

HISTORICAL AND COMPARATIVE
PERSPECTIVES ON VIOLENCE IN
AMERICA

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THE DYNAMICS OF BLACK AND WHITE VIOLENCE¹

by James P. Comer, M.D.

When black and white violence again struck urban America in the early 1960's, social scientists and government leaders looked around hurriedly for a quick solution. The obvious cause, to many, was the low social and economic conditions of black Americans. In spite of multiple efforts to improve this situation, violence mounted to a frightening peak in 1967. While inter-racial violence decreased sharply in 1968, the polarization of the races pointed up in the Report of the National Advisory Commission on Civil Disorders is continuing to take place. Thus the possibility of future and even more malignant violence, such as guerilla tactics, remains a possibility, if not a probability.

If the social and economic conditions of a group are the primary determinants of group violence and potential violence, civil disorder on the part of blacks is a paradox. While the relative economic position remains low, social and economic gains directly experienced by black Americans from 1960 through 1968 have been more rapid and substantial than ever before in American history.² The number of non-whites, 92% black, at the poverty level as defined by the Social Security Administration has declined from 10.9 million in 1964

to 8.3 million in 1967. The unemployment rate for blacks has declined from 12.4% of the labor force in 1961 to 6.8% for the first six months of 1968. A 31% drop in under-employment was recorded between 1966 and 1967, compared with a 17% decline for whites.

In 1960 there were only 3 million blacks in the better job categories while 46 million whites held such jobs. Between 1960 and 1967 there was a 47% increase in the number of blacks in white collar jobs, craftsmen and operatives (the better jobs) compared to a 16% increase by whites. There was an 80% increase in the number of black professional and technical workers between 1960 and 1967, compared with a 30% increase among whites. There was a 77% increase in the number of black clerical workers as compared to a 23% increase for whites; a 49% increase in craftsmen and foremen in the non-white category, compared with 13% of whites. There was a corresponding decline in private household workers, 17% for non-whites compared with 23% among whites; a 7% decline was registered among black non-farm laborers, compared with a 2% decline among whites. Because so few blacks held relatively good occupational positions prior to 1960, these changes are not as dramatic as they appear, yet represent substantial improvement.

During the summer of 1967, it became clear that the socio-economic explanation for black and white violence was inadequate.³ Observations made after the disorders following the assassination of Dr. Martin Luther King⁴ suggest the same. A Wall Street Journal report read:

Arrest records suggest that the adults who looted were for the most part Negroes with comparatively good education who held jobs and had not been arrested before. Few expressed a conscious desire to revenge Dr. King's slaying... In many cities, the violence apparently originated with Negroes in their early teens, or even all the way down to kindergarten age--those who had the least reason to revere, or even know of, Dr. King, and those who scorned the moderate civil rights approach Dr. King espoused.

A black militant in Baltimore responded to the question of what sparked the riots with this comment, "You did, Whitey. You did it by treating us like animals. The black man in Baltimore is tired of his life, tired of his low pay, tired of being kicked about. King was just an excuse." The National Advisory Commission of Civil Disorders, while stating the problem differently, agreed that white racism was the basic cause of black and white violence. Both explanations--racism and poverty--view intergroup violence as a simple reaction to an unhappy set of circumstances.

A third explanation of black and white violence is of even more limited value. Some social scientists have

contended that persons with impulse control difficulties as a consequence of black family disintegration have been heavily involved in precipitating urban violence.⁵ Recent studies have both challenged the notion of black family disintegration and shown that such persons are just as likely to be non-participants as they are to be participants.⁶ The complexity of intergroup violence is further revealed in some of the incongruous events which occurred during several 1967 disturbances. A group of black youngsters in Washington, D. C. escorted their white teacher out of the danger area but hurried back to throw rocks at the passing cars of "white honkies." In Detroit, blacks and whites sat together in a friendly atmosphere and bid on the plunder recovered in disturbances which occurred only a few months before.

Obviously there is no simple explanation. Racism, poverty and personal control problems are not enough to explain the complexities and incongruities of current black-white conflict--although all three factors are involved. A more useful approach is to recognize intergroup violence as primarily a product of specific social system malfunctioning. It is a natural and predictable phenomenon--although largely preventable--related to the

nature of man and his basic human tasks. It occurs and recurs when an individual or group is denied the opportunity to meet their basic and man-made needs.

The human animal is born with drives and needs which conflict with those of other human beings.⁷ Some form of social organization which will regulate the manner in which these drives are expressed and needs are met have always been necessary. In all societies, parents, caretakers and socializers of one kind or another are charged with the responsibility of meeting the child's basic needs and helping the young convert drive energy into "tools" which will help them cope with the demands of an adult society. Libidnal energy becomes "the stuff" of exploration, learning and work.⁸ Without satisfactory transformation, these energies may result in a variety of troublesome forms of personal behavior, including self-destructive action and unwarranted conflict and violence against people and property. When the young and adequately developed and socialized and are able to cope as adults, they enjoy a sense of adequacy and security. Being able to cope and as a result receiving the respect and acceptance of significant peers is the primary way an individual meets basic and man-made needs. When a sufficient number of members of a

society feel relatively adequate and secure, a high level of peace and stability can exist in families and the society without force and repression of individuals or groups.⁹

It is the task of the leaders of a society to establish social policy which facilitates optimal individual development and adequate socialization of the young. Failure to do so constitutes social violence, resulting in damage to individuals, groups and the society which is far more harmful and lasting than overt physical violence. In a representative society where groups must organize and participate in the political and administrative system in order to obtain opportunities which will facilitate the optimal development of their members, the obstructive and unjust exercise of power--physical or social--by another group constitutes a crippling form of violence. The victimized group, when healthy, struggles against the unjust and oppressive situation. This struggle in the face of resistance frequently results in overt physical violence. In addition, when the leaders of a society sanction social exploitation of a group, they concomitantly encourage physical violence toward that group. Thus the historical American situation of slavery or legal social violence

toward blacks; white physical violence and relatively little black retaliation; finally a legal and non-violent struggle now punctuated with black violence is an understandable sequence.^{10, 11}

There is an aspect of the pattern--black restraint--which, on the surface, is difficult to explain. Given the level of social violence toward blacks, the logical question now should not be "Why black violence?" but "Why has black initiated and retaliatory violence been so little and so late?" The record of provocation certainly is extreme.

During slavery, whippings and other abusive acts were frequent. Because of the economic value of the slave, it was usually only after abortive slave revolts or "unpardonable" offences that the killing of slaves took place. Freedmen, North and South, who found themselves in economic competition with whites frequently fared less well. After slavery when the 4 million blacks in the South came into direct economic competition with the 5 1/2 million poor whites and were no longer of value to the white planters, the severity of violence toward blacks increased. Beatings, torture and murder in order to disenfranchise blacks, decrease economic competition and maintain a caste system for economic and psychological

advantage became the pattern of the day. It has been estimated that between 1865 and 1955 over 5,000 blacks were lynched by white mobs.¹² Official United States Census Bureau statistics show that over 3,000 were lynched between 1882 and 1935.¹³ Legal lynchings, "kangaroo court" action and unreported murders are not included in these totals. Black schools and homes were frequently burned in the early post-slavery period. Between 1865 and 1940, over 500 blacks were killed in race riots and massacres. Many more were injured and abused. Relatively few whites were killed in these disturbances. Finally, the burning and bombing of black property and the murder and intimidation of blacks and their white supporters involved in civil rights activities since the early 1950's is well-known.

Despite this abusive and oppressive pattern, black reaction was generally not violence but non-violence. Aptheker and other historians have pointed out that there were slave uprisings and rumors of uprisings but they certainly did not approximate the frequency or severity of black slave uprisings in South America. Even after slavery there was generally an under response to the level of oppression. Historians and revolutionaries have often puzzled over and despaired about this

situation.

Certainly the overwhelming power of the dominant group is a factor. But it is not enough to explain the phenomenon. Often slaves and freedmen greatly outnumbered their masters and sometimes did attack and kill them, but not very often. Subsequent events have demonstrated that inherent docility and passivity and the other explanations for extreme black restraint were inaccurate. This is evidenced by the remarkable change in black reaction to white control efforts in a short period of time. Only fifteen years ago a black family stood fearful and powerless as whites, without legal authority, dragged their black youngster from his home and murdered him. Today the arrest of a black man by a white policeman in a black neighborhood carries with it the risk of touching off a violent disturbance. Obviously there are important psycho-social forces at play in black and white violence which go beyond simple unhappiness and reaction to racism or poverty. These forces can best be delineated through a review of the critical aspects of black and white reaction over time.

Slavery, the initial contact of most blacks and whites in America, set the stage for continuing conflict.

Many students of slavery have been preoccupied with the question of whether it was largely a harsh and cruel or pleasant and humane system. This is an interesting but relatively unrewarding focus. The most important consideration here is the effect of the system on the social and psychological development of individual blacks and whites and on the functioning of the respective groups in the society at large. The effects of the system were enormous indeed and still "haunt" us over 100 years since the demise of the "peculiar institution."

The issue of who was to blame, the black chiefs or middle men in Africa or slavers, is likewise not important here. The point which is critical to this discussion is that established social systems were interrupted and new and traumatic ones were imposed on the victims. Socialization, which was meaningful and enabled individuals to meet basic needs and prepare to cope as adults in the African society, was no longer useful nor possible. The socialization which was necessary to cope as a slave was traumatic and harmful to the psychological and social development of blacks--an extreme form of social violence.

In West Africa, blacks were socialized in a way to

meet the needs of individuals and the respective societies.¹⁴ Children were provided with nurturance and physical care in a family or kinship system which oriented them to their immediate world of kin, the community, society and to their own feelings. Cultural and sub-cultural goals and values were transmitted to the children and inter-personal skills, modes of feeling, thinking and working were developed. Contact with parents, elders, chiefs, warriors, medicine men, traders, etc.--one of which they were destined to become--gave the children a sense of direction, purpose and meaning.

Ritual and ceremony deepened the meaning of individual existence and gave testimony to the importance of societal functions. The circumcision and naming ceremonies of the Dogon tribe were very important exercises with life long significance to the individual. Indeed it is only through the naming ceremony that a member of that tribe became a part of the society. In the Ibo, Zulu, Dogon and other tribes of West Africa, children were brought into the adult cultural milieu through age group organizations. Every function in the society brought these groups together and a sense of belonging and participation resulted. The transference

from age group to age group was marked by meaningful ceremony.

Specific expectations and responsibilities were laid down and had to be met before a young person could receive additional responsibilities and privileges. The individual received approval and acceptance from important people in his society through the accomplishment of societal tasks and developed a sense of adequacy and self-respect for his achievement. The universal outcome of adequate socialization which permits one to cope as an adult is a sense of security. This is not to say that there were no injustices, insecurity or uncertainty within the African system. But in general the operation of the tribes and tribal nations fostered the development of a sense of security and a positive self and group concept. Slavery changed this situation.

The objective of socialization in slavery was not to develop the individual to a point that he or she might perform as a fully adequate, competent, full participant in adult society. The socialization and management of slaves was designed to maintain the master's power and control over them and to increase his benefits. Even humane treatment had its "master's twist." An ex-slave from Louisiana said, "Marse always say being mean to the

young-uns make them mean when they grows up and nobody
gwine to buy a mean nigger."¹⁵

The slaves were powerless for two major reasons. Their legal status was that of chattel without rights in court and without the protection of any institution. The master was all-powerful and had the right to control every aspect of slave life from birth to death, from sex to settling disputes. His power was enhanced by additional factors. Black slaves in a predominantly white controlled land were readily identifiable. The slaves were not of a single tribal origin with a long group history and a resultant cohesive bond. They were far from home and generally unwanted except for economic exploitation. They were not able to maintain the organizational elements of their respective previous cultures--kinship ties, family organization, religion,¹⁶ government, courts, etc. Thus they were not able to run away en masse; to turn in on their own culture for psychological support or to effectively organize to attack their oppressors.

Economic and social policies were not determined by the slaves. The provision of food, clothing and shelter for a family was not the task of the black male. Often a

family structure or kinship structure did not exist at all. Protecting the family and tribe from assault was not the role of a black warrior, groomed from childhood for the task and honored by his feats by ritual and ceremony. The naming ceremony meant nothing any more. Males were often referred to by the master they worked for and the woman they had a sexual liaison with...Mr. Barber's boy or Sophie's man. The master provided for basic human needs and regulated basic human functions. For everything the slaves were forced to look to the master.

Obviously the slave master functioned as "father", ruler and God. Indeed slaves were often taught to "obey thy master as thy God." Even when the slave resisted, he was relating to a master for it was not resistance in the name of a people or a tribe or a tribal nation. It was one to one, slave to master. The condition of total power and complete powerlessness, with the master providing and regulating basic needs--thus providing all the security a black slave could know--resulted in an intense emotional bond or tie between the black slave and the white master. Because slave holdings in this country averaged five to fifteen persons, this

bond was much more intense than in South American countries where the slave holdings were much larger and a greater degree of black self-identity and culture were maintained.

After the first generation, children were born into the system and prepared from birth for a life of subservience. Nurture and physical care came from an adult but not in the interest of a family, kinship group or tribe but in the interest of a master. (This is probably the reason that so many adults cared so little for children--a point which confounded slave owners and observers.) Children were not destined to become elders, chiefs, warriors, traders, etc. Their future was that of a despised slave. Ritual and ceremony did not give testimony to the importance of their own lives and that of their people. The master, or parents doing his bidding, set expectations. Approval and acceptance from fellow slaves was based on the degree to which the child achieved goals acceptable to the master.

Children were taught what they could and could not do in relation to whites. They were taught to obey and respect whites. The Bible and the whip reinforced their parent's teaching. Frequent references in the literature

of slavery indicate that black children were taught to knuckle under to the little white tyrant of the same age, one in training to become the master and the other to become the slave. There could be no black group goals for children to inculcate. Blacks did not exist as a group with goals of their own. They were given organization, goals and direction by the master. They existed for his benefit and by his permission.

Some ran away to the Indians, to Canada and to freedom¹⁷ in the North. But most could not. Most had to adjust to the circumstances, for man does not exist in groups without some form of social organization. Some led a passive-aggressive existence in relationship to whites--working as little as they could without being punished, sabotaging property and generally provoking the master. Some used religion to establish a relationship and existence in which they had an importance and purpose beyond the master and their lowly slave position. Some established a life style which was a carbon copy of the master. Some adjustments were extremely harmful to individual development and others were less so. All, however, had to identify and relate to the master or the white power group. This led to an identification with the aggressor or oppressor--an adaptive mechanism of generally adverse consequences

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to blacks.

It is understandable under the condition of powerlessness, dependency and rejection inherent in the nature of American slavery that wisdom and adequacy became associated with the master. Eventually these attributes were extended to all white persons. All whites had the right to abuse and exploit blacks without fear of serious censure or consequences. Blackness was associated with inadequacy and subservience and the notion was transmitted to black and white children during their earliest developmental years. The message was driven home well. Benjamin Botkin's collection of slave narratives shows many instances of slave guilt for not working hard or disobeying the master. This suggests that the values of the master were internalized by the slaves. Slave narratives also indicate very clearly that they were rendered dependent on the powerful master and many developed feelings and attitudes toward him parallel to the parent-child relationship. The large number of slaves who could not or would not leave the plantation after slavery indicates the degree of psychological dependency which was developed.

Identification with the master was of serious psychological consequence to the slaves. Attitudes about blacks held by whites became the feelings or attitudes

blacks held for themselves and each other as a group. Hatred of self; anger toward the self; presumption of black incompetence; etc. are a legacy of slavery reinforced by residual and later social practices--segregation and exclusion. Independent black achievement was almost non-existent during slavery. Success was being like whites, being with whites, or being white. Often the black ideal or goal was to be white or to become white. Students of behavior have repeatedly documented the adverse psychological effect of these "impossible strivings."^{19, 20, 21}

Given the circumstances, dependency and identification with the master is an understandable outcome. But such a relationship is always an ambivalent one. Man in such situations enjoys the security of dependency but rebels against the price, external control. He despises the person of power but attempts to be a part of him. The goals and ideals of the powerful can easily become those of the powerless. In such a relationship, anger or action against the powerful and protective person or group is a blow against part of the self of the dependent and powerless person or group. It is not surprising then that many blacks would have some difficulty expressing anger toward whites during slavery and for a long period

thereafter. The psychological tie of powerless blacks to powerful whites was as important a deterrent of black retaliation as the probable physical consequences.

Had blacks become an acceptable part of the total society after slavery, the significance of racial differences would have been greatly changed. Race would not have remained as a symbol or a sign of goodness and badness, success or failure. Blacks would not have been denied employment, education, ownership and entrepreneurial opportunities. The masses could have received a basic sense of adequacy by simply providing for their families and receiving recognition as desirable parents and citizens. The talented could have moved to positions of leadership and registered high level achievement. Without the atmosphere of white rejection of blacks at every level, the latter could have identified with achievers, leaders, goals and values which were American rather than black or white. Black children would have aspired to a wide range of goals rather than those open to blacks. But blacks were not accepted into the total society and the consequential psychological outcome was different.

After slavery, blacks were immediately closed out of the economic, political, educational mainstream of American

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life. The program of Federal Reconstruction failed to provide blacks with a solid economic base and was, as a consequence, gradually eroded as an adjustment tool. None of the organizational aspects of the African culture remained to provide a basis for group stability and direction. Only remnants of previous African life styles and behavioral residuals remained, greatly modified by the American experience and of little value in promoting adjustment in the post-slavery period. As a result of these factors, blacks remained economically, socially and psychologically dependent on whites who retained almost complete economic and social control. Over 50% of the black population remained in a condition of serfdom until the early part of the 20th Century. While some were able to directly express anger and advocate rejection of and attacks on the perceived oppressor--as some did in slavery--most were not able to do so. Not only had their training been effective but to express hostility toward whites on which many were dependent was to risk the loss of a major source of a sense of security.

The circumstances reflected an unhealthy state of affairs. As a group, blacks were unable to obtain opportunities which would facilitate the optimal development of large numbers of their members. Public education was long delayed and often inadequate. They were employed at the

lowest level of the job market. They were rapidly closed out of business and government. Yet because many had been trained to accept white control, their lack of education and skills, the level of antagonism toward blacks and their dependency tie to whites with power, many blacks--although woefully oppressed--were unable to struggle against the unjust exercise of power they experienced. This combination of circumstances did not exist for any other excluded group in America.

Although powerless after slavery with still little sense of community other than being a despised, rejected part of a larger community, blacks were forced to turn in on themselves anyway. Segregation, which rapidly developed as a social policy after slavery, made this necessary. With the end of the control and exploitation of blacks by their masters, legislation, judicial and extra-legal control (intimidation, violence, economic reprisals) was established. Control and authority had now been extended to all whites, most more economically vulnerable and in need of psychological scapegoat than the more wealthy slave-owning class. Whites outside the planter class were more likely to act in an unjust and violent fashion toward blacks. Black parents had to prepare their children to live in such a setting. Aggressive styles had to be

crushed least they lead to conflicts with whites. Such socialization led to the destruction and/or diminution of the capacity for exploration, learning, and work in many blacks.

A strict social etiquette developed which symbolized white privilege and black subservience.²⁴ Children learned the rules of the game through subtle and overt ways. In the 1930's when a black youngster in Texas was beaten by white adult males for entering a bus before a white woman, his father did not protect or console him but angrily counseled, "You ought to know better than to get on the bus before the white folks."

The implication of segregation, as it was practiced, was clear: blacks are inferior and incapable of participation in the total society. This rejection occurred to a people generally trying desperately to belong. Denied the tools and opportunity for personal achievement and the resultant sense of adequacy and security achievement brings, belonging to a group which met these needs was most important. Blacks made various adaptations to meet adequacy and security needs in a society in which they were now "free" but still rejected and abused.

Blacks who had used religion as an adaptive mechanism during slavery now embraced it more firmly. The church became a substitute society.²⁵ "Walking and talking with Jesus" was more than a metaphor. It was an important method of being a valued person. In many black communities, a sense of relatedness born of the need for mutual support necessary to survive in a threatening society began to develop. Sharing and mutual aid became a style of life for many. Many informal and formal Afro-American mutual support organizations developed after slavery, reflecting the great need. Other blacks became paid employees of their former masters and maintained a carbon copy style of life and identified strongly with whites. Some wandered disorganized and hopeless for several years after slavery. Some were without social organization, goals and direction and were largely pleasure oriented, responding to their inadequately controlled sexual and aggressive drives in a way which led them into conflict with the larger society. Such behavior was not viewed as a failure of the society to establish social policy which promoted adequate social and psychological development but was seen as "the way the niggers are." Similar behavior among whites was not viewed as "white behavior."

Because blacks did not respond to oppression with violent retaliation did not mean that they did not experience anger. It was generally turned against the self or others like the self.²⁶ Passive, self-destructive modes of behavior are, in part, a product of the reaction to self-hate and low self-esteem. The excessive use of drugs and alcohol are but a few examples. Violent behavior against other blacks--often a displacement of anger towards whites--is a familiar pattern. The assault on "a friend" over a dime or a bottle of wine is an indication of the low self-esteem. The disproportionately high violent crime rate of blacks is, in part, a manifestation of displaced anger. A black student at an Ivy League school angrily contested a black professor after it was obvious that the student was in error. He readily accepts similar comments from whites. Low aspiration level and high family conflict rates among some blacks is often a by-product (or partially so) of anger against the self. Because many blacks have very little power to effect change, overwhelming obstacles and hopeless surrender produce high social and psychological depression rates. Only occasionally and only recently has rage and anger been turned against whites.

The circumstances of black and white interaction has also had an impact on the white psyche.²⁷ Until recent years, many whites have felt justified in their abuse and exploitation of blacks. Leaders of the society--a United States Congressman as late as the early 1900's--threatened greater violence toward blacks if favorable legislation for them was passed. During Reconstruction many white leaders urged the white masses to attack blacks and often joined in the fun. It is small wonder that a cavalier attitude (indeed a collective super-ego defect) developed with regard to white abuse of black. It was wrong to murder unless it was a nigger out of his place--his place being determined by whites.

Inherent superiority was taught and is still taught to white youngsters through denial and by ignoring the accomplishments of blacks in the face of overwhelming obstacles. Institutional denial--exclusion of blacks from textbooks, communications media, and white institutions--facilitated individual denial. White youngsters were taught white superiority and black inferiority through direct and inadvertent means. A white youngster of marginal intelligence had learned from his father that he should be nice to blacks otherwise they would not want to work for him when he grew up--an assumption of a

superior status in spite of the fact that the youngster was less prepared to be a high level achiever than many blacks. A golf caddy who wanted to work for two black physicians without taking his turn asked them to tell the pro in charge that they worked for his father. A white suburban child looked at a black youngster in town and said, "Look Mommy, a baby maid!" White people act consciously and unconsciously on these feelings in relationship to blacks. These attitudes and conditions are clearly changing under the pressure of new social forces but many undesirable conditions still exist. Such attitudes and reactions are, in part, a basis for continued black and white conflict.

In spite of the many psychological and social forces which inhibited normal black reaction to oppression, the basis for such a reaction has been gradually developing for a long time. It began when slavery was ended and the policy of racial segregation forced white leaders to prepare or permit some blacks to prepare themselves to take care of their own. This "crack" in the pattern of forced dependency was the beginning of the development of a positive black group identity and eventually a normal reaction to oppression. Many blacks, as preachers, teachers, physicians and other professional service people,

began to develop skills which gave them a sense of adequacy and the capacity to cope. In the South in particular, successful business communities developed. Black youngsters were able to identify with people like themselves in positions of leadership and respect. Obviously the level of respect was limited by the implications of a segregated system but nonetheless it was of value in enhancing black self-esteem. More among the black masses were better able to earn enough money to take care of their families and as a result were able to develop a sense of personal adequacy. Involvement in two world wars and achievement in entertainment, athletics and other areas and the exposure facilitated by mass migration began to change the black American's feelings toward the self. A positive sense of self²⁸ began to replace the previous negative self concept.

Today's young adult blacks and teen-agers grew up observing the heroics of Jackie Robinson and Jimmie Brown. They watch Sidney Poitier and listen to Aretha Franklin. They observe better trained blacks achieve and move to positions of high responsibility. They test themselves against white youngsters on the gridiron, in the military service and occasionally in the classroom and often find

they can perform just as well. When this is not the case, it is often clear that limited opportunity and not a lack of ability is the probable cause. The black nurse's aide and practical nurse often realize that with the same educational development and training, they could hold the nurse's job, more often held by whites.

For good reasons, blacks began to raise critical questions. Why is the white American entitled to special opportunity and privilege? Why have we been denied political, economic and educational opportunity? Why should we despise blackness, indeed, hate aspects of ourselves? Having rejected notions of inferiority, there is no good answer. In spite of this, blacks continue to experience excessive white resistance to pressure for justice and opportunity.

Many of the young black leaders of today were part of the sit-in movement of a decade ago. Many attended racially integrated schools while being harrassed, intimidated and attacked by white hoodlums while "responsible authorities" turned their heads. Many watched Bull Connor bring out the dogs to interfere with the peaceful protest of unjust laws and practices. Many looked in vain for action by the legislative, judiciary

and executive branches of government to remove obstacles to first class citizenship. Most troublesome, they watched white public officials, clearly violating the law, be elected to offices of high trust and responsibility because they stood for the unjust exercise of power against blacks.

The reaction to resistance could now be different. Blacks are no longer largely employed in Southern agriculture and consequently vulnerable to economic reprisal for any self-interest activities--political, economic or social. Black adequacy and competence is now built on more than white approval and assurance of acceptance as a child of God with a reward in heaven. A significant number of black parents no longer teach their children to accept white authority, right or wrong. Many whites, now economically more secure and better educated, no longer need or approve of the scapegoating of blacks. The tie that bound--black social, economic and psychological dependence on an almost totally rejecting white community--has now been broken.

With the breaking of the dependency bond came expected responses. A greater number of blacks could experience anger and rage in response to denial and injustice. In addition blacks could now seek an identity

free of the implications of the aggressor and/or oppressor (the white power structure which denied opportunity to blacks on the basis of a rationalization--inferiority). An intense search for a positive black identity followed.

The breaking of the dependency bond, acceptance of blackness and a sense of outrage is an energizing and potentially explosive set of psychological developments. The potency is increased by the fact of a continued high level of resistance. The black American experiences intense and ambivalent feelings as a result and is confronted with numerous questions and conflicts. Should he attempt to become a part of the mainstream of his society--now changing but once so abusive and rejecting--or is he obliged to retaliate and/or reject it? Indeed, does manhood require retaliation and rejection? Can he trust a white America which has never before demonstrated itself trustworthy with regard to recognizing and protecting the human rights of black Americans? These developments and circumstances have created the tension and potential for black violence, retaliatory and black initiated.

The ambivalence and uncertainty is reflected in the wide range of black community responses. The shooting of

a black man in connection with a jay-walking traffic violation in Washington, D. C. recently prompted a violent, retaliatory black community mood, necessitating a massive police confrontation. In St. Louis, black churchmen made angry demands for an apology when a white cashier referred to the group of men as "boys." Any expression of white superiority or excessive control evokes a strong reaction from many blacks. Obviously new ground rules for black and white interaction are being established and blacks are sensitive to violations.

A black student was ordered off the lawn at his predominantly white college campus by a white policeman. To be a man--a black man--he had to hit the policeman, a symbol of oppression. But it was a "minor incident" and to avoid difficulty he had to hold back. In fury, rage and confusion he smashed his arm through a plate glass window a few minutes later. Such feeling occasionally results in a loss of control after "trigger incidents" (reflecting white superiority and black helplessness) with attendant burning of property. With a breakdown in personal control, blacks, employed and unemployed, loot and plunder the "symbolic enemy." Such reactions on the part of oppressed groups have been reported throughout human history.

In the one to one black and white relationship where mutual respect exists, interaction is less difficult, perhaps better than ever before. It is the battle against the symbolic enemy which permits black youngsters to escort their white teacher to safety and stone the cars of passing white strangers a few minutes later.

Black reactions are manifest in other ways. A distinguished banker in New York has said that "I am a black man first and an American second." The new black bank president in Chicago identified himself in reverse order. Both accept the values and styles of the total society but want to change the society to meet the needs of more among the black masses. On the other extreme are blacks so angry and alienated that they advocate the establishment of a separate state. One group has already emigrated to Africa. Two black Olympic athletes raised their fists in a symbolic black power salute and another waved an American flag. Black militants and intellectuals ponder the question of whether entrance into the American mainstream is possible or desirable, whether constructive modification of the American system is a realistic aim or whether revolution is necessary, possible or suicidal.

Some black college students are so "hung-up" on these issues that they are unable to concentrate on course work which is irrelevant by comparison. The feelings have filtered down to youngsters, as young as three or four years of age. Just as young members of the Klan are taught that it is permissible to abuse blacks, some young blacks are being taught that it is permissible to abuse whites. The level of awakening and concern is now so pervasive and reaches such a young age group that one can only anticipate growing pressure for justice--the fair exercise of power. This level of uncertainty, ambivalence, anger and confusion and resistance cannot persist for long without a drift toward a more malignant reaction--guerilla warfare and vigilante type responses.

There is no easy answer to the problem of black and white conflict and violence. The energy released by black awakening and the development of a positive group concept is profound. If channeled, it can be a powerful force for black community development, pride and forceful but non-violent (or minimally violent) pressure for constructive change within the present social system. But before it can be channeled, it must be clear to blacks that support of the present system and participation

in it is in the interest of justice for the black masses. To support a social system which continues to formulate social policy which does not permit adequate development of individual blacks as well as the community and permits blatant disregard for the rights of blacks is to support the conditions which promote intolerable rage and anger.

The nation is in a race against time. Constructive attitude and economic changes have been made. In many places, members of the white power structure have shown an unprecedented interest in facilitating black entrance into the mainstream of American life. The interaction is establishing new and more healthy ground rules for black and white relations. But often the complex factors related to emergence from a dependent, despised position to full participation in the society are not well understood--nor are the many subtle forms of resistance and racism.

Only when blacks are competent performers in much more significant numbers with access to every area and level of human endeavor within the society will the impression of white power, superiority and independence and black powerlessness, inferiority and dependence be destroyed. One alternative now is to attempt to achieve

these ends within the society, as a part of the society and through methods deemed acceptable by the society. Another, most likely to develop if white resistance to full black participation persists, is to move against the society...violently. Logic or concern for the consequences cannot stay passion generated by the desire to satisfy basic human needs. Government, industry, educators and every group responsible for establishing social policy must make it clear through rapid and enlightened action that manhood, respect, adequacy and security are possible within this society or black and white conflict and violence will become more malignant.

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FOOTNOTES

1. In an analysis of the feelings, attitudes and behavioral interaction between black and white Americans, a basic methodological problem exists. Primary documents relating conditions and reactions from the loss of the organizational elements of the original black culture through subjugation are generally available from the slaver and master and not the slaves--save a limited number of narratives. Yet behavior under certain conditions is somewhat predictable and understandable even in retrospect. Combining historical, sociological and psychological data can give us a greater depth and breadth of understanding of current behavior than documentable historical evidence alone. After all, to say that what cannot be completely documented did not happen is to limit progress in understanding critical problems.

I have combined my backgrounds in social science, public health, child, adult and social psychiatry as well as a vast amount of work in disorganized and low income black community areas to develop the thesis presented in this paper.

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primitive to reactionary to modern forms of collective violence, it also displays a marvelous array of regressions, mixtures, and hesitations. Surely the country's erratic industrialization, uncertain, fluctuating unification, and exceptional military involvement in politics lie behind its idfferentiation from the rest of Western Europe in this respect. Spain, as Gerald Brenan says,

is the land of the patria chica. Every village, every town is the centre of an intense social and political life. As in classical times, a man's allegiance is first of all to his native place, or to his family or social group in it, and only secondly to his country and government. In what one may call its normal condition Spain is a collection of small, mutually hostile or indifferent republics held together in a loose federation.... Instead of a slow building up of forces such as one sees in other European nations, there has been an alternation between the petty quarrels of tribal life and great upsurges of energy that come, economically speaking, from nowhere." 34

Thus Spain becomes the exception that tests the rule. For the rule says the shift from predominantly reactionary to predominantly modern forms of collective violence accompanies the more or less durable victory of the national state and the national economy over the particularisms of the past. In Spain, that victory was not durable, and the forms of violence wavered.

The precise timing and extent of the shift from reactionary to modern forms of collective violence in these countries remains to be established. For France, it is fairly clear that the shift was barely started by

documented in detail for the United States in other contributions to this volume.

The correlations between the measures of legitimacy and past levels of strife are shown in table 12. Among nations generally, and among most groups of nations, the legitimacy of the political system has the predicted inhibitory effect on magnitudes of violence, and historical levels of strife tend to facilitate future strife. However they are not as important, for all nations, as are differences in levels of deprivation, as a comparison with table 11 indicates. Comparison of groups of nations suggests why: there are striking differences among them in the efficacy of legitimacy in reducing strife, and in the facilitating effects of past strife on future events.

Legitimacy most strongly inhibits civil strife in the developing nations; in the democratic and the personalist nations; in the non-Communist Western nations; and in Latin, Islamic, and Asian nations. It has relatively weak effects in the most- and least-developed nations; the nations governed by modernizing elites; and in African and Communist nations. In centrist (authoritarian) regimes it tends to inhibit conspiracy but has no effect on turmoil. Historical levels of strife very strongly facilitate subsequent strife in the most developed, democratic, and Western European nations. Their effects are inconsequential or negative in the developing, personalist, and Eastern European nations.

Many special interpretations could be made of these results. Only some general ones are suggested here. Legitimacy presumably has little inhibiting effect on strife in the new, least developed

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The Cash Nexus of Southern Violence

A tendency toward violence has been one of the character traits most frequently attributed to Southerners.¹ In various guises, the image of the violent South confronts the Historian at every turn: dueling gentlemen and masters whipping slaves, flatboatmen indulging in a rough-and-tumble-fight, lynching mobs, country folk at a bear baiting or a gander pulling, romantic adventurers on Caribbean filibusters, brutal police, panic-stricken communities harshly suppressing real and imagined slave revolts, robed night-riders engaged in systematic terrorism, unknown assassins, church burners, and other less physical expressions of a South whose mode of action is frequently extreme.² The image is so pervasive that it compels the attention of anyone interested in understanding the South. Before the existing interpretations of southern violence can be reviewed, however, Historians need to identify more carefully than they so far have just what is special about southern violence.

H. C. Brearley was among the first to assemble the quantitative data to support the description of the South as "that part of the United States lying below the Smith and Wesson line."³ He pointed out, for example, that during the five years from 1920 to 1924 the rate of homicide per 100,000 population for the southern states was a little more than two and a half times greater than for the

remainder of the United States. Using data from the Uniform Crime Reports concerning the 1930's, Stuart Lottier confirmed and elaborated Brearley's findings in 1938. He found for this period also that homicide was concentrated in the southeastern states. Of the eleven ex-Confederate states, Louisiana showed the lowest homicide rate, but it was 74% greater than the national average, and no non-southern state had a higher rate. Interestingly, while murder and assault were oriented to the southeastern states, robbery rates were highest in the central and western states.⁴ These findings were replicated in 1954 using data on crime for the years 1946 through 1952.⁵ The pattern of high rates of serious crimes against persons and relatively lower rates of crimes against property for the South is consequently quite stable.

At the time that Brearley was setting forth the evidence for southern leadership in physical aggression against people, another statistical study primarily of American suicide rates revealed that the South was the area whose people had the least propensity to destroy themselves.⁶ Austin Porterfield in 1949, using mortality tables from Vital Statistics, brought the murder and the suicide indices together and showed that there was a general inverse relationship between the two rates among the states and that southern states ranked highest in homicide and lowest in suicide.⁷ In 1940, the national average rate of suicide per 100,000 population was 14.4 and of homicide was 6.2, but the old and cosmopolitan city of New Orleans had a suicide rate of 11.1 and a homicide rate of 15.5. Even though some southern cities exceed some non-southern cities in suicide rates, the New Orleans pattern of more homicides

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than suicides is typical of the South but not of the nation. Porterfield comments that "suicide in every non-Southern city exceeds homicide by ratios ranging from $\frac{1}{19}$ to 18.60, while suicide rates exceed homicide rates in only 8 of the 43 Southern and Southwestern cities, 5 of these being in the Southwest."⁸

Violence in the South has three dimensions. Relative to the North, there are high rates of homicide and assault, moderate rates of crimes against property, and low rates of suicide. The relationship between homicide and suicide rates in a given group is best expressed by a suicide-murder ratio ($SMR=100(\text{Suicides}/\text{Suicides}+\text{Homicides})$). The closer the SMR approaches to 100, the greater is the proportion of the total number of homicides and suicides accounted for by suicide. The European pattern, shared by white Northerners but not by Negroes or white Southerners, is for suicides to far outnumber homicides so that the SMR is in excess of 80. The ratios in Table 1, displayed graphically in Figure 1, measure the difference between Southerners and other Americans with regard to violence. Because the statistics for "the United States" include the statistics for the southern states, the differences between southern and non-southern suicide-murder ratios are understated. Even so, the differences are significant. In the North and the South, but more so in the South, Negroes commit murder much more often than they commit suicide. Among white Americans, Southerners show a relatively greater preference than do non-Southerners for murder rather than suicide.

TABLE 1

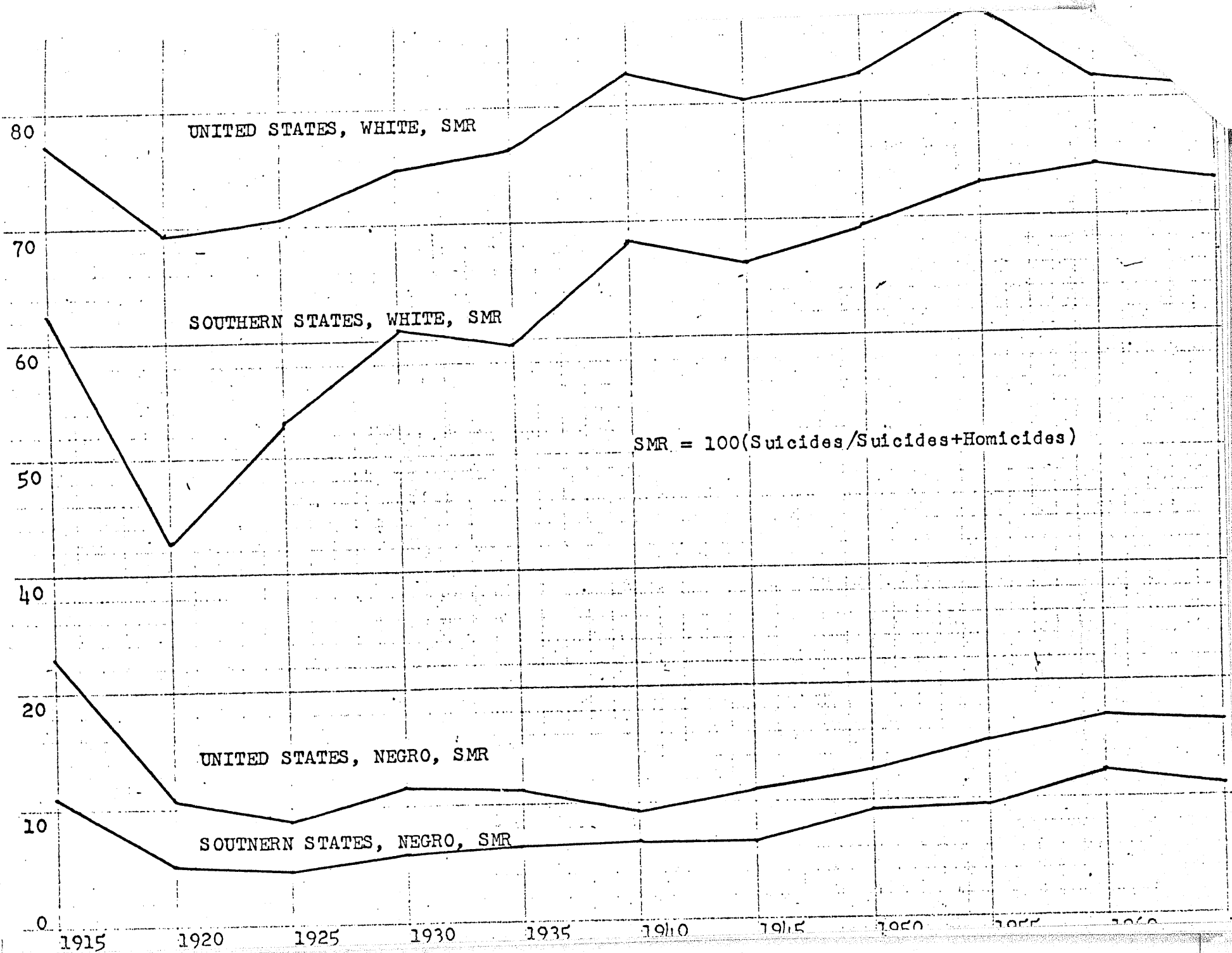
SUICIDE-MURDER RATIOS FOR FOUR CATEGORIES OF AMERICANS, 1915-1964*

Year	United States White SMR	Southern White SMR	United States Negro SMR	Southern Negro SMR
1915	77.4	62.9#	23.7	11.3#
1920	69.3	43.4#	11.2	05.6#
1925	70.9	53.5#	09.2	05.0#
1930	75.0	61.1#	11.9	06.0#
1935	76.2	59.9	11.4	06.3
1940	83.3	68.5	09.6	06.5
1945	80.3	66.4	11.1	06.8
1950	82.4	69.8	12.4	09.3
1955	88.3	73.1	15.6	09.7
1960	82.0	74.4	17.0	12.2
1964	81.1	73.2	16.7	11.1

*Suicide-Murder Ratio = 100 (Suicides/Suicides + Homicides).

As the ratio approaches 100, it registers the increasing preference for suicide rather than murder among the members of a given group. The ratios were computed from figures taken from: Forrest E. Linder and Robert D. Grove, Vital Statistics Rates in the United States, 1900-1940 (Washington, 1943), and U.S., Department of Health Education, and Welfare, Vital Statistics of the United States, for the appropriate year.

#In 1915, only Virginia was represented in the SMR for southern whites and Negroes. In 1920, all of the ex-Confederate states were included in the figures except Alabama, Arkansas, Georgia, and Texas. Arkansas, Georgia, and Texas were still not reporting in 1925, but by 1930 only Texas was excluded. From 1935 on, all southern states are included.



High murder and low suicide rates constitute a distinctly southern pattern of violence, one that must rank with the caste system and ahead of mint juleps in importance as a key to the meaning of being southern. Why this should be so is a question that has puzzled investigators for a long time, and their answers have been various. When one loyal Southerner was asked by a probing Yankee why the murder rate in the South was so high, he replied that he reckoned there were just more folks in the South that needed killing.

Few theories surpass this one in purity, though there are a few more sophisticated ones. Some commentators have suggested that the habit of carrying guns in the South, a remnant of the frontier tradition and a reflection of the chip-on-the-shoulder pride that most Historians have noted as a southern trait, made murder a much more frequent outcome of arguments among Southerners than among Northerners. The fact that the assault rate is also extremely high in the South indicates that Southerners react with physical hostility even without guns.

Another possible explanation is that southern white society contains a larger proportion of lower status occupations so that the same factors that cause lower status groups in the North to become more violent than the rest of society have a proportionately greater effect on the South. The difference in rates would then be accounted for by the numerical bulge in the high risk group, and only the stratification of society would be peculiarly southern. Unfortunately for this theory, southern cities, in which whites show the distinctive pattern of southern violence, actually have

greater percentages of the white population in higher status jobs than do northern cities.⁹ It is not the class structure that causes the southern skew in the statistics.

