting voted to lay a series of recommendations before the Council that carried out the C-15 recommendations in each of these respects.

The situation, then, immediately before the Academic Council meeting was as follows:

A. 1. The demonstrators demand amnesty for the CIA defendants.

2. The demonstrators demand a judicial system dominated by students.

3. The demonstrators are silent on the issue of a legislative system.

B. 1. C-15 and the Executive Committee recommend a rehearing of the CIA case by the President.

2. C-15 and the Executive Committee recommend a judicial system which is not dominated by students but in which students play a significant role.

3. C-15 and the Executive Committee recommend a legislative system which is not dominated by students but in which students play a significant role.

C. The President and his staff are in agreement with the position taken by C-15 and the Executive Committee although this model for the future goes further in the

direction of student control than they think optimal.

D. A group of fifteen faculty members from the Medical
School led by Professor Halsted Holman are in substan-
tial agreement with the position taken by the demon-
strators.

With this background, let us turn to the meeting of the
Academic Council held last Wednesday afternoon. The Council heard
from Messrs. Massarenti and Weinstein (who were there by invitation
of the President) and from Professor Richard W. Lyman, the Provost.
Then the Acting Chairman of the Executive Committee, Professor
Hilgard, referred to the Executive Committee resolutions and pro-
ceeded to introduce the first of them, which embodied C-15's
recommendation that the CIA case be in effect, reheard by the
President. Before there could be any discussion of this motion,
Professor Holman moved his group's resolution, which in substance
enacted each of the militant student's demands, as a substitute
for the first of the Executive Committee's resolutions. There were
objections that only one of the points in the Holman resolution--
that proposing amnesty for the CIA defendants--was germane to the
Executive Committee's resolution No. 1. Professor Holman, displaying
great parliamentary finesse, then moved to table the Executive
Committee resolution. A motion to table, as you know, is not
debatable. The motion carried by a voice vote, less than five
minutes after Professor Hilgard moved the first of the Executive

Committee's resolutions and without any discussion whatever of the merits of that resolution.

That motion to table, which paved the way for the subsequent introduction of the omnibus Holman resolution, was, as it turned out, the crucial vote of the afternoon, not merely because of its effect on the substance of what the Council enacted but because it effectively precluded any separation of issues and therefore any rational discussion of the issues. By that single action, the Council abandoned any pretense to acting as a deliberative body.

Professor Arbib then moved to amend the Holman resolution's point 3, with respect to the CIA amnesty, to give the administration leave to appeal the student judicial ruling to the "new judicial board." A call for the question on that amendment passed by a vote of 284 to 256, thanks to the fortunate ignorance that a call for the question must pass by a two-thirds vote under Robert's Rules of Order. I say "fortunate" because it became apparent that opponents of anything short of total surrender to student demands were just as determined to prolong debate when they thought they might lose as they had been to cut it off when they thought they would win. Professor Arbib's amendment--stopping short of total amnesty--carried by an affirmative vote of 346. It would appear that close to 200 members of the Council favored total amnesty. How carefully they had managed to inform themselves

about the merits of the case, its procedural history or the
jurisdictional basis for the IJB I have no way of knowing. I do
have a small clue, though. One of the fifteen faculty members
who signed the Holman resolution sent me a note the day before the
Council meeting containing a number of more or less perceptive
comments on the controversy, in the course of which he remarked:
"I cannot comment on the issues of fact in the whole mess, for I
am poorly informed on them, but I can comment on the feelings
which can easily be identified in the students' reactions."
Just so.

Professor Sher then moved to amend yet another point in the
multifarious Holman motion by substituting the Executive Committee-
C-15 interim judicial arrangement for the Holman version, which,
as I have said, closely resembled the original student demand.
This amendment carried by an affirmative vote of 343. Once again,
some 200 members of the faculty were prepared to ride roughshod
over the careful work done by the Committee of Fifteen and the
position taken, after extensive discussion, by the Council's own
Executive Committee. I put it that way because that is the way
it was; yet I am sure that many, perhaps most, of those taking
the position had no notion that that was what they were doing.
Certainly, the debate was not illuminating.

The Holman resolution, as amended in these two respects, was
carried by a closely divided vote of the faculty: 286 to 245 on a

standing vote; 284 to 241 on a roll call vote demanded after it
was discovered that several persons not entitled to vote had
done so. It needs to be said that those voting in the minority
included the deans of the schools, every faculty member of the
Committee of Fifteen and all but one member of the Executive
Committee of the Academic Council.

The Council, now thoroughly worn out, quickly passed the rest
of the Executive Committee resolutions, defeating, however, an
amendment to the resolution calling on the demonstrators to vacate
the Old Union that would also have called upon them to desist from
further coercive tactics. That, it was thought, would have been
overly provocative. And so, the Council, its mission of securing
peace in our time accomplished, adjourned. Two hours later, the
demonstration was over. The following evening the President and
the Provost gave their reluctant acquiescence to the Council's
action, as they had to do unless the University was to be plunged
into a far more serious crisis. To have ignored any one of the
Council's actions, however ill-considered they may have seemed,
would have ruptured beyond any immediate possibility of repair the
relationship between administration and faculty. As a member of
the faculty told the demonstrators after the Council meeting, when
asked what would happen if any of the Council's resolutions were
ignored: "There would be a crisis that would make your thing here
look mild." There _is_ faculty power. Was it responsibly exercised?
I think not.

It seems to me the height of irresponsibility for the faculty
to have acted procedurally as it did. By making its order of
business the Holman resolution intead of the Executive Committee
resolutions it said in effect: we don't care who has been working
on this problem or for how long; we know better. The Holman
resolution did not even mention the Committee of Fifteen and in
its first point substantially undermined the work of the Committee
of Fifteen. Indeed, there is no evidence that its signers had
even heard of the Committee of Fifteen. It is, I suspect, no
coincidence that its proponents all came from that School of the
University which is physically most remote from the rest of the
institution. That also may help to explain their almost 4 to 1
vote for the Holman resolution on the roll-call vote.

Thanks to Professor Sher's amendment, that most odious aspect
of the Holman resolution was removed and the recommendations of
C-15--our best hope for a permanent solution of the controversy--
were not fatally undermined. I ask again: what did the 200 members
of the Council who voted against the Sher amendment think they
were doing?

On the issues of amnesty--amnesty for the CIA demonstrators,
amnesty for the participants in the Old Union sit-in--there is no
need to ask what the prevailing side thought they were doing.
That is crystal-clear. They thought they were saving the University.
And by their lights, they succeeded--for a few days or a few weeks.

By yielding to gross physical coercion they ended the sit-in.
And they taught a lesson that is easily learned: coercion pays.
What do they propose to do next time it is applied? They did
not face that question. And that, I submit, is the height of
substantive irresponsibility. What did they think was so unique
about this episode that will enable them to distinguish between
it and subsequent ones? The fact that it was the first such on
which they had voted? The justice of the students' cause? Or,
simply, that this was today and tomorrow will be different?

No one who listened to the victory celebration in the Old
Union courtyard on Wednesday night or the rally in White Plaza
the following day can be under any illusions about the reality
of confrontation politics as a way of life on this campus from
now on. What many faculty members don't realize is that next
year's issues may touch them a little more closely than this year's
did. Many faculty members couldn't care less about the integrity
of the University's judicial processes. Up to a couple of weeks
ago most would have had trouble telling you what the initials IJB
stood for. I doubt whether there are more than a handful who even
now can claim to understand the history, and thus be in a position
to judge the merits, of that controversy. That is the administra-
tion's business, they say, although they are strangely reluctant
to trust the administration's judgment when their own peace of
mind is threatened.

Next year, however, things will be different. Students will be asking for a voice in the faculty appointment and promotion process. Students will--horror of horrors--be demanding an end to unpopular features of the General Studies program, like the foreign language requirement. That's an issue on which I suspect a massive sit-in can be arranged on very short notice. I have not decided whether I myself will sit in or not. And now that confrontation politics has been legitimated by the faculty, who will be allowed to protest that curriculum-making is not, in the end, a student responsibility? Is the faculty's attitude toward coercion by students simply a question of whose ox is being gored? I suspect that it is. But faculty members who voted Yes last Wednesday in the belief that nothing of importance was being given away will find themselves in for a rude awakening. Student activists have very different ideas about the appropriate role for students in University governance than do their comfortable, liberal, but essentially bourgeois followers on the faculty.

I shall suppress my deep foreboding about the troubled future of the University in its relation to the worlds outside--the Congress, other agencies of government, the alumni, the general public--and assume that, by some concatenation of miracles, we will be left to work out our own destiny. What can we look forward to as we try to pick up the pieces? Are there aspects of hope in the situation? I think there are, although I have doubts. In the remaining

moments of a talk that was not intended to be "constructive" I shall comment on a few of them.

First, there is the faculty's own machinery for conducting its business. The Senate Charter will go into operation if approved by the Board of Trustees this Thursday. The Senate will, I hope and believe, provide government by reason and deliberation rather than by mob scene. It will be easily subverted, however, if those displeased with its decisions indiscriminately resort to petitions for meetings of the full Academic Council. If the faculty does not trust the administration, will it trust the Senate? I hope so.

Then there are the as-yet embryonic institutions of rule making and judging that will emerge from the recommendations of the Committee of Fifteen. They provide real hope that institutions enjoying not only legal legitimacy but also community acceptability can at last begin to function. The danger, of course, is that community acceptability is a sometime thing as student generations succeed each other. Mr. Weissman is banking on that. The faculty will have to provide a very solid front to discourage the kind of a-historicism that makes irrelevant for most students anything that happened before they started to worry about a problem.

The rule-making institution, the Student Conduct Legislative Council, will have the important task of considering what sanctions should be employed for breach of the rules they devise. It is

clear that suspensions--even short-term suspensions--are unlikely
to be imposed because of the distorting influence of the draft.
The problem of devising a set of intermediate sanctions--not so
light that they will be ineffectual and not so heavy that they
will be nullified--is an urgent one.

There is also an interesting problem about whose conduct is
to be regulated by the new machinery. One thinks about "student
conduct" regulations as involving such matters as parietal rules
and cheating on examinations. But there are aspects of on-campus
conduct--like taking part in sit-ins or other unlawful demonstrations--
that can be and are engaged in by non-student members of the
Stanford community. Indeed, a faculty member who was active both
in the CIA demonstration and last week's sit-in flaunted the
assertion that students were subjected to penalties from which he
was immune--an argument that was very potent with his student
listeners. Would he be prepared to accept equal or equivalent
punishment? Would the faculty generally be willing to accept it?
I do not know but I suspect that we will be pressed to find out.

A closely related problem is whether University mechanisms
are at all appropriate for imposing disciplinary consequences in
cases where the offense is not purely academic, like cheating or
plagiarism. We are beginning to hear student pleas to leave such
matters as control of demonstrations to the civil authorities.
We have been hearing the same thing from conservative alumni for

some time with respect not only to demonstrations but also to

marijuana laws and the like. The combination of these pressures

may force us into a situation in which the Stanford community is

policed just like any other suburban town. If that occurs, sub-

stantial numbers of students will find themselves more familiar

with the North County Court House than with the Dean of Students

Office. Perhaps that is the direction in which we should be moving.

I for one have never felt that universities should be in the law

enforcement business. But it would be a grave error to suppose

that the alternative to university enforcement is no enforcement.

On the subject of student participation in University gover-

nance generally, I continue to think that the best hope is for

an acceleration of the trend toward student membership on Academic

Council committees, a trend now explicitly sanctioned by the terms

of the Senate Charter. The work of/the University does not go on
                                  governing

in mass meetings, it goes on in the unexciting routine of committee

deliberations and drafting sessions. I have had pretty extensive

experience with student participation in committee work over the

last sixteen months. The students who have a taste and an aptitude

for it are tremendously effective. They are also a distinct

minority. The know that simplistic phrases like "community

government" and "participatory democracy" are not really very

helpful. But theirs is not a dominant voice in the student body.

And it will not become one, if at all, until the faculty perceives

the necessity for providing models of rational conduct. So long

as influential members of the faculty continue to encourage or

submit to the self-indulgence of those students who think that

moral passion is a substitute for thought, hopes for the future

must remain--as mine are tonight--tentative and fragile.

Carol +

Please xerox

3 copies : ① TDB

② Saunders

③ JSe

④ Short

and send original

on to Skolnick.

(No rush.)

Done 9/17/68 Jse

August 28, 1968

Dean Jefferson B. Fordham,
3400 Chestnut Street,
Philadelphia, Pa. 19104

Dear Dean Fordham:

Thank you for your kind letter.   I enclose a corrected text of my paper for use as a transcript.   Can you get it into the appropriate hands for that? Are the papers going to be published?

I hope we get to talk sometime.

Sincerely,

Harris Wofford

HW:mc
enc.
cc: Lloyd Cutler

8/10/68

Note for TF #2 file:

① LNC will visit Berkeley on Aug. 26th.

② Heyman will be here around Sept. 9-10.

CAH—

Xerox one copy + ~~bishop~~ send
to Skolnick, retain
original

Kent 7/31/68
cah

File in
TF #2
fild
send

JSE

JAMES L. KUNEN

June 25, 1968

Dear Lloyd,

I thought you might be interested in

glancing at this.

Sincerely,

Jim

Encl.

JSC

Available (unrelisted)

this summer

re Student

"Foundations,
Universities, and
Social Change"

by James L. Kunen

Institute of Government
& Public Affairs
Univ. of California, L.A.

FOUNDATIONS, UNIVERSITIES, AND
SOCIAL CHANGE

James L. Kunen

MR-110

INSTITUTE OF GOVERNMENT
AND PUBLIC AFFAIRS

UNIVERSITY OF CALIFORNIA, LOS ANGELES

FOUNDATIONS, UNIVERSITIES, AND
SOCIAL CHANGE

James L. Kunen

MR-110

Regents' Lecture presented at the University of California,
Los Angeles, April 10, 1968.