TABLE 2
HOMICIDE AND SUICIDE RATES BY RACE AND BY SIZE OF POPULATION GROUP, UNITED STATES, 1940

	U.S. Cities 100,000 and Up	Cities 10 to 100,000	Cities 2,500- 10,000	Rural
Suicide (All Ages, Both Sexes)				
All Races	14.4	16.8	15.6	12.0
White	15.5	17.8	16.4	13.3
Non-White	4.6	7.2	5.8	3.0
Homicide (All Ages, Both Sexes)				
All Races	6.2	7.1	5.7	5.7
White	3.1	3.2	2.5	3.3
Non-White	33.3	43.3	43.0	23.1

SOURCE: Forrest E. Linder and Robert D. Grove, Vital Statistics Rates in the United States, 1900-1940 (Washington: Government Printing Office, 1943), Table 24, pp. 534-553.

In the same way, the agricultural nature of southern life might account for the pattern of southern violence. The fact that the peculiar configuration exists in southern cities as well as in the countryside could possibly be accounted for by the large migration into the city of people who learned their ways of living and dying in the country. Table 2 shows that both homicide and suicide rates are lower for rural districts than for urban areas in the United States. This results in an SMR for the white population

of rural districts considered by themselves of 80.1, as compared with an SMR of 83.7 for the white population of the nation as a whole. The SMR of 68.8 in 1940 for southern whites, both urban and rural, is significantly lower than the national ratios and indicates that southern whites were much more given to acting out their aggressions than the white population of either the cities or the countryside in the rest of the nation.

Another way of testing the notion that the rurality of the South may be the root of its strange configuration of violence is summarized in Table 3, a comparison of the SMR's of the eleven ex-Confederate states with those of the eleven most rural non-southern states. The non-southern states, mostly western, are closer in time to frontier days and are currently much more subject to instability caused by in-migration than are the southern states, but otherwise the two sets of states are similar enough for purposes of comparison. The percentage of population living in the urban areas of the southern states ranged from 13.4% to 36.7% with the mean falling at 26.1%, while in the eleven non-southern states the degree of urbanization ranged from 13.6% to 36.7% with the mean at 31.2%. In order not to distort the comparison more than necessary, Nevada, with an extraordinary suicide rate of 41.3 per 100,000 population, is omitted from the comparison. At the same time, Virginia and Florida, with very non-southern SMR's, are retained in the southern sample. The results still show a significant difference between the suicide-murder ratio of the southern states and that of the most rural non-southern states. The strange bent of southern violence can not be accounted for by the rural nature of southern society.

TABLE 3

SUICIDE AND HOMICIDE RATES AND SUICIDE-MURDER RATIOS FOR SOUTHERN STATES AND ELEVEN MOST RURAL NON-SOUTHERN STATES, 1940

Population Group		Suicide-Murder Ratio			
Southern Non-White		6.7			
National Non-White		12.2			
Southern White		68.8			
Non-Southern, White Rural (11 states)		79.0			
National White Rural		80.1			
National White		83.7			
Southern States		Rural Non-Southern States			
White		White			
Suicide Rate	Homicide Rate	Suicide Rate	Homicide Rate		
Alabama	11.7	6.9	Arizona	15.2	7.5
Arkansas	8.0	5.1	Idaho	17.7	3.3
Florida	19.8	7.5	Iowa	15.2	1.3
Georgia	12.1	5.6	Kansas	13.0	1.1
Louisiana	12.4	5.5	Montana	21.1	4.8
Mississippi	10.1	5.7	Nebraska	16.8	.7
North Carolina	10.4	4.0	New Mexico	14.2	5.7
South Carolina	9.7	5.0	North Dakota	9.7	1.4
Tennessee	10.0	7.1	South Dakota	10.5	1.8
Texas	13.6	5.3	Vermont	16.7	.8
Virginia	18.4	5.0	Wyoming	23.5	4.5
Averages	12.4	5.6	Averages	15.8	4.2

SOURCE: Forrest E. Linder and Robert D. Grove, Vital Statistics Rates in the United States, 1900-1940 (Washington: Government Printing Office, 1943), Table 20. All rates per 100,000 population.

Poverty is also a logical factor to suspect as the underlying cause of the South's pattern of violence. Howard Odum computed that the Southeast in 1930 had 20.9% of the nation's population but only 11.9% of the nation's wealth.¹⁰ Whether or not the region was poor before it was violent is an undetermined matter. Even more to the point, poverty alone can not explain high homicide rates. The decline of homicides during business depressions in the United States underlines this argument, as does the fact that crime rates among second generation immigrants are much higher than among first generation immigrants despite the fact of increased material welfare.¹¹ One study has found no significant correlation between crime rates and the proportion of the population on relief by county in Minnesota, whereas there was a strong correlation between crime rates and the degree of urbanization. Like the rural poor in Minnesota, the Japanese of Seattle were poor but honest and non-violent.¹²

By far the most popular explication of the culture of violence in the South was fashioned by Wilbur J. Cash in his book, The Mind of the South. Cash located the motive force of violence in the frontier experience and in the presence of the Negro.¹³ Despite its poetic appeal, there is considerable difficulty with the notion that the presence of large numbers of Negroes accounts for the great propensity of whites for violence. In the first place, as Table 1 indicates, southern whites considered by themselves vary from the national pattern in the same direction as Negroes, though to a much lesser extent. In addition, Porterfield points out that for the twelve southern states with the heaviest Negro population, the

coefficient of correlation between serious crimes and the percentage of Negroes in the population is $-.44$. There is actually a tendency for states to rank lower in serious crimes as the percentage of Negroes in the population increases.¹⁴

More importantly, it is impossible to support the idea that whites are made more violent because of their unrestrained dominance over Negroes. There is, in fact, very little inter-racial homicide,¹⁵ and there is no reason to question John Dollard's hypothesis that Negroes murder and assault each other with such appalling frequency because of their daily frustrations in dealing with white men. Because aggressions against whites would call forth extreme negative sanctions, frustrated Negroes displace their aggressive feelings to other Negroes.¹⁶ If this is the case, it is difficult to see how high rates of violence among the dominant white group could also be attributed to the white-Negro relationship, especially when the presence of Negroes in the North is not accompanied by a proportionate rate of violence among the whites. It is also interesting that whites in South Africa who also experienced frontier conditions and a subordinate non-white population have a homicide-suicide ratio almost identical to the ratio for the American North but quite different from that of the southern whites.¹⁷

Cash's attempt to explain southern violence by reference to the frontier, an experience common to all sections of America, implies that a certain pattern of violence is characteristic of each stage of economic growth and that the South's peculiar pattern of violence arises from the fact that it has simply not outgrown its frontier

stage while the rest of the country has. This is a partially supportable view. Though the data are extremely questionable, there is a significant positive correlation between the SMR and almost every measure of modernization for the fifty-six world polities for which information is readily available.¹⁸ That Southerners over the past half century have been growing more similar to non-southern Americans in their tastes in violence as the gap between the nation and the South in economic development has slowly narrowed also argues that there may be nothing idiosyncratic about violence in the ex-Confederate states. There may be no increment of violence in the South that is not "explained" by the lag of the region's economic development.

To test this possibility, a method is needed for measuring the relationship between violence and key indices of economic development. It may well be that such factors as wealth, urbanization, education, and age taken together might account for the South's particularity in rates of violence. Multiple regression analysis offers a technique for determining the power of several independent variables operating in an additive fashion to explain the variation in a dependent variable. In this case, the dependent variables that require "explaining" are the suicide rate, the homicide rate, the sum of the suicide rate and homicide rate, and the suicide-murder ratio. Even though these rates are taken from the most reliable source, Vital Statistics for the United States, there may well be large errors between the published rates and the true rates. Some violent deaths are never recorded, and many are improperly classified, but there is no reason to suspect that there has been

a long-term, systematic bias in the collection and recording of the statistics for the southern states. For the purposes of the crude comparison between South and non-South, the Vital Statistics data are acceptable.

Six independent variables measuring four factors that are widely assumed to be related to violence are included in the analysis. Except where indicated below, their values are taken from the United States Census for 1940. Urbanization is stated as the percentage of the population living within towns of 2,500 or more; education is measured by the median number of school years completed by persons twenty-five years old and older; "income" is the state's per capita personal income in dollars for 1940 without differentiating between races; unemployment is expressed as the percentage of the working force out of work; "wealth" is the state's per capita income in dollars in 1950 by race; and age is the median age of the population. "Region" is a dummy variable included in the analysis in order to see if any of the unexplained residue of the dependent variable is associated with the fact of its occurring either inside of or outside of the South. All of the ex-Confederate states were assigned the value of one, while all non-southern states were recorded as zero. The results of the analysis are summarized in Tables 4 and 5.

In Table 4, the most interesting disclosure concerns the homicide rate. Fifty-two per cent of the variation from state to state in the homicide rate of the white population is associated with variations in the six independent variables taken together. That this is statistically significant is indicated by the F Value of 6.1.

TABLE 4

Multiple Regression Analysis: Measures of Violence of White Population
With Several Social Indices

Dependent Variable = United States White Suicide Rate by States, 1940

<u>Independent Variables</u>	<u>Inter- Correlation</u>	<u>T of Weights</u>	<u>Partial Correlation</u>
Urbanization	0.25	-5.34	-0.64
Education	0.62	3.85	0.52
Income	0.56	0.91	0.14
Unemployment	0.22	2.21	0.33
Wealth	0.53	2.33	0.35
Age	0.55	4.63	0.59
Region: South = 1	-0.31	2.96	0.42
R ²		0.72	
F Value		14.40	
Degrees of Freedom		47	

Dependent Variable = United States White Homicide Rate by States, 1940

Urbanization	-0.45	-1.55	-0.24
Education	-0.17	0.59	0.09
Income	-0.42	1.46	0.23
Unemployment	-0.13	1.74	0.26
Wealth	-0.42	-0.76	-0.12
Age	-0.58	-1.57	0.24
Region	0.54	3.61	0.49
R ²		0.52	
F Value		6.10	
Degrees of Freedom		47	

TABLE 4, cont.

Dependent Variable = United States White Homicide Rate Plus Suicide
Rate by States, 1940

<u>Independent Variables</u>	<u>Inter- Correlation</u>	<u>T of Weights</u>	<u>Partial Correlation</u>
Urbanization	0.07	-4.64	-0.59
Education	0.52	3.14	0.44
Income	0.36	1.26	0.20
Unemployment	0.15	2.35	0.35
Wealth	-0.34	1.46	0.22
Age	-0.30	2.87	0.41
Region	-0.09	3.66	0.50
	R ²	.57	
	F Value	7.51	
	Degrees of Freedom	47	

Dependent Variable = United States White Homicide-Suicide Ratio by
States, 1940

Urbanization	0.53	-0.14	-0.02
Education	0.40	0.73	0.11
Income	0.63	-1.58	-0.24
Unemployment	0.25	-1.18	-0.18
Wealth	0.62	1.94	0.29
Age	0.76	3.55	0.49
Region	-0.68	-3.91	-0.53
	R ²	.72	
	F Value	15.42	
	Degrees of Freedom	47	

Multiple Regression Analysis: Measures of Violence of Non-White
 Population With Several Social Indices

Dependent Variable = United States Non-White Suicide Rate by States, 1940

<u>Independent Variables</u>	<u>Inter- Correlation</u>	<u>T of Weights</u>	<u>Partial Correlation</u>
Urbanization	0.08	-0.82	-0.13
Education	0.30	1.61	0.25
Income	0.47	1.68	0.26
Unemployment	0.15	-0.57	-0.09
Wealth	0.34	-0.00	-0.00
Age	0.13	-0.26	-0.04
Region: South = 1	-0.34	0.50	0.08
R ²	0.30		
F Value	2.49		
Degrees of Freedom	47		

Dependent Variable = United States Non-White Homicide Rate by States, 1940

Urbanization	-0.07	-1.84	-0.28
Education	-0.19	-1.66	-0.25
Income	-0.11	1.14	0.18
Unemployment	-0.17	1.39	0.21
Wealth	-0.09	-0.25	-0.04
Age	0.04	2.75	0.40
Region	0.28	2.53	0.37
R ²	.25		
F Value	1.90		
Degrees of Freedom	47		

TABLE 1, cont.

Dependent Variable = United States Non-White Homicide Rate Plus
Suicide Rate by States, 1940

<u>Independent Variables</u>	<u>Inter- Correlation</u>	<u>T of Weights</u>	<u>Partial Correlation</u>
Urbanization	-0.02	-2.02	-0.30
Education	-0.03	-0.75	-0.12
Income	0.13	1.80	0.27
Unemployment	-0.08	0.98	0.15
Wealth	0.09	-0.23	-0.04
Age	0.10	2.35	0.35
Region	0.09	2.50	0.37
	R ²	.22	
F Value	1.62		
Degrees of Freedom	47		

Dependent Variable = United States Non-White Homicide-Suicide
Ratio by States, 1940

Urbanization	0.27	2.17	0.32
Education	0.36	2.06	0.31
Income	0.43	1.20	0.18
Unemployment	0.30	-0.59	-0.11
Wealth	0.36	-0.62	-0.10
Age	0.12	-2.78	-0.40
Region	-0.36	-0.61	-0.09
	R ²	.35	
F Value	3.12		
Degrees of Freedom	47		

In this analysis, F Values in excess of 5 indicate that there is only a slight possibility that the relationship would have been produced by a random ordering of the data. The coefficient of partial correlation indicates the degree of association between the unexplained portion of the variation in the dependent variable and each of the independent variables considered individually. When the T Value exceeds approximately 2.5 in this analysis, the coefficient of partial correlation is statistically significant. After all of the independent variables have been considered collectively and individually, the dummy variable of "region" explains 25% ($r=.50$) of the previously unexplained 48% of the variation in the homicide rate. This means that the white homicide rate is higher in the South than can be accounted for by the lower indices of urbanization, education, wealth, and age. Similarly, in the United States, there is a significant portion of the variation from state to state in the suicide-murder ratio that is unexplained by variations in the indices of development but that is explained by Southernness.

A glance at Table 5 reveals that for Negroes, either the data are grossly skewed or there is little relationship between violence and the selected indices of social welfare. There is the barest hint that, controlling for the selected factors, there is some explanatory value in sectionalism, a conclusion that also has independent verification. Thomas F. Pettigrew and an associate found that the major correlate of the rate of Negro homicide in the North was the proportion of Negroes in a given area who had been born and raised in the South and that this was in addition to

the effect of migration itself. It had long been known that homicide was much less frequent among northern than among southern Negroes, but this finding reinforces the conclusion with regard to whites that violence in the South is a style of life that is handed down from father to son along with the old hunting rifle and the family Bible.¹⁹

Though Cash did not pause to ask whether or not violence in the South was totally explained by its level of economic growth, he sensed that his task was to explain why the South did not outgrow its frontier pattern of violence as other sections did. He argued that the cult of honor and then defeat in the Civil War helped perpetuate the romantic, individualistic, "hell-of-a-fellow" as a valued personality type and therefore helped maintain the Southerner's tendency toward direct, personal, and violent action. There may be some validity in this view, but the mechanism connecting defeat and violent personality types has yet to be spelled out. It is certainly not possible to maintain that the South's defeat in the Civil War, however traumatic, was the equivalent of the sort of cultural conflict that leads to the loss of self-esteem, disrupts the processes of socialization, and initiates the cycle of self-crippling behavior within the subordinate group that indicates the presence of anomie.²⁰

The concept of anomie, developed by Emil Durkheim in his study, Suicide, in 1898, is frequently mentioned as an explanation of both homicide and suicide. Anomie has meant slightly different but not contradictory things to different investigators. It is most generally understood to be a social condition in which there is a

deterioration of belief in the existing set of rules of behavior, or in which accepted rules are mutually contradictory, or when prescribed goals are not accessible through legitimate means, or when cognition and socialization have been obstructed by personality traits that cluster about low ego strength.²¹ In its manifestation in the individual, in the form of anomie, it is a feeling of normlessness and estrangement from other people. An anomic person feels lost, drifting without clearly defined rules and expectations, isolated, powerless, and frustrated. In this state, there is a strong strain toward deviant behavior in various forms. The problem is that both homicide and suicide are thought to be related to it, and the theory does not predict what sorts of people or what groups will favor one form of behavior rather than another.

To look at southern violence as the product of anomie in any case would involve a great paradox. The most popular explanation of the high rates of American violence as compared to Europe places the blame on the rapid urbanization, secularization, and industrialization of the United States and on the social characteristics associated with this remarkable growth: geographic and status mobility, an emphasis upon contractual relationships and upon social norms rather than upon personal relationships, competitive striving, and a cultural pluralism that involves a high level of dissonance among the values that everyone tries to put into practice.²² The South has traditionally served as the counterpoint to the American way of life for the very reason that it seemed to differ from the North in these very aspects.²³ Southerners have a greater sense of history than Northerners, a greater attachment to place, and more

deferential social customs. By all reports, Southerners place more emphasis on personal relations and on ascribed statuses than do Northerners. Not only do Southerners prize political and social cohesion, but by most measures the South is much more homogeneous than the non-South.²⁴ Yet, though the South differs from the North on so many of the factors that supposedly contribute to anomie and thus to violence, the South is the nation's most violent region.

There is one body of theory that would seem to predict higher rates of violence precisely because of the South's homogeneity. Reformulating the observations of Georg Simmel and Bronislaw Malinowski, Lewis Coser writes that "we may say that a conflict is more passionate and more radical when it arises out of close relationships." "The closer the relationship," so the reasoning goes, "the greater the affective investment, the greater also the tendency to suppress rather than express hostile feelings In such cases feelings of hostility tend to accumulate and hence intensify." Such a theory fits the empirical observation that individuals who express hostility retain fewer and less violent feelings of antagonism towards the source of their irritation.²⁵ But Coser himself states that, though conflicts within close relationships are likely to be intense when they occur, "this does not necessarily point to the likelihood of more frequent conflict in closer relationships than in less close ones." There are situations in which accumulated hostilities do not eventuate in conflict behavior and may even serve to solidify the relationship.²⁶

The frustration-aggression hypothesis involves similar perplexities.²⁷ For example, one of the alternative ways of adapting to

frustration is to turn the frustration inward upon the self. In extreme cases this can result in suicide.²⁸ A psychoanalyst has concluded after an extensive study that a major portion of Sweden's very high suicide rate is caused by the frustrations arising from a highly competitive, success-oriented society.²⁹ The general rise in suicide rates in the United States during economic downturns argues that the same mechanism is at work among some segments of the population. Consequently, nothing in the frustration-aggression hypothesis predicts the direction the aggression will take.

There are currently three theories that attempt to explain the relationship between homicide and suicide as reactions to frustration. One theory, fashioned by Martin Gold, attempts to relate differences in child rearing practices to preferences for hostility or guilt as an accommodation to frustration. Specifically, Gold shows that there is a positive correlation between the incidence of physical punishment commonly used in the child rearing practices of certain groups and the rate of homicide for that group. The conclusion is that physical disciplining of children leads to aggression against others rather than against the self.³⁰ To confound the theory, restrictive child-rearing practices in Europe evidently do not lead to the physical violence that such practices among the lower classes in America are supposed to produce. There is also considerable doubt that there is a significant class differential³¹ in the degree of physical punishment used to discipline children. William and Joan McCord found in their study of juveniles that there was no strong relationship between disciplining methods and criminality except when a child is rejected by his parents or when

his parents provide him with a deviant role model. Harsh discipline does less damage than neglect.³² That there is some causal relationship between the socialization of aggression and a group's SMR is reasonable enough to suppose that it will provide a fruitful line of research. Indeed, some very interesting work is already being done for areas outside the South.³³ Before it can be a useful ingredient of an explanation of southern violence, Anthropologists and Historians need to know much more about regional differences in child-rearing techniques.

The second explanation of the generally inverse relationship between homicide and suicide rates has been developed by Andrew F. Henry and James F. Short, Jr.³⁴ Basing their hypothesis upon the assumption that both homicide and suicide are the result of frustration-aggression, and building upon Porterfield's initial suggestion that the strength of the relational system might have something to do with an individual's choice of either homicide or suicide,³⁵ Henry and Short adduce data on the relationship of homicide and suicide rates to the business cycle and to certain statistically distinct groups. They reason that overt aggression against others "varies directly with the strength of external restraint over the behavior of the adult -- external restraint which is a function of strength of the relational system and position in the status hierarchy."³⁶

Martin Gold has pointed out, however, that, contrary to the assumption of Henry and Short, upper status people are likely to be more restrained by the expectations of others than are lower status people. Even more damaging is Gold's demonstration that

the Henry and Short thesis does not correctly predict the greater preference of women for suicide rather than homicide,³⁷ nor does it correctly predict the U-functional relation of suicide rates to social status.

A third theory is that social conflict in an introverted culture results in high rates of suicide while an extroverted society vents its frustrations outwardly.³⁸ The facts do not consistently fit this hypothesis. The SMR's of the Scandanavian countries are all close to 95, while that of Greece is 69 and Italy's is 80. But Spain's SMR is also 95 and Portugal's is 90. Considering the probable effects of differences in measures of economic activity and social welfare, it would be difficult to argue that meaningful differences in the SMR's for the "introverted" Scandanavian countries and the "extroverted" Mediterranean nations exist. This is to be regretted because such a relationship could have made good use of W. J. Cash's contention that the southern personality is romantic, outgoing, unrestrained, and hedonistic.

Though the social sciences offer no clearly authenticated hypothesis that predicts the relationship in different populations between the homicide and suicide rates, future efforts to understand the meaning of violence in the South are not precluded.³⁹ Historians have not normally been deterred from interpretation by the lack of exhaustively tested behavioral laws, nor should they be. Though such speculation must be tentative and is full of hazard, there is much to be gained by the effort. In the search for a valid explanation of southern violence, the most promising approach will probably be one that seeks to identify and trace a southern world view that legitimates extrapunitive rather than intrapunitive

behavior to a greater extent than is true outside the South. When the values that make up this world view and the process by which it was created and by which it is transmitted are located, the history of the South will undoubtedly prove to have played a major role. The un-American experiences of guilt, defeat, and poverty will be major constituents of the relevant version of that history,⁴⁰ but perhaps they will not loom so large as the sense of grievance that is at the heart of the southern identity.

The South was created by the need to protect a peculiar institution from extra-legal threats, and consequently the southern identity from the first was linked to a defense against change. Since then, every significant change in the life of the South has been initiated by forces originating outside the region. Change has come to mean outsiders; outsiders have come to mean change; and both change and outsiders are synonymous with danger. Being southern, then, inevitably involves a feeling of persecution. The southern identity is seldom more conscious than when it is being challenged from a non-southern source. Though Southerners have many other identities, they are never fulfilling a more purely southern role than when defending their region against attack from outside forces: abolitionists, the Union Army, carpetbaggers, industrialization, the federal government, civil rights agitators, feminism, socialism, and a host of the other isms of modernity. From such an historical experience has come a world view that supports aggressive violence as a relatively legitimate defensive instrument in personal relations. From the southern past arises the counterpoint between profuse hospitality and intense hostility.

toward strangers and the paradox that the southern heritage is at the same time one of grace and of violence.

NOTES

1 For example, see Charles O. Lerche, Jr., The Uncertain South: Its Changing Patterns of Politics in Foreign Policy (Chicago 1964), 48-49. Representative comments can be found in: John Richard Alden, The South in the Revolution, 1763-1789 (Baton Rouge 1957), 34-35, and 41; Clement Eaton, A History of the Old South (2nd ed., New York 1966), 260, 395, 404, 407, and 415; John Hope Franklin, The Militant South, 1800-1861 (Cambridge, Massachusetts 1956); David Bertelson, The Lazy South (New York 1967), 101-113, and 241; and H. V. Redfield, Homicide, North and South: Being a Comparative View of Crime Against the Person in Several Parts of the United States (Philadelphia 1880).

2 A stimulating essay on this theme is Frank Vandiver, "The Southerner as Extremist," in Frank Vandiver (ed.), The Idea of the South (Chicago 1964), 43-56. A lighter treatment of the same subject is Erskine Caldwell, "The Deep South's Other Venerable Tradition," New York Times Magazine (July 11, 1965).

3 "The Pattern of Violence," in W. T. Couch (ed.), Culture in the South (Chapel Hill 1934), 678-692; and Homicide in the United States (Chapel Hill 1932).

4 Stuart Lottier, "Distribution of Criminal Offenses in Sectional Regions," Journal of Criminal Law and Criminology, XXIX (September-October 1938), 329-344.

5 Lyle Shannon, "The Spatial Distribution of Criminal Offenses by States," Journal of Criminal Law and Criminology, XLV (September-October 1954), 264-273.

- 6 Louis I. Dublin and Bessie Bunzel, To Be Or Not To Be: A Study of Suicide (New York 1933), 80 and 413.
- 7 Austin L. Porterfield, "Indices of Suicide and Homicide by States and Cities: Some Southern -Non-Southern Contrasts with Implications for Research," American Sociological Review, XIV (August 1949), 481-490.
- 8 Ibid., 485.
- 9 Norval D. Glenn, "Occupational Benefits to Whites from the Subordination of Negroes," American Sociological Review, XXVIII (June 1963), 443-448. See particularly Table 1.
- 10 Southern Regions of the United States (Chapel Hill 1936), 208.
- 11 Edwin H. Sutherland and Donald R. Cressey, Principles of Criminology (6th ed., New York 1960), 92 and 146-149.
- 12 Van B. Shaw, "The Relationship Between Crime Rates and Certain Population Characteristics in Minnesota Counties," Journal of Criminal Law and Criminology, XL (May-June 1949), 43-49.
- 13 Wilbur J. Cash, The Mind of the South (New York 1940), 44 and 76.
- 14 Austin Porterfield, "A Decade of Serious Crimes in the United States," American Sociological Review, XIII (February 1948), 44-54. See also James E. McKeown, "Poverty, Race, and Crime," Journal of Criminal Law and Criminology, XXXIX (November-December 1948), 480-483.
- 15 Marvin E. Wolfgang, Patterns in Criminal Homicide (Philadelphia 1958), 222-236.
- 16 John Dollard, Caste and Class in a Southern Town (3rd ed., Garden City, New York 1949), chapter 13..
- 17 Bruce M. Russett, et al (eds.), World Handbook of Political and Social Indicators (New Haven 1964). Statistical Office of the

United Nations Department of Economic and Social Affairs, Demographic Yearbook, 1963 (New York 1964), Table 25, pp. 592-611.

18 Ibid.

19 Thomas F. Pettigrew and Rosalind Barclay Spier, "The Ecological Structure of Negro Homicide," The American Journal of Sociology, LXVII (May 1962), 621-629.

20 I. Thomas Stone, Dorothea C. Leighton, and Alexander H. Leighton, "Poverty and the Individual," in Leo Fishman (ed.), Poverty and Affluence (New Haven 1966), 72-96.

21 Herbert McClosky and John H. Schaar, "Psychological Dimensions of Anomy," American Sociological Review, XXX (February 1965), 14-40.

22 David Abrahamsen, The Psychology of Crime (New York 1960), 18-21 and 177-183. These relationships are greatly illuminated by the discussion in David Potter, People of Plenty: Economic Abundance and the American Character (Chicago 1954).

23 William R. Taylor, Cavalier and Yankee: The Old South and American National Character (Garden City, New York 1963). C. Vann Woodward, "A Southern Critique for the Gilded Age," The Burden of Southern History (Baton Rouge 1960), 109-140.

24 Jack P. Gibbs and Walter T. Martin, Status Integration and Suicide: A Sociological Study (Eugene, Oregon 1964), particularly Table 6, p. 54.

25 Lewis A. Coser, The Functions of Social Conflict (New York 1956), 57, 62, and 71. Albert Pepitone and George Reichling, "Group Cohesiveness and Expression of Hostility," in Neil J. Smelser and William T. Smelser, Personality and Social Systems (New York 1963), 117-124.

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27 John Dollard, Neal E. Miller, Leonard W. Doob, O. H. Mowrer,

and Robert R. Sears, Frustration and Agression (New Haven 1939).

28 Karl Menninger, Man Against Himself (New York 1938), 23.

29 Herbert Hendin, Suicide and Scandanavia: A Psychoanalytic Study of Culture and Character (Garden City, New York 1965), chapter 5.

30 Martin Gold, "Suicide, Homicide, and the Socialization of Aggression," The American Journal of Sociology, LXIII (May 1958), 651-661.

31 Melvin L. Kohn, "Social Class and the Exercise of Parental Authority," in Smelser and Smelser, Personality and Social Systems, 297-314. Martha Sturm White, "Social Class, Child Rearing Practices, and Child Behavior," Ibid., 286-296. Bernard C. Rosen and Roy D'Andrade, "The Psychosocial Origins of Achievement Motivation," Sociometry, XXII (1959), 185-215, cited in Marshall B. Clinard (ed.), Anomie and Deviant Behavior: A Discussion and Critique (New York 1964), 260-261. Bernard Berelson and Gary A. Steiner, Human Behavior: An Inventory of Scientific Findings (New York 1964), 479-481.

32 William McCord and Joan McCord, Origins of Crime: A New Evaluation of the Cambridge-Somerville Youth Study (New York 1959), 172 and 198.

33 Hazel M. Hitson and Daniel H. Funkenstein, "Family Patterns and Paranoidal Personality Structure in Boston and Burma," The International Journal of Social Psychiatry, V (Winter 1959).

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35 Porterfield, "Indices of Suicide and Homicide By States and Cities," 488.

36 Henry and Short, Suicide and Homicide, 119.

37 Gold, "Suicide, Homicide, and the Socialization of Aggression," 652 and 659.

38 Johan Galtung, "A Framework for the Analysis of Social Conflict," unpublished ms., 1958, cited in Berelson and Steiner, Human Behavior, 635.

39 Jack D. Douglas, The Social Meanings of Suicide (Princeton, New Jersey, 1967), 3-160.

40 C. Vann Woodward, "The Search for Southern Identity," in The Burden of Southern History, 3-26.

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SEPT. 1951 ADMINISTRATOR'S
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FROM

Milton Eisenhower

SUBJECT

Colonel Tazewell - Va. ^{ANS} ~~RES~~ Education

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ADMINISTRATOR'S MAIL

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February 11, 1969

Dear Colonel Tazewell:

The work of the National Commission on the Causes and Prevention of Violence is divided into seven specialized task forces, each made up of leading scholars. One of these is concentrating on the field of history.

I am therefore referring your letter of February 7 and the attachment to the History Task Force.

With every good wish, I am,

Sincerely,

Milton S. Eisenhower

Lt. Colonel Calvert Walke Tazewell
President
Virginia History Federation
P. O. Box 1244
Norfolk, Virginia 23501

bcc Mr. James Campbell

Virginia History Federation



*The Phoenix and the
Rising Sun*

*An Association of Virginia's Historical Societies and
History-oriented Organizations*

February 7, 1969

P. O. Box 1244
Norfolk, Va. 23501
Telephone: 623-6398

LT. COL. C. W. TAZEWELL
United States Air Force, Retired
President

Dr. Milton Eisenhower, Chairman
National Commission on the Causes
and Prevention of Violence
4545 North Charles Street
Baltimore, Maryland

Dear Dr. Eisenhower:

I am sure that you will be interested in the enclosed presentations that have been made to a recent public hearing of the Virginia State Crime Commission. As you will note, one concerns the greater emphasis on history and the humanities in the prevention of crime and juvenile delinquency. The other, a personal recommendation, concerns the use of Citizens Band radio in countering criminal activity.

I urge you to initiate action leading towards research to determine further the applicability of the concept that a greater emphasis on history and the humanities will prevent crime and juvenile delinquency. Also, perhaps you can encourage further the use of Citizens Band radio in countering criminal activity.

We will be glad to assist in any way we can regarding the matter of crime, and history and the humanities.

Very sincerely yours,

Calvert Walke Tazewell
President

CWT/law
Enclosures

HISTORY AND THE HUMANITIES IN CRIME PREVENTION
(Presented to the Virginia State Crime Commission
by C. W. Tazewell, President, Virginia History
Federation, January 29, 1969)

I would like to present to the Commission recommendations regarding the relationship of history and the humanities to crime and delinquency. Your first question will be "What is the relationship of history and the humanities to crime and delinquency?"

To quote a respected associate of mine, "Virginia has a sophisticated social history that predates the formal history of the nation by two hundred years. The larger part of this history represents the culture and traditions upon which our national society has been structured. It has been neglected in our modern schools in favor of the technical society." Millions are being collected and spent to improve our health, our educational system, and to help the poor, sick, and lame. The many worthwhile charitable efforts are being handsomely supported, yet little or nothing is provided directly to historical organizations dedicated to preserving our traditional way of life. Very, very little is provided for this purpose compared to the public's generous answer to other important needs of the community. The arts and sciences have received much attention and considerable funds in recent years. Unfortunately history and the humanities are usually a void in planning, funding and progressive action. This is notwithstanding the fact that the humanities are closer to the problems of today, the problems of today's citizens, of our urban areas, and our rural areas and growing metropolitan areas. Steps are needed now to serve the coming age of leisure and the new and varied needs of a changed society and culture.

In this time of rapid sociological, educational, and scientific changes, special efforts are needed to preserve our traditional way of life. We need to maintain some of our ties with the past and this won't "just happen." It must be planned and done deliberately. As mentioned, Americans are most generous to charity and fully recognize the importance of "quality education." But how much do we spend on preserving our heritage? Comparatively little, too little.

A frequently repeated point is that there is now a "loss of respect for law and order" particularly among young people. I am aware of the importance of education in assisting in this regard, but a greater emphasis on history and the humanities in and out of the school will do much to build the needed respect.

Tradition, patriotism, and history are essential to maintaining our culture and in the establishment of moral values and ideals. Young people should have examples from Virginia's history to follow, "good guys" to idealize and copy. But how many boys and girls, and adults, know enough about Virginia's leaders of recent and distant past to do so?

It is certain that a greater knowledge of such persons and their lives will be an incentive to counteract the present lack of respect for the past and for law and order. This may be an important answer to our present crime rate. For "more history can mean less crime." An appreciation of a tradition and patriotism needs to be taught. Modern methods and new teaching techniques should be used to inform young people of their heritage. We urgently need ties with the past in the Space Age.

We hear so much about the generation gap and note the restlessness of youth and their lack of acceptance of values and traditions of the past. Yet we have not done our part in bringing these values and our heritage, history, and tradition to our young people. A major problem is our failure in this respect. In Fortune magazine, January, 1969, an alarming article is provided. It is pointed out that there is a widespread rejection by youth of middle-class styles. And, Fortune states that forty per cent of college educated people between eighteen and twenty-four break sharply in their beliefs with their peers and older society.

Our columnists are bringing this situation to our attention with an unfortunate lack of results. Max Lerner has stated that "heroes exist only as great literature exists,--if there is an historic memory and a chance to build legends on it, to measure oneself against the past and therefore to look forward to judgment and vindication by the court. But if all our yesterdays have been expunged and if there is no tomorrow, how can we measure a man--and how can a man measure himself--by instant whims of today?" He also states that "Must we say then that, with the past-unuseable and the future-disposable, Americans are trying to get along only with the present? There is some core of truth in this. Not only do the young form a "Now Generation," but for all the generations the only standard of values seems to be a "Today Ethos" unlimited in space, but one-dimensional in time." And Russell Kirk states that "any healthy political community is a great continuity joining the generations which have preceded us in time with the generation that is living now, and with the generations which will follow us."

Historic and beautiful buildings are material symbols and reminders of that community. They remind men that we are not the flies of the summer, and that we are heirs of an ancient patrimony, and that we have duties towards those yet unborn."

Your Commission will duly consider the causes of crime. The criminologists, and sociologists can better do that than the historian or humanist. However, I can offer a specific recommendation as to one of the things that we should do. History and the humanities are either under-emphasized or simply neglected.

Virginia is in the dark ages regarding the management and development of its historical resources. Other states, such as North Carolina, Tennessee, and Pennsylvania, have progressive and adequate programs for the preservation, restoration, and development of their historical material and resources. The stories of our leaders of the past in our communities of Virginia in many cases have not been adequately researched, written, and published so they certainly cannot be brought to the attention of our children. Thus the children in our schools and the adults of the Commonwealth are not properly concerned with, or aware of, Virginia's history and tradition. The result is that this has contributed to the increase in crime, use of drugs, and other anti-social activity.

Our citizens and especially our young people cannot cherish our past and emulate our leaders unless the full history of Virginia, including the detailed history of each locality, is completely researched, written, and published. The lack of identity and response to the past is due to our neglect and failure to provide the stories of the people who have made the contributions and who have been the leaders of our counties, towns, and cities.

Virginia has a wonderful Museum of Fine Arts and an extensive statewide arts system, but Virginia has no museum of history and no history museum system. In relation to the needs and problems of the day, a history museum system is a vital and essential requirement. By comparison our art system is a "necessary luxury."

As one major and important step toward a solution to many problems of the day (and as an aid to the prevention of crime) I am submitting for your consideration a proposal for a new statewide educational system. This plan calls for a major state center for the humanities and three regional centers as well as establishment of a new state department of humanities. Such a new public educational system for students, residents, and visitors of all ages is urgently required to prepare the Commonwealth for the twenty-first century. The Virginia History Federation, and the Virginia Conference of the Humanities and other organizations are studying this proposal. It has been presented to the Virginia Museum of Science Commission for consideration in relation to the projected Virginia Museum of Science and possible inclusion of history therein.

The suggested humanities system would include community and neighborhood centers for continuing education, recreation and participation by groups and individuals. This humanities system would not duplicate or compete but would enhance and expand services absolutely essential and vital for the progress and success of the Commonwealth of Virginia.

Note that Virginia has received \$405,100 to prepare a comprehensive state crime plan and also a grant of \$24,080 has been received to be used to find new ways to reduce and prevent crime. I hope that these plans and investigations will look into the possibility of history and the humanities being part of the answer to our problems.

I would like to say again that additional emphasis on history and the humanities is essential for the survival of our culture. Our citizens need to identify with the past, present, and future. This knowledge of the past will improve and enrich the quality of our lives. The hour is late and Virginia is being out-distanced by her problem. Yet, at stake is the survival of our way of life.

Phoenix and the
Rising Sun

LT. COL. C. W. TAZEWELL
United States Air Force, Retired
President

NEW STATEWIDE EDUCATIONAL

A proposal for a new statewide educational

Museum of Science Commission at its hearing

well, President of the Virginia History

posal for a new state department

The "Tazewell Plan" calls

regional centers with each

urgently required

In his plan

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Virginia History Federation

An Association of Virginia's Historical Societies and
History-oriented Organizations

P. O. Box 1244
Norfolk, Va. 23501
Telephone: 623-6398

NEWS RELEASE

For Immediate Release

NEW STATEWIDE EDUCATIONAL SYSTEM FOR THE HUMANITIES RECOMMENDED

A proposal for a new statewide educational system has been presented to the Virginia Museum of Science Commission at its hearing in Richmond on Tues., Nov. 12. C. W. Tazewell, President of the Virginia History Federation, presented on his own behalf a proposal for a new state department of the humanities.

The "Tazewell Plan" calls for a major state center for the humanities and three regional centers with each to be a cooperative graduate center. Tazewell stated that "A new public educational system for students, residents and visitors of all ages is urgently required to prepare the Commonwealth for the twenty-first century."

In his plan Tazewell defined the humanities to include language, linguistics, literature, history, jurisprudence, philosophy, archeology, and the study and application of the humanities to the human environment. The plan states that "the arts and sciences have received much attention and considerable funds in recent years. The humanities are generally a 'void' in planning, funds and progressive action. Yet, the humanities are closer to the problems of today - the problems of today's citizens, of our urban areas, and of our rural areas and growing metropolitan areas."

The Virginia History Federation and other organizations are studying the proposal for the humanities center system. Speaking for the Virginia History Federation Tazewell emphasized the need for a statewide history museum system with sufficient decentralization to serve the entire Commonwealth.

Nov. 12, 1968

FOR COMMUNICATION AND COORDINATION BETWEEN HISTORICAL ACTIVITIES OF THE
COMMONWEALTH

The Phoenix and the
Rising Sun

LT. COL. C. W. TAZEWELL
United States Air Force, Retired
President

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A NEW STATEWIDE EDUCATIONAL SYSTEM:

CENTERS FOR THE HUMANITIES

Presented by C. W. Tazewell to the

Virginia Museum of Science Commission, 11/12/68

Proposal: A new public educational system for students, residents, and visitors of all ages is urgently required to prepare the Commonwealth of Virginia for the twenty-first century. This proposal calls for a major State center for the humanities and three regional centers for the humanities with each of the four to be a cooperative graduate center.

Definition: For the purpose of this proposal the term "humanities" includes language, linguistics, literature, history, jurisprudence, philosophy, archeology, study of the history, criticism, theory, and practice of the arts, those aspects of the social sciences which have humanistic content and employ humanistic methods, and the study and application of humanities to the human environment.

Need: There is need for an entirely new statewide public educational system with sufficient decentralization to reach all of its citizens. It should answer the requirements and problems of today, those of the twenty-first century, and of the space age of the future.

The arts and sciences have received much attention and considerable funds in recent years. The humanities are generally a "void" in planning, funding, and progressive action. Yet, the humanities are closer to the problems of today - the problems of today's citizens, of our urban areas, and our rural areas and growing metropolitan areas. Steps are needed now to serve the coming age of leisure, and the new and varied needs of a changed society and culture.

Sociological and scientific changes are occurring increasingly rapidly. Services and facilities for the community must be adapted to new requirements and circumstances. Activities based on the humanities as developed through this program can answer the problems of the "generation gap," which is likely to become greater unless positive action is taken.

Along with the population explosion, we are faced with an information explosion through greater knowledge and specialization. Continuing education and information with participation is required through the life of the individual to permit him a useful and worthwhile life. The many problems of today and tomorrow need definite and early answers.

The Plan: A new State Department for the Humanities should be created. It would be established to serve the needs of the Commonwealth of Virginia, its people, and its institutions throughout the state. It would work with and supplement the State Department of

Education and its school systems, and with the state's colleges and universities, including private schools and institutions. It would basically do what is not being done now or what is not being done adequately.

Existing organizations and facilities throughout the state would be used as part of the system (such as local historical societies, history museums), as well as organizations involved in communications, creative writing, folklore, libraries, etc. To a large extent the local historical societies and history museums would be basic building blocks for this system. The regional centers for the humanities would work through and with them to expand their activities on a local level. Initially a statewide history museum system would be created, developed, and expanded to cover the entire range of the humanities, and thus would soon become much more than a statewide system of museums.

The new State Department for the Humanities would be in many respects similar to the Department of Archives and History in the State of North Carolina, and comparable state historical commissions and organizations in other states. The system would function in part similar to the well established and important annual Culture Week in North Carolina except that it would function on a permanent basis through the year using facilities and services of the four Centers for the Humanities and the cooperating local organizations in each community and local area of the state.

Facilities would be provided for meetings of many local groups with a place for their materials and books. These would include specialized historical and collector's groups interested in old bells, steam railroads, antique cars, archeology, old bottles, etc. Many such local collectors and hobby groups have no adequate facilities or meeting places. Facilities would be provided for oral history activities and repositories for recorded magnetic tapes. Facilities for meetings would include slide and movie projectors, audio visual services, and new video tape techniques. Tie-ins will be made with existing and new computer information services and planning would be undertaken for computerized facility in each regional center.

New and important activities such as repositories and personnel to care for business and government archives would be established in the regional centers. This would implement a program similar to the North Carolina Public Records Program, which is an urgent and vital need in the Commonwealth of Virginia.