FOUNDATIONS, UNIVERSITIES, AND SOCIAL CHANGE*

James L. Kunen

Universities and foundations are first cousins and have much in
common. Neither can function most effectively without the other--the
universities for obvious reasons, the foundations because without the
assistance of the scholarly skills of the intellectual elite they can be
making only blind stabs at performing their functions. This is the more
true since, as Daniel Bell points out, the sources of innovation are be-
coming more and more the intellectual institutions, principally the univer-
sities and research organizations.

The relationships between foundations and the universities have thus
far been congenial and fruitful. The largest percentage of foundation
grants is in the field of education. And more and more the research findings
of scholars are being utilized by foundations as guidelines for allocations
of foundation funds. On the total record and especially in the areas of
sciences and medicine neither the foundations nor the universities need
apologize. Each may, however, acknowledge that in the context of today's
changing society, there are major and increasing gaps in their respective
performances.

I propose to inquire into the nature of this changing society and what
it now requires of foundations and of universities, so that the contri-
butions of each may be increasingly relevant.

Once upon a time this country looked very different. I do not refer
to the age of the wilderness or to the discovery of the golden west.
I am thinking about a more recent 'once upon a time'--say about 1939-- a
long thirty years ago.

"Change," James Reston remarked several years ago, "is the biggest
story in the world today . . . ." It does take a bit of doing to recall

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in detail the salient characteristics of our society as long as thirty
years ago because the winds of change blow strongly--and because there is
so much to remember--and to forget.

History, someone once said, is the organization of man's memory.
In his recent book, The Great Leap, John Brooks paints a picture of 1939
that jolts our memory and sharpens our perception of the present. Our
population was then about 125 million and the experts--convinced that we
had reached the age of stability--predicted that we might reach a peak of
138 million but that this figure would decline to 126 million after 1980
(instead it is close to 200 million today). About half the people lived
in rural areas (about three-quarters live in cities today). About 17
percent were unemployed (the figure is $3\frac{1}{2}$ percent today). The Federal
budget was $9 billion, of which $2 billion came from personal and corporate
income taxes (the budget is well over $100 billion today, about $75 billion
of which comes from the same taxes). Social welfare expenditures by
Federal, state, and local governments were something over $8 billion (as
compared with around $70 billion today).

Individual owners of stocks totalled between three and four million
in 1939 (today there are 20 million owners of stocks, 8 million of whom
have an annual income of less than $7500). U.S. Steel Corporation, for
example, had 217,000 stockholders as compared with 368,000 in 1964.
In 1939 its employees received 90 cents per hour; in 1964, $4.08 per hour.
The 1939 rates were consistent with the times. Production workers in
manufacturing plants averaged $23.86 per work week. Doctors averaged
$4229 annually; lawyers $4391; college teachers almost $3000. The average
doctor with a wife and two children paid $25 in taxes. The New York
State Labor Department estimated that the annual income needed by a woman
living alone--for rent, food, clothing, medical care, insurance, transpor-
tation, and sundries--was less than $100 a month. In 1940, about 15 out
of every 100 of college age attended college; in 1965, 40 out of every 100
attended.

And then the war. Technology transformed the economy and the face
of the land.

As Boulding has commented, there is a complex interrelationship between
social and technological change. For instance, organized research

and development is a social invention that has resulted in an enormous
increase in the pace of technological change. Separating them, for the
moment, technological change, to use Donald Schon's definition, is a
process of invention, innovation, and diffusion. The rate of change
varies from decade to decade and how fast or slow the pace is a matter of
definition. Measured in terms of output per man hour, productivity in the
private sector of the economy rose between 1947 and 1965 at a rate of
about 3.2 per cent per year (according to the National Commission on
Technology, Automation, and Economic Progress, reporting in 1966).
This 3.2 percent figure does not appear to connote a technological revo-
lution. But growth at 3 percent per year doubles in 24 years--that is,
the product of an hour of work can double in little more than half a working
lifetime--and this does reflect significant continuing change. Further-
more, the time between a technical discovery and recognition of its com-
mercial potential has fallen from about thirty years before the first
World War to sixteen years between the wars, further to about nine years
after the second World War, and certainly has been reduced some further
by now. The rate of the diffusion of technical discoveries through the
economy has speeded up considerably.

The essential problem, of course, relates to goals and values. The
disturbing thing, as Herman Kahn has pointed out, is that the increased
pace of change has reduced the relevance of experience as a guide to public
policy judgments. The benefits of increased productivity can be distri-
buted in three ways: one, to aid the individual, by increasing his income
or shortening his hours; two, for social needs, to improve the total envi-
ronment of the people; and three, to aid other peoples. The first involves
an aggregate of millions of individual decisions. But the distribution
of goods to improve the environment of people, here and abroad, can be
made the subject of conscious political choice. There does not appear
to be any way at present to determine the desirability of the different
combinations of private consumption and public services. Addressing itself
to this question, the National Commission on Technology suggested that,
among other things, effort be made to improve our capability to recognize
and evaluate social costs and social benefits more adequately and to supply
better information to the public and political leaders on cost-benefit
relationships. We have just begun to determine needs--needs, for example,

with respect to health, housing, education, and the status of members of
minorities--and to establish some kinds of goals, let alone measure our
performance. It is time, as the Commission suggests, to establish some
kinds of social accounting that would provide us with: one, a measurement
of social costs and net returns of economic innovations; two, a measurement
of social ills; three, performance budgets in areas of defined social needs;
and four, indicators of economic opportunity and social mobility.

The social purpose of technological growth and increased productivity
is to improve the level of living of the society as a whole. As Gal-
braith points out, fifty years ago privation was the common lot.
During the ensuing period, increased productivity reduced privation
to the point where it is no longer common, but is the special problem
of a minority of the population, particularly for those who do not
possess special skills. Today, that minority consists of those who are
specially handicapped but primarily of those who are Negro. This situa-
tion is changing: tremendous progress has been made in recent years;
but there are somber and discouraging facts yet to be faced.

In few areas do statistics and the conclusions drawn from them
arouse more controversy than in the areas of poverty and race. The
principal statistical source upon which I rely here is the Bureau of
Labor Statistics Report No. 332, entitled "Social and Economic Conditions
of Negroes in the United States," published last October. This report
was prepared by Dorothy Newman of the Bureau of Labor Statistics and
by Herman Miller of the Bureau of the Census.

The percentage of Negroes in the total population has remained
the same, about 11 percent, since the turn of the century. (But
Moynihan notes that today one person in six under the age of one year
is Negro--which would substantially change the proportion). Despite
the substantial migration (3.7 million) from the South during the past
26 years, 55 percent of all Negroes still live in the South. They
comprise 10 percent of the population in the North and West, but 20
percent in the South. More than half the non-whites, but only one-
third of the whites, living in metropolitan areas in 1958 were born in
small cities, towns, or rural areas, or on farms. Since 1850, the
increase in Negro population has taken place almost entirely in central

cities of metropolitan areas. The result is that more than half of all Negroes, as compared to one-fourth of the white population, now live in the central cities of metropolitan areas. Since 1960, Negroes have been increasing as a percent of the total population in almost all of the largest cities.

Other than in the South, the social and economic gains of Negroes, taken as a whole, in recent years have been substantial. In the Northeast, the median income for Negro families is $5400, but this is only two-thirds the white median; in the North Central area, the median is $5900, about three-fourths the white median. But the percentage of Negro families with incomes of $7000 or more is only 28; the comparable percent of all whites is 55. Of course, Negro family income--much more than white--is likely to include the income of more than one working member. The family's _real_ income is likely to be lower because the costs of goods and services tends to be higher. And since families of the poor tend to be larger the family income is spread thinner. In 1965, according to Fern and Michelson of the Brookings Institution, 39 percent of non-white families, but almost 50 percent of non-white persons, lived in poverty. Still, during the period 1960-1966 there was a net increase of nearly 900,000 non-white workers in jobs that tend to have good pay or status. But non-whites working as laborers or service workers still outnumber whites three to one and unemployment of non-whites is still twice that of whites. Especially severe is teenage Negro unemployment, which in the major cities is about 26 percent. The plight of other minority groups, such as the Mexican-Americans, is similar.

As Galbraith and others point out, the most important step in the attack on poverty is to make sure that poverty is not self-perpetuating. In 1960, the schooling of non-white young men averaged two years less than that of white. Today the gap is only one-half year, and the typical non-white young man can be said to be a high school graduate. But there is a very serious gap in level of achievement: the test scores of Negro students in the twelfth grade are as much as three years lower than those of whites; and about 43 percent of Negroes are rejected for military service for non-physical reasons; compared with

8 percent of whites. Negroes have made substantial gains since 1960
in completing a college education. By 1965, about 7 percent of all
Negroes who were between 25 and 34 years old had completed college
compared to about 14 percent of all whites in that age group and the
gap has been narrowing.

As we have noted, conditions are worst in rural areas and in the
poor neighborhoods of large cities. About half a million Negroes--
10 percent of the total--have lived all their lives in rural areas where
opportunities for improvement in education, employment, housing or
income are limited. Another 10 percent, living in the cities, have
incomes below the poverty level and have the highest unemployment rates;
many live in wretched housing, represent broken families, and are at
the bottom of the job ladder. These are the reasons for discourage-
ment--they typify the Hough area of Cleveland and the Watts area of
Los Angeles. If one talks about practical rather than legally defined
poverty, Negroes so afflicted number in the millions. If one talks
about psychological poverty, one must think about lives lived in
degradation. If one makes comparisons, one need only say that
the white culture has the capacity for not seeing what it does not
wish to see.

Whether one considers the conditions of poverty, the human disa-
bilities that result, or the conditions of mass riots, one is tempted
to agree with Rainwater that "the necessary condition for any perma-
nent solution . . .--will be to provide a reasonable approximation
of the 'average American standard of living' for every family."
In short, as Rainwater says, "the government cannot give Negroes
a black culture or a black consciousness, but it can manage the
society in such a way as to give them a 'black affluence.'"

In the process of organizing this vastly changing society--
the large new numbers of people who had to be accommodated and whose
deferred wants and needs can now be met by the resources and tech-
nology at hand--in the process, people have been taken for granted.
To be efficient, the process required automation, computerization,
and the development of systems. To the extent that this process

merely aided in meeting the requirements of those whose role in economic
society was well established, it was welcomed and caused no special dislo-
cations. But large segments of the population felt more the bureaucratizing
effects and the impersonality of the rationalized system and the "non-
value" essence of the new service technology.

Nowhere has this been protested more than in the youthful segment of
American society, for nowhere are philosophical and psychological concepts
of "human value" more thoughtfully considered or more deeply cherished.
The seemingly increasing irrelevance of individual personality--indeed,
the very fact that there was no necessary function for growing youth to
fulfill--unless it be the function of making war--has created a sense
of alienation. In response, the younger people have created their own
modes and style of life which, one could be certain, would exclude "the
others" from participation. Their quick-changing styles, if they have
lacked profundity, have at least reintroduced into our language the voca-
bulary of love, happiness, peace, and contemplation.

The sense of alienation is now widespread. It is natural that it took
organized form in university settings where students in large numbers felt
directly the impersonality of an educational system concerned with admini-
strative efficiency and seemingly quite unconcerned about the development
of youthful personalities, the nurturing of their sense of values and their
sensitivities. It is even more natural that protest swelled on the part
of the youth in minority groups, especially those in the Negro minority,
whose special problems were not in the least being solved by the mechanics
of the new society. Others, disturbed by the disparity between the levels
of living of this society and the needs of peoples abroad, joined in efforts
to relieve mass hunger. And in the proliferating suburbs of the white
middle class, growing numbers of bright, sensitive youngsters shuddered--
not so much at their parents' affluence as their complacency.

The hostility and alienation of young people, to the extent that it
represents a reaction against the character structure of American society,
is most serious. Our postindustrialism, our market society, our service
oriented technology, is not inspirational. The market process is rational
but is distributive rather than creative. Technology is a pale, uninspiring
counterpart of the exciting development of new scientific knowledge (most

apparent in the biochemical field). Affluence, the concomitant of postindustrialism, is not conducive to that radical spirit which inspires youth.

The young members of our society are growing up without an ideology, as Bell asserts. They have no radical spirit with any profound objective. There are, of course, the civil rights movement, and the Peace Corps, and the New Left movement. But they have not aroused substantial numbers of this generation.

In a thoughtful analysis of the forces responsible for the new youth culture, Sherman Chickering, young editor of the Moderator, has suggested the following: first, the physically or psychically absent father during this generation's childhood, and the consequent dominant role of mothers--a phenomenon well described by Keniston in The Uncommitted; second, the multidimensional effect of mass communications which completely enveloped the growing youth of the period to the extent that it was his environment; third, the affluent, populous, classless society and with it the absence of tomorrow--meaning that apparently one doesn't have to worry about the economic future. (Harold Taylor tells of seeing a sign at Berkeley reading "Because of lack of interest, tomorrow is cancelled.") The final element was the Bomb--described by Chickering as the "symbolic Armageddon"--made intensely real for the very young by television and by their lying under desks during air raid drills. The Bomb not only added to the reasons for living for Today rather than Tomorrow--it provided the ultimate proof that older leaders were either misguided or sick.

Keniston argues that the alienated have a conscious and unconscious view of adult life that disinclines them to accept adulthood. But he maintains further that the view is also a response by selectively predisposed individuals to dilemmas and problems that confront our entire society. "American society," he says, "makes extraordinary demands on its members--that they adapt to chronic social change, that they achieve a sense of personal wholeness in a complex and fragmented society, that they resolve major discontinuities between childhood and adulthood, and that they locate positive values in an intellectual climate which consistently undermines such values."

If you think these explanations give us heady problems to cope with, let me add what Mr. Moynihan described in his Phi Beta Kappa Oration at Harvard last year as the key problems of American society. Each of these problems arises from distinctively secular liberal tendencies, Moynihan says, against which certain protests of the young are levelled. The first tendency is that "our optimism, belief in progress, and the possibility of achieving human happiness on earth, combined with our considerable achievement in this respect at home, have led us to an increasingly dangerous and costly effort to extend our system abroad." It is, he thinks, an effort that is doomed to fail. Liberals, he believes, "have simply got to restrain their enthusiasm for civilizing others. It is their greatest weakness and ultimate arrogance."