Qualified and trained personnel for the archival and other specialized activities of the regional centers would be provided, and they would in turn serve historical societies, history museums and other organizations in the entire regional area covered by their center. This would carry out the major recommendation of the Virginia Cultural Development Study Commission for increased professional interpretation of Virginia's historical resources.

For the total associated community local society, professional, poetry, veteran
College Graduate (established under of 1963) would be de
"cooperative under colleges and graduate would take place in research and universit
regional institutions in local

Total Involvement: The basic concept for the entire plan will be the total involvement of the community and participation by the associated historical and humanities organizations in every aspect of community life. The regional centers for the humanities (and the local societies and organizations associated therewith) would participate with, serve and provide facilities for civic, service, and professional organizations as well as literary, hobby, collectors, poetry, veterans, patriotic, and other organizations.

College Graduate Centers: An inclusive cooperative graduate center (established under the provisions of the Higher Education Facilities Act of 1963) would be developed for each regional center. Each of the four "cooperative graduate centers for the humanities" would function as part of the curriculum and facilities of the nearly private and state colleges and universities. Classes and graduate student activities would take place in the regional center for the humanities. The associated institutions in each community would use the specialized archives, research and reference sources and other facilities provided at the regional centers for the humanities. Old documents relating to the local area history, business archives, and the public records for the cities, towns, and counties of the area would all be available for use by citizens and visitors interested in research as well as for use by graduate and undergraduate students.

Continuing Education: Facilities for continuing education of all ages of citizens in subjects related to the humanities would be provided. The archives, manuscripts, and documentary materials and other research and reference sources that should be available to the public would serve the dual purpose of being readily available for college and university researchers.

Public Schools: Support of the teaching of the humanities in the public schools would be an important feature of the regional centers for the humanities and their associated local organizations. The teaching of local history in the communities of the Commonwealth varies from very little to non-existent. Yet, knowledge of the personalities and events in local history and the story of the community are essential for giving citizens pride and dignity. This is a major weakness of our educational system of today.

New resources and techniques are required for instruction in local history. This would include suitable textbooks for each area of the state, new curriculum materials, and workshops for teachers. "New history" teaching methods must take their place beside the "new math," etc. The local historical societies and history museums can play a significant part in these new approaches to the teaching of history.

Crime: It is not necessary to elaborate on the seriousness of the crime problem as well as the unrest and delinquency of youth. So often they acknowledge no ties with the past, yet they greatly need guidance from the past and the present. This proposal calls for keeping young people busy, giving them an understanding and appreciation of our institutions and traditions, and for providing a source of information and education for those not now in school.

-4-

Summary: The State of Virginia has a statewide art system. This is a "necessary luxury." However, the humanities are more closely related to the problems of the day. The humanities can limit the changes made by new generations through the influence of literature, poetry, history, tradition, and jurisprudence.

The Virginia Cultural Development Study Commission has reviewed these matters and in its report has recommended that, "The various museums in the state should be encouraged and supported," has recommended "Improved professional interpretation of Virginia's historical resources," and that the Study Commission's recommendations should "Receive the earliest possible consideration."

We need a statewide humanities system for survival of our culture and way of life. The humanities centers will serve youth, senior citizens, and others by entertaining, informing, and occupying their time. The proposal envisages the four regional humanities centers, one each in the north, west, east, and center of the State. One of the four humanities centers would also be the state center. The centers would be clearing houses for organizations involved in the humanities as well as civic, service, veterans, and patriotic organizations. The humanities system would include community and neighborhood centers for the continuing education, recreation, and participation by groups and individuals. The humanities system would not duplicate or compete, but would enhance and expand services absolutely essential and vital for the progress and success of the Commonwealth of Virginia. Our citizens need to identify with the past, present, and future; knowledge of the past will improve and enrich the quality of our life.



Traditional Way of Life

HISTORICAL ORGANIZATIONS CAN FIGHT CRIME & Help Preserve Our Traditional Way of Life----
If adequate support and funds are provided.

Loss of values

Blind to past and future

By Max Lerner

You may have seen a quote the other day by a Chicago broker named Robert A. Podesto on the feverish activity on the Stock Exchange. "My customers seem to be acting like there's no tomorrow," he said.

If this is true, it represents a basic change in the American national character. Americans have always been future-minded: saving for the future, planning for it, oriented toward it, dreaming of it. The usual complaints of foreign critics have been that America is all future and no past, with no such sense of sacred, tradition-laden history as the Europeans have.

As if to belie them, the Americans built a past out of their heroes and legends, their historic memories, their experience in wars abroad and civil war at home, their encounters with new and strange ideas, their wrestling with the national conscience. The American sense of the past, along with the sense of place, seemed on the point of becoming as much a reality as it was in the countries that Americans came from.

But new and tragic splits have developed in the inner city, on the campus, between the generations. If you try to bring the ex-

perience of the past to bear on the urgencies of today, you are brusquely dismissed as a conservative or—perhaps worse—as a liberal. The conviction seems to be that there is no yesterday, and now we must add the speculator-mentality which feels there is no tomorrow.

Must we say then that, with past-unusable and future-disposable, Americans are trying to get along only with a present? There is some core of truth in this. Not only do the young form a "now generation," but for all the generations the only standard of value seems to be a Today Ethos, unlimited in space, but one-dimensional in time.

Bitterly selective

I suppose one term to apply to it would be instantism. There are people who want instant victory over the enemy, instant justice, instant vindication of ancient wrongs, instant power. Few of them recognize any yesterdays; at best they recognize only selective yesterdays which fit into their instant urgencies.

The black power leaders, for example, remember only the humiliation of their people in the past. Their yesterday is a bitterly selective one, and so

their tomorrow—like their today—is crowded with violence.

The instantism of our time deals ruthlessly with our leaders. We use up everything and everyone immediately, including our political leaders—use them for quick buildups and just as quick collapses, use them for sport or for targets and throw them away when we are through. The lack of an heroic sense always goes with the lack of a tragic sense.

The cult of John F. Kennedy would seem to belie this, yet note that the American obsession with him today is with how many shots were fired and how he died, not with what great things he did when he was alive. To examine President Kennedy alive would be to embrace a past and confront a future, which America is unready to do.

Heroes exist only as great literature exists—if there is an historic memory and a chance to build legends on it, to measure oneself against the past and, therefore, to look forward to judgment and vindication by the court. But if all our yesterdays have been expunged and if there is no tomorrow, how can we measure a man—and how can a man measure himself—by instant whims of today?

Russell Kirk

Old buildings



In Michigan, a crew of barbarous innovators wish to demolish the Capitol, in Lansing, and to erect a new Capitol building, presumably of glass and shining metal—as featureless, hideous and monotonous as the most uninspired new office building in Manhattan. There are such vandals in every state.

Quite rightly, the Michigan Historical Society has protested formally against this proposal. The classical-Renaissance Michigan Capitol, with its high dome, is really a handsome building, without and within; also it is the last large example of its kind in Michigan. It is structurally sound, and such repairs as it may require would be far less costly than a new edifice.

So why is it that a cry has arisen that the historic old building must go? Why, in part because fat contracts naturally would result from erecting a vast new Capitol; and in part from the silly notion that anything "modern" must be better than anything venerable.

A few years ago, the Detroit municipal authorities demolished the historic City Hall, supplanting it with one of those blank behemoths which the mass-state smiles upon.

It would be interesting to demonstrate how, over the years, violence and crime have increased in Detroit, in proportion as the old monuments have been demolished. For most people—even those with no architectural taste and with little education—need to have visible roots in their community; or historic anchors, if you will.

Any healthy political community is a great continuity, joining the generations which have preceded us in time with the generation that is living now, and with the generations which will follow us. Historic and beautiful buildings are material symbols and reminders of that community. They remind men that we are not the flies of a summer, and that we are heirs to an ancient patrimony, and that we have duties toward those yet unborn.

LS 2/17/68

Norfolk Historical Society

P. O. BOX 1244

NORFOLK, VIRGINIA 23501

CRIME PREVENTION THROUGH CITIZENS COMMUNICATIONS

Presentation at Virginia State Crime Commission Hearing

by C. W. Tazewell JAN 23 1969

Crime on our streets has been a frequent subject of concern and consideration by civic groups, governmental agencies, and by commissions, such as yours. How can the individual citizen protect himself and get assistance in case of criminal activity or other emergencies?

It is not practical for every citizen to be armed to the teeth or for every automobile to be a fortress, but every automobile can have two-way communications. When people are out alone, or even groups out in the evening, and in particular when women are traveling alone at night, communications are vital, and may mean the difference between life and death. Even a stalled engine or a flat tire in the evening could result in a criminal attack or injury. Yet, the means are readily available to provide every individual and every unescorted woman traveling at night with immediate communications for assistance.

The Citizens' Radio Service as authorized by the Federal Communications Commission permits each individual to have a two-way radio system in his car or even a walkie-talkie on his or her person. Procedures and arrangements are already established so that people with these sets in their cars, etc., can communicate with monitoring stations that are established twenty-four hours a day for assistance of any kind. This assistance can even be for the highway traveler to obtain information on routes, highways, and lodging, but the most important part is the immediate source of assistance in any real or potential emergency.

Certainly no woman should be allowed to drive alone at night without a citizen's two-way radio. The Citizen's Band radio gives the solitary automobile driver a lifeline to an entire world of assistance. The advantages and use of the Citizen's Band radio have been recognized by many national groups and national figures. The Automobile Manufacturers Association strongly supports these purposes and the national Electronic Industries Association, also. George Romney, former Governor of Michigan and the new Secretary of Housing and Urban Development has given unqualified approval to a plan for establishing such a nation-wide citizens communications network for aiding motorists in distress. Romney stated, "Government ought to stimulate citizen action for private needs rather than rush to establish costly systems to do the same thing," in encouraging use of the Citizen's Band system.

One looks forward to the day when the two-way Citizen's Band radio will be as commonplace in the automobile as the car radio is now. Monitoring sets are now installed in police agencies, road service stations, hospital emergency rooms, motels, and in other places manned by many volunteer citizen teams. It has been estimated that there are a hundred thousand Citizen's Band sets in Virginia and, as an example, perhaps twenty-two thousand in the Tidewater area. The sets can be used for regular personal and business messages as well as for urgent emergency calls.

I highly recommend that the Virginia State Crime Commission make a study of the potential of this communications service for prevention of crime. I suggest that the Commission contact the Virginia State Citizen's Band Association, and obtain their assistance on such a study.

Immediate communications may be a matter of life and death to the woman driving at night on our streets. The means for such communications are readily and economically available today. We should fight crime using Space Age methods.

**NATIONAL COMMISSION ON THE CAUSES
AND PREVENTION OF VIOLENCE**

726 JACKSON PL., N.W.
WASHINGTON, D.C. 20506

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**NATIONAL COMMISSION ON THE CAUSES
AND PREVENTION OF VIOLENCE**

James Campbell, Esquire
National Commission on Violence
726 Jackson Place, NW
Washington, D.C. 20506

MORGAN STATE COLLEGE
BALTIMORE, MARYLAND 21212

January 6, 1969

Mr. Ted Gurr
Mr. Hugh Graham
Co-Directors, Task Force VII
National Commission on the Causes and Prevention of Violence
726 Jackson Place, N. W.
Washington, D. C. 20506

Dear Sirs:

Here are my comments on the preliminary version of the task force report:

1. Deletion of chapter 8 -- On the Origins and Resolution of English Working-Class Protest. I think that this chapter, although well organized and written, could be deleted because (a) it relates only vaguely to the American experience and (b) its relevance is subsumed, if indeed not essentially covered, in Ted Gurr's chapter, A Comparative Study of Civil Strife.

2. Value judgments by authors. Should something be done about value judgments made by authors? For example, on page 33 Brown states that Stryon's Nat Turner has been "critically esteemed." But it has also been critically disesteemed (and some readers might wonder why a professional historian like Brown would even use as an authority a writer of fiction, even historical fiction). Going further, let us note the closing statement by Meier and Rudwick (pp. 637-38): "The advocacy and use of violence as a deliberate program for solving the problems of racial discrimination remains thus far, at least, in the realm of fantasy; and there it is likely to remain." A value judgment like this might get one into trouble. Please take note particularly how it conflicts with another value judgment made by Comer on page 644: "Thus the possibility of future and more malignant violence, such as guerrilla tactics, remains a possibility, if not a probability." And in contradiction to Meier and Rudwick, please note the conclusion reached by Janowitz on page 1322 in speaking of emerging Negro para-military groups, that "their potential for disruption should not be underemphasized." Thus while it would be gratuitous for the co-directors to disavow any value judgments or conclusions by the contributors, a statement should be made to the effect that the co-directors are aware of the challengeable and even contradictory opinions of the contributors.

3. Statements needing support or explanation. The following statement in Meier and Rudwick needs support, or it will remain mere assertion (p. 628): "Perhaps psychological factors contributed to the terrified inactivity of some Negroes. Despite the wish to meet fire with fire, over the years they had become

MORGAN STATE COLLEGE

BALTIMORE, MARYLAND 21212

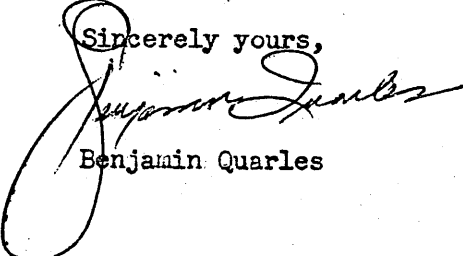
(2)

so demoralized by white supremacy and race discrimination that effective armed defense could exist only in the realm of psychological fantasy." On page 630 Meier and Rudwick make the statement that the black masses have raised their expectations markedly, but these authors do not tell us why, and they should.

4. Significant omissions. The article by Comer, which deals with among other things, "the chronic psychological trauma of slavery, " never once mentions the name of Stanley Elkins, whose SLAVERY: A PROBLEM IN AMERICAN INSTITUTIONAL AND INTELLECTUAL LIFE has opened up a whole new line of inquiry and investigation into the slave personality. And it is to be noted that while Comer delves into the powerlessness and dependency of the slave, he fails to indicate that during the Civil War more than over 100,000 of those former slaves became Union soldiers, their conduct in this capacity not squaring with their "psychological dependency" upon their former masters.

5. Differences in format. The co-directors are fully aware that these articles vary in format from the unfootnoted essay to the more formally attired pieces with their citations, charts, tables, and diagrams.

Sincerely yours,


Benjamin Quarles

GSA FORM OA-2 SEPT. 1951		ADMINISTRATOR'S COMMUNICATIONS CONTROL SLIP		DATE	A 46051
FROM				#7	
Ted Gurr					
SUBJECT					
Thank you				NO ANSWERS READ LSP 550	
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Cutler					
DATE	DATE	DATE	DATE		
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ADMINISTRATOR'S MAIL				LOCATOR COPY 1	

January 9, 1969

Mrs. Susan G. Lipsitch
National Commission on the Causes and
Prevention of Violence
726 Jackson Place, N.W.
Washington, D.C. 20506

Dear Susan:

This is a thank-you note for your excellent work in managing the final preparation of our draft Task Force report. We could not have met our deadline when we did, or as well, had you not been able to assume the onerous and almost impossible tasks of completing the editorial revisions and of overseeing the typing, proofreading, and assembly of the report.

It was a pleasure to work with you, and I wish you the best of luck in your next position. I know that I speak for Hugh Graham as well in extending our appreciation for a job done very well and efficiently.

You are welcome to use this letter as a recommendation if you wish. I'm sorry I did not have the opportunity to say goodbye to you personally.

Cordially,



Ted Gurr
Co-Director, Task Force on
Historical and Comparative
Perspectives on Violence
in America
Assistant Professor of Politics,
Princeton University

✓ cc: Mr. Lloyd Cutler

January 9, 1969

Mrs. Carol Voit
Task Force on Historical and Comparative
Perspectives on Violence in America
National Commission on the Causes and Prevention
of Violence
726 Jackson Place, N.W.
Washington, D.C. 20506

Dear Carol:

This is a thank-you note, in recognition of your contributions to the work of our Task Force. We could not have completed it when we did, or as well, without your cheerful and competent attention to every conceivable problem, from typing to defending our desks and typewriters to handling a flood of administrative details.

It was a great pleasure to work with you, and I wish you the best of luck with your new position at the National Science Foundation. I know that I speak for Hugh Graham as well in extending our fond appreciation for a job well done.

Cordially,

TG
Ted Gurr
Co-Director, Comparative and
History Task Force
Assistant Professor of Politics,
Princeton University

✓ cc: Mr. Lloyd Cutler

MEMORANDUM

TO : Messrs Cutler, Barr, Short, Wolfgang,
Campbell, McDonald, Wolk, Kirkham, Levy,
Crotty, Skolnick, Heyman, Mulvihill,
Tumin, Saunders, Clark, Newton, Zimring,
Orrick, Walker, Hector, Baker, and Miss Ball

FROM : Ted Gurr and Hugh Graham

SUBJECT: Abstracts

Three additional abstracts are enclosed. James Comer provides a psychiatric perspective on the situation of black Americans, and Joe B. Frantz delineates the violent aspects of the frontier tradition. A comparative perspective on the origins and resolution of English working-class violence is provided by B. C. Roberts' essay.

Hackney
for
Hudson
knows

Chapter 13

INDIVIDUAL VIOLENCE AND THE SOUTHERN TRADITION

by Sheldon Hackney

Editor's Introduction:

Although historical analysis of national trends in violent crime has been retarded by a lack of data, and the contemporary calculus of crime is rendered problematical by the uses to which the relative abundance of data is put, the studies of Lane and Graham suggest that while rising crime is not an inevitable concomitant of urbanization, rapid urbanization may be accompanied by alarmingly spiraling rates of crime, depending upon the form that urbanization takes. Whereas latter-nineteenth century urbanization was accompanied by a vast industrial expansion which provided a channel for upward socioeconomic mobility, contemporary urbanization has crowded young males, often Negro migrants from the rural South, into deteriorating inner cities from whence an increasingly automating industry is fleeing.

Since violent crime, while not inevitably a by-product of urbanization, is clearly accelerated by the ghettoization of the

nation's inner cities, logic would suggest that rates of criminal assaults would be highest in the more rapidly urbanizing North and West than in the more rural South. Such a prediction would be reinforced by a corollary to the frontier hypothesis--that rates of personal assault should decline as the frontier's environment gives way to a more settled and ordered civiliation. Yet the data reveals a contrary pattern: of all regions in America, the traditional Southeast manifests by far the highest incidence of personal assault. Professor Hackney seeks to explain this paradox by bringing both sociological and historical analysis to bear on the persistence of violence in the South.*

* * *

* Sheldon Hackney is Associate Professor of History at Princeton University. This essay is a revised version of his article, "Southern Violence," which will be published in February, 1969, in the American Historical Review. It is reprinted here by permission of the American Historical Review.

Violence has always been a facet of human experience and a problem for human society. For those interested in determining the causes of violence, and perhaps constructing cures, nothing could be more important than the fact that different societies and different eras produce widely varying rates of violence. Unfortunately for the investigator, even moderately reliable data are available only for the recent past and only for relatively modernized countries. This limits the possibility of cross-national comparisons. For this reason, regional variations within modernized nations become an extremely important source for the comparative analysis of the ecology of violence. The most fruitful area within the United States for such a study is the South, a region with a pattern of violence that stands in striking contrast to that of the nation at large and about which there is a well-developed scholarly literature.

A tendency toward violence has been one of the character traits most frequently attributed to Southerners.¹ In various guises, the image of the violent South confronts the historian at every turn: dueling gentlemen and masters whipping slaves, flatboatmen indulging in a rough-and-tumble-fight, lynching mobs, country folk at a bear baiting or a gander pulling, romantic adventurers on Caribbean filibusters, brutal police, panic-stricken communities harshly suppressing real and imagined slave revolts, robed night-riders engaged in systematic terrorism, unknown assassins, church burners, and other less physical expressions of a South whose mode of action is frequently extreme.² The image is so pervasive that it compels the attention of anyone interested in understanding the South.

13-4

H. C. Brearley was among the first to assemble the quantitative data to support the description of the South as "that part of the United States lying below the Smith and Wesson line."³ He pointed out, for example, that during the five years from 1920 to 1924 the rate of homicide per 100,000 population for the southern states was a little more than two and a half times greater than for the remainder of the United States. Using data from the Uniform Crime Reports concerning the 1930's, Stuart Lottier confirmed and elaborated Brearley's findings in 1938. He found for this period also that homicide was concentrated in the southeastern states. Of the 11 ex-Confederate states, Louisiana showed the lowest homicide rate, but it was 74 percent greater than the national average, and no non-Southern state had a higher rate. Interestingly, while murder and assault were oriented to the southeastern states, robbery rates were highest in the central and western states.⁴ These findings were replicated in 1954 using data on crime for the years 1946 through 1952.⁵ The pattern of high rates of serious crimes against persons and relatively lower rates of crimes against property for the South is consequently quite stable.

At the time that Brearley was setting forth the evidence for southern leadership in physical aggression against people, another statistical study primarily of American suicide rates revealed that the South was the area whose people had the least propensity to destroy themselves.⁶ Austin Porterfield in 1949, using mortality tables from Vital Statistics, brought the murder and the suicide

13-5

indices together and showed that there was a general inverse relationship between the two rates among the states and that southern states ranked highest in homicide and lowest in suicide.⁷ In 1940, the national average rate of suicide per 100,000 population was 14.4 and of homicide was 6.2, but the old and cosmopolitan city of New Orleans had a suicide rate of 11.1 and a homicide rate of 15.5. Even though some Southern cities exceed some non-Southern cities in suicide rates, the New Orleans pattern of more homicides than suicides is typical of the South but not of the nation. Porterfield comments that "suicide in every non-Southern city exceeds homicide by ratios ranging from 1.19 to 18.60, while suicide rates exceed homicide rates in only 8 of the 43 Southern and Southwestern cities, 5 of those being in the Southwest."⁸

Violence in the South has three dimensions. Relative to the North, there are high rates of homicide and assault, moderate rates of crime against property, and low rates of suicide. The relationship between homicide and suicide rates in a given group is best expressed by a suicide-homicide ratio ($SHR = 100 \frac{\text{Suicides}}{\text{Suicides} + \text{Homicides}}$). The closer the SHR approaches 100, the greater is the proportion of the total number of homicides and suicides accounted for by suicide. The European pattern, shared by white Northerners but not by Negroes or white Southerners, is for suicides to far outnumber homicides so that the SHR is in excess of 80. The ratios in Table 1, displayed graphically in Figure 1, measure the difference between Southerners and other Americans with regard to violence.

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TABLE 1
SUICIDE-HOMICIDE RATIOS FOR FOUR CATEGORIES OF AMERICANS,
1915-1964*

Year	United States White SHR	Southern White SHR	United States Negro SHR	Southern Negro SHR
1915	77.4	62.9 [#]	23.7	11.3 [#]
1920	69.3	43.4 [#]	11.2	05.6 [#]
1925	70.9	53.5 [#]	09.2	05.0 [#]
1930	75.0	61.1 [#]	11.9	06.0 [#]
1935	76.2	59.9	11.4	06.3
1940	83.3	68.5	09.6	06.5
1945	80.3	66.4	11.1	06.8
1950	82.4	69.8	12.4	09.3
1955	88.3	73.1	15.6	09.7
1960	82.0	74.4	17.0	12.2
1964	81.1	73.2	16.7	11.1

*Suicide-Homicide Ratio = 100 (Suicides/Suicides + Homicides). As the ratio approaches 100, it registers the increasing preference for suicide rather than murder among the members of a given group. The ratios were computed from figures taken from: Forrest E. Linder and Robert D. Grove, Vital Statistics Rates in the United States, 1900-1940 (Washington, 1943), and U.S., Department of Health, Education, and Welfare, Vital Statistics of the United States, for the appropriate year.

[#]In 1915, only Virginia was represented in the SHR for Southern whites and Negroes. In 1920, all of the ex-Confederate states were included in the figures except Alabama, Arkansas, Georgia, and Texas. Arkansas, Georgia, and Texas were still not reporting in 1925, but by 1930 only Texas was excluded. From 1935 on, all Southern states are included.

Because the statistics for "the United States" include the statistics for the Southern states, the differences between Southern and non-Southern suicide-murder ratios are understated. Even so, the differences are significant. In the North and the South, but more so in the South, Negroes commit murder much more often than they commit suicide. Among white Americans, Southerners show a relatively greater preference than do non-Southerners for murder rather than suicide.

High murder and low suicide rates constitute a distinctly Southern pattern of violence, one that must rank with the caste system and ahead of mint juleps in importance as a key to the meaning of being Southern. Why this should be so is a question that has puzzled investigators for a long time, and their answers have been various. When one loyal Southerner was asked by a probing Yankee why the murder rate in the South was so high, he replied that he reckoned there were just more folks in the South that needed killing.

Few apologies surpass this one in purity, but there is a more popular one that tries to explain the high homicide rates in the Southern states by the extremely high rates of violence among Negroes who constitute a large part of the population. As Table 1 indicates, however, Southern whites considered by themselves vary from the national norm in the same direction as Negroes, though to a much lesser extent. In addition, Porterfield points out that for the twelve Southern states with the heaviest Negro population, the

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coefficient of correlation between serious crimes and the percentage of Negroes in the population is $-.44$. There is actually a tendency for states to rank lower in serious crimes or the percentage of Negroes in the population increases.⁹

A more sophisticated theory is that Southern white society contains a larger proportion of lower status occupations so that the same factors that cause lower status groups in the North to become more violent than the rest of society have a proportionately greater effect on the South. The difference in rates would then be accounted for by the numerical bulge in the high risk group, and only the stratification of society would be peculiarly Southern. Unfortunately for this theory, Southern cities, in which whites show the distinctive pattern of Southern violence, actually have greater percentages of the white population in higher status jobs than do Northern cities.¹⁰ It is not the class structure that causes the Southern skew in the statistics.

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TABLE 2
HOMICIDE AND SUICIDE RATES BY RACE AND BY SIZE OF POPULATION
GROUP, UNITED STATES, 1940

	U.S.	Cities 100,000 and Up	Cities 10 to 100,000	Cities 2,500- 10,000	Rural
Suicide (All ages, both sexes)					
All races	14.4	16.8	15.6	15.1	12.0
White	15.5	17.8	16.4	16.0	13.3
Nonwhite	4.6	7.2	5.8	4.5	3.0
Homicide (All ages, both sexes)					
All races	6.2	7.1	5.7	7.3	5.7
White	3.1	3.2	2.5	3.7	3.3
Nonwhite	33.3	43.3	43.0	51.9	23.1

Source: Forrest E. Linder and Robert D. Grove, Vital Statistics Rates in the United States, 1900-1940 (Washington: Government Printing Office, 1943). Table 24, pp. 534-553.

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In the same way, the agricultural nature of Southern life might account for the pattern of Southern violence. The fact that the peculiar configuration exists in Southern cities as well as in the countryside could possibly be accounted for by the large migration into the city of people who learned their ways of living and dying in the country. Table 2 shows that both homicide and suicide rates are lower for rural districts than for urban areas in the United States. This results in an SHR for the white population of rural districts considered by themselves of 80.1, as compared with an SHR of 83.7 for the white population of the nation as a whole. The SHR of 68.8 in 1940 for Southern whites, both urban and rural, is significantly lower than the national ratios and indicates that Southern whites were much more given to acting out their aggressions than the white population of either the cities or the countryside in the rest of the nation.

Another way of testing the notion that the rurality of the South may be the root of its strange configuration of violence is summarized in Table 3, a comparison of the SHR's of the 11 ex-Confederate states with those of the 11 most rural non-Southern states. The non-Southern states, mostly Western, are closer in time to frontier days and are currently much more subject to instability caused by immigration than are the Southern states, but otherwise the two sets of states are similar enough for purposes of comparison. The percentage of population living in the urban areas of the Southern states ranged from 13.4 percent to 36.7

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TABLE 3

SUICIDE AND HOMICIDE RATES AND SUICIDE-HOMICIDE RATIOS FOR SOUTHERN STATES AND ELEVEN MOST RURAL NON-SOUTHERN STATES, 1940

Population Group		Suicide-Homicide Ratio
Southern nonwhite		6.7
National nonwhite		12.2
Southern white		68.8
Non-Southern, white rural (11 states)		79.0
National white rural		80.1
National white		83.7

Southern States	White		Rural Southern States	White	
	Suicide Rate	Homicide Rate		Suicide Rate	Homicide Rate
Alabama	11.7	6.9	Arizona	15.2	7.5
Arkansas	8.0	5.1	Idaho	17.7	3.3
Florida	19.8	7.5	Iowa	15.2	1.3
Georgia	12.1	5.6	Kansas	13.0	1.1
Louisiana	12.4	5.5	Montana	21.1	4.8
Mississippi	10.1	5.7	Nebraska	16.8	.7
North Carolina	10.4	4.0	New Mexico	14.2	5.7
South Carolina	9.7	5.0	North Dakota	9.7	1.4
Tennessee	10.0	7.1	South Dakota	10.5	1.8
Texas	13.6	5.3	Vermont	16.7	.8
Virginia	18.4	5.0	Wyoming	23.5	4.5
Averages	12.4	5.6	Averages	15.8	4.2

Source: Forrest E. Linder and Robert D. Grove, Vital Statistics Rates in the United States, 1900-1940 (Washington: Government Printing Office, 1943), Table 20. All rates per 100,000 population.

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percent with the mean falling at 26.1 percent, while in the 11 non-Southern states the degree of urbanization ranged from 13.6 percent to 36.7 percent with the mean at 31.2 percent. In order not to distort the comparison more than necessary, Nevada, with an extraordinary suicide rate of 41.3 per 100,000 population, is omitted from the comparison. At the same time, Virginia and Florida, with very non-Southern SHR's, are retained in the Southern sample. The results still show a significant difference between the suicide-murder ratio of the Southern states and that of the most rural non-Southern states. The strange bent of Southern violence cannot be accounted for by the rural nature of Southern society.

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Poverty is also a logical factor to suspect as the underlying cause of the South's pattern of violence. Howard Odum computed that the Southeast in 1930 had 20.9 percent of the nation's population but only 11.9 percent of the nation's wealth.¹¹ Whether or not the region was poor before it was violent is an undetermined matter. Even more to the point, poverty alone cannot explain high homicide rates. The decline of homicides during business depressions in the United States underlines this argument, as does the fact that crime rates among second generation immigrants are much higher than among first generation immigrants despite the fact of increased material welfare.¹² One study has found no significant correlation between crime rates and the proportion of the population on relief by county in Minnesota, whereas there was a strong correlation between crime rates and the degree of urbanization. Like the rural poor in Minnesota, the Japanese of Seattle were poor but honest and nonviolent.¹³

Nevertheless, though the data are extremely questionable, there is a significant positive correlation between the SHR for the 56 world polities for which information is readily available and almost every measure of modernization that can be quantified.¹⁴ It is difficult to determine whether it is underdevelopment or the process of change that accounts for this, for scholars have noted that the process of modernization generates conflict and violence of various sorts.¹⁵ For developing as well as for industrialized nations, education is the most powerful predictor of a country's

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SHR, but indices of industrial and urban activity, along with reflections of the society's general welfare, are also significantly correlated with the SHR. This is true for the 56 world polities considered together as well as for the European nations considered as a group and for the non-European countries taken together. That Southerners over the past half century have been growing more similar to non-Southern Americans in their tastes in violence as the gap between the nation and the South in economic development has slowly narrowed also argues that there may be no increment of violence in the South that is not "explained" by the relative slowness of the region's development.

Multiple regression analysis offers a technique for testing the possibility that variations in the key indices of modernization operating in an additive fashion might account for the South's particularity in rates of violence. Six independent variables measuring the four factors of wealth, education, urbanization, and age are included in this analysis. Except where indicated below, their values are taken from the United States Census for 1940. Urbanization is stated as the percentage of the population living within towns of 2,500 or more; education is measured by the median number of school years completed by persons 25 years old and older; "income" is the state's per capita personal income in dollars for 1940; unemployment is expressed as the percentage of the working force out of work; "wealth" is the state's per capita income in dollars in 1950; and age is the median age of the population.

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The values of each variable except "income" are recorded by race. "South" is a dummy variable included in the analysis in order to see if any of the unexplained residue of the dependent variable is associated with the fact of its occurring either inside of or outside of the South. All of the ex-Confederate states were assigned the value of one, while all non-Southern states were recorded as zero. The dependent variables that require "explaining" are the suicide rate, the homicide rate, the sum of the suicide rate and homicide rate, and the suicide-homicide ratio. Even though these rates are taken from the most reliable source, Vital Statistics for the United States, there may well be large errors between the published rates and the true rates. Some violent deaths are never recorded, and many are improperly classified, but there is no reason to suspect that there has been a long-term, systematic bias in the collection and recording of the statistics for the Southern states. For the purposes of the crude comparison between South and non-South, the Vital Statistics are acceptable.

The results of the analysis are summarized in Table 4. The coefficient of correlation between each of the independent variables and the dependent variable is found in the column labeled "simple." The percentage of the variation in the dependent variable that is associated with, and thus "explained" by, the variation in the independent variable is found by squaring the coefficient of correlation. For example, education is the best single predictor of the white suicide rate. The simple coefficient of correlation of .62 between education and suicide in

TABLE 4
 MULTIPLE REGRESSION ANALYSIS
 VIOLENCE, DEVELOPMENT, AND SECTIONALISM IN THE UNITED STATES, 1940

Dependent Variable by State	R ² Variation Explained	Urbanization		Education		Income		Unemployment		Wealth		Age		South	
		Sim-ple	Par-tial	Sim-ple	Par-tial	Sim-ple	Par-tial	Sim-ple	Par-tial	Sim-ple	Par-tial	Sim-ple	Par-tial	Sim-ple	Par-tial
White suicide rate	.72*	.25	-.64*	.62*	.52	.56*	.14	.22	.33	.53*	.35	.55*	.59*	-.31	.42*
White homicide rate	.52*	-.45*	-.24	-.17	.09	-.42	.23	-.13	.26	-.42	-.12	-.58*	.24	.54*	.49*
White homicide suicide rate	.57*	.07	-.59*	.52	.44*	.36	.20	.15	.35	-.34	.22	-.30	.41*	-.09	.50*
White suicide homicide ratio	.72*	.53*	-.02	.40*	.11	.63*	-.24	.25	-.18	.62*	.29	.76*	.49*	-.68*	-.53*
Nonwhite suicide rate	.30	.08	-.13	.30	.25	.47*	.26	.15	-.09	.34	-.00	.13	-.04	-.34	.08
Nonwhite homicide rate	.25	-.07	-.28	-.19	-.25	-.11	.18	-.17	.21	-.09	-.04	.04	.40*	.28	.37*
Nonwhite homicide-suicide rate	.22	-.02	-.30	-.03	-.12	.13	.27	-.08	.15	.09	-.04	.10	.35	.09	.37*
Nonwhite suicide-homicide rate	.35	.27	.32	.36	.31	.43*	.18	.30	-.11	.36	-.10	.12	-.40	-.36	-.09

* The chances that a random ordering of the data would produce a relationship this strong are less than one in one hundred.

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Table 4 indicates that approximately 30 percent of the variation in the white suicide rate among the 48 states in 1940 is associated with variations in the educational level of the populations. The fact that the correlation is positive means that the suicide rate tends to rise from one state to the next as the educational level rises. Conversely, the negative coefficients of correlation between each of the independent variables, except region, and the white homicide rate indicates that the homicide rate tends to decline as the indices of development rise.

The effect on the dependent variable of all of the independent variables considered together is measured by the coefficient of multiple correlation, R. Thus 72 percent of the white suicide rate and 52 percent of the white homicide rate are explained by the 7 independent variables operating in an additive fashion. The coefficient of partial correlation expresses the relationship of each independent variable with the unexplained portion of the dependent variable after the independent variables acting collectively have done all the explaining possible. The coefficient of partial correlation for the dummy variable, South, is the most important yield of the multiple regression analysis.

Even though the 7 independent variables acting together explain 72 percent of the variation of the white SHR among the 48 states in 1940, 28 percent ($r = -.53$) of the remaining portion of the variation of the white SHR is associated with the South. This means that the white SHR is lower in the South than can be

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accounted for by the lower indices of urbanization, education, wealth, and age. Similarly, there is a significant portion of the variation from state to state in the white homicide rate, and in the white suicide rate, that is unexplained by variations in measures of development but that is explained by Southernness.

If the deviation of the South from the national norms for violence cannot be attributed to backwardness, or at least not to the static measures of underdevelopment, there are other possible explanations that should be considered. The concept of anomie, developed by Emil Durkheim in his study, Suicide, in 1898, is frequently mentioned as an explanation of both homicide and suicide. Anomie has meant slightly different but not contradictory things to different investigators. It is most generally understood to be a social condition in which there is a deterioration of belief in the existing set of rules of behavior, or in which accepted rules are mutually contradictory, or when prescribed goals are not accessible through legitimate means, or when cognition and socialization have been obstructed by personality traits that cluster about low ego strength.¹⁶ In its manifestation in the individual, in the form of anomy, it is a feeling of normlessness and estrangement from other people. An anomic person feels lost, drifting without clearly defined rules and expectations, isolated, powerless, and frustrated. In this state, there is a strong strain toward deviant behavior in various forms. The problem is that both homicide and suicide are

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thought to be related to it, and the theory does not predict what sorts of people or what groups will favor one form of behavior rather than another.

To look at Southern violence as the product of anomie in any case would involve a great paradox. The most popular explanation of the high rates of American violence as compared to Europe places the blame on the rapid urbanization, secularization, and industrialization of the United States and on the social characteristics associated with this remarkable growth: geographic and status mobility, an emphasis upon contractual relationships and upon social norms rather than upon personal relationships, competitive striving, and a cultural pluralism that involves a high level of dissonance among the values that everyone tries to put into practice.¹⁷ The South has traditionally served as the counterpoint to the American way of life for the reason that it seemed to differ from the North in these very aspects.¹⁸ Southerners have a greater sense of history than Northerners, a greater attachment to place, and more deferential social customs. By all reports, Southerners place more emphasis on personal relations and on ascribed statuses than do Northerners. Not only do Southerners prize political and social cohesion, but by most measures the South is much more homogeneous than the non-South.¹⁹ Yet, though the South differs from the North on so many of the factors that supposedly contribute to anomie and thus to violence, the South is the nation's most violent region.

There is one body of theory that would seem to predict higher rates of violence precisely because of the South's homogeneity.

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Reformulating the observations of Georg Simmel and Bronislaw Malinowski, Lewis Coser writes that "we may say that a conflict is more passionate and more radical when it arises out of close relationships." "The closer the relationship," so the reasoning goes, "the greater the effective investment, the greater also the tendency to suppress rather than express hostile feelings. . . . In such cases feelings of hostility tend to accumulate and hence intensify." Such a theory fits the empirical observation that individuals who express hostility retain fewer and less violent feelings of antagonism towards the source of their irritation.²⁰ But Coser himself states that, though conflicts within close relationships are likely to be intense when they occur, "this does not necessarily point to the likelihood of more frequent conflict in closer relationships than in less close ones." There are situations in which accumulated hostilities do not eventuate in conflict behavior and may even serve to solidify the relationship.²¹

The frustration-aggression hypothesis involves similar perplexities.²² For example, one of the alternative ways of adapting to frustration is to turn the frustration inward upon the self. In extreme cases this can result in suicide.²³ A psychoanalyst has concluded after an extensive study that a major portion of Sweden's very high suicide rate is caused by the frustrations arising from a highly competitive, success-oriented society.²⁴ The general rise in suicide rates in the United States during economic downturns argues that the same mechanism is at work among some segments of

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the population. Consequently, nothing in the frustration-aggression hypothesis predicts the direction the aggression will take.

There are currently two theories that attempt to explain the generally inverse relationship between homicide and suicide as reactions to frustration. The first, developed by Andrew F. Henry and James F. Short, Jr.,²⁵ is based on the assumption that both homicide and suicide are the result of frustration-aggression and builds upon Porterfield's initial suggestion that the strength of the relational system might have something to do with an individual's choice of either homicide or suicide.²⁶ Henry and Short adduce data on the relationship of homicide and suicide rates to the business cycle and to certain statistically distinct groups. They reason that overt aggression against others "varies directly with the strength of external restraint over the behavior of the adult--external restraint which is a function of strength of the relational system and position in the status hierarchy."²⁷

Martin Gold has pointed out, however, that contrary to the assumption of Henry and Short, upper status people are likely to be more restrained by the expectations of others than are lower status people. Even more damaging is Gold's demonstration that the Henry and Short hypothesis does not correctly predict the greater preference of women for suicide rather than homicide,²⁸ nor does it correctly predict the fact that suicide rates are lower among the middle classes than at either extreme of the social scale.

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The second theory, fashioned by Martin Gold, attempts to relate differences in child rearing practices to preferences for hostility or guilt as an accommodation to frustration. Specifically, Gold shows that there is a positive correlation between the incidence of physical punishment commonly used in the child rearing practices of certain groups and the rate of homicide for that group. His conclusion is that physical disciplining of children leads to aggression against others rather than against the self.²⁷ To confound the theory, restrictive child-rearing practices in Europe evidently do not lead to the physical violence that such practices among the lower classes in America are supposed to produce. There is also considerable doubt that there is a significant class differential in the degree of physical punishment used to discipline children.³⁰ William and Joan McCord found in their study of juveniles that there was no strong relationship between disciplining methods and criminality except when a child is rejected by his parents or when his parents provide him with a deviant role model. Harsh discipline does less damage than neglect.³¹ That there is some causal relationship between the socialization of aggression and a group's SHR is reasonable enough to suppose that it will provide a fruitful line of research, but before it can be a useful ingredient of an explanation of Southern violence, anthropologists and historians need to know much more about regional differences in child-rearing techniques.

Whether or not the cause can be located in child-rearing practices, several bodies of evidence point to the conclusion that

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Southern violence is a cultural pattern that exists separate from current influences. For instance, several commentators have suggested that the habit of carrying guns in the South made murder a much more frequent outcome of altercations among Southerners than among Northerners. This argument is buttressed by a 1968 survey, reported in Table 5, which showed that 52 percent of Southern white families owned guns, as opposed to only 27 percent of the white families in the non-South. It may be, however, that this differential in gun ownership is the result of a violent turn of mind rather than the cause of violence. This is the implication of the fact that when the House of Representatives in 1968 passed a weak gun control bill to restrict the mail-order sale of rifles, shotguns, and ammunition by the overwhelming vote of 304-118, representatives of the 11 ex-Confederate states nonetheless voted 73-19 against the bill.³² It should be noted too that some Southern states have relatively strict firearms laws without dramatically affecting their homicide rates.³³ Furthermore, the assault rate is extremely high in the South, indicating that Southerners react with physical hostility even without guns.

A glance at Table 4 reveals that for Negroes either the data are grossly skewed or there is little relationship between violence and the selected indices of social welfare. There is the barest hint that, controlling for the selected factors, there is some explanatory value in sectionalism, a conclusion that has independent verification. Thomas F. Pettigrew and an associate found that the

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TABLE 5
PERCENT OF FAMILIES OWNING FIREARMS

	Yes	No	Not Sure
Total white	34	65	1
South	52	45	3
Non-South	27	72	1
Total nonwhite	24	70	6
South	34	61	5
Non-South	15	78	7

Source: Survey of national statistical sample by
Opinion Research, Inc., for a Columbia
Broadcasting System program September 2,
1968.

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major correlate of the rate of Negro homicide in the North was the proportion of Negroes in a given area who had been born and raised in the South and that this was in addition to the effect of migration itself. It had long been known that homicide was much less frequent among northern than among southern Negroes, but this finding suggests that violence in the South is a style of life that is handed down from father to son along with the old hunting rifle and the family Bible.³⁴

The great contribution to the discussion of Southern violence made by Wilbur J. Cash in his book, The Mind of the South, was precisely this, that Southern violence is part of a style of life that can be explained only historically.³⁵ According to Cash's own poetic and impressionistic rendering, violence grew up on the Southern frontier as naturally as it grows up on any frontier. Violence was an integral part of the romantic, hedonistic, hell-of-a-fellow personality created by the absence of external restraint that is characteristic of a frontier. The cult of honor, with its insistence on the private settlement of disputes, was one form taken by the radical individualism of the South, but there were other influences at work. The plantation, the most highly organized institution on the Southern frontier, reinforced the tendency toward violence that had been initiated by the absence of organization. This was so, Cash argues, for two reasons. In the first place, whites on the plantation exercised unrestrained dominance over blacks. In the second place, whites were generally raised by blacks and

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consequently were deeply influenced by the romantic and hedonistic Negro personality. Cash does not explicitly say what forces produced this Negro personality, but the implication is that Negro personality is fixed by the laws of genetics. But if the more likely position is taken that Negro and white personalities are shaped by environment and experience, then the reader is left with yet another Cashian paradox: violence in the white personality stems at the same time from the effect of being unrestrained and from imitating the Negro personality which was formed out of a situation of dependency and subordination.

It may be that the mediating variable that brings together the various inconsistencies in Cash's explanation of how violence came to be established in the late ante-bellum period as part of the Southern personality is the absence of law. Not disorganization nor individualism, not dominance nor submission, not lack of restraint--none of these forces played as important a role as the absence of institutions of law enforcement in forcing Southerners to resort to the private settlement of disputes. Cash makes this explicit in his treatment of Reconstruction, the second frontier.

During Reconstruction, according to Cash, Southern whites resorted to individual and collective violence because the courts were dominated by Carpetbaggers and Scalawags. Though this is logical, it is not consistent with Cash's earlier argument that the growth of law had been inhibited on the ante-bellum frontier by the desire of Southerners to provide their own justice.

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Apparently the direction of causation in the relationship between law and violence changes in accordance with the needs of Cash's interpretation.

Just as the first and second Southern frontiers simultaneously promoted social solidarity and individualism, the third Southern frontier, Progress, changed the South in the direction of the American norm of Babbitry while at the same time accommodating continuity in the basic traits of the Southern mind. A further paradox is involved in the impact of Progress on the pattern of violence. Because violence originally arose from individualism, Cash says, the growth of towns should have brought a decrease in rates of violence. This decrease did not materialize because progress also brought poverty and poverty destroys individualism. Cash in effect argues that individualism produced violence in the ante-bellum period and the loss of individualism produced violence in the twentieth century.

Though Cash failed to produce a coherent theory of Southern violence, he did focus on two factors that are obvious possibilities as the chief motive forces of Southern violence: the frontier experience and the presence of the Negro. The American frontier did spawn violence, but it seems improbable that the frontier could have much to do with the fact that in the twentieth century Southern states on the eastern seaboard have much higher rates of violence than the nation at large. There is also considerable difficulty with the notion that the presence of large numbers of Negroes accounts for the great propensity of whites for violence. There is,

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in fact, very little inter-racial homicide,³⁶ and there is no reason to question John Dollard's hypothesis that Negroes murder and assault each other with such appalling frequency because of their daily frustrations in dealing with white men. Because aggressions against whites would call forth extreme negative sanctions, frustrated Negroes displace their aggressive feelings to other Negroes.³⁷ If this is the case, it is difficult to see how high rates of violence among the dominant white group would also be attributed to the white-Negro relationship, especially when the presence of Negroes in the North is not accompanied by a proportionate rate of violence among the whites. It is also interesting that whites in South Africa who also experienced frontier conditions and a subordinate non-white population have a homicide-suicide ratio almost identical to the ratio for the American North but quite different from that of the Southern whites.

Subservience, rather than dominance, may be the condition that underlies a pattern of low SHR's. Franz Fanon, in his extremely popular book, The Wretched of the Earth, suggests that the oppressed status of a colonial people produced a pattern of aggressiveness directed against fellow colonials and a need to achieve manhood through violence. That task of revolutionaries is to mobilize the aggressive drives, provide them a sustaining ideology, and direct them against the oppressors.³⁸ The South's defeat in the Civil War and its position as an economic dependency of the industrial Northeast qualifies it for consideration as a violent

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colonial region. In addition to the difficulty of separating the effects of subserviency from the effects of sheer underdevelopment, the problem with this line of reasoning is that the heroic myths created about the Lost Cause and the relatively early return of home rule after the Civil War may have mitigated the trauma of defeat and social dislocation. It would be difficult to maintain that the South's historical experience as a region is the equivalent of the sort of cultural conflict that leads to the loss of self esteem, disrupts the processes of socialization, and initiates the cycle of self-crippling behavior within the subordinate group.³⁹ Furthermore, American Indians have responded to their experience of defeat and repression with higher rates of suicide and other intrapunitive behavior rather than with aggression against others. Similarly, while industrialization was transforming and disrupting its established folk culture, Harlan County, Kentucky had the highest homicide rates in the country, but a study of community growth in New England finds suicide and depressive disorders highly correlated with the disruptive impact of geographic mobility.⁴⁰

Though the social sciences offer no clearly authenticated hypothesis that predicts the relationship in different populations between homicide and suicide rates,⁴¹ there are some potentially illuminating investigations currently in progress. Assuming that depressed mental patients are people who have turned anger inward through the mechanism of introjection and guilt when under chronic stress, while paranoid patients are those who have turned anger

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outward through the mechanism of denial and projection, one study has found an interesting association between the pattern of intra-family communication and the direction taken by mental pathology when it occurred. Depressed patients in this study came from families in which the children were forced to try by themselves to attain the desired forms of behavior through positive, "ought" channels. Children in the families of paranoid patients were forced into acceptable modes of behavior by negative "ought not" procedures. "In families of depressed patients the child comes to view his environment as non-threatening to him physically. It is something to be manipulated by him in order to bring about the desired effects that will win approval. There is directionality here, and it is from the child toward his environment. On the other hand, in families of paranoid patients the child comes to view his environment as having potentially harmful properties that he cannot control and that must be avoided in some way. Here the directionality is from the environment toward the child."⁴²

The hypothesis is that a manipulative attitude toward the environment will be associated with intrapunitive behavior and that a passive attitude toward the environment, with the absence of the internalization of a feeling of responsibility for the self, will be correlated with a greater use of projection in ego-defense.

There are firm indications that cultural patterning as well as child rearing techniques will affect the perception of the environment and the orientation of the personality on the

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paranoia-depression continuum. In Burma, a hierarchical and age-graded society, the social and physical environment is typically perceived as potentially harmful, and Burma has one of the highest homicide rates in the world.⁴³ There is also the possibility of a connection between the high rates of violence among Afro-Americans and the recent diagnosis that the Negro psyche has been rendered paranoic by the hostile American environment.⁴⁴

Testing the hypothesis that a paranoidal perception of the environment is the root cause of the pattern of violence in the white South is a problem for future scholarship. The most immediately useful technique would be an opinion survey of attitudes toward violence, perceptions of the environment, feelings of personal efficacy, and other measures of alienation. There may be regional differentials in these categories as well as class, age, and sexual differentials. A rigorous comparison of rates of violence in perhaps a Kentucky County and an Ohio County at comparable stages of settlement is also a promising approach. The records of the county court, the reports of the state attorney general, and newspaper surveys might produce useful data on individual as well as collective violence. Some effort must be made to determine when the South became violent. The timing may reveal much about the relationship of slavery to violence. The possible effects of Scotch-Irish immigration, population density, temperature, and religious fundamentalism should be investigated with quantitative methods. Even though the SHR's of Australia and Canada fit the European mold,

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some insight may derive from pursuing such comparative cases in a detailed manner. There is much that can be done.

Meanwhile, in the search for a valid explanation of Southern violence the most fruitful avenue will probably be one that seeks to identify and trace the development of a Southern work view that defines the social, political, and physical environment as hostile and casts the white Southerner in the role of the passive victim of malevolent forces. When scholars locate the values that make up this world view and the process by which it was created and is transmitted, the history of the South will undoubtedly prove to have played a major role. The un-American experiences of guilt, defeat, and poverty will be major constituents of the relevant version of that history,⁴⁵ but perhaps they will not loom so large as the sense of grievance that is at the heart of the Southern identity.

The South was created by the need to protect a peculiar institution from threats originating outside the region. Consequently, the Southern identity has been linked from the first to a siege mentality. Though Southerners have many other identities, they are likely to be most conscious of being Southerners when they are defending their region against attack from outside forces: abolitionists, the Union Army, carpetbaggers, Wall Street and Pittsburgh, civil rights agitators, the federal government, feminism, socialism, trade unionism, Darwinism, communism, atheism, daylight saving time, and other by-products of modernity. This has made for an extreme sensitivity to criticism from outsiders and a tendency to

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excuse local faults as the products of forces beyond human control or beyond local control. If the South was poor, it was because the Yankees stole all the family silver and devastated the region in other ways after the Civil War. If industrialization seemed inordinately slow in the South, it was because of a conspiracy of Northern capitalists to maintain the South as an economic colony. Added to this experience with perceived threats has been the fact that almost every significant change in the life of the South has been initiated by external powers. This is even true of industrialization. Though there was a fervent native movement to sponsor industrialization, absentee ownership has been characteristic. Furthermore, the real qualitative change in the Southern pattern of low value-added industry came as a result of World War II and the activities of the federal government.

Being Southern, then, inevitably involves a feeling of persecution at times and a sense of being a passive, insignificant object of alien or impersonal forces. Such a historical experience has fostered a world view that supports the denial of responsibility and locates threats to the region outside the region and threats to the person outside the self. From the Southern past arises the symbiosis of profuse hospitality and intense hostility toward strangers and the paradox that the Southern heritage is at the same time one of grace and violence.

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- 2 -

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NATIONAL COMMISSION ON THE CAUSES AND PREVENTION OF VIOLENCE

726 JACKSON PL., N.W.
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November 22, 1968

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Dr. Milton S. Eisenhower
Evergreen House
4545 N. Charles Street
Baltimore, Maryland 21218

Dear Dr. Eisenhower:

I have your letter of November 1 to my co-director, Professor Graham, asking whether it may be possible to include an historical paper in our report that analyzes evolving circumstances that have resulted in low levels of violence in some Western democratic nations and relatively high rates in the United States.

Let me say that my own paper, and a paper by Michael Hudson, provide some good comparative information on the historical and contemporary characteristics of nations that lead to collective protest and violence. Descriptively, I have been able to demonstrate with data for 114 nations that the United States had a slightly greater relative level of such activities in 1963-1968 than did any other nation of the Western Community in the early and mid 1960's, but much less strife than some 20 other countries. What is most striking to me, though, is that while levels of strife are high in the U.S., its characteristics closely resemble those of strife in other nations of the Western Community. The anti-government demonstration and riot, violent clashes of political or ethnic groups, and student protests are pervasive forms of conflict in modern democracies. Non-Western nations have them in good measure too, but they also are much more likely to have serious conspiratorial and revolutionary movements. Strife also is likely to occur within or on the periphery of the normal political process in Western nations, rather than being organized by clandestine revolutionary movements or cells of plotters embedded in the political and military hierarchy.

The human costs of strife also are comparable: in 1963-1968, deaths from civil strife in the United States were at the rate of 1.1 per million population, compared with 2.4 per million among all European nations, 76.0 per million in Latin nations, and between 200 and 500 per million in other groups of nations.

Such comparisons do not minimize the significance of strife in America, but they suggest it is not extraordinary. To assess the relative importance of its causes, I measured a number of supposed causal conditions of strife for the 114 nations and related them to differences in magnitudes and types of strife. Included were measures of the extent and intensity of various kinds of discontent, of the legitimacy of the political system, of historical levels of strife, of institutional strength, and of coercion. The data clearly show that the most immediate, potent causes of turmoil are persisting discontents of the kinds associated with discrimination; low legitimacy of the political system; and high historical levels of strife. The extent of persisting discontent, for example, correlates very closely with differences in levels of strife among the English-speaking and Nordic nations and is not minimized by institutional differences. Generally, the United States has two of the three characteristics associated with widespread turmoil in other nations: considerable popular discontents and a tumultuous history. Moreover, the Vietnam War has evidently undermined the legitimacy of the political system in the eyes of many who oppose the war. On the other hand the United States has the characteristics that in other nations minimize intense revolutionary conspiracies and internal wars: institutional strength, the loyalty of its military and police establishments, and the lack of large extremist organizations or external support for them. We must look to immediate historical and social circumstances to explain why strife has been so extensive at this particular point in American history. The general historical and contemporary comparisons show that it is very much to be expected.

All of these points will be developed and documented in much more detail in our task force report. We will devote a considerable portion of our conclusion to dealing with the question you raise. Needless to say, we would welcome any further comments or questions you might have, and will attempt to consider them both in the written documents and in our forthcoming meetings.

Sincerely yours,

Ted Gurr
Co-director, History and
Comparative Task Force

MEMORANDUM

TO : Messrs Cutler, Barr, Short, Wolfgang,
Campbell, McDonald, Wolk, Kirkham, Levy,
Crotty, Skolnick, Heyman, Mulvihill,
Tumin, Saunders, Clark, Newton, Zimring,
Orrick, Walker, Hector, Baker, and Miss Ball

FROM : Ted Gurr and Hugh Graham

SUBJECT: Abstracts

Three additional abstracts are enclosed. James Comer provides a psychiatric perspective on the situation of black Americans, and Joe B. Frantz delineates the violent aspects of the frontier tradition. A comparative perspective on the origins and resolution of English working-class violence is provided by B. C. Roberts' essay.

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These look very good
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THE DYNAMICS OF BLACK AND WHITE VIOLENCE

By

James P. Comer

ABSTRACT

Contemporary racial violence is a paradox. Economic and educational gains made by black Americans since 1960 have been remarkable. The number of non-whites, 92% black, at the poverty level (defined by the Social Security Administration) has declined from 10.9 million in 1964 to 8.3 million in 1967. The unemployment rate for blacks has declined from 12.4% of the labor force in 1961 to 6.8% for the first six months of 1968. A 31% drop in non-white underemployment was recorded between 1966 and 1967, compared with a 17% decline for whites. In 1960 there were only 3 million blacks in the better job categories while 46 million whites held such jobs. Between 1960 and 1967 there was a 47% increase in the number of blacks in white collar jobs, craftsmen and operatives (the better jobs), compared to a 16% increase by whites. There was an 80% increase in the number of black professionals and technical workers between 1960 and 1967, compared with 30% increase among whites. There was a 77% increase in the number of black clerical workers as compared with a 23% increase for whites. There was a corresponding decline in private household workers, 17% for non-whites compared with 23% among whites. In 1960 the median years of school completed for non-whites was 10.8 and 12.3 for whites. In 1968 the median for non-whites was 12.2 and 12.6 for whites.

Marked positive attitudinal changes have been made by whites as reflected by the 1968 CBS Nationwide Survey and by the treatment of minority groups in the mass media. Black pride and consciousness efforts reflect the development of a positive group concept. But black violence and white backlash are walking hand in hand with "Julia," the high-rating TV show starring a black actress and the unprecedented movement of black men to heretofore restricted areas. The concomitant occurrence of improved inter-racial relations and violence cannot be explained on the basis of any objective and measurable criteria such as the number and quality of jobs, level of employment or income. Important, longstanding interactional factors as well as new social conditions are the probable determinants of black and white violence.

Certainly the resistance of some whites to economic advancement of blacks and the fear of a loss of social and psychological advantage cannot be discounted as a basis for continued inter-racial conflict. These concerns are of course complicated by the fact that many whites have very little information about the nature and basis of the black disadvantage. But the central and constant dynamic at play here has been the movement of blacks from a position of powerlessness relative to whites to a position of increased power against the resistance and support of members of the white group.

Powerlessness, enforced by the controlling group, constitutes a level of violence which does psychic and social damage to the development of the less powerful group and its members. Individual development is often impaired and a disproportionate number of people live under conditions which promote inadequate control of aggression. Finally, oppressive conditions forced the powerless black community to adapt avoidance and denial mechanisms which resulted in ignoring or turning anger against the self in self-destructive acts, or projecting or displacing it onto group members and acting aggressively against them rather than toward members of the oppressive group. Social conditions of the past few years have permitted these feelings to be turned outwards and directed toward the perceived oppressor. Much of the violence has not been planned but has been triggered by events which represent a threat to "black manhood."

To date, the white backlash has rarely taken the form of overt violence. It has been tempered by a generally conciliatory atmosphere fostered by public officials, social scientists and citizens as a response, in part, to guilt as well as a genuine desire to establish social justice.

The concept of "white collar violence" on the part of the power elite of the country will be challenged. However, it can be demonstrated that the failure of the society to enable families and groups to meet their developmental needs is responsible for the emergence of a disproportionate number of people with a violent life style among any traumatized group. This concept, as well as the basis for long black passivity and now increased anger and conflict, can be best understood in a review of the black and white relationship over time.

Slavery was in fact a form of chronic psychological trauma in which large numbers of blacks were infantilized, many abused, rejected and rendered dependent. This occurred in the absence

of defensive mechanisms usually available to oppressed groups-- intact culture, adaptive values, family or other stabilizing institutions, etc. Adaptations which were made were often self-destructive or demeaning--identification with the master or the development of a life style of exclusion--anti-social, self-destructive, pleasure-oriented. The church served as a less traumatic adaptive institution as well as a secular sub-culture with features of religiosity but a more creative and free interactional system, yet with stability. In the constant fight against segregation, abuse and denial, a somewhat more cohesive black community with a positive identity not based on a relationship with whites emerged. Younger people less dependent upon the adaptive mechanisms of older generations became the "cutting edge" of the Black Revolution. This broke the "tie that binds" and launched black Americans on a search for a positive identity and a reasonable level of economic security and participation in the society. This was accompanied by certain ambivalences and anger which set the stage for separatist movements and trigger violence in a group with a disproportionate number of traumatized people with a violent life style.

THE FRONTIER TRADITION: AN INVITATION TO VIOLENCE

By

Joe B. Frantz

ABSTRACT

Despite its proclamations of loving peace, the United States has an enormous and continuing tradition of violence in the dramatic story of its spread across three thousand miles of frontier. One reason is that a dynamic society, questing and avaricious, was confronted with a native society, the Indian, which was static and frequently antagonistic. With the riches of a continent to be plumbed and the hunger for land deep in his appetite, the new American tended to push out of the way anyone and anything that threatened to deter its march westward. The bloody encounters that ensued were justified, not as violence, but as progress and as "taming the frontier."

This substitution of social organization and private enhancement for human, albeit aboriginal, life as the line of settlement moved across the continent became a pattern that lasted for more than 250 years, which is long enough to develop a habit. Even in those supposedly serene days between the close of the Civil War and the entry into World War I, the immigrant American fought the native Indian on some front or other almost constantly. A mere listing of Indian encounters between 1862 and 1890 would consume hundreds of pages of type, and the cost in lives and money would, in the aggregate, amount to a reasonably major war. This is in a time of peace.

Quite apart from the subduing of the aborigine (and unlike the Spaniard, we annihilated rather than assimilated the Indian), the frontier was a place where settlement moved ahead of social and political organization. The result was an extreme, maybe necessary, individualism which stressed summary, personal justice. Stealing a horse was worse than shooting a man because a horse was a means of life whereas a man was soon forgotten. Hanging judges and vigilantes dotted the western frontier various times at various places,

dispensing justice in the name of law and order until real law and order could catch up. In a land without either courts or established judicial respect, a man made his own law, enforced by whatever weapons were available and effective.

Every frontier community had its violence, usually based on greed. Mining claims, water holes, railroad rights, farms and fences--all fueled the contest, no matter how legitimate. Were the Earp brothers maintaining the law and order against the Clantons at the O.K. Corral, or were they cold-blooded killers in a basic sheepman-cattlemen feud over grazing rights? Was Jesse James a displaced Civil War guerilla hero with a Robin Hood complex, or was he a precursor of the city gangs of a half-century later? Either way, he and others like him were heroized despite the fact that they plundered and murdered. Violence was almost a national sport; the more violent the player, the greater his esteem. Sam Huff the line-backer and Sam Bass the train robber are part of the same blood line, insofar as hero-worship is concerned.

Racial arrogance undoubtedly played a role in justifying violence. "The only good Indian is a dead Indian." Judge Roy Bean absolved a murder because he could find no statute that said it was against the law to kill a Chinaman. To Mexicans, most Anglos were gringos, and therefore disposable. And so on. Violence against another race or nationality was no violence at all, but simple justice.

Perhaps, without getting unduly Turnerian, the United States turned inward in its violence when it no longer had external foes to work over--no Indians, no horse thieves, no claim jumpers, no Comancheros, no fence-cutters. At the same time it must be recognized that the Western frontier was contradictorily cosmopolitan, and that men were accepted on merit. Here the Irish and the Oriental met (and sometimes collided), and here the Mexican and the Italian and the Anglo lived and farmed and peddled side-by-side, and here the Jew was invariably the first merchant, both economically and chronologically. And each was accepted if he could do the job and if he understood the rules of local living and could be reconciled and disciplined to living with them.

THE ORIGINS AND RESOLUTION OF ENGLISH WORKING-CLASS PROTEST

By

B. C. Roberts

TENTATIVE OUTLINE

The role of mob violence as a significant political force in Britain may be traced back to the peasant revolts of the fourteenth century. During the long period of Tudor rule strong centralized government, a paternalist social system, and the constant threat from invasion from overseas discouraged mass demonstrations of popular feeling.

The great religious and political conflicts of the seventeenth century, which were followed by the breakdown of the Tudor pattern of legal regulation and its replacement by a laissez-faire market economy and less regulated social system, brought an upsurge of public discontents. These first manifested themselves in sporadic and random mob violence which was encouraged by weak government. Later the town mobs were deliberately manipulated by protestants against catholics, by anglicans against dissenters, by the rising bourgeoisie against the country gentry, by radical parliamentarians against the King and the aristocracy.

The French Revolution and the war with France brought an upsurge of patriotism and a return to strong government. Any manifestation of Jacobinism was severely suppressed, including the trade protection societies which had been established by skilled artisans. Although trade unions were treated as criminal conspiracies, this did not prevent a massive outbreak of machine wrecking by unemployed workers. The danger of working class revolt was averted by rapid economic growth, the ending of prohibitions on the right to form a union and the reform of Parliament. Chartism and threats of revolution were quashed by firm government, economic advance and social amelioration. Social protest was institutionalized through the trade unions, co-operative societies and other self-help activities, and the readiness of the skilled workers to accept the economic, social, and political principles adopted by the rapidly expanding and prosperous middle class strata of the greatest

industrial society in the world. In return workers were given the right to vote and their unions the opportunity to play an important part in the government of the country. The class structure, although clearly defined, permitted economic and social mobility, especially at the lower levels. Society was bound together by a generally accepted philosophy of social duty and pragmatic reform; confident superiority as a world power and a sense of absolute national security encouraged the development of liberal, tolerant and responsible attitudes at all levels.

CONCLUSION

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I. The Commonality of Collective Violence

Future historians may marvel at the ostensible "rediscovery" of violence that has both fascinated and bemused contemporary observers. That the recent resurgence of collective non-military violence in western society is widely regarded as anomalous probably reflects both a cultural and contemporary bias. We have tended to assume, perhaps unconsciously, that such violence was an uncivilized practice of barbarians which the civilized and affluent West has largely outgrown. Our historians have themselves been guilty of contributing to this popular illusion; while they have retained their fascination for military exploits, they have tended either to ignore the persistence of domestic turmoil except when it reached revolutionary proportions or to minimize its significance by viewing it from the perspective of established authority. When viewed from the top down, violence was understandably regarded as abnormal and undesirable.

On the contrary, Tilly concludes, "collective violence is normal".

Historically, collective violence has flowed regularly out of the central political processes of western countries. < Men seeking to seize, hold, or realign the levers of power have continually engaged in collective violence as part of their struggles. The oppressed have struck in the name of justice, the privileged in the name of order, those in between in the name of fear. >

In Tilly's analysis, collective violence in the European experience was fundamentally transformed but not foredoomed, by

the process of industrialization and urbanization. The old "primitive" forms of violence in feudal Europe - such as local feuds and religious persecutions - were characterized by small scale, local scope, communal group participation, and inexplicit and unpolitical objectives. The subsequent evolution of the nation state prompted such "reactionary" disturbances as food riots, Luddite destruction, tax revolts, and anti-conscription rebellion. Although industrialization and urbanization muted such disorders by disrupting their cohesive communal base, the metropolitan society these forces forged gave rise to "modern" forms of protest - such as demonstrations and strikes - which involved relatively large and specialized associations with relatively well-defined and "forward-looking" objectives and explicitly organized for political or economic action.

Tilly's model suggests that modern collective protest, owing to its broader associational base, is more likely to occur on a large scale. But modern protest is less likely to become violent because the associational form gives the group a surer control over its own actions, and thus permits shows of force without damage or bloodshed. Moreover, the historic shift from communal to associational bases for collective protest brought into being a number of modern alternative non-violent mechanisms for the regulation of conflicts: the strike, the demonstration, the parliament, and the political campaign. Collective violence, then, historically, belongs to political life, and changes in its form tell us that something important

is happening to the political system itself.

What is happening to the political system in contemporary America? Preliminary to such an inquiry is the historical task of surveying the patterns of group violence that have accompanied the development of the United States.

Brown has traced an over view of American collective violence, and his organizational categories of "defensive" and "progressive" violence in some ways parrellel Tilly's analytical distinctions between reactionary disturbances, which center on rights once enjoyed but now threatened, and modern disturbances, which center on rights not yet enjoyed but now within reach. But the American historical experience has been so brief relative to that of Europe that in America the historical dimension has been considerably constricted. The vitality of the American vigilante tradition, and its adaptability as a viable instrument to serve modern social anxieties, suggest that the role of collective violence in American life must be analyzed in relation to the historical experiences which contributed to her cultural uniqueness.

II. CONTEMPORARY AMERICAN VIOLENCE IN HISTORICAL PERSPECTIVE

Our current eruption of violence must appear paradoxical to a generation of Americans who witnessed the successful emergence from depression to unparalleled affluence of a nation they regarded as the world's moral leader in defense of freedom. Only a decade ago America's historians were celebrating the emergence of a unique society, sustained by a burgeoning prosperity and solidly grounded on a broad political consensus.¹ We were told -- and the implications were reassuring -- that our uniqueness was derived from at least half a dozen historical sources which, mutually reinforcing one another, had joined to propel us toward a manifestly benevolent destiny. We were a nation of immigrants, culturally enriched by the variety of mankind. Sons of the frontier, our national character had grown to reflect the democratic individualism and pragmatic ingenuity that had conquered the wilderness. Our new nation was born in anti-colonial revolution and in its crucible was forged a democratic republic of unparalleled vitality and longevity. Lacking a feudal past, our political spectrum was so truncated about the consensual liberal center that, unlike Europe, radicalism of the left or right had found no sizeable constituency. Finally, we had both created and

¹ Exemplary of the "consensus school" of American historians are Daniel Boorstin, The Genius of American Politics (Chicago: University of Chicago Press, 1953), David Potter, People of Plenty (Chicago: University of Chicago Press, 1954), and Louis Hartz, The Liberal Tradition in America (New York: Harcourt, Brace & World, 1955). These historians did not deny that the

survived the great transformation from agrarian frontier to industrial metropolis, to become the richest nation of all time.

It was a justly proud legacy, one which seemed to make sense in the relatively tranquil 1950's. But with the 1960's came shock and frustration. It was a decade against itself: the students of affluence were marching in the streets; middle class matrons were besieging the Pentagon; and Negro Americans were responding to victories in civil rights and to their collectively unprecedented prosperity with a paradoxical venting of outrage.

Historical analysis of our national experience and character would suggest that the seeds of our contemporary discontent were to a large extent deeply embedded in those same ostensibly benevolent forces which had contributed to our uniqueness. First, we are a nation of immigrants in which the original dominant immigrant group, the so-called Anglo-Saxons, effectively pre-empted the crucial levers of economic and political power in government, commerce and the professions. This elite group has tenaciously resisted the upward strivings of successive "ethnic" immigrant waves. The resultant competitive hierarchy of immigrants has always been highly conducive to violence, but this violence has taken different forms. The

Footnote 1 cont'd from page 1

American past was replete with violence. Rather, they emphasized that America lacked the feudal past that had led to acute class animosity in Europe, that virtually all Americans shared the liberal ideology of Locke and Jefferson, and that Americans were highly pragmatic and did not take any ideology seriously enough to be fundamentally divided by it.

Anglo-Americans have used their access to the levels of power to maintain their dominance, using legal force surrounded by an aura of legitimacy for such ends as economic exploitation and the restriction of immigration by a national origins quota system which clearly branded later immigrants as culturally undesirable. But the system was also conducive to violence among the latter groups themselves when, for instance, Irish-Americans rioted against Afro-American "scabs". Given America's unprecedented ethnic pluralism, simply being born American conferred no automatic and equal citizenship in the eyes of the larger society. In the face of such reservations, ethnic minorities had constantly to affirm their Americanism through a kind of patriotic ritualism which intensified the ethnic competition for status. As a fragment culture based on bourgeois-liberal values, as Harty has observed, yet one populated by an unprecedented variety of immigrant stocks, America's tightened consensus on what properly constituted "Americanism" prompted status rivalries among the ethnic minorities which, when combined with economic rivalries, invited severe and abiding conflict.

Most distinctive among the immigrant minorities was the Negro. The eternal exception in American history, Afro-Americans were among the first to arrive and the last to emerge. To them, America meant slavery, and manumission meant elevation to the caste of black pariah. Comer has seen in the psychological legacy of slavery and caste a psychically crippling Negro self-hatred which is largely immune to mere economic advance. The

contemporary Negro awareness of this tenacious legacy of racial shame is abundantly reflected in the radical rhetoric of Black Power and Black-is-Beautiful, and goes far toward resolving the paradox of black rebellion against a backdrop of general - albeit uneven - economic improvement. Neier and Rodwick have charted the transformation of racial violence from white pogrom to black aggression; while emphasizing that the transformation has led to violent black assault less against white persons than against white property, they caution that history is an imperfect guide to the future.

The second formative historical experience was America's uniquely prolonged encounter with the frontier. While the frontier experience indubitably strengthened the mettle of the American character, it witnessed the brutal and brutalizing ousting of the Indians and the forceful incorporation of Mexican and other original inhabitants, as Frantz has so graphically portrayed. Further, it concomitantly created an environment in which, owing to the paucity of law enforcement agencies, a tradition of vigilante "justice" was legitimized. The longevity of the Ku Klux Klan and the vitality both of contemporary urban rioting and of the stiffening resistance to it owe much to this tradition. As Brown has observed, vigilantism has persisted as a socially maleable instrument long after the disappearance of the frontier environment that gave it birth.

Similarly, the revolutionary doctrine that our Declaration of Independence proudly proclaims stands as a tempting

model of legitimate violence to be emulated by contemporary groups, such as Negroes and students who confront a system of both public and private government that seems contemptuous of their consent. Entranced by the resurgence of revolution in the underdeveloped world and of international university unrest, radical students and blacks naturally seize upon our historically sacrosanct doctrine of the inherent right of revolution and self-determination to justify their rebellion. That their analogies are fatefully problematical, in no way dilutes the majesty of our own proud Declaration.

The forth historic legacy, our consensual political philosophy of Lockean-Jeffersonian liberalism, was premised upon a pervasive fear of governmental power and has reinforced the tendency to define freedom negatively as freedom from. As a consequence, conservatives have been able paradoxically to invoke the doctrines of Jefferson in resistance to legislative reforms, and the Sumnerian imperative that "stateways cannot change folkways" has historically enjoyed a wide and not altogether unjustified allegiance in the public eye (witness the debacle of the first Reconstruction, and the dilemma of our contemporary second attempt). Its implicit corollary has been that forceful and, if necessary, violent local resistance to unpopular federal stateways is a legitimate response; both Calhoun and Wallace could confidently repair to a strict construction of the same document invoked by Lincoln and the Warren Court.

A fifth source both of our modern society and our current

plight is our industrial revolution and the great internal migration from the countryside to the city. Yet the process occurred with such astonishing rapidity that it produced widespread socia-economic dislocation in an environment in which the internal controls of the American social structure were loose and the external controls were weak. Urban historian Richard Wade has observed that:

The cities inherited no system of police control adequate to the numbers or to the rapid increase of the urban centers. The modern police force is the creation of the twentieth century; the establishment of genuinely professional systems is historically a very recent thing. Throughout the 18th and 19th century, the force was small, untrained, poorly paid, and part of the political system. In case of any sizeable disorder, it was hopelessly inadequate; and rioters sometimes routed the constabulary in the first confrontation.

Organized labor's protracted and bloody battles for recognition and power occurred during these years of minimal control and maximal social upheaval. The violence of workers' confrontations with their employers, Taft and Ross observed, was partly the result of a lack of consensus on the legitimacy of workers' protests, partly the result of the lack of means of social control. Workers used force to press their grievances, employers organized violent resistance, and repeatedly state or federal troops had to be summoned to restore order.

The final distinctive characteristic -- in many ways perhaps our most distinctive -- has been our unmatched prosperity; we have been, in the words of David Potter, most characteristically a "people of plenty". Ranked celestially

with life and liberty in the sacrosanct Lockean trilogy, property has generated a quest and prompted a devotion in the American character that has matched our devotion to equality and, in a fundamental sense, has transformed it into an insistence upon equality of opportunity. In an acquisitive society of individuals with unequal talents and groups with unequal advantages, this has resulted in an unequal distribution of abundance. Few motives driving men into protest and violence can match the power of demands for "economic justice". Since maldistribution of property is a relative phenomenon, no incremental increase in our abundance -- no national quantum leap that might catapult the average annual income of poor Americans a thousand fold over that of poor Asians -- can possibly stay the persistent cries, once aroused, of the poor for economic justice or quell the protest of the ghetto.

Our historical evolution has given our national character a dual nature: we strive, paradoxically, for both liberty and equality, which can be and often in practice are quite contradictory goals. This is not to suggest that American society is a fatal contradiction. For all the conflict inherent in a simultaneous quest for liberty and equality, American history is replete with dramatic instances of the successful adjustment of "the systems" to the demands of disparate protesting groups. But while an historical appraisal of these genuine achievements should give pause to contemporary Cassandras who bemoan in self-flagellation how very

wicked we all are and how hopeless is our plight, the same appraisal also suggests that the same process through which we have made our successive accommodations encourages the regeneration of new demands.

III. COMPARATIVE CHARACTERISTICS OF PROTEST AND VIOLENCE

Our third question raised in the Introduction is the comparative status of demonstrative group protest and collective violence in the United States vis-a-vis other nations. In absolute terms, acts of collective protest and violence in the United States over the past 20 years have been extraordinarily numerous. In numbers of political assassinations, demonstrations, riots, and politically-relevant armed group attacks the United States since 1948 is among the half-dozen most strife-ridden nations in the world.¹ When such events are evaluated in terms of their relative severity, however, the rank of the United States is somewhat lower. The Feierabends and Nesvold have used ranking scales to weight absolute numbers of events for the period 1948 to 1965, in which peaceful demonstrations are rated as having the least serious impact, civil wars the most serious impact on political systems. In one such comparison the United States ranks 14th among 84 nations that have been independent since 1948.

The most detailed comparative information is provided by Gurr's study of the characteristics of civil strife in 114 nations and colonies in the 1960's, from which it is evident that in recent years the United States has experienced strife of greater intensity and greater duration than all but a few

¹ These absolute comparisons are from a paper by Michael Hudson which will be included in the final version of this report.

other Western democracies. The information on "civil strife" includes all reported acts of collective violence involving 100 or more people; organized private attacks on political targets, whatever the number of participants; and anti-government demonstrations involving 100 or more people. Three general kinds of civil strife are distinguished. Turmoil is relatively spontaneous, partially organized or unorganized strife with substantial popular participation and limited objectives. Conspiracy is intensively organized strife with limited participation but with terroristic or revolutionary objectives. Internal war is intensively organized strife with widespread participation, almost always accompanied by extensive and intensive violence and directed at the overthrow of political regimes.

About 11 of every thousand Americans took part in civil strife, almost all of it turmoil, between 1963 and 1968, compared with an average of seven per thousand in 17 other Western democracies. Six of these 17 had higher rates of participation than the United States, including Belgium, France, and Italy. About 9,500 reported casualties resulted from American strife, most of them the result of police action. This is a rate of 48 per million population, compared with an average of 12 per million in other Western nations. Strife was also of longer duration in the United States than in all but a handful of countries in the world. In total magnitude of strife, taking all three factors into account, the United States ranks first among the 17 Western democracies.

Despite its frequency civil strife in the United States has taken much less disruptive forms than in many non-Western countries. More than a million citizens participated in 370 reported civil rights demonstrations and marches in the five-year period, almost all of them peacefully organized and conducted. Of 170 reported anti-war demonstrations, which involved a total of about 700,000 people, the participants initiated violence in about 20. The most extensive violence occurred in the 239 recorded hostile outbreaks by Negroes, which resulted in more than 8,000 casualties and 191 deaths. Yet the nation has experienced no internal wars since the Civil War and almost none of the chronic revolutionary conspiracy and terrorism that plague dozens of other nations. The most consequential conspiratorial violence has been the occurrence of some 200 acts of white terrorism against Negroes and civil rights workers, which have caused some 20 deaths.

Although about 220 Americans died in violent civil strife in the 1963-1968 period, the rate of 1.1 per million population is infinitesimal compared with the average of all nations of 238 deaths per million, and less than the European average of 2.4 per million. These differences reflect the comparative evidence that from a world-wide perspective Americans, with few exceptions, have not organized for violence. Most demonstrators and rioters are protesting, not rebelling. If there were many serious revolutionaries in the United States, or effective revolutionary organizations, levels of violence would be much higher than they have been.

These comparisons should provide little comfort, however, when the tumult of the United States is contrasted with the relative domestic tranquility of developed democratic nations like Sweden, Great Britain, and Australia, or with the comparable current tranquility of nations as diverse as Yugoslavia, Turkey, Jamaica, or Malaysia. In total magnitude of strife, the United States ranks 24th among the 114 larger nations and colonies of the world. In magnitude of turmoil alone it ranks sixth.

Though greater in Magnitude, civil strife in the United States is about the same in kind as strife in other Western nations. The anti-government demonstration and riot, violent clashes of political or ethnic groups, and student protests are pervasive forms of conflict in modern democracies. Some such public protest has occurred in every Western nation in the past decade. People in non-Western countries also resort to these limited forms of public protest, but they are much more likely to organize serious conspiratorial and revolutionary movements.

Strife in the United States and other European countries is quite likely to mobilize members of both the working class and the middle classes but rarely members of the political establishment such as military officers, civil servants, and disaffected political leaders. Strife also is likely to occur within or on the periphery of the normal political process in Western nations, rather than being organized by clandestine

IV. SOME PRECONDITIONS OF VIOLENCE

One general approach to the explanation of the nature and extent of collective violence, supported by considerable evidence in this report, begins with the assumption that men's frustration over some of the material and social circumstances of their lives is a necessary precondition of group protest and collective violence. The more intense and widespread frustration-induced discontent is among a people, the more intense and widespread collective violence is likely to be. Several general attitudinal and social conditions determine the extent and form of consequent violence. People are most strongly disposed to act violently on their discontent if they believe that violence is justifiable and likely of success; they are likely to take violent political action to the extent that they regard their government as illegitimate and responsible for their frustrations. The extent, intensity, and organization of civil strife is finally determined by characteristics of the social system; the degree and consistency of social control, and the extent to which institutions afford peaceful alternatives to violent protest. ¹

¹ "Frustration" interpretations of the impetus to collective violence are proposed by Davies, the Feierabends and Nesvold, and, in somewhat different guises, by Comer and Carstairs. Gude considers some effects of legitimacy and force, Janowitz social control generally. Gurr's analysis includes motivational, attitudinal, and institutional variables.

revolutionary movements or cells of plotters within the political and military hierarchy. And if some overt strife is an inevitable accompaniment of organized social existence as all comparative evidence suggests it is, it seems preferable that it take the form of open political protest, even violent protest, rather than concerted, intensively violent attempts to seize political power.

One obvious characteristic of civil strife in the United States in recent years is the extent to which it is an outgrowth of ethnic tensions. Much of the civil protest and collective violence in the United States has been directly related to the nation's racial problems. Comparative studies show evidence of parallel though not identical situations in other developed, European, and democratic nations. The unsatisfied demands of regional, ethnic, and linguistic groups for greater rights and socioeconomic benefits are more common sources of civil strife in Western nations than in almost any other group of countries. These problems have persisted long after the resolution of fundamental questions about the nature of the state, the terms of political power, and who should hold it, and economic development. It seems ironic that nations which have been missionaries of technology and political organization to the rest of the world have not provided satisfactory conditions of life for all the groups within their midst.

If discontent arising from frustration is a root cause of violence within the political community, what kinds of conditions give rise to a widespread sense of frustration? All societies generate some frustration because organized social life by its very nature frustrates all human beings by inhibiting some of their natural impulses. Socialized inhibitions and outlets for such frustrations are provided by every society, though their relative effectiveness is certainly an underlying factor in national differences in rates of aggressive crimes. As the most fundamental, ecological level, Carstairs demonstrates that overcrowding of human populations appears to lead to aggressiveness. On the other hand, Tilly demonstrates that high rates of immigration to French cities in the eighteenth and nineteenth centuries was, if anything, associated with civil peace rather than rising disorder. Lane also finds that increasing urbanization in nineteenth-century Massachusetts was accompanied by a decline in violent crime rates. Probably most important for collective violence is the widespread frustration of socially-derived expectations about the goods and conditions of life to which men believe they are entitled. These expectations relate not only to material well-being but to more intangible conditions such as security, status, freedom to manage one's own affairs, and satisfying relationships with other people.

Social change is more likely than status to generate such collective frustration. The Feierabend and Nesvold's quantitative studies suggest, for example, that nations which undergo the most rapid socioeconomic change also are likely to experience the highest levels of collective violence. Large-scale socioeconomic change is ordinarily accompanied by changes in peoples' values, by institutional dislocations that affect people on top as much as people "on the way up," and even by the temporary breakdown of some social institutions. Rapid social change is thus likely to add to the discontents of many groups at the same time that it improves the conditions of some. In addition it may lead to the partial breakdown of systems of normative control and to the collapse of old institutions through which some groups were once able to satisfy their expectations. Under these conditions the motivational and institutional potential for collective violence is high.

A number of specific patterns of social change are directly related to collective violence. One is a pattern of rising expectations on the part of some groups in situations in which the lack of opportunity or the resistance of other groups precludes the attainment of those expectations. American society is especially vulnerable to the frustration of disappointed expectations, for we have proclaimed ourselves the harbinger of a New Jerusalem and invited millions of destitute immigrants to our shores to partake of its fulfillment. "Progressive" demands by such groups that have felt

themselves unjustifiably excluded from a fair share of the social, economic, and political privileges of the majority have repeatedly provided motivation and justification for group conflict in our past, as they have in the history of Western Europe. Demands of workers for economic recognition and political participation were pervasive and chronic sources of violent conflict in the United States and Europe. The aspirations of the Irish, Italians, Slavs, add--far most consequentlly-- Negroes have also provided repeated occasion for violence in America. The contemporary demands of both students and black Americans for greater participation in the making of decisions that shape their lives also have many parallels in our past. The nation was established through a revolutionary war inspired by just such considerations. A number of local rebellions, like Dorr's Rebellion in Rhode Island, in 1842, were similarly motivated.