And closely related to this corrupting enterprise is the fact that the values we are trying to impose on others are not yet genuinely secure at home. This is the second problem of our society--a powerful component of American public opinion that is "illiberal, irrational, intolerant, anti-intellectual, and capable if unleashed of doing the most grievous damage to the fabric of our own society." He has only to point to the racist element in society, the painful struggle to secure an equal place for minorities, and a brutal streak of violence which others have also observed.

The third problem to which he refers is that "as the life of the educated elite in America becomes more rational, more dogged of inquiry and fearless of result, the wellsprings of emotion do dry up, and in particular the primal sense of community begins to fade."

As one might expect, the increasingly urbanized and mechanized society, and the growing interdependence of its parts, has forced lawmakers and jurists into a more responsive role. In our federal system, on the whole, it is more likely that the national legislature, rather than the state, will respond to social demand--partly because the problems are likely to be national in scope, and partly because economic and other restraining pressures are usually more concentrated and effective on the state level. The separation of national powers certainly has served as a brake against a prompt response to social or economic need as perceived by various segments of the population. But it is interesting that the initiative to redress

such substantially perceived needs can come from any one of the three
branches of national government depending on the circumstances. Thus, for
example, the efforts of the executive and legislative branches to enact
social legislation in the early thirties were effectively postponed by
the Supreme Court. But in the fifties, during a period of limited execu-
tive leadership, the Supreme Court began a sweeping series of reinterpre-
tations of the Bill of Rights amendments to the Constitution of great
social import. Of course, in the sixties the executive and legislative
branches reassumed the initiative, with legislative enactments in such
fields as education, civil rights, and social welfare.

The Court's recent redefinitions of portions of the first, fourth,
fifth, sixth, eighth, fourteenth, and fifteenth amendments clearly reflect
a changing concept of social and individual justice. The Court began,
appropriately enough, with an historic reinterpretation of the equal pro-
tection clause of the fourteenth amendment, striking down the separate but
equal doctrine as applied to the field of education.

Under the same clause, some years later, came the one-man one-vote
decision, and decisions implementing the right to vote provisions of the
fifteenth amendment, with all their implications for the redistribution of
voting power. The years since the Brown case have seen: decisions affirming
the right of the accused to counsel in adult criminal cases, and the right
to silence; the right of the juvenile and his parents to counsel in juvenile
court; the refusal under the due process clause to admit confessions made
during custodial interrogation (the legal complications of which are
apparently just being reckoned with); the growing judicial concern with
the problems, as yet dimly perceived, of privacy in a complex technological
society--privacy thought until recently to be protected only by the pro-
visions against unreasonable search and seizure; the broadening of protec-
tions to make certain that an accused is given a fair and impartial trial, as
for example, in relation to the problem of the mass media and prejudicial
publicity; consideration of equal protection in relation to entitlement of
benefits; leading finally to a broadening by some courts of application of
the concept of cruel and unusual punishment to imprisonment for chronic
alcoholism and drug addiction.

It will be long before the parameters of these new doctrines are clearly marked. More and more test cases dealing with the ever-increasing complexities of a changing society are being introduced, somewhat dependent on the speed with which scientists can develop the new sociological data that is needed. But the central question will continue to be the meaning of equality and the dignity of the individual in a changing society.

This glance at the ways in which society has been changing may suggest something to us in terms of the relevance of scholarly research in the area of social dynamics and of foundation support of this research. One has the feeling that we are relatively well informed about demography, economics, and technology; but that when it comes to the quality of life we need better social indicators. How was it, for example, that few social scientists were able to predict that riots would take place in the past two years in more than one hundred cities, throughout the country? Some sense of anticipation might have been developed for this large and wide-spread social phenomenon, of major importance to the nation. How was it that when the political decision was made to engage in a poverty program involving billions of dollars, there were no clear guidelines on how that program should proceed, with the result that minimum effect was permanently gained and maximum frustration was created?

Herbert Simon of the Carnegie Institute of Technology put it well before the American Institute of Planners in October:

> "Notwithstanding pointers-with-pride and viewers-with-alarm, we do not know whether public and private morality are declining or improving; whether human lives are fuller or emptier than they were a generation ago; whether there are more risk takers or more organization men; whether we are lonely, or mothered in togetherness. The trends in our happiness, in the richness of our lives, in our morale, and in our morals must become matters of fact rather than opinion just as the degree of our wealth and our hunger have become matters of fact."

At moments in the past philanthropy has helped blaze new and unconventional paths. The General Education Board, established by Rockefeller in 1902, was created at a time when colleges were mushrooming across the country. Its major grants depended on proof that the colleges

seeking aid would move in the direction of quality and stability. The Flexner report on the state of medical education in 1910 recommended that 80 percent of all existing medical schools be scrapped. After that, foundation giving led to the rise of American medical education to world leadership. In an essay in Warren Weaver's book on philanthropy, Fred Hechinger comments on these events and reviews the work of the Carnegie Foundation for the Advancement of Teaching, in helping raise the salaries and pensions of college teachers; of the Rosenwald, in helping new colleges move toward independent study and faculty-led seminars; of the Fund for the Advancement of Education, and its innovative experiments in teaching methods; and of the other Ford Foundation grants, for the improvement of faculty salaries and for capital purposes and of the many foundation efforts on behalf of Negro higher education. Ford's gray area program led to a major breakthrough in our understanding of the urban scene.

To examine the question of how relevant foundation giving is today, we shall have to look at the field as a whole.

The Foundation Directory, prepared by the Foundation Library Center and published by the Russell Sage Foundation, is the standard reference source on the foundation world. F. Emerson Andrews, until recently president of the Library Center, has prepared a useful analytical introduction to the third edition of the Directory. The total number of foundations in the country is about 18,000. Most of these are small, neither having as much as $200,000 in assets nor disbursing as much as $10,000 a year. The assets of these small foundations average about $37,000 and total some $387 million, but this total is less than the assets of any one of the five largest foundations. Some 6800 foundations that do have more than $200,000 each in assets or do disburse more than $10,000 each in any one year are included in the Directory. These 6800 foundations have assets that total about $20 billion and expend a total of about $1.2 billion in grants per year.

Taking a closer look at these 6800 philanthropic organizations, one finds that only 237 are considered to be large--that is, with assets exceeding $10 million each. These 237 have 74 percent of the assets and make 61 percent of the grants. About 100 foundations have assets of over $20 million each and 13 foundations have assets exceeding $200 million each; thus these 13, although they are less than one-tenth of one percent of the total number, have more than one-third of all the foundation assets.

Foundations are generally divided into five categories: General purpose foundations, usually representing large endowments, having national significance, and supporting research work in health, education and welfare conducted by professional staffs; special purpose foundations, each serving a limited purpose usually defined by its charter; company sponsored foundations (the second largest category, numbering about 1500), which are legally separate from the donor company, but usually confine their activities to the communities in which the companies have their plants or offices; community foundations or trusts, to which there may be numerous donors, and whose activities are usually limited to the cities or areas they represent; and finally the family foundations, which number some 4300 or 64 percent of all those listed in the Directory. These tend to be small and their programs are similar to those of a wealthy individual who contributes to a pet charity, a college, or the community fund.