Defensive resistance to undersirable change seems more common a source of collective violence than "revolutions of rising expectations", however. For example, most ethnic and religious violence in American history has been retaliatory violence by groups farther up the socioeconomic ladder who felt threatened by the prospect of the new immigrant and the Negro getting both "too big" and "too close." As Taft and Ross have demonstrated, most labor violence in American history was not a deliberate tactic of working-class organization but a result of forceful employer resistance to worker organization and demands. Companies repeatedly resorted to

coercive and sometimes terroristic activities against union organizers and to violent strike-breaking tactics. Employer violence often provided both model and impetus to counter-violence by workers, leading in many situations to an escalating spiral of violent conflict to the point of military intervention or mutual exhaustion.

Vigilantism has been a recurrent and clearly defensive response of middle- and working-class Americans to perceived threats to their status and security. The most widely-known manifestations have been the frontier tradition of citizens enforcement of the law and Klu Klux Klan efforts to maintain class lines and the moral code by taking their version of the law into their own hands. Brown has traced the emergence of such vigilante groups as the "Regulators" of pre-Revolutionary South Carolina, the Bald Knobbers of the Missouri Ozarks in the late 1880's, and the nation-wide activities of the White Cap movement of the 1880's and 1890's, a spontaneous movement for the moral regulation of the poor whites and ne'er-do-wells of rural America. There are many other manifestations of vigilanteism as well; no regions and few historical eras have been free of it, including the present.

Agrarian protests and uprisings have characterized both frontier and settled regions of the United States since before the Revolution. They have reflected both progressive and defensive sentiments, including demands for land reform, defense against more powerful economic interests, and relief from onerous political restrictions. Some major examples include

Shays' Rebellion in Massachusetts, 1786-1787; Fries' Rebellion in eastern Pennsylvania, 1799; some of the activities of the Grangers, Greenbackers, and Farmers' Alliance after the Civil War; and the "Green Corn Rebellion" of Oklahoma farmers during World War I.

Anti-war protest in American History also has a predominantly defensive quality. The nation's nineteenth-century wars, especially the Civil War, led often to violent resistance to military conscription and the economic impositions of war. The bloodiest and most destructive riot in American history remains the New York City Draft Riot of 1863. The twentieth century has seen the development of a strong, indigenous strain of pacifism in the United States. The goals of those who have promoted the cause of peace, during both the first World War and the Vietnam War, have been defensive in this sense: they adhere to a set of humanitarian values that are embodied in the basic social contract of American life, and see that contract threatened by those who regard force as the solution to American and foreign problems. As Brooks and Tanter suggest, the evidence of American history and comparative studies suggests no exact relationship between the occurrence of war and domestic protest against it, however. In the United States it appears to be the pervasive sense that a particular war and its demands are unjust or illegitimate that leads to protest and, occasionally, to violent resistance.

Davies identifies a third general pattern of change that is frequently associated with the outbreak of rebellion and revolution: the occurrence of a short period of sharp relative decline in socioeconomic or political conditions after a prolonged period of improving conditions. A period of steady progress generates expectations that progress will continue. If it does not, a pervasive sense of frustration develops which, if focused on the government, is likely to lead to widespread political violence. It is not only economic reversal of this pattern that leads to violence. People whose dignity, career expectations, or political ambitions are so frustrated are as likely to rebel as those whose pocketbooks are being emptied.

This specific pattern is identified in Davies' studies of the periods before the outbreak of the French Revolution, the American Civil War, and the Nazi Revolution. It may also be present in data on relative rates of white and Negro socioeconomic progress in the United States during the last several decades. From 1940 to 1952, non-white family income relative to educational attainment appears to have increased steadily and substantially in comparison with white income. In 1940 the average Negro with a high school education was likely to receive 55% of the earnings of a white worker with comparable education. This figure increased to 85 percent in 1952 - but then declined to a low of 74 percent in 1962. The median non-white family income in 1967 was still only 58 percent of the median white family income. These data call

into question simplistic notions to the effect that unsatisfied expectations of black Americans increased to the point of violence simply because of "agitation," or because of unfulfilled promises. Rather it may have been the experience of real progress, judged by reference to the black bourgeoisie, which generated expectations that were then substantially frustrated by subsequent events. (It also appeared that after a period of relative decline, the economic mobility of black Americans began to increase again in the mid-1960's. This may have contributed to the apparent decline in hostile outbursts in 1968).

Discontent is only the initial condition of collective violence, which raises the question of the extent to which the actualization of violence is determined by norms and institutional patterns. A cross-national study by Gurr was designed to answer this question, by relating differences among nations in economic and political discontent, normative justifications for violence, and institutional strength to differences in magnitudes and forms of civil strife. The results are that nearly half the differences among contemporary nations in magnitudes of strife are accounted for by differences in the extent and intensity of discontent, even though measured imprecisely. The normative or attitudinal conditions are almost as important, however. Nations whose political systems have low legitimacy are likely to have extensive collective violence; nations with high historical levels of strife -- and, by implication, normative support for strife --

are likely to have high contemporary magnitudes of strife. Institutional patterns also are significant causes: weak, and especially inconsistent, physical controls; lack of institutional strength; and material and organizational support for rebellion all are associated with high levels of strife, particularly with its most intensive and violent forms.

The experience of the United States is consistent with this general pattern. For all our rhetoric, we have never been a very law-abiding nation, and illegal violence has sometimes been abundantly rewarded. Hence there have developed broad normative sanctions for the expression or acting out of discontent, somewhat limited inhibitions, and -- owing to Jeffersonian liberalism's legacy of fear of central public authority -- very circumscribed physical controls. Public sympathy has often been with the law-breaker -- sometimes with the night-rider who punished the transgressor of community mores, sometimes with the integrationists who refused to obey racial segregation laws. Lack of full respect for law and support for private violence in one's own interest have both contributed to the justifications for private violence, justifications that in turn have helped make the United States historically and at present a tumultuous society.

On the other hand, the United States also has characteristics that in other countries appear to minimize intense revolutionary conspiracies and internal wars. Thus far in

our history our political system has maintained a relatively high degree of legitimacy in the eyes of most of its citizens. American political and economic institutions are generally strong. They are not pervasive enough to provide adequate opportunities for some regional and minority groups to satisfy their expectations, but sufficiently pervasive and egalitarian that the most ambitious and talented men -- if not women -- can pursue the "American dream" with some chance of success. These are conditions that minimize the prospects of revolutionary movements: a majoritarian consensus on the legitimacy of government, and provision of opportunity for men of talent who, if intensely alienated, might provide revolutionary cadres. But even in these circumstances, the lack of governmental legitimacy and unequal opportunity for minority groups is conducive to chronic low-level violence.

Some of the consequences of patterns of legitimacy, social control, and institutional development for the processes of collective violence are examined more fully below.

Does violence
succeed?

V. SOME PROCESSES AND CONSEQUENCES OF VIOLENCE

Does violence succeed? The inheritors of the doctrines of Frantz Fanon and "Che" Guevara assert that if those who use it are sufficiently dedicated, revolution can always be accomplished. Many vehement advocates of civil order and strategies of counterinsurgency hold essentially the same faith: that sufficient use of public violence will deter private violence. This fundamental agreement of "left" and "right" on the effectiveness of force for modifying others' behavior is striking. But to what extent is it supported by theory and by historical evidence?

The two most fundamental human responses to the use of force are to flee or to fight. This assertion rests on rather good psychological and ethological evidence about human and animal aggression. Force threatens and angers men, especially if they believe it to be illegitimate or unjust. Threatened, they will defend themselves if they can, flee if they cannot. Angered, they have an innate disposition to retaliate in kind. Thus men who fear assault attempt to arm themselves, and two-thirds or more of white Americans think that black looters and arsonists should be shot. Governments facing violent protest usually regard compromise as evidence of weakness and devote additional resources to counterforce. Yet if a government responds to the threat or use of violence with greater force, its effects in many circumstances are identical with the effects that dictated its actions: its opponents will if they can resort to

greater force.

There are only two inherent limitations on such an escalating spiral of force and counterforce: the exhaustion of one side's resources for force, or the attainment by one of the capacity for genocidal victory. There are societal and psychological limitations as well, but they require tacit bonds between opponents: one's acceptance of the ultimate authority of the other, arbitration of the conflict by neutral authority, recognition of mutual interest that makes bargaining possible, or the perception that acquiescence to a powerful opponent will have less harmful consequences than resisting to certain death. In the absence of such bases for cooperation, regimes and their opponents are likely to engage in violent conflict to the limit of their respective abilities.¹

To the extent that this argument is accurate, it suggests one kind of circumstance in which violence succeeds: that in which one group so overpowers its opponents that they have no choice short of death to desist. History records many instances of successful uses of overpowering force. Not surprisingly the list of successful governmental uses of

¹ This discussion is drawn from arguments and evidence in Ted Gurr, The Genesis of Political Violence: A theoretical Analysis (in press), Chapter 8. The survey datum is from Hazel Erskine, "The Polls: Demonstrations and Race Riots," Public Opinion Quarterly, XXXI (Winter 1967-1968), pp. 655-677.

force against opponents is much longer than the list of dissident successes against government, because of the much greater capacities of most governments for force.

Some dissident successes discussed in this volume include the French, American, Nazi, and Cuban Revolutions. Some governmental successes include in Britain, the suppression of the violent phases of the Luddite and Chartist movements in the nineteenth century; in Venezuela the Betancourt regime's elimination of revolutionary terrorism; in the United States the North's victory in the Civil War, and the quelling of hundreds of riots and local rebellions, from the Whiskey Rebellion of 1794 to the ghetto riots of the 1960's .

Governmental uses of force are likely to be successful in quelling specific outbreaks of private violence except when the balance of force favors its opponents. But the historical evidence also suggests that governmental violence often succeeds only in the short run. The government of Imperial Russia quelled the revolution of 1905, but in doing so intensified the hostilities of its opponents, who mounted a successful revolution twelve years later, after the government was weakened by a protracted and unsuccessful war. The North "won" the Civil War, but in its very triumph created hostilities that contributed to one of the greatest waves of vigilante violence in our history. The 17,000 Klansmen of the South today are neither peaceable nor content

with the outcome of the "War of Northern Aggression." State or federal troops have been dispatched to quell violent or near-violent labor conflict in more than 160 recorded instances in American history; they were successful in almost every immediate case yet did not significantly deter subsequent labor violence.

The long-range effectiveness of governmental force in maintaining civil peace depends on three conditions identified in contributions to this report: ① public belief that governmental use of force is legitimate, ② consistent use of that force, and ③ remedial action for the grievances that give rise to private violence. The decline of violent working-class protest in nineteenth century England was predicted on an almost universal popular acceptance of the legitimacy of the government, accompanied by the development of an effective police system--whose popular acceptance was enhanced by its minimal reliance on violence -- and by gradual reduction of working class grievances. The Cuban case was quite the opposite: the governmental response to private violence was terroristic, inconsistent public violence which alienated most Cubans from the Batista regime, with no significant attempts to reduce the grievances, mostly political, that gave rise to rebellion.

We have argued that private violence is successful in those extreme cases in which a government capitulates in the face of the superiority of its opponents. This is not the only or necessarily the best measure of "success",

however. A better measure is the extent to which the grievances that give rise to collective protest and to private violence are resolved. Even revolutionary victories do not necessarily lead to complete success in these terms. [The American Revolution returned effective political control to the hands of the colonists, but also led to an expansion of state and federal authority which diminished local autonomy to the point that new rebellions broke out in many frontier areas over essentially the same kinds of grievances that had caused the revolution.] [The Bolshevik revolution ended Russia's participation in World War I, which was perhaps the greatest immediate grievance of the Russian people, and in the long run brought great economic and social benefits; but the contingent costs of the subsequent civil war, famine and totalitarian political control were enormous.] [The middle-class political discontents that fueled the Cuban revolutionary movement, far from being remedied, were intensified when the revolutionary leaders used their power to effect a basic socioeconomic reconstruction of society that favored the rural and urban working classes.]

If revolutionary victory is unlikely in the modern state, and uncertain of resolving the grievances that give rise to revolutionary movements, are there any circumstances in which less intensive private violence is successful? We said above that the legitimacy of governmental force is one of the determinants of its effectiveness. The same principle

applies to private violence: it can succeed when it is publicly regarded as legitimate. The vigilante movements of the American frontier had widespread public support as a means for establishing order in the absence of adequate law enforcement agencies, and were generally successful. The Ku Klux Klan of the Reconstruction era similarly had the sympathy of most white Southerners and was largely effective in reestablishing and maintaining the pre-war social and political status quo. The chronicles of American labor violence, however, suggest that violence was almost always ineffective for the workers involved. In a very few instances there was popular and state governmental support for the grievances of workers that led to violent confrontations with employers, and in several of these cases state authority was used to impose solutions that favored the workers. In the great majority of instances the public and officials did not accept the legitimacy of labor demands, and the more violent was conflict, the more disastrous were the consequences for the workers who took part. Union organizations involved in violent conflict seldom gained recognition, their supporters were harrassed and often lost their jobs, and tens of thousands of workers and their families were forcibly deported from their homes and communities.

The same principle applies, with two qualifications, to peaceful public protest. If demonstrative protest is regarded as a legitimate way of expressing grievances, and if the

grievances themselves are regarded as justified, protest if likely to have positive effects. One of the qualifications is that if public opinion is neutral on an issue, demonstrative protest can have favorable effects. This appears to have been an initial consequence of civil rights demonstrations in the North. If public opinion is negative however, demonstrative protest is likely to exacerbate popular hostility. During World War I, for example, pacifist demonstrators were repeatedly attacked, beaten, and in some cases lynched, with widespread public and sometimes official approval. Civil rights demonstrations and activities in the South have attracted similar responses. The second qualification is that the occurrence of violence in the context of protest activities is highly likely to alienate groups that are not fundamentally in sympathy with the protestors. We mentioned above the unfavorable consequences of labor violence for unions and their members, despite the fact that violence was as often initiated by employers as by workers. In the long run federally-enforced recognition and bargaining procedures were established, but this occurred only after labor violence has passed its climatic, and moreover in circumstances in which no union leaders advocated violence. In England, comparably, basic political reforms were implemented not in direct response to Chartist protest, but long after its violent demonstrative phase had passed.

The evidence supports one basic principle: violence and force are successful techniques of social control and

persuasion when they have widespread popular support. (If they do not, their advocacy and use are ultimately self-destructive, either as techniques of government or of opposition.) The historical and contemporary evidence of the United States suggests that popular support tends to sanction violence in support of the status quo: the use of public violence to maintain public order, the use of private violence to maintain popular conceptions of social order when government can not or will not. [If these assertions are true -- and there is little evidence that contradicts them -- the use of force or violence to advance the interests of any segmental group will impede and quite possibly preclude reform.] The conclusion should not be taken as any ethnical judgement, despite its apparent correspondence with the "establishmentarian" viewpoint. It represents a fundamental trait of American and probably all mankind's character, one which can be ignored by advocates of any political orientation only at the risk of broken hopes, institutions, and lives.

VI SOME ALTERNATIVES TO VIOLENCE

Political leaders can respond to outbreaks or threats of private violence in two general ways: (1) systems of forceful social control can be strengthened, or (2) efforts can be made to alleviate conditions leading to discontent. Primary reliance on force has at best indeterminate outcomes. If popularly supported, public force will contain specific outbreaks of private violence but is unlikely to prevent their recurrence. At worst, public force will so alienate a people that terrorist and revolutionary movements will arise to challenge and ultimately overthrow the regime. The implication of comparative studies is that governments must be cautious in the extent to which they rely on force to maintain order, and consistent in the exercise of the modicum of force they choose to use. These are policies that require both appropriate leadership and well-trained, highly disciplined, and loyal military and police forces.

The effort to eliminate the conditions which lead to collective violence may tax the resources of a society, but it poses less serious problems than increased resort to force. The intensity of labor violence in America declined when employers recognized unions and became willing to negotiate wage issues and other grievances with workers rather than retaliate against them--a willingness that was strongly reinforced by the establishment of federally-regulated procedures for recognition and mediation. It was not simply the establishment of procedures but the concerted effort to

implement them, that seems to have meliorated worker-employer conflict. It is worth emphasizing that in this case the long-range consequences of conciliatory response was a decrease not increase in violent conflict. In fact, violence was chronic so long as union recognition was denied. The outcome suggests the inadequacy of arguments that concessions necessarily breed greater violence. The history of English working-class protest supports these interpretations. In the nineteenth century, when England was transformed by an industrial revolution in which a highly competitive, laissez-faire market economy disrupted traditional employment patterns and led to sweatshop conditions for many urban workers, violent public protest became chronic. The threat of working class revolt was averted by rapid economic growth, the ending of prohibitions on union activity, the development of new working-class self-help organizations, and reform of Parliament that permitted wider and more effective participation by the working class. The lesson that might be learned from the English experience is one that includes both the maintenance and social control and the granting of concessions and opportunities that make it possible for the discontented to work toward the alleviation of their grievances.

« Intensely discontented men are not will-less pawns in a social game of chess. They also have alternatives, of which violence is usually the last, the most desperate, and the least likely of success. » Peaceful protest, conducted

publicly and through conventional political channels, is a traditional American option. As one of the world's most pluralistic societies, we have repeatedly albeit reluctantly accommodated ourselves to discontented groups using interest and pressure group tactics within the political process as a means of leverage for change. But it also is an American characteristic to resist demonstrative demands, however legal and peaceful, if they seem to challenge our beliefs and personal positions. Public protest in the United States is a slow and unwieldy instrument of social change that sometimes inspires more obdurate resistance than favorable change.¹

Another kind of group response to intense stresses and discontents is called "defensive adaptation" by Bernard Siegel, an anthropologist.

It is essentially an inward-turning, nonviolent response characterized by centralization of authority in the group; attempts to set the group apart by emphasizing symbols of group identity and minimizing contact with other groups; and maintenance of the group's cultural integrity. It is an especially common reaction among ethnic and religious groups whose members perceive their social environments to be permanently hostile, depreciating, and powerful. Such adaptations are apparent, for example, among some Pueblo Indians, Black Muslims, and Amish, and many minority groups

¹ Kenneth E. Boulding makes the same point in a discussion of the possible consequences of anti-war protest, in "Reflections on Protest," Bulletin of the Atomic Scientists, XXI (October 1965), pp. 18-20.

in other nations. This kind of defensive withdrawal may lead to violence when outside groups press too closely in on the defensive group, but it is typically a response that minimizes violent conflict.

The defensive group provides some, essentially social and psychological, satisfactions; it seldom can provide members with substantial economic benefits or political means by which it can promote their causes vis-a-vis hostile external groups. A third general kind of response is the development by the discontented group of positive, socially integrative means for the satisfaction of members' felt needs. This response has characterized most discontented groups throughout the Western history. In England, social protest was institutionalized through the trade unions, cooperative societies, and other self-help activities. In continental Europe, the discontent of the urban workers and petit bourgeoisie led to the organization of fraternal societies, unions, and political parties, which provided some intrinsic satisfactions for their members and which could channel demands more or less effectively to employers and into the political system. In the United States the chronic local uprisings of the late eighteenth, the nineteenth, and the early twentieth century -- such as the Shay, Whiskey, Dorr, and Green Corn Rebellions -- have been superseded by organized, conventional political manifestations of local and regional interests. Labor violence similarly declined

in the United States and England once trade unions were organized and recognized.

The contemporary efforts of black Americans to develop effective community organizations, and their demands for greater control of community affairs, seem to be squarely in this tradition. So are demands of student protestors for greater participation in university affairs, attempts of white urban citizens to create new neighborhood organizations, and the impulse of middle-class Americans to move to the suburbs where they can exercise greater control over local government.

The initial effects of the organization of functional and community groups for self-help may be increased and sometimes-violent conflict, especially if the economic and political establishment attempt to subvert their efforts. If these new organizations receive public and private cooperation and sufficient resources to carry out their activities, the prospects for violence are likely to be reduced. The social costs of this kind of group response seem much less than those of public and private violence. The human benefits appear far greater than those attained through private violence or defensive withdrawal.

|| comment . . . ||

Kennedy's Death—Myths & Realities

"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; indifference 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 upon the murder of Senator Robert F. Kennedy are an effort to match the reality of regicide with the necessity for political mobilization. In times of crisis, Americans react with a sense of guilt by acclamation, and this guilt prompts us to respond to political assassination with moral outrage, not with action. The answer to terror, however, is not tears, but—in this case—the immediate restatement of the principles of legitimation upon which this nation is either to survive or to perish.

The myths already circulated by major political figures about the assassination of Senator Kennedy can be categorized into five types. The significance of the assassination compels an attempt to respond to these myths, not in the spirit of belligerence, but in an attempt to move us all beyond the state of shock.

FIRST MYTH: *Assassination has become a contagious and infectious American style.*

REALITY: While it is true that major political figures are periodically subjected to assassination attempts, these at-

tempts are usually restricted to the top leadership, and this has been constant throughout the century. Hardly a President has not had attempts on his life. More significantly, the murder of Senator Kennedy is only distantly related to earlier native efforts. When Sirhan Bishara Sirhan was captured, he said: "I did it for my country. I love my country." But this country turned out to be Jordan, not the United States. In his mind, apparently, there was a fevered, imaginary relationship between an adolescent experience of his, and Kennedy's acceptance of the principle of foreign aid for Israel. What is involved, therefore, is a *political* pathology more than a *psychopathology*. And although this prosaic fact may counter the demands of oracles and pundits for greater social controls, it shows the need to frame a response relevant to the role of prevalent ideologies of Middle East nationalism. Although the Jordanian ambassador may sincerely repudiate this assassination, the fact remains that the ideology promoting such an attempt remains intact. The blunt truth is that assassination is far more common in Middle East anti-politics than in United States politics.

SECOND MYTH: *The degree of violence has increased as the propensity to change has accelerated.*

REALITY: The propensity to violence is, unfortunately, far more constant than current rhetoric would have it. At least there is as much evidence that accelerated social change directs aggressive impulses into acceptable frameworks as there is that "social order" permits a greater degree of social cohesiveness. What is new has little to do with matters relating to "human nature," whatever that amorphous beast may turn out to be. Rather, the novel elements are, first, the incredibly easy access to weaponry of all sorts for all kinds of people; and the extent to which nonentities can become part of universal history by an act of regicide—an act linked to the

publicity provided for an event. Easy access to weapons plus total network coverage equals instant history. With weapons, impulsivities formerly bottled up or redirected along constructive lines can be quickly ventilated. Impulse is even given ideological support: One wing of the New Politics perceives of the role of the individual or the conspiratorial group in terms of tearing up established political continuities.

THIRD MYTH: *Madmen and criminal elements will always be able to avail themselves of weapons, and therefore any legislation against gun-toting penalizes only the innocent interested in self-protection.*

REALITY: Admittedly, laws against gun purchases, like laws against discrimination, will not result in the elimination of crime, any more than civil-rights legislation does away with racism. But there is no evidence that gun-toting is a basic human appetite. More important, laws would make purchases more difficult and registration-tightening would make tracking out ownership easier. Perhaps at the heart of the problem is not the lobbying of the National Rifle Association, but the fears of the police that laws against free distribution of weapons would eventually affect police departments—since the militarization of the police would also have to be curbed if any genuine enforcement is to be made possible. In short, legislation on gun registration is needed to develop the "Londonization" of the police, no less than the pacification of the civilian population.

FOURTH MYTH: *Since there is no evidence that there is a conspiracy in most political assassinations, as in the murder of Robert Kennedy, individual responsibility should be assigned; and when captured, the guilty person should be treated as demented or deranged.*

REALITY: There are several fallacies in this line of reasoning. A premature dismissal of possible conspiracies, at least as a starting point in explaining political murder, is absurd. Conspiracies are empirical events. One can have a conspiracy, in fact, without a theory of conspiracy to guide the search for the source of a crime. Further, conspiracies—when they do take place—are extremely difficult to detect or uncover. But again, this is a problem of empirics, not of assumptions. The idea that an assassination is an idiosyncratic matter, while perhaps reassuring to the general populace, returns the problem of regicide to the field of personal pathology. In a thoroughly unconvincing way, it

The urgency of the age demands a movement, not a monument; confrontation, not conformity. The time for demonstrations of public sorrow passes quickly—despite the monstrous fact that within two months our nation has lost two of its staunchest fighters against current policies guiding the war in Vietnam and the war in the ghettos at

home. It is now time to translate sentiments into politics. When all participate equally, the loss of a leader such as Robert F. Kennedy will be seen as the brutal price that men often pay in the struggle for a democratic society.

Irving Louis Horowitz
Senior Editor

Why Did Kennedy Die?

The murder of Robert F. Kennedy is closely related to those of Martin Luther King, John F. Kennedy, Medgar Evers, the three civil-rights workers who died in Philadelphia, Miss., and the many anonymous victims of Southern racists. I believe that all of the murders were carried out to impede the process of social change now going on in America.

Most of these men became martyrs in and for the advancement of civil rights, but the process of social change to which I refer goes far beyond this noble cause. It is partly a demand for more *equality*, economic, social, racial, and political by those now unequal, but also for more *democracy*, for greater participation in the decisions of the bureaucracies and corporate bodies that now govern much of our daily life.

Although the people who presently demand more equality come mainly from the ghetto, and those who press for more democracy are mostly college students, I am convinced that, in the future, similar demands will come from many other groups in American society—for example, from white-collar and blue-collar workers employed by autocratically-run institutions, be these corporations, government offices, newspapers, or churches, and from people of all classes living under autocratic political organizations. Some factory workers have already struck for "better working conditions"; some time hence, they and others will strike for more equality and democracy—as is already the case in France.

Robert Kennedy, like most of the other victims of assassins, was a leader in this process. Although in some ways he remained loyal to the traditional political Establishment, I believe he saw the widespread demand for more equality and democracy—and not just from poor blacks—and was grappling with how it

could be achieved in an orderly fashion. It is true, of course, that R.F.K. was shot by a Jordanian who may have sought revenge against Israel, and against Kennedy's pro-Israel stand, but this does not contradict my thesis, for Israel is, to many Americans, a symbol of an oppressed minority that is succeeding in its striving for equality.

Today we grieve for Robert Kennedy, but tomorrow we must start to ask why social change in America is so often accompanied by political violence, and seemingly more so than in other Western societies. The popular media have begun to argue that ours is a sick society, covered by a climate of violence—and to prove the point many types of so-called violence, from student-protest and ghetto-protest demonstrations to civil disobedience, civil disorders, muggings, and mass murders, are being treated as similar. But demonstrations and civil disobedience are nonviolent, and the civil disorders—ghetto rebellions in actuality—have, with some exceptions, indulged in violence only against property and exploitation. Also, it must not be forgotten that the leaders of S.N.C.C. have not killed anyone, even if their rhetoric has counseled political violence. Indeed, violence against persons has come almost entirely from the protectors of the status quo, and while some of the victims in the ghetto rebellions were killed by panicky members of the police force and the National Guard, others were assassinated by protectors of law and order who were angry that the ghetto wanted social change. Moreover, one cannot compare the political assassinations with the mass murders perpetrated by psychotic individuals such as Speck and Whitman; these killings were in no way politically inspired.

I frankly do not know if American society is sick; we have not yet devel-

oped social indicators that measure the health of an entire nation—although we ought to do so. Still, one cannot indict 200 million people for the political murders of three or four noted figures, and it is wrong to describe America as a sick society now when it was not so described when lesser-known men died at the hand of racists and lynchers.

Yet in America there is an excessive amount of homicide, political and non-political, and of nonlethal violence as well, and considerably more than in other Western societies. Much of this violence takes place among the white and black underclasses, however, and I doubt whether there is more violence (or serious mental illness) among affluent Americans than among affluent Englishmen, Swedes, or Russians. The causes of the inordinate amount of American violence, then, are probably to be found in poverty and segregation, for today as in the past, in America and elsewhere, most of society's violence is exerted on the poor or by the poor against each other.

This statistical fact does not exonerate affluent America, though, for America remains responsible for the deprivations that bring on violence among the poor. Whether one is justified in calling America sick depends partly on one's politics. Darwinians might be pleased that it is usually inferiors in the struggle for survival who are being killed off; political conservatives can use the association between violence and poverty to insist that the poor remain undeserving of equality. I would argue that America is opting for an unhealthy amount of social inequality, which presently hurts mainly the unequal, but may soon hurt also those who benefit from our inequality and lack of effective democracy.

Another explanation for the wave of political killings is the presence of sick, demented men in our midst. Undoubtedly such men can be found in all societies, pre-industrial and post-industrial, yet only in America do they seem to become political assassins. Still, it is not at all certain that the assassins were sick. Oswald died before we could learn his motives; the killers of King and Robert Kennedy have not yet explained their ugly deeds. I suspect that neither they nor the men who killed Evers or other civil-rights activists were demented; they were political killers, hired or self-appointed, who objected to the process of social change sweeping the country.

Yet these killers were not alone, or else they might have been unable to

disposes of fanaticism that is linked to reinforced nationalist claims or ethnic affiliations. By broadening the interpretation of conspiracy, and by treating this attempt as having precisely such a collective source, the assassination of Senator Kennedy permits renewed efforts to obtain a Middle East settlement—just as the assassination of Martin Luther King clearly triggered settlements of labor disputes in Memphis and led the way for a more positive Congressional response to the Washington Poor Peoples' March. There is a pragmatic advantage in making the fewest possible assumptions about assassination attempts, but when assumptions are made, there is little justification and less payoff in choosing individual over collective modalities of explanation.

FIFTH MYTH: *The assassination attempts on men of stature, such as Senator Kennedy, drastically affect the course of history.*

REALITY: Let it be said that this myth is hard to combat or overcome directly. It is always difficult to assess the importance of an individual to the future course of historic events. Such an assessment entails an estimate of the degree to which individuals in politics are autonomous, or at least free to maneuver the ship of state as they wish. It is quite as difficult to judge how new events might change old leaders, no less than how old leaders might shape new events. But there is no need to become excessively metaphysical in such a discussion. Attention might simply be drawn to the fact that the same social and political problems exist in 1968 that existed at the time of President John F. Kennedy's assassination in 1963. The war in Vietnam remains. Racial violence is increasing. On the other side, the thawing of the Cold War between the United States and the Soviet Union has continued at roughly the same pace under President Johnson. This is not to deny that changes in substance as well as style are brought about by an assassination; it is to say that problems of social structure and historical determination remain intact. However important the role of leadership in political organization may be, the role of total populations is, after all, far greater and more pervasive. Politics in America is still a game of large numbers. No political assassination can alter that fact without destroying American democracy.

As there is guilt, so too there is guilt alleviation. And the basic form this has taken under the Johnson administration has been the commission. We get riot commissions in place of urban renewal;

crime commissions instead of full employment; and now a commission to investigate "violence in American life" in place of full political participation. It might be said that the candidacy of Robert F. Kennedy was dedicated to the overthrow of the bureaucratization and Washington-centered nature of current administration efforts. By a quirk of events, his death has led to a new commission—to the very phenomenon Kennedy found such an abomination. Sentimentality and brutality are first cousins—which is why they appear to coalesce so well in the present administrative "style."

The formation of a commission on violence only makes more remote a resolution of the political dilemmas besetting the American nation. These dilemmas have been eloquently spoken of in the Democratic primaries. In the remarkable showings of both Kennedy and McCarthy, it is no exaggeration to say that the vote against the war in Vietnam and against the mishandling of the present urban crisis indicate a full appreciation on the part of the electorate of both the nature of and the constraints upon violence. The formation of a commission can only have the effect of psychologizing and blunting the political nature of violence.

Throughout the California primaries it was clear that Kennedy's strength and survival depended upon a large outpouring of poor people and their spokesmen. Black Americans, Mexican-Americans, and the other ethnic and religious minorities that comprise a large segment of the California population demonstrated by their vote that Kennedy's tactic was also a principle. An estimated 80 percent of the Negro voters and 85 percent of the Mexican-American voters cast their ballots for Kennedy. Less than one week later, on Friday, June 7, at Saint Patrick's Cathedral in New York, these citizens with the same background—indeed, only the Puerto Ricans displaced the Mexicans with their presence—also cast their ballots symbolically. The remarkable gathering of hundreds of thousands of people through the night was more than a celebration of mystical martyrdom. Every man, woman, and child who placed his or her hand on the casket was registering a vote, a vote denied to them by the assassination.

Such a society has a great reservoir of political health and sophistication. That it is precisely this sector of society that must suffer the consequences of this latest political murder is made terrible by the knowledge that in this way the poor have been effectively disen-

franchised. The assassination creates a situation of political desocialization at the very moment when Kennedy for the minorities and McCarthy for the students and other disaffected citizens were revitalizing the very mainsprings of political socialization. In this sense the appointment of a commission on violence is a fruitless as well as a thankless task, since the very act of depoliticization is the source of further violence. The assassination of Robert Kennedy was an act of terrorism. To convert it into the basis for a feeling of collective guilt for increased violence is to ignore a basic fact of our times not only in the United States but throughout the world. Violence can and often is a political act, the first mature step beyond egotistic resolution of social problems. Terrorism is the very opposite and negation of violence, since it frustrates and makes impossible the fruits of these very activities.

In his own way, Kennedy not only supported but drew sustenance from the "participatory democracy" advocates. Leaders of social-protest movements, new agrarian unions, and community racial and ethnic societies formed an urban backbone for Kennedy with which to take on the "party regulars." There is no doubt that he was hardly the favorite politician of Washington insiders. His audacious attempt to use the mass media to break the stranglehold of locked-in party organization was not to be dismissed lightly. The attacks on the Kennedy wealth were in fact not a resentment of the economic "oligarchical" tendencies of this wealth, but a resentment of the populist goals to which this wealth was placed. The Kennedy "coalition" of urban poor, ethnic and racial minorities, and a section of college and university personnel made the Democratic Party the natural home for these people. The assassination has changed the alignments but not the needs. In this sense, populism must readjust its vision of the politicians—and estimate the short-run and long-run damage occasioned by Kennedy's death, and realize that organizational rather than charismatic channels may now be required.

Social scientists will feel a special loss, too, for Kennedy made use of social-science personnel and findings in areas extending from Latin American aid programs to urban rehabilitation and renewal. As he wrote to me on June 3, "I have always believed that it is crucial to be assisted by social scientists in their particular fields in forming domestic and foreign policy."

They did—and do—receive encouragement from American culture, which has condoned and even praised political violence while also condemning it. American history is replete with instances of political violence; it began with the killing of the Indians, continued with the draft riots and race riots and the Southern lynchings of the 19th and 20th centuries, and goes on today with the occasional killings by the Ku Klux Klan.

The sad fact is that, like all nations, we sometimes permit the killing of people who do not share our political aims. The most prominent example today is, of course, the war in Vietnam, which we are fighting, among other reasons, in order to kill the Vietcong and the North Vietnamese for believing in a kind of freedom different from our own. Despite the current opposition to this war among many Americans, the political killing by our servicemen is still praised by daily announcements of body counts and is still rewarded by the medals and other honors.

Some now put the blame for the political violence on America's popular culture, particularly on TV and its plethora of fictional murders. TV adventure stories offer a seemingly reasonable explanation for the prevalence of violence in our society, but they also make a convenient scapegoat for people who do not want to define that violence as political (and the Vietnam war as a prime example of such violence), or who want to deny the existence of deprivation and inequality in American life as a cause of political violence.

I do not believe that fictional violence plays a major causal role either in political or nonpolitical violence; American popular culture has always been violent, even before the advent of TV, and other nations have equally violent popular cultures without resorting to political murder. Fictional violence is, after all, fictional; even children know it is unreal and not to be feared. Of course, some TV programs, movies, magazine stories, novels, and comic books allow heroes to kill villains who march to different ideological drummers, and for this reason the popular culture may contribute to the condoning of political murder. Still, it is not a necessary or sufficient cause of such murder.

The news media may, however, play an important if unintentional role in precipitating political assassinations. These media deal in personalities; instead of reporting the social processes and conflicts that create the events we call news, they emphasize principally the

leaders, symbolic and real, who participate in these processes. This practice exists for a viable and quite nonpolitical reason: Personalities make far more interesting reading and viewing than sociological analyses. But this practice puts across the idea that events are created by powerful leaders, and exaggerates their actual power in the social processes and conflicts.

The news media build up individuals as all-powerful leaders, thus creating somewhat the same cult of personality for which we criticized the Russians, as David Riesman has pointed out. As a result, potential assassins may think that if they can kill a Martin Luther King or a Robert Kennedy, they can hold back social change. This helps to explain why R.F.K. was killed and Eugene McCarthy not; Robert Kennedy has been "news" for a long time, and his persona and power have been built up and exaggerated. Moreover, power was central to Kennedy's persona; the image of Eugene McCarthy that comes across from the media is of a thoughtful and moral person, but not a powerful leader.

It must be emphasized that the news media did not invent these images and personas; they were only highlighting real phenomena. R.F.K. was and wanted to be powerful; he courted the media treatment he received. More important, the media reflect our culture, which believes that personalities, not social structures, determine events. Ultimately, then, one cannot blame the news media either; they are only part of a more general set of conditions that encourages, or at least condones, political violence. These conditions in turn create a climate in which demented or fanatic individuals can think seriously about turning to political assassination to hold back social change. We may not approve of this climate, but the fact remains that we have not yet acted to create a more peaceful climate for resolving political conflict.

This climate and the social conditions creating it must be changed if the political killing is to stop. But I do not think the killing will stop. Indeed, it may increase as social change accelerates and the country moves toward more equality and democracy. Additional martyrs may be created in the future because those who oppose social change will become more desperate, and will seek to kill leaders whom they identify as responsible for the change.

Nor is it likely that the current call for gun controls will do much to halt political murders. A strict gun law cannot hurt, and if the government could

prohibit the further manufacture of guns, and offered to buy up all firearms now in private hands, and put an exorbitant sales tax on bullets, homicide by shooting would decrease, and the danger of racially-inspired black or white vigilante killings might be reduced.

Even so, the most effective way of dealing with political assassination is to accept the reality of social change, to make a determined movement toward equality and democracy in America, and to halt America's intervention in civil wars overseas. If the country's voters and the officials they elect could be made to realize that the demand for equality and democracy cannot be halted, either in this country, in Vietnam, or in the Vietnams of the future, the nation could make a commitment to more effective and less violent forms of change, and the government could then implement policies that would bring about the needed change. If the government is firmly committed to equalization and democratization, if it gives maximal aid to those who now lack these rights and—equally important—to those who will suffer from a change in the status quo, then the nation can begin to accept the inevitability of change, and the resulting social and political climate will probably discourage further political killing.

America has no choice but to create such a climate, because the processes of social change now in motion will not stop. The revolution of rising expectations is in full swing here, perhaps more than in the developing nations. The belief that all men are entitled to control their own lives and to enjoy an equal and democratic share in their society is held not just by poor blacks and by radical college-students, but also by affluent and seemingly conservative people who suffer from inequality and autocracy in their work places and communities. This belief is now too widespread and too intense to be given up, whatever our political leaders do to maintain order. Until this is realized by all of us, however, America will make martyrs out of too many more of its good men, ordinary citizens and leaders alike. And R.F.K., like King, was one of the very best.

Herbert J. Gans
Advisory Editor



Roundup of Current Research

A Really New Way to Lose Weight

Dieting has become one of the great American pastimes. Vast numbers of us seem to be willing to subsist entirely on bananas, or on hard-boiled eggs and spinach. We try the drinking man's diet, or follow the advice of a formerly fat psychiatrist. Some of us lose weight; most of us don't.

Now the behavioral therapists are ready with their own prescription. Richard B. Stuart of the University of Michigan believes that all behavior—including a habitual tendency to eat too much—is learned, and can be changed by the technique of "operant conditioning." (*Behavior Research and Therapy*, November 1967) To prove it, Stuart went about teaching eight obese women to eat more sensibly.

In the initial interviews, he told the women to keep a record of when, how much, and what kind of food they ate, and in what circumstances (while reading, watching TV, cleaning up the kitchen, and so on). He also asked them to weigh themselves four different times during the day. This kind of weight record not only indicated the women's natural weight range (all of us weigh less the first thing in the morning), but also served as a frequent reminder to them that they weigh more than they should. In addition, the women listed some activities they found pleasurable (for those who did nothing pleasurable but eat, new activities had to be found), and also listed the things that worried them about their obesity (fear of heart disease, ridicule, loss of a husband's affections, and so on).

The first step in controlling eating behavior is when the patients learn to stop eating for a few minutes in the middle of a meal. Eventually this time period is extended to five minutes.

The women saw their therapist three times a week. Together they went over the eating and weight records since the

previous interview, and planned the next steps in the diet campaign. To make the women more conscious of eating, they were told to keep it a "pure" activity—not to combine it with watching TV or anything else, but to keep food only in the kitchen, and to eat only food that has to be cooked.

At the fourth interview, the women were told to slow down their rate of eating—by taking small mouthfuls and by putting the fork down on the table between mouthfuls.

At the fifth interview, the women were asked to point out their dangerous times of day—the times between meals, when they were most likely to snack. At those times, each woman was told, she should substitute one of the pleasurable activities she had listed earlier. For instance, at 9:30 A.M. a telephone call to a friendly neighbor might serve to get the woman who eats all the leftovers as she clears the breakfast table past that difficult time of the morning.

Some of the women found that, despite their greater awareness of their eating habits and the substitution of other pleasurable activities for between-meals eating, some of their bad eating habits continued. For these women, there was a special technique.

The therapist asked them, first, to imagine as vividly as they could the entirely delightful process of eating their favorite snack. They were then taught to pair this image with a vision of their weight-related fears identified earlier. For one patient, this meant visualizing herself biting into a crisp cookie, immediately followed by an image of her husband making love to another woman. For her, the technique was quite effective. She stopped eating cookies.

Stuart's eight patients have done well. A year after treatment began, all showed substantial weight losses. The woman with the most dramatic loss started at 210 pounds, and actually gained a few more in the beginning. A year and 41 therapeutic sessions later,

her weight was down to 165 (and she had divorced her husband). Not all of the eight women patients needed that many sessions. Another lost almost as much weight (from 222 to 180) with only 19 sessions. And even the woman who had the smallest weight loss over the year went down from 180 to a much more acceptable 152 in 28 sessions.

When Punishment Prevents Crime

We are a civilized people, and presumably our system of criminal justice intends to produce more than raw vengeance against wrong-doers. Punishing a criminal who has been caught, the theory goes, should (1) deter him from committing another crime, and (2) deter other, potential criminals from committing a crime.

This theory is widely accepted but, as William J. Chambliss of the University of California at Santa Barbara points out, there has been little investigation into the actual deterrent effects of legal punishment. (*Wisconsin Law Review*, Summer 1967) The evidence that does exist clearly indicates that some punishments do not deter crime. For example, opponents of capital punishment can show that the electric chair and the gas chamber do not deter murderers:

1. States that have kept the death penalty have as many murders as similar neighboring states that have abolished the death penalty. The average annual murder rate per 100,000 population, from 1959 to 1964, was 1.1 in Rhode Island, which has abolished capital punishment, and 1.5 in Connecticut, which has not. It was 3.4 in no-death-penalty Michigan, and 3.5 in death-penalty Indiana.

2. The number of people executed in this country has declined rapidly in the last 15 years, but the murder rate has remained almost unchanged. In 1951, some 105 people were executed and the murder rate was 4.8. In 1964, when 15 people were executed, the murder rate was also 4.8. In 1966, when only one person was executed, the rate was 5.6.

Drug addicts are another well-known case in point. Neither imprisonment nor involuntary hospitalization seems to deter them. Their recidivism rate is notoriously high.