Of the various major fields in which grants are made, the largest single portion goes consistently to education--about 25 percent. General support gifts to higher education, largely alma mater gifts from smaller foundations, accounted for some $63 million in 1966, and about 40 percent of the funds given for education purposes. The sciences received 11 percent of all foundation grants, the life sciences receiving the lion's share, and the social sciences (including law) receiving a total of about $25 million. Social welfare as a field was in fourth place, with 12 percent of the total--about $80 million. In this field, community funds, youth agencies, and community planning receive the bulk of the grants, presumably reflecting the interest of the smaller family foundations and community trusts.

One might speculate about the overall distribution of funds to the various categories in the light of the rapidity of the changes we have discussed. It does appear that comparatively little attention is being given to race relations, problems of children, the aged, recreation, delinquency, crime, public health--in short, to many of the problems that have emerged from the process of social change and are most in need of resolution. Partly this is because of increased governmental atten-

tion, through new Federal programs--but we know we cannot expect total solutions from Washington. Partly it is because foundations, though they are clearly moving in the right direction, have been slow to shift emphasis from traditional objectives to more recently identified issues. But I would hazard the guess that it also is partly because we are not clear on what needs to be done or how to go about it. I will come back to this question.

Quantitative analysis doesn't tell us much about the nature and quality of the programs that foundations fund. Nor does it give us any idea of the usefulness of these programs. Especially as to social experimentation we know very little about which programs are replicable and which of those should be replicated elsewhere. The independence with which most foundations function is at the same time a virtue and a weakness. It is useful that a range of objective is being pursued. But one weakness is that no consolidated body of useful information is being built up on how to resolve problems caused by rapid social change.

Several problems of increasing difficulty and consequence are involved here. One is how to retrieve the information developed as a result of the projects foundations fund each year. Another is how to evaluate the effectiveness of a given project. A third is how to review and evaluate the total effectiveness of programs in each field, to see what is being learned and what gaps exist that need to be filled by further experimentation. The fourth is how shall foundations determine what new social experiments are needed and would be most useful.

These problems suggest that foundations have some serious thinking to do. Alan Pifer, President of the Carnegie Corporation has already posed a major question:

> "The disturbing realization that no one is charged with the responsibility of thinking about the collective future role of foundations in our national and international life suggests the need for a new mechanism for doing so. One possibility might be a small study group drawn from both inside and outside the foundation field. It would be the purpose of this group to assess the current role of foundations, chart the changes which they are undergoing and speculate about the future. Such thinking, done by the best minds available, could not help but illuminate for all foundations the larger context of their individual decisions."

This strikes me as an eminently sensible way to begin. Such a study group might also consider the retrieval, evaluation, and review problems to which I have referred. I would further suggest that there is nothing intrinsically wrong with informal groupings of foundations, particularly the smaller ones, around issues of common interest. That may be a way to finance programs of a magnitude and duration sufficient to develop and demonstrate a potential solution to a problem. (Some longitudinal studies, especially some in the universities, need funding over a considerable period of time if anything valuable is to come from them.) A community of interest can be developed among foundations on a geographical or a functional basis.

Concern over the lack of attention given to emerging new social policy issues is growing, as indicated by the recent formation by the National Research Council of a committee to focus on the implications for society of the rapid advances in biology, medicine, and chemistry. In its announcement of the committee the Council commented:

"The content of such issues and problems and the forms in which they may be presented for action not only by governments but also by professional societies in the fields of law, medicine, psychology, and other sciences, as well as by other kinds of private voluntary organizations, deserve more disciplined and intensive attention than they have received. Mechanisms for anticipating and flagging the emergence of such social policy issues before they become, as is possible, unmanageable have yet to be developed. The possible bearing of such issues and problems of social policy upon future public policies and programs concerned with poverty, education, civil rights, the quality of the environment, and the like, still remain to be adequately explored. Effective ways of stimulating and developing the several kinds of public understanding required for informed decision-making by both laymen and specialists remain to be delineated."

The Research Council proposes that the committee have four major objectives: (1) to identify and clarify the issues and problems of social policy likely to emerge in the proximate and more remote future as a result of recent and foreseeable advances in biology, chemistry, and medicine that have significant implications for social behavior; (2) to develop strategies for the conduct of social and behavior science

research, the results of which would contribute to a better understanding of the content and forms of emerging and foreseeable social policy issues and problems; (3) to stimulate interest among behavioral and social scientists in the conduct of the kinds of research it would already have delineated and to encourage the support of such research on the part of governmental agencies, private foundations, and universities; and (4) to determine the requisite levels of public understanding of the social policy issues and problems it had earlier identified as essential for their informed and sound resolution and to recommend the means by which such public understanding could be attained. It is encouraging that the theme of the 1968 meeting of the American Sociological Association is "On the Gap Between Sociology and Social Policy."

This kind of thinking inclines me to turn from the problems of the foundations to the problems of the universities and to consider how our problems relate.

Much debate is taking place over the role of the university in public service--extending to society the highly trained and specialized talents of the academic community. Today, the university is being asked to involve itself in many new kinds of scientific and social enterprises as varied as a study of the functioning of a school system, investigations in the area of environmental pollution, or the training of policemen in the art of community relations.

Authorities on the history and development of universities have generally concluded that universities have three primary functions: teaching or the transmitting of knowledge; research, or the acquisition of new knowledge; and the application of knowledge to the service of society. In the long run, what happens in its system of higher education will greatly influence the course of any society. In the Middle Ages all university functions were confined within the institution's walls. The transmission of traditionally accepted knowledge was permitted--but, because of the authoritarian structure of that society, research was discouraged because it provoked inquiry. But knowledge that is merely transmitted and not continually tested becomes stale and useless.

With the beginning of industrialization and the stirrings of

nationalism, German society became receptive to research as a university mission. But the monarchic and antidemocratic character of that society did not encourage relations between the scholar and men of affairs. As President Perkins of Cornell points out, the humanizing influence that might have resulted never materialized. Basic research continued but the German university felt no public service mission and even its teaching function was not emphasized. The weaknesses of that society are to some degree traceable to these long term attitudes.

At Oxford and Cambridge, on the other hand, great stress was placed on undergraduate teaching, but in that historically aristocratic society the universities did not recognize research as a mission, and interaction with the community lagged.

In this country it was not until the Civil War altered the structure of the American agricultural society that the universities experienced a new burst of energy. Through an act creating the land grant colleges the American community accepted the concept of relationship between university and society. The public service mission was added to the teaching and research and the tripartite ideal has dominated U.S. higher education ever since.

If the added input of the public service mission has proved sound, even though it originated in and was geared to a farm economy, is it not equally valid today, applied to the equally pressing problems originating an urban society.

The 1966-7 Annual Report of the Carnegie Foundation for the Advancement of Teaching contains a valuable discussion of "The University at the Service of Society." The discussants outline the extreme positions with respect to the public service role of the university: one is that the university should abjure any conception of itself as an activist shaper of the larger society; the other is that the university stands for the highest values of the larger society of which it is a part, and has a consequent duty to intervene where it can to assist the society to conform to these high values. Warning of the danger of turning the university into a kind of 'universal service station,' the report nevertheless states realistically:

> "In practical terms every university will realize
> that it can no longer adopt the simple course of rejecting
> public service altogether. Interdependence between the
> university and society has become too great for that.
> The University _must_ have society's support. Society
> _must_ have access to the university's resources. Were
> the university to turn its back on society's needs,
> it would be tantamount to self-destruction."

The report suggests that what appears desirable is the modernization
of university governance to take account of all three scholarly functions--
teaching, research and public service--and adds:

> "Such a process would have the salutary effect of
> fusing the entire academic community's thought on the
> function of public service and perhaps lead to a rede-
> finition of the meaning of the university in today's
> world."

If a university is concerned about its institutional involvement in
community affairs, a variety of more limited engagements such as centers,
workshops, extension courses and institutes is available. Important work
has been undertaken through these mechanisms here at UCLA: for example,
the Los Angeles riot study, under the sponsorship of the Institute of
Government and Public Affairs; the extension program; and such enter-
prises as the Western Center for Law and Poverty. The latter is quite
unique in that members of the Faculty of the UCLA Law School, and of
other law schools, have officially designated representatives on the
Center's Board, and contribute some of the educational resources of the
School through research and student seminars. One cannot help but feel
that this kind of meaningful involvement by students in important current
social concerns will increase the sense of relevance to them of their
educational experience.

I am not for a moment suggesting that the student does not need
to learn the technique of rational thinking--how to conceptualize and
think abstractly; and of course he needs to understand well the theore-
tical bases of his field of study. But it is not solely an intellectual
experience that the undergraduate student is seeking. He also wants
the experience of being with concerned people.

The fact is the pace of social change has left us in a most trying
position. As to certain problems we simply do not have the knowledge
to make the necessary social adjustments. As to others, we face a gap

between what is known and how to use it; in other words, how to bring
about the changes we know are required. How the human and social orga-
nism can catch up with technological movement is the central question
today. Certainly it is a question that scholars do find interesting and
relevant. Our great engineering schools developed at a time when they
were most relevant to the demands of a growing nation. Contemporary
society has social needs of equal importance today. The scholar's par-
ticipation in the solution of community problems ought therefore to be
encouraged. For those scholars who are concerned about the consequences
of this participation, if it is skillfully undertaken in the context of
the teaching and research process it will uncover that live information
which is the best source material for disciplined speculation.

Sir Eric Ashby, of Cambridge University, tells the story about
professors at the medieval University of Paris disputing the number of
teeth in a horse's mouth. They agreed that the number could not be a
multiple of three, for that would be an offense to the Trinity; nor could
it be a multiple of seven, for God created the world in six days and
rested on the seventh. The writings of the great philosophers did not
help solve the problem. Then, says Sir Eric, a shocking thing happened.
A student who had been listening to the discussion went out, opened a
horse's mouth, and counted the teeth.

Gunner Myrdal put it this way in a talk at Western Reserve Uni-
versity in 1966:

> "At this point I have to note with regret how in
> recent decades economists and social scientists generally have
> shown a tendency to abandon the tradition, adhered to through
> generations by even the greatest scholars, that they have
> a responsibility for the formation of public opinion. They
> are increasingly addressing only each other. Using know-
> ledge to enlighten the people is not encouraged: young
> men learn that this might lower their standing and chances
> for advancement in the profession. They exhibit an unhealthy
> interest in research techniques for their own sake; they
> avoid taking up politically controversial issues for study;
> or they focus such studies on terminology, methods of mea-
> surement, and similar other-worldly problems.
> "Fundamentally this is escapism, even if they convince
> themselves and each other that it establishes them on a
> higher level of scientism. The price society pays is that
> the social scientists become less consequential. When that
> pattern becomes established it lays a wall of inhibition on

those who win entrance to our profession, limiting not only
their usefulness to society but even, I believe, their re-
search horizon.
"Thus, with few exceptions, neither the professional
economists, nor the sociologists had much to do with the
rather recent and belated raising to political importance
of the issue of pathological poverty in the United States,
the rapid deterioration of cities, the threat of intensi-
fied racial conflicts, and other developments within the
same complex of social maladjustments. Partly the trends
were not seen and studied; partly those few students who
saw the writing on the wall were not listened to, which,
in turn, did not encourage them or the others to make the
problems a major field of study."

And now, having told you our troubles and having expressed an aware-
ness of yours, let us consider the relationships between us and our
problems. First, let me point out that there is little problem between
foundations and universities when it comes to support requested by
scholars for academic studies. This is the clearest and most traditional
and simplest relationship to carry on. Foundations of course, recognize
that the university's commitment to teaching and to independent research
leading to the acquisition of fundamental knowledge cannot be undermined.
But universities must recognize that foundations have a commitment to
meet certain social as well as intellectual responsibilities, and here
we ought to have the help of the scholars.

Your research techniques and skills are highly applicable to three
of the problems of foundations that I have discussed: retrieval of the
information developed by the thousands of funded projects; means of
evaluation of the effectiveness of individual projects; and review and
evaluation of the total effort in each major field of inquiry and en-
deavor. We are all aware of the difficulties involved in the sociolo-
gical evaluation of social action programs because we are dealing with
dynamics, and there are so many variables. Furthermore, often the in-
teresting question is not so much the results and findings, but what
happened in the process to produce them.

It is the fourth problem that gives us pause: ensuring the continued
relevance of the foundation by identifying the gaps in our efforts and
determining what new social experiments would be most useful.

In the long history of foundations, the problem of continued rele-
vance has been a haunting one. Weaver reports that in the fifteenth

century a fund was established to provide faggots for the burning of
heretics. In the eighteenth century, a fund provided for pasturing the
horses of Friends while they were attending Yearly Meeting. And one
fund, at least until very recently, provided a baked potato at each
meal for each young woman at Bryn Mawr. The issue today is not one of
baked potatoes, but of our joint willingness to handle hot ones. The
fact is that there is scarcely a problem area in which we have the
information necessary to set up an ideal action program. But how can
universities help decide where foundations should put their funds unless
the scholars have had meaningful experiences in dealing with the problems
of the community?

The special skills that the various schools and departments of any
first rate university possess are desperately needed in the community.
The typical city will have a school system, city hospital, college, mental
health center, family service agency, recreation department, Head Start
and other programs, all in splendid isolation from one another. Suddenly
it is discovered that some children in the Head Start program are emo-
tionally disturbed, others are in impossible family situations, and
others have educational problems that, because they have been identified
early, are readily correctable. Knowledgeable people from various
disciplines with problem-solving skills are required to help work out
the coordinated system needed to correct these problems.

Perhaps for the first time in history, humans consciously can inter-
vene to determine their environment by new methods of problem-solving,
by study, and by anticipation. The possibilities are thus endless for
effective collaboration between philanthropic organizations and scholars--
a collaboration that can serve both a social purpose and the independent
pursuit of knowledge. Think of the challenges presented in attempting
to increase the effectiveness of education for minority groups, extend
more adequate medical care and health facilities to the indigent, improve
the administration of justice, protect the right of privacy, gather needed
social data, improve the structure and responsiveness of local government,
and enhance the quality of life in our cities.