There are, nonetheless, some kinds of crime that are deterred by legal punishment. Strict enforcement of parking regulations, with heavy fines and tow-aways, has a significant impact on whether people park illegally. Certain kinds of white-collar crimes, such as

		TYPE OF ACT	
		Instrumental (for material gain)	Expressive (emotional outburst)
DEGREE OF COMMITMENT TO THE CRIMINAL LIFE	High	Professional thief Professional shoplifter Some check forgers Some murderers	Most drug addicts Some murderers Some sex offenders
	Low	Shoplifting housewife Parking-law violator White-collar criminals Some murderers	Most murderers Some drug addicts Most sex offenders

violations of the O.P.A. price ceiling during World War II, were deterred by the threat of imprisonment (but not by minor fines). Though merchants were willing to absorb the fines as a business cost, as respectable citizens they were appalled by the idea of a prison term.

The housewife who picks up a supermarket item that she wants but cannot afford is so horrified at being caught that she is deterred from ever shoplifting again—amateur shoplifters like this almost never have been arrested before. But the professional shoplifter seems to expect to be picked up from time to time; most have a record of many arrests, none of which seems to have deterred them from further shoplifting.

It seems clear to Chambliss that some crimes are more deterrable than others. The determining factors are the commitment of the person to a criminal way of life, and the meaning of the criminal act to the person who commits it. Thus, he believes that a typology of criminal deviance can be set up, looking something like the table above.

Criminals who have a low, instrumental commitment to the criminal life are those most likely to be deterred by punishment. Criminals who have a high, expressive commitment are the least likely to be deterred.

Our legal system, however, is not based upon a typology of this sort. For that reason, Chambliss charges, the system is highly inefficient. It would be far more successful in reducing crime if it concentrated on apprehending and prosecuting those criminals most likely to be deterred. The current procedure is typified by the relentlessness with which expressive drug addicts are pursued, while the instrumental pushers and distributors, who could be deterred if punishment were certain and severe, too often are not pursued at all.

Chambliss is aware that his distinction between crimes that are likely to be deterred and those that are not is based upon very little evidence. But the existing legal system is based on

no evidence at all. We are not likely to go very far wrong, he concludes, if we experiment with changes in the criminal law that take account of his distinctions.

The City of the Future

The power and utility lines will be installed underground, before the city is built. Solid wastes, water, and snow will be carried off by underground pipelines. All deliveries will be made underground, and there will be no vehicles on ground-level streets. Buildings will be put together and come apart like erector sets, to be dismantled and the parts reused every 30 years or so. Public transportation will be free.

These are some of the features of the Experimental City, now being planned in all its details at the University of Minnesota. But representatives from business and industry, scholars, and the federal Departments of Housing and Urban Development, Health, Education, and Welfare, and Commerce are not resting with a mere paper program. They are organizing and financing just such a city from scratch. So reports committee member Athelstan Spilhaus of the Franklin Institute in Philadelphia. (*Science*, Feb. 16, 1968)

The members of the Minnesota group believe that, in the most basic sense, "the prime pollutant on earth is too many people." If the 200 million people now living in this country were grouped in 800 cities—with a population of 250,000 each, spaced evenly across the country—then the water and air pollution, the traffic congestion, and many of the other ills that plague our cities now would be ended.

The Experimental City will be a densely populated center, surrounded by open land and separated by at least 100 miles from any other major city. Industries that want to operate in the Experimental City will have to abide by

the city's extraordinary building regulations and waste-disposal methods. Spilhaus believes they will be willing—because of the tremendous advantages of the city's central waste-processing facilities, smoke sewers, and other underground-disposal facilities. As for people, they will come to the city because it will offer the benefits of urban life without the burdens of conventional cities. The makeup of the population can be balanced by carefully selecting the type of industry invited to join the city, since the industry will influence the work force that comes to live there. The city could be managed, Spilhaus suggests, by a city corporation with professional management.

An Experimental City of this size, the planners calculate, might cost about \$4 billion to build. With an average family group of 2.5 people, the 250,000 residents will need 100,000 housing units. These units will cost \$20,000 each, and the resulting estimate of \$2 billion has been doubled to provide for the substructure this city will have. These costs are not impossibly high.

A strong case can be made for building an entire Experimental City rather than trying out one or more of its elements separately. Everything that happens in a city has an impact on everything else. For example, in a city that is clean and quiet and where factories do not cause pollution, separate industrial and residential zoning is not necessary. When factories, schools, and houses are built in the same neighborhood, there is less need for transportation; when transportation is reduced, air pollution is further diminished. In a city with little pollution, disease is reduced and health-care programs are affected.

The planners of the Experimental City believe that other approaches to ameliorating big-city life are bound to be unsuccessful. Urban renewal in cities already too large, and the building of special communities like Reston, Va. (which can only become dormitories for their big-city neighbors), have not grappled with the main problems. The solution for our polluted cities, then, is to get rid of them; to harness modern technology to build a radically different kind of city for the future.

How to Pass in South Africa

Even in South Africa, where the line between the pure white and the partly black Colored is rigidly drawn, a Colored person can pass for white. All it takes, according to Graham Watson of

the University of Calgary, is teamwork between the Colored person who wants to pass and the whites whom he maneuvers to help him. (*Canadian Review of Sociology and Anthropology*, August 1967)

Successful passing, Watson reports, is based upon the natural desire of white South Africans to be as comfortable as possible. When a white must decide whether a light-skinned person is Colored or not, he will make the choice that causes the least embarrassment to himself. So if a Colored can set up a number of situations in which it will be convenient for whites to label him "white," the accumulated effect of these decisions will change his official race.

Here is how one Colored who passes described the process:

"The idea is first to obtain white employment in some occupation, entry to which does not require the production of a white identity card. Government service is no good, for they are strict. Tramways are excellent. Then you move where some whites live, or nearby. Then you move closer to the whites. There's a row of houses, see. There's a vacancy and a Colored family moves in. By the time the next family moves in, the first is white. Then you join the white associations, especially sports clubs and churches, and you try to get your children into a white school. You cultivate white friends and encourage them to visit you. Then you get your identity card, though first you wait until you are reasonably certain that it will be white."

The techniques for engineering the switch from Colored to white are basically simple:

■ Manipulate whites, like doctors or ministers, into treating you as if you were white. As one minister of a Cape Town church said, "People go to church so that they can claim they are accepted as European. People come to me for certificates and I sign them: 'This is a registered European church and they attend my church.'"

■ Make it embarrassing for a white to label you as Colored. Besiege the principal of a white school, insisting that he accept your children as students. It is often easier for him to accept your claim than to fight it.

■ Use the bureaucracy at the right moment. When, through selective pressures on fairly pliable whites, you have gathered enough evidence that you are accepted as a European, apply for a white identity card. Once you have this, even antagonistic whites must ac-

cept your claim. As one school principal said, "Once they've got their cards, there's no arguing with them."

Who Really Runs the N.Y.C. Schools?

Critics of big-city school systems (like Boston's) often blame politics for the decay they find. The reformist cry has been to get the politicians out of the schools, and to leave education to the professionals. But New York City has done just that, and the result of exclusive control by a professional supervisory staff, according to Marilyn Gittell of Queens College, is disaster. (*Public Administration Review*, September 1967)

There is no need to belabor the deficiencies of the New York City public-school system. Angry parents in Harlem and Bedford-Stuyvesant are now making those deficiencies very clear. What Miss Gittell is concerned with is finding who is responsible for the way the system operates—by finding out where the power lies. Her study is based upon an analysis of all newspaper items about the schools in two daily papers over a five-year period, plus detailed interviews with the professional staff, Board of Education members, field superintendents, civic-group officials, and officers of the United Federation of Teachers.

Miss Gittell found that since the 1940s the school administration in New York City has become increasingly isolated from the city government. This isolation is the result (1) of reform-inspired changes in the relationship between the city and the school system, and (2) of the Mayor's desire to remove himself from a very controversial area. (The Lindsay administration, however, is far more involved with schools than former Mayor Wagner ever was.) The professional bureaucracy, thus shielded from political interference, has taken over the schools, using its monopoly of expertise as a weapon to discourage opposition, or even alternative policies from any other source.

The Board of Education, potentially an alternative policy-maker, has confined itself to mediating conflicting pressures and interests. Until quite recently, the carefully balanced representation of three Jews, three Catholics, and three Protestants on the board (with one Negro or Puerto Rican included in these categories) has satisfied the city's ethnic and minority groups. Where the board has set policy, as on integration measures, it has left implementation to the professional staff. The board has been

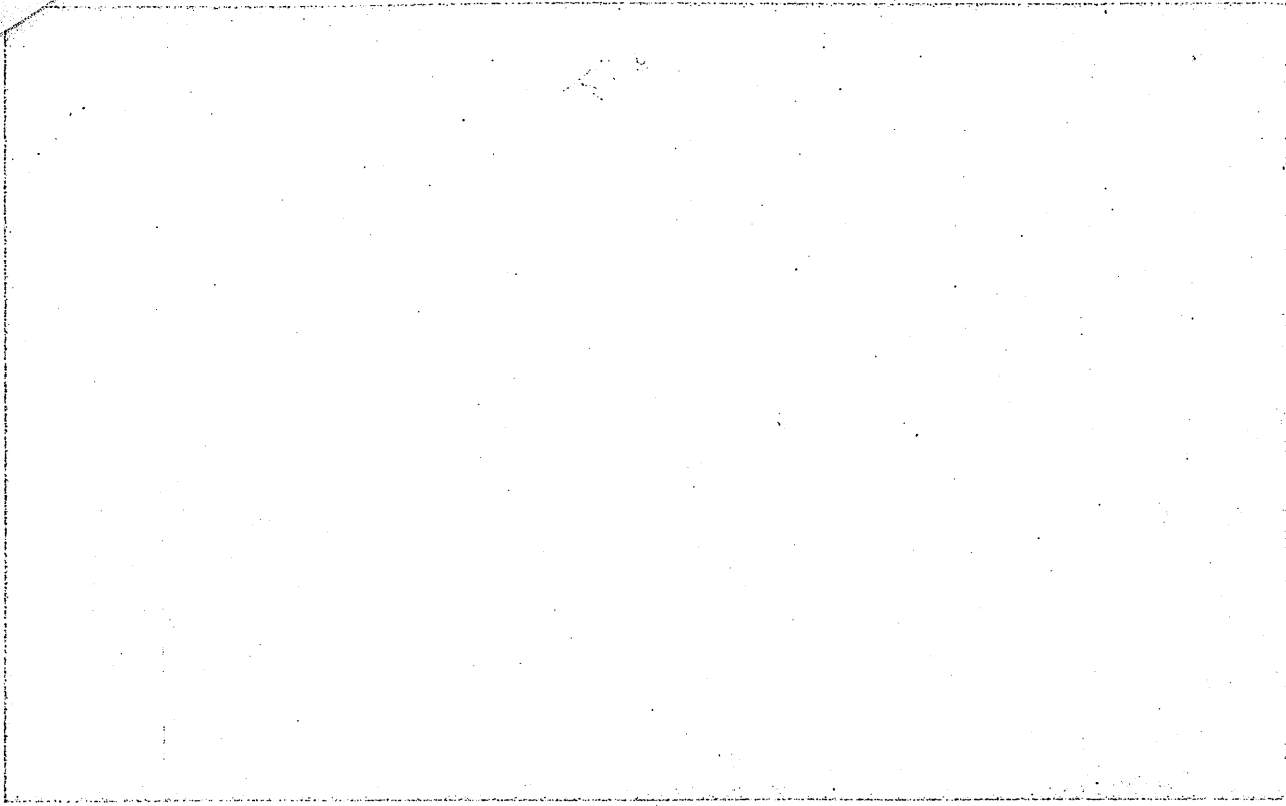
patiently waiting for the implementation of several of its proposals for the last eight years.

The Superintendent of Schools is—in New York City, at least—a relatively powerless figure. He inherits a staff that has been developed through inbreeding and promotion from the ranks. So the loyalties of the deputy, associate, and assistant superintendents are given not to their boss, but to whatever part of the system that backed their own appointment. Because of these old loyalties, the staff supports measures that preserve the status quo. In recent years, organizations of supervisory personnel have publicly opposed the policies of the Superintendent and the Board of Education, including the Princeton plan for school pairing, bussing, and the end of I.Q. testing.

Outside pressure on the school system has been minimal. The New York newspapers are mild in their criticism. The United Federation of Teachers concerns itself almost exclusively with teachers' salaries, along with occasional moves to protect its members from anything (like rotation to slum schools) that might distress them. The two major civic groups concerned with the schools—the United Parents Association and the Public Education Association—generally support the bureaucracy. They tend to work within the structure as it is, and to avoid rocking the boat with suggestions for radical change.

Real power lies, then, with the headquarters' staff. In all five of the major decisions that Miss Gittell analyzed—selection of the Superintendent, increases in teachers' salaries, budgeting, integration, and curriculum development—the headquarters' staff was a primary participant. The staff controls the curriculum and the budget. As for integration, there the staff has acted as a veto group. The only integration plan it supported was the More Effective Schools program—simply because that program didn't require any structural changes in the system. And even with regard to teachers' salaries and the choice of a Superintendent, the staff had a very powerful voice.

These bureaucrats, Miss Gittell says, have "expanded their role and limited conflict by manipulation of issues to assert that they are wholly dependent upon expert judgment, which they alone have." But the integration crisis—alone among the five issues examined—was one in which a great number of the public became involved. And, as a result of this growing public concern, New York City's closed educational system may finally have to open up.



Police Brutality—Answers to Key Questions

A study in three large cities indicates that police brutality is "far from rare," and that the most likely victim is a lower-class man of either race

ALBERT J. REISS JR.

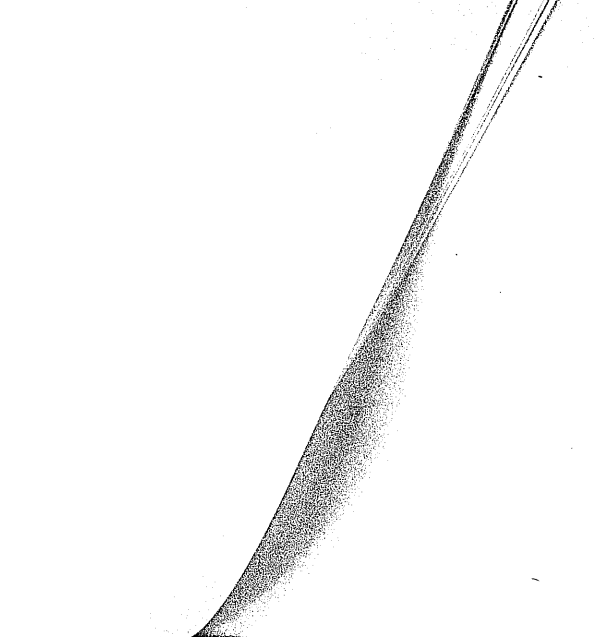
"For three years, there has been through the courts and the streets a dreary procession of citizens with broken heads and bruised bodies against few of whom was violence needed to effect an arrest. Many of them had done nothing to deserve an arrest. In a majority of such cases, no complaint was made. If the victim complains, his charge is generally dismissed. The police are practically above the law."

This statement was published in 1903, and its author was the Hon. Frank Moss, a former police commissioner of New York City. Clearly, today's charges of police brutality and mistreatment of citizens have a precedent in American history—but never before has the issue of police brutality assumed the public urgency it has today. In Newark, in Detroit, in Watts, in Harlem, and, in fact, in practically every city that has had a civil disturbance, "deep hostility between police and ghetto" was, reports the Kerner Commission, "a primary cause of the riots."

Whether or not the police accept the words "police brutality," the public now wants some plain answers to some plain questions. How widespread is police mistreatment of citizens? Is it on the increase? Why do policemen mistreat citizens? Do the police mistreat Negroes more than whites?

To find some answers, 36 people working for the Center of Research on Social Organization observed police-citizen encounters in the cities of Boston, Chicago, and Washington, D.C. For seven days a week, for seven weeks during the summer of 1966, these observers, with police permission, sat in patrol cars and monitored booking and lockup procedures in high-crime precincts.

Obtaining information about police mistreatment of citizens is no simple matter. National and state civil-rights commissions receive hundreds of complaints charging mistreatment—but proving these allegations is difficult. The few local civilian-review



boards, such as the one in Philadelphia, have not produced any significant volume of complaints leading to the dismissal or disciplining of policemen for alleged brutality. Generally, police chiefs are silent on the matter, or answer charges of brutality with vague statements that they will investigate any complaints brought to their attention. Rank-and-file policemen are usually more outspoken: They often insinuate that charges of brutality are part of a conspiracy against them, and against law and order.

The Meaning of Brutality

What citizens mean by police brutality covers the full range of police practices. These practices, contrary to the impression of many civil-rights activists, are not newly devised to deal with Negroes in our urban ghettos. They are ways in which the police have traditionally behaved in dealing with certain citizens, particularly those in the lower classes. The most common of these practices are:

- the use of profane and abusive language,
- commands to move on or get home,
- stopping and questioning people on the street or searching them and their cars,
- threats to use force if not obeyed,
- prodding with a nightstick or approaching with a pistol, and
- the actual use of physical force or violence itself.

Citizens and the police do not always agree on what constitutes proper police practice. What is "proper," or what is "brutal," it need hardly be pointed out, is more a matter of judgment about what someone did than a description of what police do. What is important is not the practice itself but what it means to the citizen. What citizens object to and call "police brutality" is really the judgment that they have not been treated with the full rights and dignity owing citizens in a democratic society. Any practice that degrades their status, that restricts their freedom, that annoys or harasses them, or that uses physical force is frequently seen as unnecessary and unwarranted. More often than not, they are probably right.

Many police practices serve only to degrade the citizen's sense of himself and his status. This is particularly true with regard to the way the police use language. Most citizens who have contact with the police object less to their use of four-letter words than to *how* the policeman talks to them. Particularly objectionable is the habit policemen have of "talking down" to citizens, of calling them names that deprecate them in their own eyes and those of others. More than one Negro citizen has complained: "They talk down to me as if I had no name—like 'boy' or 'man' or whatever, or they call me 'Jack' or by my first name. They don't show me no respect."

Members of minority groups and those seen as non-conformists, for whatever reason, are the most likely targets of status degradation. Someone who has been drinking may be told he is a "bum" or a "shitty wino." A woman walking alone may be called a "whore." And a man who doesn't happen to meet a policeman's standard of how one should look or dress may be met with the remark, "What's the matter, you a queer?" A white migrant from the South may be called a "hill-billy" or "shitkicker"; a Puerto Rican, a "pork chop"; a young boy, a "punk kid." When the policeman does not use words of status degradation, his manner may be degrading. Citizens want to be treated as people, not as "nonpersons" who are talked about as if they were not present.

That many Negroes believe that the police have degraded their status is clear from surveys in Watts, Newark, and Detroit. One out of every five Negroes in our center's post-riot survey in Detroit reports that the police have "talked down to him." More than one in ten says a policeman has "called me a bad name."

To be treated as "suspicious" is not only degrading, but is also a form of harassment and a restriction on the right to move freely. The harassing tactics of the police—dispersing social street-gatherings, the indiscriminate stopping of Negroes on foot or in cars, and commands to move on or go home—are particularly common in ghetto areas.

Young people are the most likely targets of harassing orders to disperse or move on. Particularly in summer, ghetto youths are likely to spend lots of time in public places. Given the inadequacy of their housing and the absence of community facilities, the street corner is often their social center. As the police cruise the busy streets of the ghetto, they frequently shout at groups of teenagers to "get going" or "get home." Our observations of police practices show that *white as well as Negro youths* are often harassed in this way.

Frequently the policeman may leave the car and threaten or force youths to move on. For example, one summer evening as the scout car cruised a busy street of a white slum, the patrolmen observed three white boys and a girl on a corner. When told to move on, they mumbled and grumbled in undertones, angering the police by their failure to comply. As they slowly moved off, the officers pushed them along the street. Suddenly one of the white patrolmen took a lighted cigarette from a 15-year-old boy and stuck it in his face, pushing him forward as he did so. When the youngsters did move on, one policeman remarked to the observer that the girl was "nothing but a whore." Such tactics can only intensify resentment toward the police.

Police harassment is not confined to youth. One in every four adult Negroes in Detroit claims he has been

and questioned by the police without good reason. The same proportion claim they have been stopped in their cars. One in five says he has been searched unnecessarily; and one in six says that his car was searched for no good reason. The members of an interracial couple, particularly a Negro man accompanying a white woman, are perhaps the most vulnerable to harassment.

What citizens regard as police brutality many policemen consider necessary for law enforcement. While degrading epithets and abusive language may no longer be considered proper by either police commanders or citizens, they often disagree about other practices related to law enforcement. For example, although many citizens see "stop and question" or "stop and frisk" procedures as harassment, police commanders usually regard them merely as "aggressive prevention" to curb crime.

Physical Force—or Self-Defense?

The nub of the police-brutality issue seems to lie in police use of physical force. By law, the police have the right to use such force if necessary to make an arrest, to keep the peace, or to maintain public order. But just how much force is necessary or proper?

This was the crucial problem we attempted to answer by placing observers in the patrol cars and in the precincts. Our 36 observers, divided equally between Chicago, Boston, and Washington, were responsible for reporting the details of all situations where police used physical force against a citizen. To ensure the observation of a large number of encounters, two high-crime police precincts were monitored in Boston and Chicago; four in Washington. At least one precinct was composed of primarily Negro residents, another primarily of whites. Where possible, we also tried to select precincts with considerable variation in social-class composition. Given the criterion of a high-crime rate, however, people of low socio-economic status predominated in most of the areas surveyed.

The law fails to provide simple rules about what—and how much—force that policemen can properly use. The American Bar Foundation's study *Arrest*, by Wayne La Fave, put the matter rather well, stating that the courts of all states would undoubtedly agree that in making an arrest a policeman should use only that amount of force he reasonably believes necessary. But La Fave also pointed out that there is no agreement on the question of when it is better to let the suspect escape than to employ "deadly" force.

Even in those states where the use of deadly force is limited by law, the kinds of physical force a policeman may use are not clearly defined. No kind of force is categorically denied a policeman, since he is always permitted to use deadly force in self-defense.

This right to protect himself often leads the policeman to argue self-defense whenever he uses force. We found that many policemen, whether or not the facts justify it, regularly follow their use of force with the charge that the citizen was assaulting a policeman or resisting arrest. Our observers also found that some policemen even carry pistols and knives that they have confiscated while searching citizens; they carry them so they may be placed at a scene should it be necessary to establish a case of self-defense.

Of course, not all cases of force involve the use of unnecessary force. Each instance of force reported by our observers was examined and judged to be either necessary or unnecessary. Cases involving simple restraint—holding a man by the arm—were deliberately excluded from consideration, even though a policeman's right to do so can, in many instances, be challenged. In judging when police force is "unwarranted," "unreasonable," or "undue," we rather deliberately selected only those cases in which a policeman struck the citizen with his hands, fist, feet, or body, or where he used a weapon of some kind—such as a nightstick or a pistol. In these cases, had the policeman been found to have used physical force improperly, he could have been arrested on complaint and, like any other citizen, charged with a simple or aggravated assault. A physical assault on a citizen was judged to be "improper" or "unnecessary" only if force was used in one or more of the following ways:

- If a policeman physically assaulted a citizen and then failed to make an arrest; proper use involves an arrest.
- If the citizen being arrested did not, by word or deed, resist the policeman; force should be used only if it is necessary to make the arrest.
- If the policeman, even though there was resistance to the arrest, could easily have restrained the citizen in other ways.
- If a large number of policemen were present and could have assisted in subduing the citizen in the station, in lockup, and in the interrogation rooms.
- If an offender was handcuffed and made no attempt to flee or offer violent resistance.
- If the citizen resisted arrest, but the use of force continued even after the citizen was subdued.

In the seven-week period, we found 37 cases in which force was used improperly. In all, 44 citizens had been assaulted. In 15 of these cases, no one was arrested. Of these, 8 had offered no verbal or physical resistance whatsoever, while 7 had.

An arrest was made in 22 of the cases. In 13, force was exercised in the station house when at least four other policemen were present. In two cases, there was no verbal or physical resistance to the arrest, but force was still applied. In two other cases, the police ap-

...ed force to a handcuffed offender in a field setting. And in five situations, the offender did resist arrest, but the policeman continued to use force even after he had been subdued.

Just how serious was the improper use of force in these 44 cases? Naturally there were differences in degree of injury. In about one-half of the cases, the citizen appeared little more than physically bruised; in three cases, the amount of force was so great that the citizen had to be hospitalized. Despite the fact that cases can easily be selected for their dramatic rather than their representative quality, I want to present a few to give a sense of what the observers saw and reported as undue use of force.

Observing on Patrol

In the following two cases, the citizens offered no physical or verbal resistance, and the two white policemen made no arrest. It is the only instance in which the observers saw the same two policemen using force improperly more than once.

The police precinct in which these incidents occurred is typical of those found in some of our larger cities, where the patrolmen move routinely from gold coast to slum. There are little islands of the rich and poor, of old Americans and new, of recent migrants and old settlers. One moves from high-rise areas of middle- and upper-income whites through an area of the really old Americans—Indians—to an enclave of the recently arrived. The recently arrived are primarily those the policemen call "hillbillies" (migrants

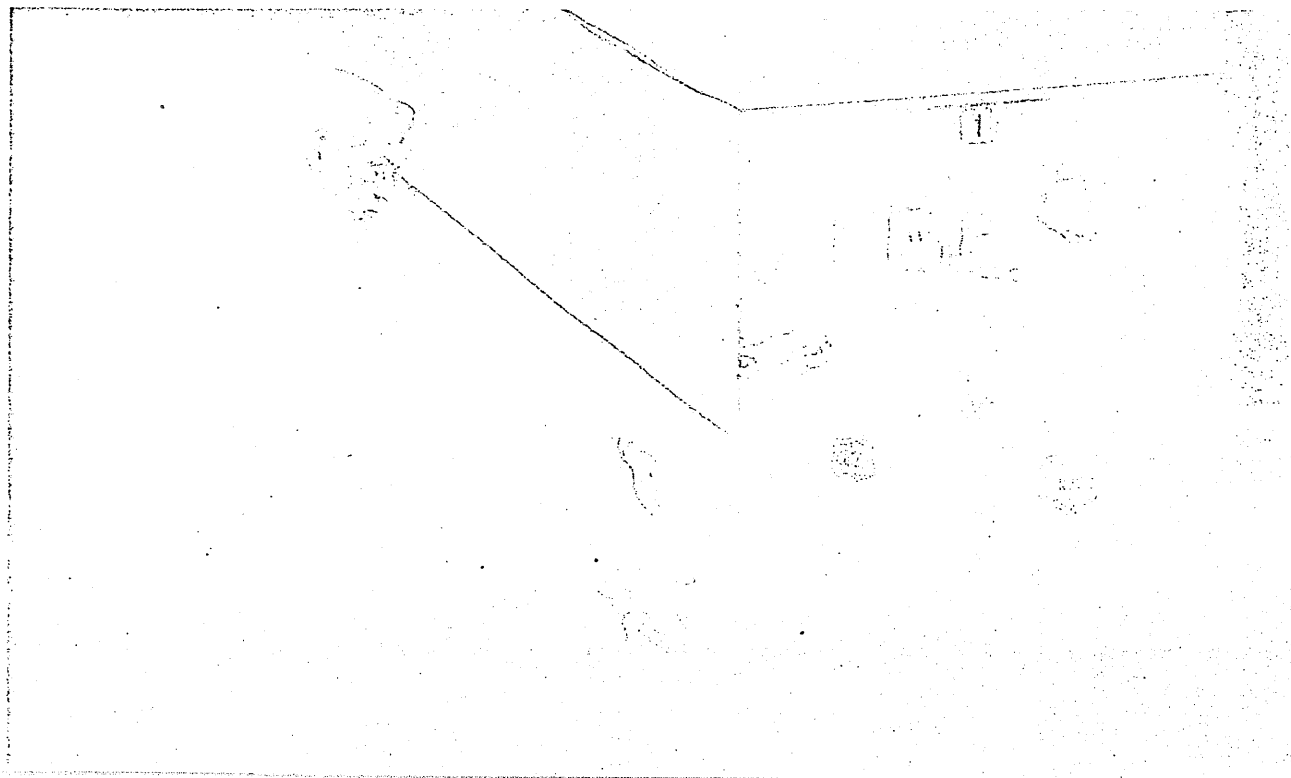
from Kentucky and Tennessee) and "porkchops" (Puerto Ricans). There are ethnic islands of Germans and Swedes. Although there is a small area where Negroes live, it is principally a precinct of whites. The police in the district are, with one exception, white.


On a Friday in the middle of July, the observer arrived for the 4 to 12 midnight watch. The beat car that had been randomly chosen carried two white patrolmen—one with 14 years of experience in the precinct, the other with three.

The watch began rather routinely as the policemen cruised the district. Their first radio dispatch came at about 5:30 P.M. They were told to investigate two drunks in a cemetery. On arriving they found two white men "sleeping one off." Without questioning the men, the older policeman began to search one of them, ripping his shirt and hitting him in the groin with a nightstick. The younger policeman, as he searched the second, ripped away the seat of his trousers, exposing his buttocks. The policemen then prodded the men toward the cemetery fence and forced them to climb it, laughing at the plight of the drunk with the exposed buttocks. As the drunks went over the fence, one policeman shouted, "I ought to run you fuckers in!" The other remarked to the observer, "Those assholes won't be back; a bunch of shitty winos."

Not long after they returned to their car, the policemen stopped a woman who had made a left turn improperly. She was treated very politely, and the younger policeman, who wrote the ticket, later commented

Policemen in Gary, Ind., conduct a routine investigation.





the observer, "Nice lady." At 7:30 they were dispatched to check a suspicious auto. After a quick check, the car was marked abandoned.

Shortly after a 30-minute break for a 7:30 "lunch," the two policemen received a dispatch to take a burglary report. Arriving at a slum walkup, the police entered a room where an obviously drunk white man in his late 40s insisted that someone had entered and stolen his food and liquor. He kept insisting that it had been taken and that he had been forced to borrow money to buy beer. The younger policeman, who took the report, kept harassing the man, alternating between mocking and badgering him rhetorical questions. "You say your name is Half-A-Wit [for Hathaway]? Do you sleep with niggers? How did you vote on the bond issue? Are you sure that's all that's missing? Are you a virgin yet?" The man responded to all of this with the seeming vagueness and joviality of the intoxicated, expressing gratitude for the policemen's help as they left. The older policeman remarked to the observer as they left, "Ain't drunks funny?"

For the next hour little happened, but as the two were moving across the precinct shortly after 10 P.M., a white man and a woman in their 50s flagged them down. Since they were obviously "substantial" middle-class citizens of the district, the policemen listened to their complaints that a Negro man was causing trouble inside the public-transport station from which they had just emerged. The woman said that he had sworn at her. The older policeman remarked, "What's a nigger doing up here? He should be down on Franklin Road!"

With that, they ran into the station and grabbed the Negro man who was inside. Without questioning him, they shoved him into a phone booth and began beating him with their fists and a flashlight. They also hit him in the groin. Then they dragged him out and kept him on his knees. He pleaded that he had just been released from a mental hospital that day and, begging not to be hit again, asked them to let him return to the hospital. One policeman said: "Don't you like us, nigger? I like to beat niggers and rip out their eyes." They took him outside to their patrol car. Then they decided to put him on a bus, telling him that he was returning to the hospital; they deliberately put him on a bus going in the opposite direction. Just before the Negro boarded the bus, he said, "You police just like to shoot and beat people." The first policeman replied, "Get moving, nigger, or I'll shoot you." The man was crying and bleeding as he was put on the bus. Leaving the scene, the younger policeman commented, "He won't be back."

For the rest of the evening, the two policemen kept looking for drunks and harassing any they found. They concluded the evening by being dispatched to an address where, they were told, a man was being held for

the police. No one answered their knock. They left.

The station house has long been suspected of harboring questionable police practices. Interrogation-room procedures have been attacked, particularly because of the methods the police have used to get confessions. The drama of the confession in the interrogation room has been complete with bright lights and physical torture. Whether or not such practices have ever existed on the scale suggested by popular accounts, confessions in recent years, even by accounts of offenders, have rarely been accompanied by such high drama. But recently the interrogation room has come under fire again for its failure to protect the constitutional rights of the suspect to remain silent and to have legal counsel.

Backstage at the Station

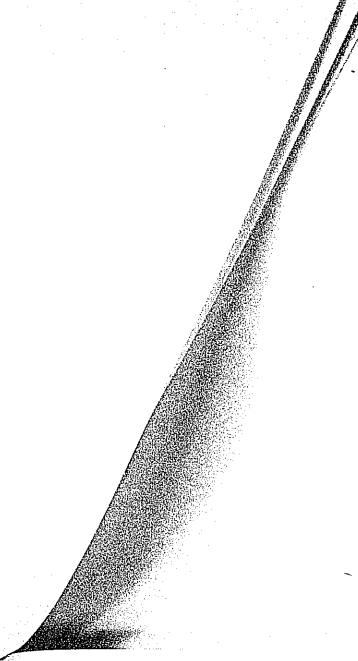
The police station, however, is more than just a series of cubicles called interrogation rooms. There are other rooms and usually a lockup as well. Many of these are also hidden from public view. It is not surprising, then, that one-third of all the observations of the undue use of force occurred within the station.

In any station there normally are several policemen present who should be able to deal with almost any situation requiring force that arises. In many of the situations that were observed, as many as seven and eight policemen were present, most of whom simply stood by and watched force being used. The custom among policemen, it appeared, is that you intervene only if a fellow policeman needs help, or if you have been personally offended or affronted by those involved.

Force is used unnecessarily at many different points and places in the station. The citizen who is not cooperative during the booking process may be pushed or shoved, have his handcuffs twisted with a nightstick, have his foot stomped, or be pulled by the hair. All of these practices were reported by policemen as ways of obtaining "cooperation." But it was clear that the booking could have been completed without any of this harassment.

The lockup was the scene of some of the most severe applications of force. Two of the three cases requiring hospitalization came about when an offender was "worked over" in the lockup. To be sure, the arrested are not always cooperative when they get in the lockup, and force may be necessary to place them in a cell. But the amount of force observed hardly seemed necessary.

One evening an observer was present in the lockup when two white policemen came in with a white man. The suspect had been handcuffed and brought to the station because he had proved obstreperous after being arrested for a traffic violation. Apparently he had



...een drinking. While waiting in the lockup, the man began to urinate on the floor. In response, the policemen began to beat the man. They jumped him, knocked him down, and beat his head against the concrete floor. He required emergency treatment at a nearby hospital.

At times a policeman may be involved in a kind of escalation of force. Using force appropriately for an arrest in the field seemingly sets the stage for its later use, improperly, in the station. The following case illustrates how such a situation may develop:

Within a large city's high-crime rate precinct, occupied mostly by Negroes, the police responded to an "officer in trouble" call. It is difficult to imagine a call that brings a more immediate response, so a large number of police cars immediately converged at an intersection of a busy public street where a bus had been stopped. Near the bus, a white policeman was holding two young Negroes at gun point. The policeman reported that he had responded to a summons from the white bus-driver complaining that the boys had refused to pay their fares and had used obscene language. The policeman also reported that the boys swore at him, and one swung at him while the other drew a screwdriver and started toward him. At that point, he said, he drew his pistol.

The policemen placed one of the offenders in handcuffs and began to transport both of them to the station. While driving to the station, the driver of one car noted that the other policeman, transporting the other boy, was struggling with him. The first policeman stopped and entered the other patrol car. The observer reported that he kept hitting the boy who was handcuffed until the boy appeared completely subdued. The boy kept saying, "You don't have any right to beat me. I don't care if you kill me."

After the policemen got the offenders to the station, although the boys no longer resisted them, the police began to beat them while they were handcuffed in an interrogation room. One of the boys hollered: "You can't beat me like this! I'm only a kid, and my hands are tied." Later one of the policemen commented to the observer: "On the street you can't beat them. But when you get to the station, you can instill some respect in them."

Cases where the offender resists an arrest provide perhaps the most difficulty in judging the legitimacy of the force applied. An encounter that began as a dispatch to a disturbance at a private residence was one case about which there could be honest difference in judgment. On arrival, the policemen—one white, the other Negro—met a white woman who claimed that her husband, who was in the back yard and drunk, had beaten her. She asked the policemen to "take him in." The observer reported that the police found the

man in the house. When they attempted to take him, he resisted by placing his hands between the door jamb. Both policemen then grabbed him. The Negro policeman said, "We're going to have trouble, so let's finish it right here." He grabbed the offender and knocked him down. Both policemen then wrestled with the man, handcuffed him, and took him to the station. As they did so, one of the policemen remarked, "These sons of bitches want to fight, so you have to break them quick."

A Minimal Picture?

The reader, as well as most police administrators, may be skeptical about reports that policemen used force in the presence of observers. Indeed, one police administrator, indignant over reports of undue use of force in his department, seemed more concerned that the policemen had permitted themselves to be observed behaving improperly than he was about their improper behavior. When demanding to know the names of the policemen who had used force improperly so he could discharge them—a demand we could not meet, since we were bound to protect our sources of information—he remarked, "Any officer who is stupid enough to behave that way in the presence of outsiders deserves to be fired."

There were and are a number of reasons why our observers were able to see policemen behaving improperly. We entered each department with the full cooperation of the top administrators. So far as the men in the line were concerned, our chief interest was in how citizens behave toward the police, a main object of our study. Many policemen, given their strong feelings against citizens, fail to see that their own behavior is equally open to observation. Furthermore, our observers are trained to fit into a role of trust—one that is genuine, since most observers are actually sympathetic to the plight of the policeman, if not to his behavior.

Finally, and this is a fact all too easily forgotten, people cannot change their behavior in the presence of others as easily as many think. This is particularly true when people become deeply involved in certain situations. The policeman not only comes to "trust" the observer in the law-enforcement situation—regarding him as a source of additional help if necessary—but, when he becomes involved in a dispute with a citizen, he easily forgets that an observer is present. Partly because he does not know what else to do, in such situations the policeman behaves "normally." But should one cling to the notion that most policemen modify their behavior in the presence of outsiders, one is left with the uncomfortable conclusion that our cases represent a minimal picture of actual misbehavior.

Superficially it might seem that the use of an ex-

cessive amount of force against citizens is low. In only 37 of 3826 encounters observed did the police use undue force. Of the 4604 white citizens in these encounters, 27 experienced an excessive amount of force—a rate of 5.9 for every 1000 citizens involved. The comparable rate for 5960 Negroes, of whom 17 experienced an excessive amount of force, is 2.8. Thus, whether one considers these rates high or low, the fact is that the rate of excessive force for all white citizens in encounters with the police is twice that for Negro citizens.

A rate depends, however, upon selecting a population that is logically the target of force. What we have just given is a rate for all citizens involved in encounters with the police. But many of these citizens are not logical targets of force. Many, for example, simply call the police to complain about crimes against themselves or their property. And others are merely witnesses to crimes.

The more logical target population consists of citizens whom the police allege to be offenders—a population of suspects. In our study, there were 643 white suspects, 27 of whom experienced undue use of force. This yields an abuse rate of 41.9 per 1000 white suspects. The comparable rate for 751 Negro suspects, of whom 17 experienced undue use of force, is 22.6 per 1000. If one accepts these rates as reasonably reliable estimates of the undue force against suspects, then there should be little doubt that in major metropolitan areas the sort of behavior commonly called "police brutality" is far from rare.

Popular impression casts police brutality as a racial matter—white police mistreating Negro citizens. The fact is that white suspects are more liable to being treated improperly by the police than Negro suspects are. This, however, should not be confused with the chances a citizen takes of being mistreated. In two of the cities we studied, Negroes are a minority. The chances, then, that any Negro has of being treated improperly are, perhaps, more nearly comparable to that for whites. If the rates are comparable, then one might say that the application of force unnecessarily by the police operates without respect to the race of an offender.

Many people believe that the race of the policeman must affect his use of force, particularly since many white policemen express prejudice against Negroes. Our own work shows that in the police precincts made up largely of Negro citizens, over three-fourths of the policemen express prejudice against Negroes. Only 1 percent express sympathetic attitudes. But as sociologists and social psychologists have often shown, prejudice and attitudes do not necessarily carry over into discriminatory actions.

Our findings show that there is little difference be-

tween the rate of force used by white and by Negro policemen. Of the 54 policemen observed using too much force, 45 were white and 9 were Negro. For every 100 white policemen, 8.7 will use force; for every 100 Negro policemen, 9.8 will. What this really means, though, is that about one in every 10 policemen in high-crime rate areas of cities sometimes uses force unnecessarily.

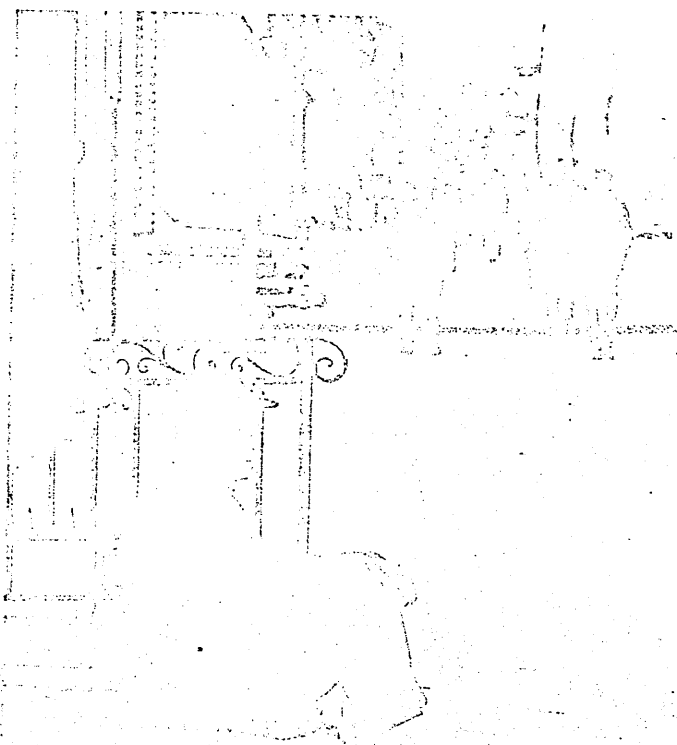
Yet, one may ask, doesn't prejudice enter into the use of force? Didn't some of the policemen who were observed utter prejudiced statements toward Negroes and other minority-group members? Of course they did. But the question of whether it was their prejudice or some other factor that motivated them to mistreat Negroes is not so easily answered.

Still, even though our figures show that a white suspect is more liable to encounter violence, one may ask whether white policemen victimize Negroes more than whites. We found, for the most part, that they do not. Policemen, both Negro and white, are most likely to exercise force against members of their own race:

—67 percent of the citizens victimized by white policemen were white.

—71 percent of the citizens victimized by Negro policemen were Negro.

To interpret these statistics correctly, however, one should take into account the differences in opportunity policemen have to use force against members of their own and other races. Negro policemen, in the three cities we studied, were far less likely to police white citizens than white policemen were to police



Negroes. Negro policemen usually policed other Negroes, while white policemen policed both whites and Negroes about equally. In total numbers, then, more white policemen than Negro policemen used force against Negroes. But this is explained by the fact that whites make up 85 percent of the police force, and more than 50 percent of all policemen policing Negroes.

Though no precise estimates are possible, the facts just given suggest that white policemen, even though they are prejudiced toward Negroes, do not discriminate against Negroes in the excessive use of force. The use of force by the police is more readily explained by police culture than it is by the policeman's race. Indeed, in the few cases where we observed a Negro policeman using unnecessary force against white citizens, there was no evidence that he did so because of his race.

The disparity between our findings and the public's sense that Negroes are the main victims of police brutality can easily be resolved if one asks how the public becomes aware of the police misusing force.

The Victims and the Turf

Fifty years ago, the immigrants to our cities—Eastern and Southern Europeans such as the Poles and the Italians—complained about police brutality. Today the new immigrants to our cities—mostly Negroes from the rural South—raise their voices through the civil-rights movement, through black-nationalist and other race-conscious organizations. There is no comparable voice for white citizens since, except for the Puerto

Ricans, they now lack the nationality organizations that were once formed to promote and protect the interests of their immigrant forbears.

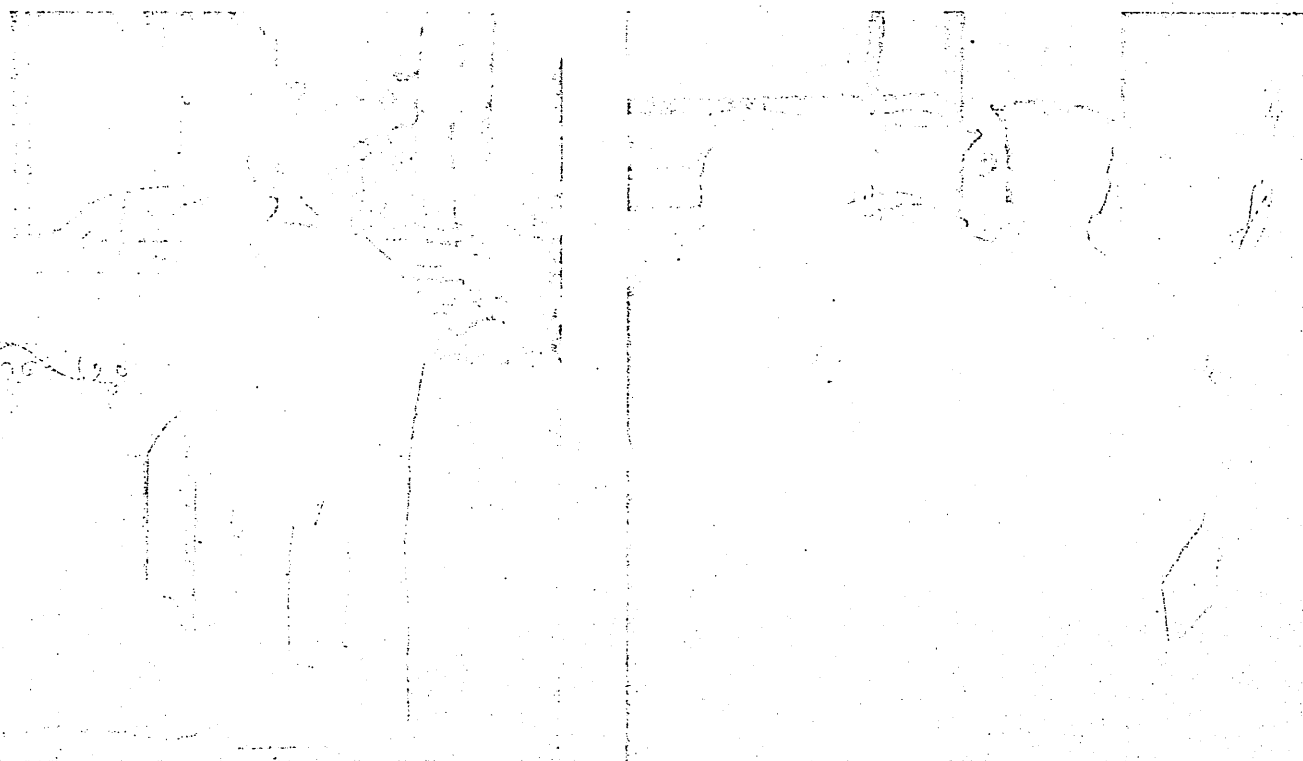
Although policemen do not seem to select their victims according to race, two facts stand out. All victims were offenders, and all were from the lower class. Concentrating as we did on high-crime rate areas of cities, we do not have a representative sample of residents in any city. Nonetheless, we observed a sizable minority of middle- and upper-status citizens, some of whom were offenders. But since no middle- or upper-class offender, white or Negro, was the victim of an excessive amount of force, it appears that the lower class bears the brunt of victimization by the police.

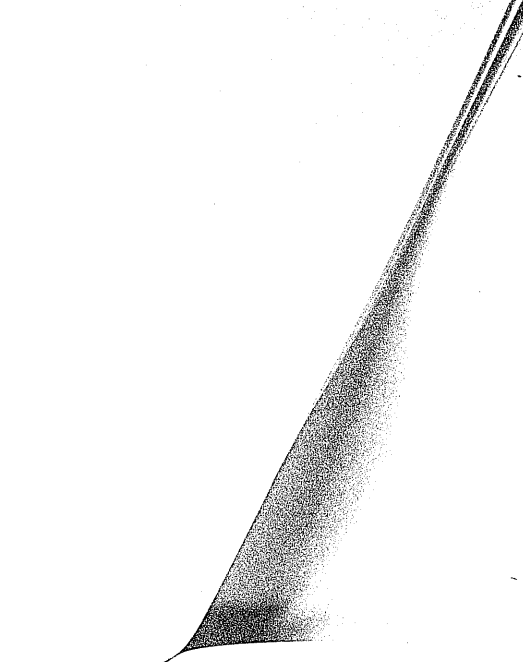
The most likely victim of excessive force is a lower-class man of either race. No white woman and only two Negro women were victimized. The difference between the risk assumed by white and by Negro women can be accounted for by the fact that far more Negro women are processed as suspects or offenders.

Whether or not a policeman uses force unnecessarily depends upon the social setting in which the encounter takes place. Of the 37 instances of excessive force, 37 percent took place in police-controlled settings, such as the patrol car or the precinct station. Public places, usually streets, accounted for 41 percent, and 16 percent took place in a private residence. The remaining 6 percent occurred in commercial settings. This is not, of course, a random sample of settings where the police encounter suspects.

What is most obvious, and most disturbing, is that the police are very likely to use force in settings that

Bowery arrest: A policeman approaches, nightstick in his hand, picks up the man on the stoop, and helps put him in the wagon. The policeman threatened to arrest the photographer who took these pictures.





control. Although only 18 percent of all situations involving suspects ever ended up at the station house, 32 percent of all situations where an excessive amount of force was used took place in the police station.

No one who accepts the fact that the police sometimes use an excessive amount of force should be surprised by our finding that they often select their own turf. What should be apparent to the nation's police administrators, however, is that these settings are under their command and control. Controlling the police in the field, where the policeman is away from direct supervision, is understandably difficult. But the station house is the police administrator's domain. The fact that one in three instances of excessive force took place in settings that can be directly controlled should cause concern among police officials.

The presence of citizens who might serve as witnesses against a policeman should deter him from undue use of force. Indeed, procedures for the review of police conduct are based on the presumption that one can get this kind of testimony. Otherwise, one is left simply with a citizen complaint and contrary testimony by the policeman—a situation in which it is very difficult to prove the citizen's allegation.

In most situations involving the use of excessive force, there were witnesses. In our 37 cases, there were bystanders present three-fourths of the time. But in only one situation did the group present sympathize with the citizen and threaten to report the policeman. A complaint was filed on that incident—the only one of the 37 observed instances of undue force in which a formal complaint was filed.

All in all, the situations where excessive force was used were devoid of bystanders who did not have a stake in being "against" the offender. Generally, they were fellow policemen, or fellow offenders whose truthfulness could be easily challenged. When a policeman uses undue force, then, he usually does not risk a complaint against himself or testimony from witnesses who favor the complainant against the policeman. This, as much as anything, probably accounts for the low rate of formal complaints against policemen who use force unnecessarily.

A striking fact is that in more than one-half of all instances of undue coercion, at least one other policeman was present who did not participate in the use of force. This shows that, for the most part, the police do not restrain their fellow policemen. On the contrary, there were times when their very presence encouraged the use of force. One man brought into the lockup for threatening a policeman with a pistol was so severely beaten by this policeman that he required hospitalization. During the beating, some fellow policemen propped the man up, while others shouted

encouragement. Though the official police code does not legitimate this practice, police culture does.

Victims—Defiant or Deviant

Now, are there characteristics of the offender or his behavior that precipitate the use of excessive force by the police? Superficially, yes. Almost one-half of the cases involved open defiance of police authority (39 percent) or resisting arrest (9 percent). Open defiance of police authority, however, is what the policeman defines as *his* authority, not necessarily "official" authority. Indeed in 40 percent of the cases that the police considered open defiance, the policeman never executed an arrest—a somewhat surprising fact for those who assume that policemen generally "cover" improper use of force with a "bona-fide" arrest and a charge of resisting arrest.

But it is still of interest to know what a policeman sees as defiance. Often he seems threatened by a simple refusal to acquiesce to his own authority. A policeman beat a handcuffed offender because, when told to sit, the offender did not sit down. One Negro woman was soundly slapped for her refusal to approach the police car and identify herself.

Important as a threat to his authority may appear to the policeman, there were many more of these instances in which the policeman did *not* respond with the use of force. The important issue seems to be whether the policeman manages to assert his authority despite the threat to it. I suspect that policemen are more likely to respond with excessive force when they define the situation as one in which there remains a question as to who is "in charge."

Similarly, some evidence indicates that harassment of deviants plays a role in the undue use of force. Incidents involving drunks made up 27 percent of all incidents of improper use of force; an additional 5 percent involved homosexuals or narcotics users. Since deviants generally remain silent victims to avoid public exposure of their deviance, they are particularly susceptible to the use of excessive force.

It is clear, though, that the police encounter many situations involving deviants where no force is used. Generally they respond to them routinely. What is surprising, then, is that the police do not mistreat deviants more than they do. The explanation may lie in the kind of relationships the police have with deviants. Many are valuable to the police because they serve as informers. To mistreat them severely would be to cut off a major source of police intelligence. At the same time, deviants are easily controlled by harassment.

Clearly, we have seen that police mistreatment of citizens exists. It is, however, on the increase?

Citizen complaints against the police are common, and allegations that the police use force improperly are

quent. There is evidence that physical brutality exists today. But there is also evidence, from the history of our cities, that the police have long engaged in the use of unnecessary physical force. No one can say with confidence whether there is more or less of it today than there was at the turn of the century.

What we lack is evidence that would permit us to calculate comparative rates of police misuse of force for different periods of American history. Only recently have we begun to count and report the volume of complaints against the police. And the research reported in this article represents the only attempt to estimate the amount of police mistreatment by actual observation of what the police do to citizens.

Lack of Information

Police chiefs are notoriously reluctant to disclose information that would allow us to assess the nature and volume of complaints against the police. Only a few departments have begun to report something about citizen complaints. And these give us very little information.

Consider, for example, the 1966 Annual Report released by the New Orleans Police Department. It tells us that there were 208 cases of "alleged police misconduct on which action was taken." It fails to tell us whether there were any allegations that are *not* included among these cases. Are these all the allegations that came to the attention of the department? Or are they only those the department chose to review as "police disciplinary matters"? Of the 208 cases the department considered "disciplinary matters," the report tells us that no disciplinary action was taken in 106 cases. There were 11 cases that resulted in 14 dismissals; 56 cases that resulted in 72 suspensions, fines, or loss of days; and 35 cases involving 52 written or verbal "reprimands" or "cautionings."

The failure of the report to tell us the charge against the policeman is a significant omission. We cannot tell how many of these allegations involved improper use of force, how many involved verbal abuse or harassment, how many involved police felonies or misdemeanors, and so on. In such reports, the defensive posture of the nation's police departments is all too apparent. Although the 1966 report of the New Orleans Police Department tells us much about what the police allege were the felonies and misdemeanors by citizens of New Orleans, it tells us nothing about what citizens allege was misconduct by the police!

Many responsible people believe that the use of physical brutality by the police is on the wane. They point to the fact that, at least outside the South, there are more reports of other forms of police mistreatment of citizens than reports of undue physical coercion. They also suggest that third-degree interroga-

tions and curbstone justice with the nightstick are less common. It does not seem unreasonable, then, to assume that police practices that degrade a citizen's status or that harass him and restrict his freedom are more common than police misuse of force. But that may have always been so.

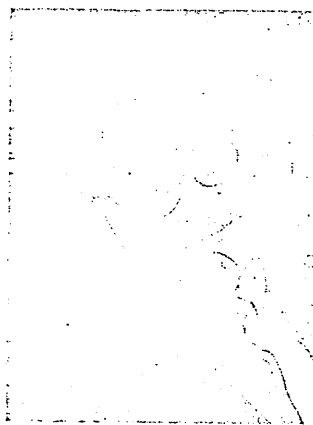
Whether or not the policeman's "sense of justice" and his use of unnecessary force have changed remains an open question. Forms may change while practices go on. To move misuse from the street to the station house, or from the interrogation room to the lockup, changes the place but not the practice itself.

Our ignorance of just what goes on between police and citizens poses one of the central issues in policing today: How can we make the police accountable to the citizenry in a democratic society and yet not hamstring them in their legitimate pursuit of law and order? There are no simple answers.

Police departments are organizations that process people. All people-processing organizations face certain common problems. But the police administrator faces a problem in controlling practice with clients that is not found in most other organizations. The problem is that police contact with citizens occurs in the community, where direct supervision is not possible. Assuming our unwillingness to spend resources for almost one-to-one supervision, the problem for the police commander is to make policemen behave properly when they are not under direct supervision. He also faces the problem of making them behave properly in the station house as well.

Historically, we have found but one way—apart from supervision—that deals with this problem. That solution is professionalization of workers. Perhaps only through the professionalization of the police can we hope to solve the problem of police malpractice.

But lest anyone optimistically assume that professionalization will eliminate police malpractice altogether, we should keep in mind that problems of malpractice also occur regularly in both law and medicine.



Albert J. Reiss Jr. is professor of sociology, chairman of the department, and director of the Center for Research on Social Organization at the University of Michigan, Ann Arbor. He is the author of *Studies in Crime and Law Enforcement in Major Metropolitan Areas*, a research report submitted to the President's Commission on Law Enforcement and Administration of Justice.

Einstein, Albert

EINSTEIN

ON PEACE *o o o*

EDITED BY
OTTO NATHAN AND HEINZ NORDEN

PREFACE BY BERTRAND RUSSELL

SIMON AND SCHUSTER · NEW YORK · 1960

This is Einstein's open letter to Freud, which, strangely enough, has never become widely known: ⁹

DEAR MR. FREUD:-

The proposal of the League of Nations and its International Institute of Intellectual Co-operation at Paris that I should invite a person, to be chosen by myself, to a frank exchange of views on any problem that I might select affords me a very welcome opportunity of conferring with you upon a question which, as things now are, seems the most insistent of all the problems civilization has to face. This is the problem: Is there any way of delivering mankind from the menace of war? It is common knowledge that, with the advance of modern science, this issue has come to mean a matter of life and death for civilization as we know it; nevertheless, for all the zeal displayed, every attempt at its solution has ended in a lamentable breakdown.

I believe, moreover, that those whose duty it is to tackle the problem professionally and practically are growing only too aware of their impotence to deal with it, and have now a very lively desire to learn the views of men who, absorbed in the pursuit of science, can see world problems in the perspective distance lends. As for me, the normal objective of my thought affords no insight into the dark places of human will and feeling. Thus, in the inquiry now proposed, I can do little more than to seek to clarify the question at issue and, clearing the ground of the more obvious solutions, enable you to bring the light of your far-reaching knowledge of man's instinctive life to bear upon the problem. There are certain psychological obstacles whose existence a layman in the mental sciences may dimly surmise, but whose interrelations and vagaries he is incompetent to fathom; you, I am convinced, will be able to suggest educative methods, lying more or less outside the scope of politics, which will eliminate these obstacles.

As one immune from nationalist bias, I personally see a simple way of dealing with the superficial (i.e., administrative) aspect of

the problem: the setting up, by international consent, of a legislative and judicial body to settle every conflict arising between nations. Each nation would undertake to abide by the orders issued by this legislative body, to invoke its decision in every dispute, to accept its judgments unreservedly and to carry out every measure the tribunal deems necessary for the execution of its decrees. But here, at the outset, I come up against a difficulty; a tribunal is a human institution which, in proportion as the power at its disposal is inadequate to enforce its verdicts, is all the more prone to suffer these to be deflected by extrajudicial pressure. This is a fact with which we have to reckon; law and might inevitably go hand in hand, and juridical decisions approach more nearly the ideal justice demanded by the community (in whose name and interests these verdicts are pronounced) insofar as the community has effective power to compel respect of its juridical ideal. But at present we are far from possessing any supranational organization competent to render verdicts of incontestable authority and enforce absolute submission to the execution of its verdicts. Thus I am led to my first axiom: The quest of international security involves the unconditional surrender by every nation, in a certain measure, of its liberty of action—its sovereignty that is to say—and it is clear beyond all doubt that no other road can lead to such security.

The ill success, despite their obvious sincerity, of all the efforts made during the last decade to reach this goal leaves us no room to doubt that strong psychological factors are at work which paralyze these efforts. Some of these factors are not far to seek. The craving for power which characterizes the governing class in every nation is hostile to any limitation of the national sovereignty. This political power hunger is often supported by the activities of another group, whose aspirations are on purely mercenary, economic lines. I have especially in mind that small but determined group, active in every nation, composed of individuals who, indifferent to social considerations and restraints, regard warfare, the manufacture and sale of arms, simply as an occasion to advance their personal interests and enlarge their personal authority.

But recognition of this obvious fact is merely the first step toward an appreciation of the actual state of affairs. Another question follows hard upon it: How is it possible for this small clique to bend the will of the majority, who stand to lose and suffer by a

state of war, to the service of their ambitions? (In speaking of the majority I do not exclude soldiers of every rank who have chosen war as their profession, in the belief that they are serving to defend the highest interests of their race, and that attack is often the best method of defense.) An obvious answer to this question would seem to be that the minority, the ruling class at present, has the schools and press, usually the Church as well, under its thumb. This enables it to organize and sway the emotions of the masses, and makes its tool of them.

Yet even this answer does not provide a complete solution. Another question arises from it: How is it that these devices succeed so well in rousing men to such wild enthusiasm, even to sacrifice their lives? Only one answer is possible. Because man has within him a lust for hatred and destruction. In normal times this passion exists in a latent state, it emerges only in unusual circumstances; but it is a comparatively easy task to call it into play and raise it to the power of a collective psychosis. Here lies, perhaps, the crux of all the complex factors we are considering, an enigma that only the expert in the lore of human instincts can resolve.

And so we come to our last question. Is it possible to control man's mental evolution so as to make him proof against the psychosis of hate and destructiveness? Here I am thinking by no means only of the so-called uncultured masses. Experience proves that it is rather the so-called "intelligentsia" that is most apt to yield to these disastrous collective suggestions, since the intellectual has no direct contact with life in the raw but encounters it in its easiest, synthetic form—upon the printed page.

To conclude: I have so far been speaking only of wars between nations; what are known as international conflicts. But I am well aware that the aggressive instinct operates under other forms and in other circumstances. (I am thinking of civil wars, for instance, due in earlier days to religious zeal, but nowadays to social factors; or, again, the persecution of racial minorities.) But my insistence on what is the most typical, most cruel and extravagant form of conflict between man and man was deliberate, for here we have the best occasion of discovering ways and means to render all armed conflicts impossible.

I know that in your writings we may find answers, explicit or implied, to all the issues of this urgent and absorbing problem. But it

would be of the greatest service to us all were you to present the problem of world peace in the light of your most recent discoveries, for such a presentation well might blaze the trail for new and fruitful modes of action.

Yours very sincerely,
A. EINSTEIN

Leon Steinig, a League of Nations official who did much to inspire this correspondence, wrote Einstein on September 12, 1932:

... When I visited Professor Freud in Vienna, he asked me to thank you for your kind words and to tell you that he would do his best to explore the thorny problem of preventing war. He will have his answer ready by early October and he rather thinks that what he has to say will not be very encouraging. "All my life I have had to tell people truths that were difficult to swallow. Now that I am old, I certainly do not want to fool them." He was even doubtful whether [Henri] Bonnet [Director of the Institute of Intellectual Co-operation in Paris] would want to publish his pessimistic reply. . . .

Einstein replied to Steinig four days later saying that even if Freud's reply would be neither cheerful nor optimistic, it would certainly be interesting and psychologically effective.

Freud's reply, dated Vienna, September 1932, has also never been given the attention it deserved:

DEAR MR. EINSTEIN:

When I learned of your intention to invite me to a mutual exchange of views upon a subject which not only interested you personally but seemed deserving, too, of public interest, I cordially assented. I expected you to choose a problem lying on the borderland of the knowable, as it stands today, a theme which each of us, physicist and psychologist, might approach from his own angle, to meet at last on common ground, though setting out from different premises. Thus the question which you put me—what is to be done to rid mankind of the war menace?—took me by surprise. And, next, I was dumfounded by the thought of my (of *our*, I almost wrote) incompetence; for this struck me as being a matter of practical politics, the statesman's proper study. But then I realized

that you did not raise the question in your capacity of scientist or physicist, but as a lover of his fellow men, who responded to the call of the League of Nations much as Fridtjof Nansen, the polar explorer, took on himself the task of succoring homeless and starving victims of the World War. And, next, I reminded myself that I was not being called on to formulate practical proposals but, rather, to explain how this question of preventing wars strikes a psychologist.

But here, too, you have stated the gist of the matter in your letter—and taken the wind out of my sails! Still, I will gladly follow in your wake and content myself with endorsing your conclusions, which, however, I propose to amplify to the best of my knowledge or surmise.

You begin with the relations between might and right, and this is assuredly the proper starting point for our inquiry. But, for the term *might*, I would substitute a tougher and more telling word: *violence*. In right and violence we have today an obvious antinomy. It is easy to prove that one has evolved from the other and, when we go back to origins and examine primitive conditions, the solution of the problem follows easily enough. I must crave your indulgence if in what follows I speak of well-known, admitted facts as though they were new data; the context necessitates this method.

Conflicts of interest between man and man are resolved, in principle, by the recourse to violence. It is the same in the animal kingdom, from which man cannot claim exclusion; nevertheless, men are also prone to conflicts of opinion, touching, on occasion, the loftiest peaks of abstract thought, which seem to call for settlement by quite another method. This refinement is, however, a late development. To start with, group force was the factor which, in small communities, decided points of ownership and the question which man's will was to prevail. Very soon physical force was implemented, then replaced, by the use of various adjuncts; he proved the victor whose weapon was the better, or handled the more skillfully. Now, for the first time, with the coming of weapons, superior brains began to oust brute force, but the object of the conflict remained the same: one party was to be constrained, by the injury done him or impairment of his strength, to retract a claim or a refusal. This end is most effectively gained when the opponent is definitely put out of action—in other words, is killed.

This procedure has two advantages: the enemy cannot renew hostilities, and, secondly, his fate deters others from following his example. Moreover, the slaughter of a foe gratifies an instinctive craving—a point to which we shall revert hereafter. However, another consideration may be set off against this will to kill: the possibility of using an enemy for servile tasks if his spirit be broken and his life spared. Here violence finds an outlet not in slaughter but in subjugation. Hence springs the practice of giving quarter; but the victor, having from now on to reckon with the craving for revenge that rankles in his victim, forfeits to some extent his personal security.

Thus, under primitive conditions, it is superior force—brute violence, or violence backed by arms—that lords it everywhere. We know that in the course of evolution this state of things was modified, a path was traced that led away from violence to law. But what was this path? Surely it issued from a single verity: that the superiority of one strong man can be overcome by an alliance of many weaklings, that *l'union fait la force*. Brute force is overcome by union; the allied might of scattered units makes good its right against the isolated giant. Thus we may define "right" (i.e., law) as the might of a community. Yet it, too, is nothing else than violence, quick to attack whatever individual stands in its path, and it employs the selfsame methods, follows like ends, with but one difference: it is the communal, not individual, violence that has its way. But, for the transition from crude violence to the reign of law, a certain psychological condition must first obtain. The union of the majority must be stable and enduring. If its sole *raison d'être* be the discomfiture of some overweening individual and, after his downfall, it be dissolved, it leads to nothing. Some other man, trusting to his superior power, will seek to reinstate the rule of violence, and the cycle will repeat itself unendingly. Thus the union of the people must be permanent and well organized; it must enact rules to meet the risk of possible revolts; must set up machinery insuring that its rules—the laws—are observed and that such acts of violence as the laws demand are duly carried out. This recognition of a community of interests engenders among the members of the group a sentiment of unity and fraternal solidarity which constitutes its real strength.

So far I have set out what seems to me the kernel of the matter:

the suppression of brute force by the transfer of power to a larger combination, founded on the community of sentiments linking up its members. All the rest is mere tautology and glosses. Now the position is simple enough so long as the community consists of a number of equipollent individuals. The laws of such a group can determine to what extent the individual must forfeit his personal freedom, the right of using personal force as an instrument of violence, to insure the safety of the group. But such a combination is only theoretically possible; in practice the situation is always complicated by the fact that, from the outset, the group includes elements of unequal power, men and women, elders and children, and, very soon, as a result of war and conquest, victors and the vanquished—i.e., masters and slaves—as well. From this time on the common law takes notice of these inequalities of power, laws are made by and for the rulers, giving the servile classes fewer rights. Thenceforward there exist within the state two factors making for legal instability, but legislative evolution, too: first, the attempts by members of the ruling class to set themselves above the law's restrictions and, secondly, the constant struggle of the ruled to extend their rights and see each gain embodied in the code, replacing legal disabilities by equal laws for all. The second of these tendencies will be particularly marked when there takes place a positive mutation of the balance of power within the community, the frequent outcome of certain historical conditions. In such cases the laws may gradually be adjusted to the changed conditions or (as more usually ensues) the ruling class is loath to rush in with the new developments, the result being insurrections and civil wars, a period when law is in abeyance and force once more the arbiter, followed by a new régime of law. There is another factor of constitutional change, which operates in a wholly pacific manner, viz.: the cultural evolution of the mass of the community; this factor, however, is of a different order and can only be dealt with later.

Thus we see that, even within the group itself, the exercise of violence cannot be avoided when conflicting interests are at stake. But the common needs and habits of men who live in fellowship under the same sky favor a speedy issue of such conflicts and, this being so, the possibilities of peaceful solutions make steady progress. Yet the most casual glance at world history will show an unending series of

conflicts between one community and another or a group of others, between large and smaller units, between cities, countries, races, tribes and kingdoms, almost all of which were settled by the ordeal of war. Such war ends either in pillage or in conquest and its fruits, the downfall of the loser. No single all-embracing judgment can be passed on these wars of aggrandizement. Some, like the war between the Mongols and the Turks, have led to unmitigated misery; others, however, have furthered the transition from violence to law, since they brought larger units into being, within whose limits a recourse to violence was banned and a new regime determined all disputes. Thus the Roman conquest brought that boon, the *pax Romana*, to the Mediterranean lands. The French kings' lust for aggrandizement created a new France, flourishing in peace and unity. Paradoxical as its sounds, we must admit that warfare well might serve to pave the way to that unbroken peace we so desire, for it is war that brings vast empires into being, within whose frontiers all warfare is proscribed by a strong central power. In practice, however, this end is not attained, for as a rule the fruits of victory are but short-lived, the new-created unit falls asunder once again, generally because there can be no true cohesion between the parts that violence has welded. Hitherto, moreover, such conquests have only led to aggregations which, for all their magnitude, had limits, and disputes between these units could be resolved only by recourse to arms. For humanity at large the sole result of all these military enterprises was that, instead of frequent, not to say incessant, little wars, they had now to face great wars which, for all they came less often, were so much the more destructive.

Regarding the world of today the same conclusion holds good, and you, too, have reached it, though by a shorter path. There is but one sure way of ending war and that is the establishment, by common consent, of a central control which shall have the last word in every conflict of interests. For this, two things are needed: first, the creation of such a supreme court of judicature; secondly, its investment with adequate executive force. Unless this second requirement be fulfilled, the first is unavailing. Obviously the League of Nations, acting as a Supreme Court, fulfills the first condition; it does not fulfill the second. It has no force at its disposal and can only get it if the members of the new body, its

constituent nations, furnish it. And, as things are, this is a forlorn hope. Still we should be taking a very shortsighted view of the League of Nations were we to ignore the fact that here is an experiment the like of which has rarely—never before, perhaps, on such a scale—been attempted in the course of history. It is an attempt to acquire the authority (in other words, coercive influence), which hitherto reposed exclusively in the possession of power, by calling into play certain idealistic attitudes of mind. We have seen that there are two factors of cohesion in a community: violent compulsion and ties of sentiment ("identifications," in technical parlance) between the members of the group. If one of these factors becomes inoperative, the other may still suffice to hold the group together. Obviously such notions as these can only be significant when they are the expression of a deeply rooted sense of unity, shared by all. It is necessary, therefore, to gauge the efficacy of such sentiments. History tells us that, on occasion, they have been effective. For example, the Panhellenic conception, the Greeks' awareness of superiority over their barbarian neighbors, which found expression in the Amphictyonies, the Oracles and Games, was strong enough to humanize the methods of warfare as between Greeks, though inevitably it failed to prevent conflicts between different elements of the Hellenic race or even to deter a city or group of cities from joining forces with their racial foe, the Persians, for the discomfiture of a rival. The solidarity of Christendom in the Renaissance age was no more effective, despite its vast authority, in hindering Christian nations, large and small alike, from calling in the Sultan to their aid. And, in our times, we look in vain for some such unifying notion whose authority would be unquestioned. It is all too clear that the nationalistic ideas, paramount today in every country, operate in quite a contrary direction. Some there are who hold that the Bolshevist conceptions may make an end of war, but, as things are, that goal lies very far away and, perhaps, could only be attained after a spell of brutal internecine warfare. Thus it would seem that any effort to replace brute force by the might of an ideal is, under present conditions, doomed to fail. Our logic is at fault if we ignore the fact that right is founded on brute force and even today needs violence to maintain it.

I now can comment on another of your statements. You are

amazed that it is so easy to infect men with the war fever, and you surmise that man has in him an active instinct for hatred and destruction, amenable to such stimulations. I entirely agree with you. I believe in the existence of this instinct and have been recently at pains to study its manifestations. In this connection may I set out a fragment of that knowledge of the instincts, which we psychoanalysts, after so many tentative essays and gropings in the dark, have compassed? We assume that human instincts are of two kinds: those that conserve and unify, which we call "erotic" (in the meaning Plato gives to Eros in his Symposium), or else "sexual" (explicitly extending the popular connotation of "sex"); and, secondly, the instincts to destroy and kill, which we assimilate as the aggressive or destructive instincts. These are, as you perceive, the well-known opposites, Love and Hate, transformed into theoretical entities; they are, perhaps, another aspect of those eternal polarities, attraction and repulsion, which fall within your province. But we must be chary of passing overhastily to the notions of good and evil. Each of these instincts is every whit as indispensable as its opposite, and all the phenomena of life derive from their activity, whether they work in concert or in opposition. It seems that an instinct of either category can operate but rarely in isolation; it is always blended ("alloyed," as we say) with a certain dosage of its opposite, which modifies its aim or even, in certain circumstances, is a prime condition of its attainment. Thus the instinct of self-preservation is certainly of an erotic nature, but to gain its end this very instinct necessitates aggressive action. In the same way the love instinct, when directed to a specific object, calls for an admixture of the acquisitive instinct if it is to enter into effective possession of that object. It is the difficulty of isolating the two kinds of instinct in their manifestations that has so long prevented us from recognizing them.

If you will travel with me a little further on this road, you will find that human affairs are complicated in yet another way. Only exceptionally does an action follow on the stimulus of a single instinct, which is *per se* a blend of Eros and destructiveness. As a rule several motives of similar composition concur to bring about the act. This fact was duly noted by a colleague of yours, Professor G. C. Lichtenberg, sometime Professor of Physics at Göttingen; he was perhaps even more eminent as a psychologist than as a

physical scientist. He evolved the notion of a "Compass-card of Motives" and wrote: "The efficient motives impelling man to act can be classified like the thirty-two winds and described in the same manner; e.g., *Food-Food-Fame* or *Fame-Fame-Food*." Thus, when a nation is summoned to engage in war, a whole gamut of human motives may respond to this appeal—high and low motives, some openly avowed, others slurred over. The lust for aggression and destruction is certainly included; the innumerable cruelties of history and man's daily life confirm its prevalence and strength. The stimulation of these destructive impulses by appeals to idealism and the erotic instinct naturally facilitate their release. Musing on the atrocities recorded on history's page, we feel that the ideal motive has often served as a camouflage for the lust of destruction; sometimes, as with the cruelties of the Inquisition, it seems that, while the ideal motives occupied the foreground of consciousness, they drew their strength from the destructive instincts submerged in the unconscious. Both interpretations are feasible.

You are interested, I know, in the prevention of war, not in our theories, and I keep this fact in mind. Yet I would like to dwell a little longer on this destructive instinct which is seldom given the attention that its importance warrants. With the least of speculative efforts we are led to conclude that this instinct functions in every living being, striving to work its ruin and reduce life to its primal state of inert matter. Indeed, it might well be called the "death instinct"; whereas the erotic instincts vouch for the struggle to live on. The death instinct becomes an impulse to destruction when, with the aid of certain organs, it directs its action outward, against external objects. The living being, that is to say, defends its own existence by destroying foreign bodies. But, in one of its activities, the death instinct is operative *within* the living being and we have sought to trace back a number of normal and pathological phenomena to this *introversion* of the destructive instinct. We have even committed the heresy of explaining the origin of human conscience by some such "turning inward" of the aggressive impulse. Obviously when this internal tendency operates on too large a scale, it is no trivial matter; rather, a positively morbid state of things; whereas the diversion of the destructive impulse toward the external world must have beneficial effects.

Here is then the biological justification for all those vile, pernicious propensities which we are now combating. We can but own that they are really more akin to nature than this our stand against them, which, in fact, remains to be accounted for.

All this may give you the impression that our theories amount to a species of mythology and a gloomy one at that! But does not every natural science lead ultimately to this—a sort of mythology? Is it otherwise today with your physical sciences?

The upshot of these observations, as bearing on the subject in hand, is that there is no likelihood of our being able to suppress humanity's aggressive tendencies. In some happy corners of the earth, they say, where nature brings forth abundantly whatever man desires, there flourish races whose lives go gently by, unknowing of aggression or constraint. This I can hardly credit; I would like further details about these happy folk. The Bolsheviks, too, aspire to do away with human aggressiveness by insuring the satisfaction of material needs and enforcing equality between man and man. To me this hope seems vain. Meanwhile they busily perfect their armaments, and their hatred of outsiders is not the least of the factors of cohesion among themselves. In any case, as you too have observed, complete suppression of man's aggressive tendencies is not in issue; what we may try is to divert it into a channel other than that of warfare.

From our "mythology" of the instincts we may easily deduce a formula for an indirect method of eliminating war. If the propensity for war be due to the destructive instinct, we have always its counter-agent, Eros, to our hand. All that produces ties of sentiment between man and man must serve us as war's antidote. These ties are of two kinds. First, such relations as those toward a beloved object, void though they be of sexual intent. The psychoanalyst need feel no compunction in mentioning "love" in this connection; religion uses the same language: Love thy neighbor as thyself. A pious injunction, easy to enounce, but hard to carry out! The other bond of sentiment is by way of identification. All that brings out the significant resemblances between men calls into play this feeling of community, identification, whereon is founded, in large measure, the whole edifice of human society.

In your strictures on the abuse of authority I find another suggestion for an indirect attack on the war impulse. That men are

divided into the leaders and the led is but another manifestation of their inborn and irremediable inequality. The second class constitutes the vast majority; they need a high command to make decisions for them, to which decisions they usually bow without demur. In this context we would point out that men should be at greater pains than heretofore to form a superior class of independent thinkers, unamenable to intimidation and fervent in the quest of truth, whose function it would be to guide the masses dependent on their lead. There is no need to point out how little the rule of politicians and the Church's ban on liberty of thought encourage such a new creation. The ideal conditions would obviously be found in a community where every man subordinated his instinctive life to the dictates of reason. Nothing less than this could bring about so thorough and so durable a union between men, even if this involved the severance of mutual ties of sentiment. But surely such a hope is utterly utopian, as things are. The other indirect methods of preventing war are certainly more feasible, but entail no quick results. They conjure up an ugly picture of mills that grind so slowly that, before the flour is ready, men are dead of hunger.

As you see, little good comes of consulting a theoretician, aloof from worldly contact, on practical and urgent problems! Better it were to tackle each successive crisis with means that we have ready to our hands. However, I would like to deal with a question which, though it is not mooted in your letter, interests me greatly. Why do we, you and I and many another, protest so vehemently against war, instead of just accepting it as another of life's odious importunities? For it seems a natural thing enough, biologically sound and practically unavoidable. I trust you will not be shocked by my raising such a question. For the better conduct of an inquiry it may be well to don a mask of feigned aloofness. The answer to my query may run as follows: Because every man has a right over his own life and war destroys lives that were full of promise; it forces the individual into situations that shame his manhood, obliging him to murder fellow men, against his will; it ravages material amenities, the fruits of human toil, and much besides. Moreover, wars, as now conducted, afford no scope for acts of heroism according to the old ideals and, given the high perfection of modern arms, war today would mean the sheer extermination of

one of the combatants, if not of both. This is so true, so obvious, that we can but wonder why the conduct of war is not banned by general consent. Doubtless either of the points I have just made is open to debate. It may be asked if the community, in its turn, cannot claim a right over the individual lives of its members. Moreover, all forms of war cannot be indiscriminately condemned; so long as there are nations and empires, each prepared callously to exterminate its rival, all alike must be equipped for war. But we will not dwell on any of these problems; they lie outside the debate to which you have invited me. I pass on to another point, the basis, as it strikes me, of our common hatred of war. It is this: We cannot do otherwise than hate it. Pacifists we are, since our organic nature wills us thus to be. Hence it comes easy to us to find arguments that justify our standpoint.

This point, however, calls for elucidation. Here is the way in which I see it. The cultural development of mankind (some, I know, prefer to call it civilization) has been in progress since immemorial antiquity. To this *processus* we owe all that is best in our composition, but also much that makes for human suffering. Its origins and causes are obscure, its issue is uncertain, but some of its characteristics are easy to perceive. It well may lead to the extinction of mankind, for it impairs the sexual function in more than one respect, and even today the uncivilized races and the backward classes of all nations are multiplying more rapidly than the cultured elements. This process may, perhaps, be likened to the effects of domestication on certain animals—it clearly involves physical changes of structure—but the view that cultural development is an organic process of this order has not yet become generally familiar. The psychic changes which accompany this process of cultural change are striking, and not to be gainsaid. They consist in the progressive rejection of instinctive ends and a scaling down of instinctive reactions. Sensations which delighted our forefathers have become neutral or unbearable to us; and, if our ethical and aesthetic ideals have undergone a change, the causes of this are ultimately organic. On the psychological side two of the most important phenomena of culture are, firstly, a strengthening of the intellect, which tends to master our instinctive life, and, secondly, an introversion of the aggressive impulse, with all its consequent benefits and perils. Now war runs most emphatically counter to the

psychic disposition imposed on us by the growth of culture, we are therefore bound to resent war, to find it utterly intolerable. With pacifists like us it is not merely an intellectual and affective repulsion, but a constitutional intolerance, an idiosyncrasy in its most drastic form. And it would seem that the aesthetic ignominies of warfare play almost as large a part in this repugnance as war's atrocities.

How long have we to wait before the rest of men turn pacifist? Impossible to say, and yet perhaps our hope that these two factors—man's cultural disposition and a well-founded dread of the form that future wars will take—may serve to put an end to war in the near future, is not chimerical. But by what ways or byways this will come about, we cannot guess. Meanwhile we may rest on the assurance that whatever makes for cultural development is working also against war.

With kindest regards and, should this exposé prove a disappointment to you, my sincere regrets,

Yours,
SIGMUND FREUD

JSC
See especially
Heineman
Speech

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9 October 1968

Enclosed are three speeches which I think you will find of interest. The first is an address by John Gardner given at the Annual Meeting of the American Bar Association in which he mentions the Lawyers' Committee. The second is a speech by Ben W. Heineman given at the Chicago Bar Association Annual Meeting. Finally, there is an address of William J. Brennan given last year on "The Responsibilities of the Legal Profession."

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ADDRESS OF
JOHN W. GARDNER
AT THE LUNCHEON OF THE
SECTION OF INDIVIDUAL RIGHTS
AND RESPONSIBILITIES OF THE
AMERICAN BAR ASSOCIATION
August 6, 1968

To this informed audience, I need not dwell at length upon the awesome problems facing our cities today -- poverty, discrimination, social disintegration, crime, breakdowns in public order, inadequate schools and health facilities, snarled transportation, air and water pollution, and outworn rickety governmental structures.

We all know the problems exist. But it's hard for people not directly involved to grasp the urgency and danger of our situation. In this day of almost total communication, we are so battered by continual reminders of the world's problems that we grow insensitive. Or we find various ways of assuring ourselves that we bear no responsibility in the matter. We may assert, for example, that the problems exist because of people who are morally less worthy than ourselves (e.g., public officials, the poor, the Establishment, black people, the Communists, the hippies, etc.). That gets us nicely off the hook.

But in truth, there are no dependable villains. If one approaches the issues in an open, objective, problem-solving state of mind, setting aside prejudices, rejecting simplistic solutions, one recognizes that we are dealing with immensely complex social forces.

All of us grew up in a simpler world than we face today. It was not a safer or saner or cleaner or better world -- whatever it may appear to have been in the golden light of memory. I can give you the social statistics for 20, 30 and 40 years ago and prove that the world then was in almost every respect more dangerous and difficult. But it was, in important respects, a simpler world.

In those less complicated days each of us could stick to his special field without disastrous consequences for the society. In fact, most of us thought that was the only sensible thing to do. The businessman stuck to his business, the professional man to his profession, and the government official to administering the limited functions of government.

The society was more loosely organized. Change proceeded at a slower rate. And in that slower, easier time, virtually no one paid attention to what was happening to the society as a whole, or to communities as a whole, or to our natural resources or any other over-arching question of the nation's future. Through our neglect, we were piling up serious future trouble for ourselves, but most of us were unaware of it.

Today our situation is radically different. The changes are coming with ever increasing swiftness. The problems resulting from those changes are both baffling and dangerous. And the evils we neglected for so many years are catching up with us.

No longer can each of us go our special ways ignoring the whole community and the whole nation. If we are to gain command of the problems that threaten to overwhelm us, we are going to need all the talent, all the leadership this nation can provide.

That talent is still not fully available today. Many of my academic friends tell me that they cannot tackle the larger problems of the cities because their first task is to be good in their own specialities and to be good professors. Many of my business friends plead that their first duty is to their stockholders. Each man crawls

into the well-upholstered foxhole of his professional speciality and assumes that someone else will tackle the devastating larger problems of the community. But no one will.

No one wants to think about the bigger tasks. So the bigger tasks go untended.

The possibilities for the lawyer interested in community service are enormous in scope and variety precisely because he brings to the assignment such extraordinary potentialities as negotiator, advocate, planner, organizer, appraiser of the legality of administrative actions, student of constitutional questions, drafter of legislation and so on.

The possible fields of interest that lie before him cover every major area of social concern -- poverty, civil rights, education, employment, health, transportation, air and water pollution, police-community relations, and housing. He can interest himself in any of a variety of groups whose legal rights have been inadequately protected, including tenants, consumers, welfare recipients, the mentally ill and juvenile delinquents.