The quality of life--the excitement or disillusionment that people
feel in their daily lives--relates primarily to how much of a gap there

is between the fundamental moral assumptions of this society and the respect accorded them. A philosophy of concern is developing rapidly: a concern for individuals as expressed by the young people; a social concern as expressed by the Negro movement for equality. These concerns have jogged the conscience of the nation. Our responses to these concerns will determine the quality of life here. All else flows from this.

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NATIONAL COMMISSION ON THE CAUSES AND PREVENTION OF VIOLENCE

726 JACKSON PL., N.W.

WASHINGTON, D.C. 20506

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August 20, 1968

Mr. Lloyd N. Cutler
Executive Director
National Commission on the Causes and
    Prevention of Violence
726 Jackson Place, N.W.
Washington, D.C. 20506

Dear Lloyd:

Heyman, Ursin and I lengthened our Task Force name yesterday in a staff meeting. The addition is obvious considering the tasks we've set for ourselves. We're now 'Demonstration, Protest, and Group Violence."

Sincerely,

Jerome H. Skolnick, Director
Task Force
Demonstration, Protest, and
Group Violence

JHS:ek
cc T. D. Barr
   J. S. Campbell
   W. G. McDonald

DATE

A 48203

FROM

Milton Eisenhower

SUBJECT

RFRD	RFRD	RFRD	RFRD
Carol H.	No Reply		
DATE	DATE	DATE	DATE
7/29	Necessary		
REPLY DUE	REPLY DISPATCHED	FILE DESIGNATION	
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ADMINISTRATOR'S MAIL
    JUDGE
    DR. W

LOCATOR COPY

July 26, 1968

Dear Jim:

You, Lloyd and I have agreed, I think, that we need to have a sub-group on violence on campuses, for the causes here are probably quite different from those underlying such group violence as we have witnessed in Washington, Baltimore, Detroit and elsewhere.

Even illegal group action on campus probably divides fairly neatly into two parts: Actions by Students for Democratic Society, and actions by all other students.

The SDS members are revolutionaries of the nihilist variety. They admit they wish to destroy. They offer nothing constructive. Their only relationship to the bulk of students is their sensitivity to any dissatisfaction that develops among a substantial number of students and their immediately identifying themselves with that group.

Most students, surely ninety-five percent of all of them, are academically the best the nation has had, are well informed on current domestic and world problems, feel a deep sense of involvement in these matters, suffer frustrations mainly over the Vietnam war, and are so engrossed in their own studies that they stand aloof from SDS and related activities. But a few of these, angry about the war, and to some extent about civil rights failures, may strike out in ways that would be foreign to them were the causes of frustration removed.

I have said this much to emphasize my feeling that we must do a good job on this problem of student actions, for I feel that these actions have a national impact far greater than the numbers of persons involved.

So when you, Lloyd and I are together, perhaps with Doctor Wolfgang and associates, I hope we may discuss how

NATIONAL COMMISSION ON THE CAUSES AND PREVENTION OF VIOLENCE

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July 26, 1968

Mr. James S. Campbell--Page 2

the study sub-group should be constituted. Among others,
I'd surely like to have persons who lived through the
Columbia, Berkeley, Chicago and a few other episodes
included.

Sincerely,

Mr. James S. Campbell
General Counsel
National Commission on the Causes
  and Prevention of Violence
Washington, D. C. 20506

DEMONSTRATION AND PROTEST

"What has violence ever accomplished? What has
it ever created? No martyr's cause has ever been stilled
by his assassin's bullet. . . Whenever we tear at the
fabric of life which another man has painfully and clumsily
woven for himself and his children, the whole nation is
degraded. . . . There is another kind of violence, slower
but just as deadly, destructive as the shot or the bomb in
the night. This is the violence of institutions; indiffer-
ence and inaction and slow decay. This is the violence
that afflicts the poor, that poisons relations between men
because their skin has different colors. . . But we can
perhaps remember--even if only for a time--that those who
live with us are our brothers, that they share with us the
same short movement of life, that they seek--as we do--
nothing but the chance to live out their lives in purpose
and happiness, winning what satisfaction and fulfillment they
can."

> Robert F. Kennedy in Cleveland on
> April 5, the day following the
> assassination of Martin Luther
> King.

These reflections by Senator Robert F. Kennedy should guide the approach

to violence of the task force on demonstration and protest. This task force,

especially, should be dedicated to his understanding that violence is not a

simple phenomenon, easy to understand and identify. With this in mind, this

task force should consider the following major topics:

I. Definitional and Historical Analysis of Demonstration and Protest in
Relation to Violence.
　　Chapter 1. The Social Meaning of Demonstration, Protest, and
　　　　　　　Violence
　　　　　　　a.) Historical meanings
　　　　　　　b.) Violence as a symptom
　　　　　　　c.) Contexts of violent action
　　　　　　　d.) Instrumental and symbolic force
　　　　　　　e.) Authority and legitimacy of violent action.

Chapter 2. A History of Demonstration and Protest in the
U.S.A.
- a.) Background of present forms of protest
- b.) Labor protest and demonstration
- c.) Legitimation of past protest
- d.) Development of new perspectives.

II. The Process of Violence: Analysis of Social Structure and Conditions Leading to Demonstration, Protest, and Group Violence.
Chapter 3. Student Rebellion: History and Development from
Berkeley to Columbia, plus Comparative Materials
from France, Germany, and England.
- a.) Changing nature of the university
- b.) Role of the university in society
- c.) Student rights and responsibilities
- d.) Student participation in university governance
- e.) Emergent role of the student in the university and society.

Chapter 4. Anti-War Protest: Motivation, Organization, and
Escalation.
- a.) Origins and politicization of protest
- b.) Patterns and diffusion and specificity of protest
- c.) Polarization and generalization of discontent into channels of legitimacy and rebelliousness.

Chapter 5. Black Militancy: Updating Kerner Commission Findings
- a.) Black consciousness
- b.) Meanings of "Black separatism"
- c.) New perspectives of militant organizations in the Black community
- d.) Relations between militants and established organizations
- e.) Response of the Black community to styles and methods of protest and militancy.

Chapter 6. White Responses to Minority Group Aspirations
- a.) Extent and depth of white reactions to increased visibility of Black militancy
- b.) The "color gap" in white and black perceptions.

Chapter 7. Police Response to Demonstration and Protest.
- a.) Development and effects of strategies of intelligence and action
- b.) Tactical approaches to threat of demonstration, protest and civil disorder; effects of these.
- c.) Professionalization in police training and conduct.

Chapter 8. Response of the Courts to Civil Disorders.
  a.) Assessment of court response to civil
      disorder in light of the Kerner Commission
      guidelines.
  b.) An analysis of reports from various cities
      following the assassination of Dr. Martin
      Luther King.

Chapter 9. Societal Response to Protest
  a.) Analysis and assessment of strategies and
      tactics developed and implemented by public
      and private agencies for responding to
      demonstration protest, and violent disorder.
  b.) Recommendations.