The most readily visible challenge to the lawyer is of course to insure that legal services be available as a matter of right. The idea of legal aid is well-established. Federally-funded neighborhood legal services are now familiar and reasonably well-accepted. But we have a long way to go. If the poor are at a disadvantage vis-a-vis more affluent opponents (e.g., in the landlord-tenant or seller-buyer relationship) because they don't know their rights or can't afford skilled counsel in asserting those rights, then the law becomes an instrument of oppression.

Provision of the voluntary services of high priced lawyers is a necessary but inadequate response. Eventually, as in the health field, there will have to be innovations in the delivery of services that reduce unit cost, make better use of highly trained professionals and eliminate needlessly complicated and costly legal procedures. Such innovations might include use of sub-professionals and para-professionals, standardization of certain routine legal transactions, and so on.

Provision of legal services is the challenge that is on your doorstep. A world of even greater challenge lies beyond.

The mechanic faced with a defective carburetor can put it back in working order and stop there. Or, if he is a very gifted and imaginative mechanic, he may sit down and design an improved unit, less subject to breakdown. If he is still more imaginative, he may think of a whole new means, simpler and more efficient, for mixing air and fuel in the proper proportions for combustion.

At this critical juncture in our history, we can less and less afford to limit ourselves to routine repair of breakdowns in our institutions. More and more, we must undertake the imaginative redesign of institutions. We see in all clarity that many of our institutions are ill-fitted to cope with the tasks that the modern world presses on them. Yet we find those institutions apparently incapable of change, even in the face of savage attacks by those who would not hesitate to destroy them altogether.

Unless we are willing to see a final confrontation between institutions that refuse to change and critics intent on destruction, we had better get on with the business of redesigning our society.

And let me suggest one further requirement. It is no longer enough to overhaul an institution so that it meets current needs, to take an institution which functioned well in 1890 or 1940 and redesign it for functioning in the year 1968. The world changes with

increasing swiftness. We must create institutions and organizations capable of continuous renewal.

You are well fitted to think about these things. Our task is not simply to accomplish change. Violent revolution would be a form of change, as would nuclear holocaust. Our task is to accomplish change in a framework of order, change guided by rational purpose, change responsive to human need.

By this time it has dawned on you that I am not simply asking you to give more time to the ethics committee of your bar association or more time to philanthropic work in the community. I am asking you to remember that lawyers wrote The Federalist Papers, and lawyers drafted the Constitution. I am asking you to reflect on the fact that lawyers are probably better equipped than any other profession to think about the design of human institutions, and the process by which they are redesigned without bloodshed.

The possibilities for such redesign cover the total range of our social institutions. I'm going to mention only a few that seem to me of special pertinence to this audience.

First, modernization of our governmental institutions. We need a major overhaul of the Federal Government. The relations between the Federal Government and State and local government and the private sector are in an exciting period of transition, a period in which significant innovation is possible. The modernization of State and local government is a crying need. Issues of metropolitan area government should be receiving the attention of our ablest minds. There is for example the puzzling conflict between the clear value of local autonomy and the equally clear value of area-wide planning and government.

Second, an overhaul of our tax structure and re-examination of the allocation of resources to the various levels of government. To this audience I hardly need elaborate on the possibilities, except perhaps to say that there are anomalies in our present tax structure and allocation of resources that make solution of urban problems extremely difficult if not impossible.

Third, the design of institutional arrangements to foster participation. Grass roots participation is a healthy and growing reaction against distant and anonymous government decrees that affect one's life. It will become an increasingly formidable reality on our political scene. Both the Economic Opportunity Act and the Model Cities Act contain provisions for community participation in the administration of those programs. But the doctrine, the strategies and the instrumentalities of citizen participation are still in a primitive state. There is a major job of social invention ahead if we are to rationalize and regularize the participatory process.

Fourth, the development and operation of effective grievance procedures. Nothing is more certain than that current interest in ombudsman procedures will grow. This interest feeds on the impatience of all classes of society with the invisible processes of bureaucracy. But it is especially relevant among the poor. There is the problem of assuring to the poor the services that everyone else takes for granted, e.g. adequate garbage removal, police protection. There is the necessity to make possible for the poor the redress of grievances against the bureaucracy, e.g. in housing, welfare. The design of machinery for handling grievances is a task that calls for social invention.

Fifth, the design of planning mechanisms that will make possible comprehensive planning at Federal, regional, State, metropolitan area and city levels.

Sixth, reform in the organization and administration of the courts.

But now let me return to some matters of immediate and practical concern.

As you explore the possibilities of community service, I commend to you the efforts of the Lawyers' Committee for Civil Rights Under Law. Through its new Urban Areas Project, the Lawyers' Committee extends its scope of concern beyond the more narrow "civil rights" effort, to a broader urban effort. It is seeking commitment of lawyers throughout the country to look beyond the needs of their client, beyond even the needs of the indigent legal aid client, to the broader clientele of their fellow man -- that man who should be, but is not, receiving equal protection of just laws.

The Lawyers' Committee is organizing local committees in each city to provide an opportunity for each lawyer to make an effort within his own community to examine the quality of education, employment, court practices, and housing laws, and perhaps most importantly, to determine how the more informal techniques of the law, such as arbitration, can serve broader elements in our society. If there is a local committee in your city, I urge that you form a tie with it rather than creating a separate activity. There is already too great a clutter of unrelated efforts.

I should add that the Lawyers' Committee is closely linked with the Urban Coalition, and at this point I'd like to tell you something about the Coalition. Solving the problems of any major city today is a task that can't be accomplished by any one group acting alone or any one institution acting alone. It is a collaborative task that must be engaged in by the ablest citizens from all fields and levels of the community.

To foster such collaboration is one of the purposes of the Urban Coalition. So let me talk a bit about the Coalition.

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I would emphasize the importance of the coalition principle. The Coalition is not just another organization tackling the tough urban problems of the day. Our distinction is that we bring together leadership elements that do not normally collaborate in the solution of public problems -- in fact, we bring together segments of American life that have often been utterly out of touch with one another -- and, in many cities, are still out of touch.

Today, no one leadership segment can solve the problem alone. City Hall can't go it alone. The business community, with all its wealth and influence, can't solve the city's problems singlehandedly. There must be collaboration among all significant elements that hold power or veto power within the community.

Because of this need at the local level, our national organization set out immediately to form local coalitions. We now have thirty-three and we are planning 25 more for the immediate future. As in the case of the national, each local organization includes representatives from a variety of leadership segments in the community -- the mayor, business, labor, minority groups, and religion. We encourage the participation of other relevant elements -- the universities, the schools, the press, and the professions.

The coalition principle requires that minority groups be represented in the effort to solve community problems, and such representation is itself a step toward solving the toughest problem of all: effective dialogue between the black and white

communities. When a crisis strikes, it is too late to begin the long process of building effective channels of communication. If there is to be fruitful collaboration between black and white leaders, it must begin and be tested in a non-crisis atmosphere.

At both national and local levels the Urban Coalition will work toward the solution of all of the major problems that plague the cities today. We will try to make the public aware of those problems. We will try to bring the nation's best talent to bear on them. We will support constructive efforts to solve them.

I ask that you lend your support and encouragement to the Urban Coalition -- nationally and locally.

In closing, let me say that I'm well aware of the size and scope of the chores that I've placed before you. In order to cope with those assignments, I should like to see both individuals and firms engage in tithing with respect to the time available for community purposes. I know the difficulties inherent in such a proposal. I know that for lawyers time is money. Time is your stock in trade. I know that you already contribute to charity. You give time to your bar association, to your service as court appointed counsel, and to civic and charitable activities.

Even so, I believe that something in the nature of tithing should be tried.

I don't know whether I should try to strengthen the argument by appealing to your self-interest. One of the ablest money-raisers who ever lived said, "In approaching a prospective donor, suggest only the noblest reasons for giving. The less noble reasons will suggest themselves."

But I do not take a dim view of self-interest as a motive. Of all the things that motivate people, I find it one of the most satisfactory to work with. For one thing, it is admirably consistent. It's always there. Other motives wax and wane; it only waxes.

First of all, as every alert senior partner knows, many of the ablest young lawyers are determined to engage in some kind of significant community service. Their restlessness is not a passing mood. They know what they want. In order to hold the best young people today, the firm had better come to terms with their public service impulses. One practical means, by the way, of encouraging those young men who take seriously their responsibility to the community is for the firm to include in its periodic review of the individual's performance his services to the community.

A more fundamental point of self-interest is that the practice of law depends heavily on the framework of order and of orderly procedure that is being so directly challenged today. The legal profession cannot flourish while the society rattles to pieces. It is in the elementary self-interest of lawyers to prevent the disintegration of their society.

Now one of the great and classic weaknesses of rules for virtuous behavior is that they are very easily gotten around. Thus in tithing, some men will seek to perform their entire duty by sitting on the boards of distinguished charities of which their clients are chairmen. But I hope that many will take on the large and difficult tasks I have talked about today. If self-interest does not command them, perhaps some higher impulse will come to the rescue.

In the long perspective of history, you and I are on the stage for a very brief moment -- and then gone. I assume none of us wants it said that in our short time of effective public influence we did anything but the best we could possibly do. That is how I feel and I know it's how you feel. In the long run a man doesn't have to fear the

judgment of the world so much as he has to fear his verdict on himself. We don't want it said that in our time we trifled with our country's future, or ran away from the tough problems, or were pigmies when our country needed giants.

Maybe in the light of eternity we are all pigmies, but in our own eyes, our stature will depend on how seriously we try.

ADDRESS OF
JOHN W. GARDNER
AT THE LUNCHEON OF THE
SECTION OF INDIVIDUAL RIGHTS
AND RESPONSIBILITIES OF THE
AMERICAN BAR ASSOCIATION
August 6, 1968

To this informed audience, I need not dwell at length upon the awesome problems facing our cities today -- poverty, discrimination, social disintegration, crime, breakdowns in public order, inadequate schools and health facilities, snarled transportation, air and water pollution, and outworn rickety governmental structures.

We all know the problems exist. But it's hard for people not directly involved to grasp the urgency and danger of our situation. In this day of almost total communication, we are so battered by continual reminders of the world's problems that we grow insensitive. Or we find various ways of assuring ourselves that we bear no responsibility in the matter. We may assert, for example, that the problems exist because of people who are morally less worthy than ourselves (e.g., public officials, the poor, the Establishment, black people, the Communists, the hippies, etc.). That gets us nicely off the hook.

But in truth, there are no dependable villains. If one approaches the issues in an open, objective, problem-solving state of mind, setting aside prejudices, rejecting simplistic solutions, one recognizes that we are dealing with immensely complex social forces.

All of us grew up in a simpler world than we face today. It was not a safer or saner or cleaner or better world -- whatever it may appear to have been in the golden light of memory. I can give you the social statistics for 20, 30 and 40 years ago and prove that the world then was in almost every respect more dangerous and difficult. But it was, in important respects, a simpler world.

In those less complicated days each of us could stick to his special field without disastrous consequences for the society. In fact, most of us thought that was the only sensible thing to do. The businessman stuck to his business, the professional man to his profession, and the government official to administering the limited functions of government.

The society was more loosely organized. Change proceeded at a slower rate. And in that slower, easier time, virtually no one paid attention to what was happening to the society as a whole, or to communities as a whole, or to our natural resources or any other over-arching question of the nation's future. Through our neglect, we were piling up serious future trouble for ourselves, but most of us were unaware of it.

Today our situation is radically different. The changes are coming with ever increasing swiftness. The problems resulting from those changes are both baffling and dangerous. And the evils we neglected for so many years are catching up with us.

No longer can each of us go our special ways ignoring the whole community and the whole nation. If we are to gain command of the problems that threaten to overwhelm us, we are going to need all the talent, all the leadership this nation can provide.

That talent is still not fully available today. Many of my academic friends tell me that they cannot tackle the larger problems of the cities because their first task is to be good in their own specialities and to be good professors. Many of my business friends plead that their first duty is to their stockholders. Each man crawls

into the well-upholstered foxhole of his professional speciality and assumes that someone else will tackle the devastating larger problems of the community. But no one will.

No one wants to think about the bigger tasks. So the bigger tasks go untended.

The possibilities for the lawyer interested in community service are enormous in scope and variety precisely because he brings to the assignment such extraordinary potentialities as negotiator, advocate, planner, organizer, appraiser of the legality of administrative actions, student of constitutional questions, drafter of legislation and so on.

The possible fields of interest that lie before him cover every major area of social concern -- poverty, civil rights, education, employment, health, transportation, air and water pollution, police-community relations, and housing. He can interest himself in any of a variety of groups whose legal rights have been inadequately protected, including tenants, consumers, welfare recipients, the mentally ill and juvenile delinquents.

The most readily visible challenge to the lawyer is of course to insure that legal services be available as a matter of right. The idea of legal aid is well-established. Federally-funded neighborhood legal services are now familiar and reasonably well-accepted. But we have a long way to go. If the poor are at a disadvantage vis-a-vis more affluent opponents (e.g., in the landlord-tenant or seller-buyer relationship) because they don't know their rights or can't afford skilled counsel in asserting those rights, then the law becomes an instrument of oppression.

Provision of the voluntary services of high priced lawyers is a necessary but inadequate response. Eventually, as in the health field, there will have to be innovations in the delivery of services that reduce unit cost, make better use of highly trained professionals and eliminate needlessly complicated and costly legal procedures. Such innovations might include use of sub-professionals and para-professionals, standardization of certain routine legal transactions, and so on.

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"Tyranny of the Majority— Tyranny of the Minority"

A Speech by
BEN W. HEINEMAN,
President of Northwest Industries, Inc. and
Chairman of the Chicago and North Western Railway Company,
given at the evening session of
The Chicago Bar Association Annual Meeting,
June 27, 1968.



BEN W. HEINEMAN has had an exceptional career in law, government, and industry. Admitted to the Illinois Bar in 1936, Mr. Heineman over the next twenty years practiced corporate law and engaged in government service during World War II. In 1954, he was appointed chairman of the Executive Committee of the Minneapolis & St. Louis Railway Company, and in 1956 he became chairman and Chief Executive Officer of the Chicago and North Western Railway Company. He has served in various positions on many civic, business and educational organizations. In 1966, President Johnson appointed him Chairman of the White House Conference "To Fulfill Those Rights." In August, 1966, he served as Chairman of the Chicago Civil Rights Summit Conference on Housing. He has recently been appointed by the President to serve as chairman of the new Commission on Income Maintenance Programs to study the nation's welfare programs.

THIS is the richest society the world has ever known. In 1968 our gross national product will approach \$900 billion. The annual increase of our GNP is larger than the total product of most of the world's nations. We are probably the only nation in the world's history that has ever seriously considered eliminating poverty.

Yet—with all our resources and all our wealth—we are a troubled society. The depth and extent of poverty in this, the richest nation in the world, is a major domestic issue.

Our nation is today haunted by a spectre; the threat of violence seems to hang over us like thunderclouds on a humid afternoon: war in Vietnam; riots in the streets of our cities; the assassination of gifted political leaders who could speak—as few can—to the most disaffected of our society—these are the most obvious manifestations of the conflict, the hatred and the brutality that characterize our world, and the darker sides of us all.

A noted observer of today's youth, the Yale psychologist Kenneth Kenniston, has written, "the issue of violence to this generation is what the issue of sex was to the Victorian world." And, as later passages make clear, what he means is that violence is both tantalizing and frightening.

As an objective phenomenon, the riots in our cities are profoundly disturbing. Central to this feeling is the abhorrence any person would normally feel at looting, burning and killing. But I am afraid that for me at least it is also disturbing to hear the inevitable cry that follows civil disorders; that we are living in a time which finds the "spirit of lawlessness" rampant, that the important response is law enforcement and suppression of riots.

SUMMER, 1968

While we may indeed be living in a time of lawlessness, it is not new to our society nor alien to our traditions. We may say so—we may even like to think so—but the facts unfortunately are quite different. We do not have to go back very far in our history to find examples of group violence.

In the spring of 1932, the nation's farmers were on the verge of despair or rebellion. With a decline of one-third in national income over the previous three years, the bottom had dropped out of domestic agricultural markets. Farmers were producing at a loss, and existing on credit. The situation and the mood of agriculture was particularly desperate in the mid-western corn belt.

The farmer's most immediate concern was the threat of foreclosure. Bands of farmers gathered together to prevent banks and insurance companies from foreclosing mortgages. Vigilante committees threatened to shoot bank or insurance agents. Sheriffs, attempting to carry out foreclosures, were driven off by mobs of farmers brandishing pitchforks. And on April 27, 1932, in Le Mars, Iowa, 600 enraged farmers dragged a foreclosing judge from his bench and beat him into unconsciousness.

There was instant federal reaction to the farmers' rebellions. The Emergency Farm Mortgage Act, which provided loans to forestall foreclosure, was passed almost immediately. Within less than two years, the Farm Credit Administration had refinanced one-fifth of all farm mortgages. Later, passage of the Frazier-Lemke Farm Bankruptcy Act allowed many farmers to recover property that had previously been lost.

This historical episode may offer important lessons to us today. Under the influence of fear and in the face of circumstances threatening

basic interests, farmers turned to force to achieve their ends. To a man, they probably subscribed to our ideals of non-violence and law, but they *resorted* to violence.

What was society's response? The violence was halted, individuals were punished, but, most significantly, society recognized a situation in which men had been overwhelmed by forces they had not initiated and could not control. The foreclosure laws were seen to be designed to protect creditors against their debtors' improvidence, not to punish farmers for national catastrophes. So society—the majority—changed the laws, entering, in effect, into a new social contract with agricultural producers.

The history of urban America is particularly marked by violence and intolerance. We once thought of the American city as a melting pot, where Americans of different classes and origins met, traded, and somehow blended together. But to many—the Irishman, the Pole, the German, the Jew, the industrial worker—the city has been hard and cruel.

The Know-nothing and Native American Parties of the middle 19th century, for instance, represented violent reactions on the part of lower middle-class Americans to the first great influx of immigrants. Native American employees forced hundreds of employers to put up the sign, "No Irish need apply." Established Whig politicians encouraged violent efforts to suppress Irish or German political activities. And in the early 1840's, mobs and gangs aroused by the xenophobic anti-catholic preachings of Know-nothing street speakers often attacked the new Americans on sight.

And the American labor movement has been accompanied by violence through much of its history. According to a recent newspaper

article, 150 persons died in the railroad strikes of 1877; the Rocky Mountain mining wars took 198 lives around the turn of the century; 211 persons died in the 1934 textile labor dispute, and as recently as 1937, 10 men were killed in a strike near the South Chicago plant of Republic Steel. Here, too, society responded: the passage of the Railway Labor Act and the passage of the Wagner Act were designed to meet legitimate grievances, permit orderly change, and, by removing the causes, make violence unnecessary.

Nor is today the first time Negroes have been involved with civil disorders and urban riots. But in other periods the black man was more the object than the perpetrator of force and violence.

In the New York draft riots of 1863, Irish-Americans, enraged at being conscripted to fight in a war to free Negroes, rioted with two thousand deaths and eight thousand injuries (principally of black people) taking place within one week.

Between 1885 and 1907, all Southern States except Maryland, Tennessee and Kentucky, disfranchised Negro voters, and in the thirty year period between 1885 and 1915, there were 3600 verified lynchings in the South.

The race riots of 1919 are particularly relevant examples of urban violence.

After World War I there developed a new anxiety about the black man, as whites anticipated the return home of Negroes from the armed forces. The summer of 1919, which the NAACP called "The Red Summer," witnessed an increase in lynchings, rapid growth of the Ku Klux Klan, and the sudden widespread occurrence of race riots. By the end of 1919, 25 disturbances and 7 major riots had broken out, leaving hundreds dead

or injured, and causing property damage in the millions.

The worst of these riots occurred in Chicago between July 27 and July 31. It began when whites stoned and drowned a Negro swimmer who had crossed an extralegal boundary into a white area. Negroes then mobbed a white policeman who refused to arrest a group of whites accused of the drowning. The fighting which spread from these original incidents lasted for four days and resulted in 15 white and 23 Negro deaths.

The reactions to the Chicago riots parallel very closely reactions today. There were calls for an expanded police force, demands that the Negro be more rigidly segregated, and counter-assertions that the Negro's intolerable conditions, had—directly or indirectly—led to the riots. A riot commission composed of distinguished Chicagoans was appointed, which concluded generally that more violence awaited Chicago unless accommodations were made to Negro demands. Its recommendations were largely ignored.

I remind you that 2400 years ago Aristotle said "The universal and chief cause of the revolutionary impulse is the desire of equality, when men think that they are equal to others who have more than themselves."

The violence in our cities today is neither aberrant, nor particularly different, nor should it be surprising. Throughout American and world history, men have resorted to violence to overcome unacceptable conditions. They will do so again unless we provide other channels and means for change.

In thinking about the enforcement of laws we must never forget that it is the total law that we must be concerned with, and that

the total law is only the formalization of institutional arrangements that allow a measure of freedom and insure a standard of justice for all of our citizens.

What is too often forgotten in the demand for enforcement of laws against rioting, and the suppression of riots, is the inadequacy of the total law, creating the conditions of injustice and inequality which form the arena in which such violence and disregard of the law can take place.

We of course can not, and do not, condone riots. They must be firmly — and humanely — suppressed. But the garrison state is every bit as unacceptable as the riot-torn society.

We can not disregard the fundamental social conditions, the systematic discrimination by white people and white institutions against black people in housing, education, employment, and other key aspects of life which is a root cause of such riots. And make no mistake about the existence of such discriminations nor the irreversible effect upon succeeding generations of black Americans.

The Negro unemployment rate —irrespective of subclassification by age, job, or education—is normally twice that of whites.

Eleven per cent of the nation's whites and 40% of its non-whites are below the Social Security Administration's poverty level.

The infant mortality rate for non-white babies is 58.6% higher than for white babies.

Life-expectancy at birth is 6.9 years longer for whites than for non-whites.

In the critical skills of verbal and reading ability, Negroes fall farther behind whites with each year of school completed. Negro students are more than three times as likely as whites to drop out of school by age 16-17.

What we must realize is that the Negro sees our society in an entirely different light than does the middle-class white; he, literally, lives in a different society.

To the average white man, our society is just, equitable and affluent. He is relatively certain of gaining and keeping employment. Educational opportunities for his children are greater than they have ever been before. Health benefits, insurance schemes, and pension plans further enhance his security. He is understandably bewildered and affronted by urban violence, by charges that he lives in a sick society, or that he is a racist.

But to the Negro this is an inequitable, unjust society. When a Stokely Carmichael says, "This is a sick society, a racist society from top to bottom" the Negro understands this as fact and not as irresponsible rhetoric.

This discrepancy between black and white perceptions means that our current social debates are often about critically different issues. To the white majority the central concern is procedural: can violence be permitted in this society? The majority sees the violence in our cities as a perfect illustration of the tyranny of the minority. But to the black man, the issue is substantive: How can the society be made more just and equitable? Violence, though not generally endorsed, is understood as the response to the tyranny of the majority.

It is not strange—given these differences—that the majority and the minority reach different conclusions. To the white majority, gradual change is appealing. The cost of a violent tearing of the fabric of society is perceived as much greater than the benefits. But to the black minority, gradualism is farcical. He sees the delay as another generation of un-

justified infant deaths; as another generation of Negro children failing in school; another generation of Negro men unskilled and unemployed. The irreversible costs of delay are intolerable to him.

These differing perceptions and misunderstandings are why what seems an over-emphasis on riot control is disturbing. Not because riots should be tolerated, because they can not be. But because we misread history and neglect the reasons for violence. By miscasting our priorities we may sentence ourselves to more violence, not less; more burning cities, not fewer.

In the United States today, it is unnecessary for majorities to behave violently to achieve their goals; they more frequently act irresponsibly or tyrannically in responsible and accepted ways. Violence—the tyranny of the minority—is often the counterpart to the unjust laws, the indifference, the insensitivity of a majority that is procedurally responsible, but substantively tyrannical.

While as individuals we may see violence as the assertion of power, paradoxically it is the power of the powerless. It is the force of those who do not possess the economic, social or political influence to improve the conditions of their lives. Viewed in perspective, discrimination is a state of powerlessness. A group that suffers from systematically unequal treatment does not possess the influence to challenge successfully the forces which restrict their freedom, or which deny them justice.

After hundreds of years of collective patience, the Negro certainly has reason to doubt this nation's resolve to make good on the covenants extended to all people in 1776, in 1789, and at the conclusion of a civil war. He certainly has reason to consider law and justice as white man's sophis-

tries. He may choose to assert the only power he can.

In years past, the frustration and anger that came from being powerless was often turned inward by many black citizens of this country. Ralph Ellison's *Invisible Man*, as well as much other Negro literature, has discussed the theme of facelessness and inferiority that affects a people who were violently uprooted and transplanted to an alien and hostile culture.

Now with raised consciousness of their own plight, heightened awareness of the abundance of amenities available in America, knowledge of the promises and good intentions announced regularly by national leaders, many Negroes are channeling some of their inner anger outward in violent rhetoric, and in actual acts of violence.

As lawyers, we find this particularly hard to accept. We highly esteem the man who speaks most rationally and analytically. Our professional lives are built on the assumption that a just resolution of conflict can occur within the courts of law. We all feel anger or frustration in the midst of a courtroom battle, or in dealing with an obdurate opponent, but we admire those who are able to control it, use it for a purpose, or suppress it altogether. Many of us live in the suburbs of this city, we have in a material sense succeeded in America. In short, we live by the law, not to mention through the law.

But can we imagine what the law means to the ghetto dweller? Can we make that imaginative, subjective leap? Think of our own belief in equality and justice under law. Can we expect others, who have been oppressed, repressed and rejected to share such confidence, or to put much faith in the ways of the law?

If the life of the law is experience not logic, then from those whose experience had been one in which the law was either an angry policeman or a set of institutions which prevent them from satisfying the needs of their families, for example, through access to the job market or to the housing market, the experience of the law might logically lead them to a cynical disbelief in legal matters and in lawyers.

Should we only judge the man on West Madison Street? Must we not judge ourselves and our law as well? For it is "our law." It is not the Negro's in the same sense that it is ours.

In an era which demands great change, and which is marked by severe violence, where will the legal profession stand? Shouldn't it be actively engaged in assisting to make the law relevant to the lives of the black citizens who are asked to honor it? Shouldn't it be reoriented so that it is not a mocking symbol of false justice, but a meaningful part of people's lives, so that it gives them hope that they are not powerless in the face of degrading and debilitating conditions?

The delivery of municipal services to our ghetto community is one of the monumental problems facing city governments at this time. But equally pressing is the delivery of effective legal services to these disadvantaged areas.

What we are talking about is social change. We know it is necessary but we are unclear on the mechanisms that can bring it about. And since change involves conflict, we may hesitate over the implications for ourselves if we were to assume a role in pushing for it.

But conflict in the court and in the legislature, even if directed at powerful forces, is infinitely preferable to conflict on the streets of

Chicago. And dealing through the courts and the legislature with the causes of violence is far superior to massive suppression of the violence itself.

Thus, an essential question for all of us is: Can the law lead; can it be taken down from paneled offices on La Salle Street and made meaningful in the 4000 block on West Madison Street?

Many of the problems of Chicago's Negro poor could come within the province of this Association. Two areas where the legal profession might be of service seem particularly important. These are the evaluation and development of legislation, and the provision or coordination of legal services.

Out-moded, inadequate, or simply poorly written legislation—particularly as it affects the Negro poor—should be an area of concern for this Association. And there is much legislation in Illinois that bears reforming. The State Landlord and Tenant Codes, Consumer Protection, and the Office of the Public Defender, for instance, are logical areas for examination. It seems highly appropriate that the Chicago Bar Association carry out such examinations. Many years ago I served on the Association's Committee on Development of the Law, which we called the Committee on the Universe. Despite its name and generality, the committee recognized a social responsibility and served a useful function. I have been told that the Bar Association is now considering a committee to examine legislation affecting the poor. I want to endorse this effort very strongly.

Your out-going President, Justin Stanley, wrote on April 26 of this year, that "what is challenged is whether or not our laws are being applied with equal fairness to all of our citizens, and whether

or not our legal institutions are so designed that the goal of fair treatment is for many citizens more than a mocking ideal." The development and support of equitable legislation is one way this Association can help make these sentiments concrete.

But the Bar Association can go further. It can help to alter the legal profession's view of itself, and its approach to public service. Justice Brennan recently wrote that "the legal profession must purge itself of the inbred concepts of another day, rethink its code of practice, and reshape its internal mechanisms for meeting its public responsibilities."

Many have suggested that law firms allow and urge their members to devote a certain amount of time to "public" cases. This is now done for indigent criminals. The contribution could be broadened to include problems of community law, of poverty and discrimination, sub-standard housing in violation of the building codes. That this may involve conflict in the private field rather than with state officials should be no deterrent.

At the least, the Association could endorse these activities. But if we think of law firms as repositories of highly skilled and very scarce manpower, we might urge them to organize their public activities in as efficient a manner as possible. Why couldn't firms indicate to Legal Aid centers their willingness to take on specific kinds of cases—relating perhaps to welfare or landlord-tenant relations, or urban renewal, and then largely confine their public activities to these matters? Why couldn't the Chicago Bar Association coordinate such a program? An organized approach such as this would enable expertise to be developed very rapidly in areas of

exceptional importance, where little legal knowledge now exists.

Many other suggestions could be made, and will be made, if and as the Association studies these problems. What is important is that the Bar Association recognize—explicitly—how essential the legal profession is to the alleviation and correction of the problems of the Negro poor, and, *therefore*, the magnitude of its responsibility. If our present social institutions are to function effectively, if we are to alter inequitable conditions and meet legitimate grievances, the legal profession must commit itself to action.

Private business is beginning to commit substantial resources to problems of poverty and civil rights; the legal profession with its special competences should not lag behind.

But more is required than commitment by the legal profession. Groups such as this—men such as we—representatives, if you will, of the establishment, must communicate the transcendent urgency of the Negro's plight, and must quicken the pace of change.

The problems of education, poverty, unemployment and discrimination are indeed awesome. Much of the violence, much of the crisis in our cities, is due to the impossibility of solving them with our present social institutions. *But they can be solved.*

The richest economic system in

the world must provide the resources.

The broadest and best higher educational system in the world must provide the knowledge.

The most exciting, the most activist, university generation in recent memory must provide the foot soldiers in this battle.

But *we* must bear the burdens of leadership, *we* must make the start. Having the power, *we* have the responsibility.

Finally, we must rethink the philosophical basis of our society. We must establish a new set of agreements on how differences can be settled—a new social contract. We must seek institutions which are more receptive to nonviolent dissent than others have been in the past. We must broaden the range of meaningful participation in society's institutions. We must listen to legitimate petition, demonstration and protest.

All of this may seem extreme, visionary, naive. But compared to the alternatives, it is very conservative indeed. Riots in Watts, Detroit, Newark and Chicago, and the forcible suppression of such riots, represent one course we could choose. I am suggesting another. The choice is both real and urgent.

When making the choice, we should keep clearly before us that there are alternatives to force and to violence, but there are no alternatives to change.

[As Delivered]

ADDRESS

of

WILLIAM J. BRENNAN, JR.
ASSOCIATE JUSTICE, SUPREME COURT OF THE UNITED STATES

THE RESPONSIBILITIES OF THE LEGAL PROFESSION

LAW SCHOOL OF HARVARD UNIVERSITY
SESQUICENTENNIAL CELEBRATION

SEPTEMBER 23, 1967

THE RESPONSIBILITIES OF THE LEGAL PROFESSION

We are gathered here to commemorate the one hundred and fiftieth anniversary of the founding of the Harvard Law School. This is a great day, not only for the Law School and for the University but for the profession and the Nation as well. I shall have something to say today about the centrality of the legal profession in the public life of our country. But I would open by reminding you of what few in this audience, at least, would challenge: the preeminence of this school in the history of American legal education. Here we are on familiar ground and I will be brief. The school's beginnings were humble enough: a faculty of two, Judge Parker and Asahel Stearns, in three rooms of two-story "Second College House," launched this enterprise. Through Oliver Wendell Holmes, Jr., the law school in the Nineteenth Century remade the basic attitude of the profession toward the law: viewing it not as a system of self-enclosed and immutable logic, but as a social instrument. This insight was carried forward by the great faculty of the turn of the century: by Langdell and Thayer and Gray and Ames, and later, under Dean Pound, by the faculty of my day which included such men as Wambaugh and Beale, Scott and the Warrens, Frankfurter, Williston, and Chafee. The faculty today, under the great leadership of Dean Griswold, is less austere, perhaps, but even more attuned to contemporary challenges and to the problems and opportunities of the future. The school has not been content to rest on memories of a Golden Age—an age of giants, now legendary. After 150 years, I sense no lessening of vitality. Indeed, I am confident that the school's greatest days are still before it.

To evoke the history of this school, however fleetingly, is to demonstrate the seminal role of the law school—and

above all of *this* law school—in the continuing evolution of the legal profession in this country. There could be no more fitting occasion, therefore, to re-examine—in the perspective of the past, but with particular emphasis upon the future—the responsibilities of the profession today. This is what I propose to essay this morning.

I begin with the observation—a truism since de Tocqueville wrote so discerningly of American society in the Nineteenth Century—that lawyers occupy a strategic role in the ordering of our society. Why is this? It is not, I think, merely that the law trains one in habits of analysis which can be applied fruitfully throughout the range of social problems, or that tradition has inclined to the law individuals disposed to follow also a career in politics or public service—though these are doubtless important factors. Equally significant is the fact that governmental action that in other societies is exclusively the purview of administrators or legislators is, in America, subject also to judicial or quasi-judicial scrutiny. We have been a legalistic society from the beginning. Lawyers were conspicuous in the vanguard of the revolutionary movement and in the drafting of the Constitution, and ever since the diversity of our people, combined with their ingrained sense of justice and moral duty, has caused the society to frame urgent social, economic and political questions in legal terms—to place great problems of social order in the hands of lawyers for their definition, and in the hands of judges for their ultimate resolution.

Today, the lawyer is still the indispensable middleman of our social progress. To him men turn for advice and assistance in their private affairs, for representation in the courts and agencies of government and for leadership in public life. In truth, I think the lawyer's role is more important today than ever. The complexities of modern society are not confined to the technological and scientific spheres; they infect all phases of social organization. The intricacy and pervasiveness of the

webbing of statutes, regulations and common law rules in this country which surrounds every contemporary social endeavor of consequence give lawyers a peculiar advantage in coming to grips with our social problems. They alone—or so it sometimes seems—are equipped to penetrate directly and incisively to the core of a problem through the cloud of statutes, rules, regulations and rulings which invariably obscure it to the lay eye; I need but remind you of the high complexity of, for example, the federal civil rights, urban renewal, poverty, and social security statutes.

In threading this maze, the lawyer has inherent advantages not merely of specialized training and experience, but of detachment. He is not involved as principal in the problems that he is asked to mediate and advise on, but as an agent, and as such can afford, emotionally and intellectually, to take a broader long-term view of his clients' needs—whether the client be a private corporation, an individual or a government agency—than can the client himself.

For all these reasons, it seems to me unquestionable that the lawyer in America is uniquely situated to play a creative role in American social progress. Indeed, I would make bold to suggest that the success with which he responds to the challenges of what is plainly a new era of crisis and of promise in the life of our Nation may prove decisive in determining the outcome of the social experiments on which we are embarked.

I would remind that in past periods of acute national need the response of the profession has fallen disappointingly short. Thus did Mr. Justice Stone (as he then was) on a similar occasion in 1934 return—in the words of his biographer—"an unvarnished indictment of lawyers' neglect of public duties."¹ "Steadily," Justice Stone said, "the best skill and capacity of the profession has been drawn into the exacting and highly specialized service

¹ Mason, Harlan Fiske Stone: Pillar of the Law 377 (1956).

of business and finance" with the consequence that "At its worst it has made the learned profession of an earlier day the obsequious servant of business and tainted it with the morals and manners of the market place in its most anti-social manifestations."² The record of the profession was not, of course, entirely a blemished one in that era. As all who are familiar with this Law School and its alumni well know, the great reform measures of the New Deal were in significant part also the product of lawyers. Yet, the lesson which Mr. Justice Stone rightly, I think, drew was that a more affirmative, responsible and progressive attitude on the part of the profession as a whole might have averted the crisis which evoked those measures.

The lesson remains timely, although the critical problems today are quite different. The focus has shifted from the abuses of concentrated economic power and the vagaries of cycles of boom and bust. Society's overriding concern today is with providing freedom and equality of rights and opportunities, in a realistic and not merely formal sense, to all the people of this Nation: justice, equal and practical, to the poor, to the members of minority groups, to the criminally accused, to the displaced persons of the technological revolution, to alienated youth, to the urban masses, to the unrepresented consumers—to all, in short, who do not partake of the abundance of American life. To be sure, it is our very success in overriding the cruder privations and injustices of an earlier day—massive unemployment, rural backwardness, institutional segregation, overt police brutality—that has brought to the fore the current problems. But that they were formerly obscured by even greater wrongs does not make the remaining issues of injustice and inequality trivial or tractable. Who will deny that despite the great progress we have made in recent decades toward universal equality, freedom and prosperity, the

² Stone, *The Public Influence of the Bar*, 48 *Harv. L. Rev.* 1, 7 (1934).

goal is far from won and ugly inequities continue to mar the national promise? Much, surely, remains to be done. Lawyers obviously cannot do it all, but their potential contribution is great. Yet, it is doubtful whether the legal profession is at present fully capable of assuming, or entirely disposed to assume, the full measure of its responsibilities.

This pessimistic note may come as a surprise in light of the conspicuous role which lawyers have played in recent efforts to attack the problems I have mentioned; one need only mention, as examples, the recent burgeoning in legal aid, neighborhood legal services, and public defender activities. What these efforts reveal, however, is a growing and rather ominous cleavage in the profession. The burden of the new quest for justice has been assumed very largely (though not exclusively) by government lawyers, law professors, and young men associated with public defender or neighborhood law offices or civil rights organizations. The practicing bar has remained largely aloof—where it has not been affirmatively obstructive, as in some unduly literal and inflexible applications of the Canons of Ethics to novel methods of affording legal representation to disadvantaged individuals. Justice Stone's warning 33 years ago was prophetic: "Our Canons of Ethics for the most part are generalizations designed for an earlier era."³ Not only has little been accomplished within the profession to prepare to meet the challenge of today's problems but the obsolescence of our code of ethics and institutions has been dramatically compounded. An institutional framework designed for the service of the law's traditional clients, with their ready access to legal services, cannot now satisfy the profession's responsibility to the client born of more recent social upheaval, a task that implicates quite different and practical considerations. The profession must, indeed, purge itself of the

³ Stone, *supra*, note 2, at 10.

inbred precepts of another day, rethink its code of practice and reshape its internal mechanisms for meeting its public responsibilities. Else the dangerous cleavage between a public sector of the bar devoted to the developing issues of society and a private sector—the practicing bar—which ignores them will only widen. What I propose to focus on in the remainder of these remarks is, precisely, this problem of bridging the gap and involving, in creative and constructive fashion, the practicing bar with its manifold resources of skill, experience, money and influence, in the great challenges which confront the profession today.

Let us have no illusions that the task will be an easy one. The social and legal problems of disadvantaged and outcast groups and individuals are novel and complex for the practicing bar, not least because they involve precisely those in our society who traditionally have *not* been the clients of the legal profession as such. Moreover, the legal aid and representation that are required transcends that constitutionality mandated for the indigent in the criminal and juvenile courts, which has the most traditional sort of legal coloration rooted as it is in rights guaranteed by the Federal Constitution. Assurance of equal rights and opportunities to all will require new techniques and involve, for many successful practitioners, new areas of private law, such as consumer protection, landlord-tenant relations and general welfare law including public assistance, housing, education and training programs, child welfare services and unemployment insurance. Many of these problems will not yield to the traditional methods of solution through counseling, negotiation, or judicial or administrative proceedings. Their solution will demand the formulation of public policy in every area of life where lawyers apply their abilities, in all branches of government, with the responsibility at each level to see at the very least that all classes of men are effectively represented by lawyer-spokesmen.

Doubtless these novel forms of practice will require radical changes in our concepts and methods of the practice of the law. Thus, for example, the conflict between the newly recognized need for legal services on the part of people who cannot pay for them and our traditional concept of the lawyer-client relationship as involving a paying client without the intervention of a lay intermediary may demand revision of the Canons of Ethics. I leave such questions to Mr. Edward L. Wright who will discuss them later. Assuming that artificial barriers rooted in the seeds and conceptions of an earlier day will eventually be swept aside, we are still left with the great question of the role of the practitioner whose skills and talents have traditionally been available only to his private and paying clients. Of course, he must continue to devote his skill and talent to his private clients' interests. But he must find ways to spare some of that skill and talent for the problems of the poor. If private practitioners generally do not participate actively in the service of our Nation's goals of extending the blessings of equality and freedom to the disadvantaged, the task will devolve entirely—and with, I think, unfortunate consequences for the profession—on the growing "public bar" which has no clients in the traditional private sense.

10
The "public bar" of which I speak first became conspicuous in the 1930's, when so many young lawyers went to Washington to work for the Federal Government on the very problems that Justice Stone believed had been improperly ignored by the private bar. Since that time, government service has become an increasingly important and attractive form of employment for the lawyer, whether as a career or on a relatively short-term basis. In addition—and in specific connection with the problems of the disadvantaged—we have witnessed in recent years the development of still other forms of full-time "public" employment for lawyers. Within government itself, increasing numbers of outstanding young lawyers have gravitated away from the more traditional

legal positions of prosecutor, tax specialist and the like toward fields (about which we shall hear more later from Gary Bellows and Professor Frank Michelman) such as civil rights or the "war on poverty," international relations, the Peace Corps, and criminal justice. The institution of the law clerkship in our Federal and State courts attracts more and more of our outstanding law school graduates, usually for only a period of one year immediately after graduation, but often as an introduction to further public service. And outside the government, an increasing number of lawyers have been attracted to work in the areas of poverty, civil rights or civil liberties, on behalf of a great variety of organizations, or as members of law school faculties.

What all this amounts to, I think, is an important development in the organization of the American legal profession—the growth of a large and diversified public sector of the profession, consisting of lawyers engaged in full-time employment, on either a permanent or short-term basis, with the government or some other organization in whose service they can direct their legal training directly and exclusively to the public interest.

The reasons for the rise of this public sector of the legal profession are doubtless many. Foremost, perhaps, is the growing concern at all levels of our society with the great unfinished social business of this Nation and the idealism of our youth today. I would also suggest that the emergence of this distinct group within the bar is a complementary development to the increased specialization of the private bar and the consequently decreased capacity and willingness of private lawyers to assume public responsibilities. Lawyers in the public sector are comparably specialized in the public responsibilities of the profession. These responsibilities are, after all, hardly less complex, less demanding or less important than the concerns of business clients. Especially in view of the failure or inability of a significant segment of practicing lawyers to shoulder much of the burden, it was

perhaps to be expected that the needs of the public and the idealism of our profession would merge in the development of this large group of lawyers devoting themselves exclusively to the public interest.

How should we evaluate the rise of the public sector of our profession? What are its "external" implications for the relationship between lawyers and the public, and its "internal" implications for lawyers themselves?

So far as the public responsibilities of the profession are concerned, it is a welcome development. That a large and increasing number of lawyers are devoting their professional abilities exclusively to the public interest obviously serves that interest. The internal aspect of the rise of the public sector, however, seems to me to pose a significant problem for our profession that in the long run may have an important impact on the basic professional identity and attitudes of the American lawyer. Briefly, the appearance and growth of an important sector of the profession devoting itself wholly to public responsibilities could bring about a progressive alienation from those responsibilities on the part of the private sector, the practicing bar.

Such a schism would clearly be an unfortunate development, and not alone from the point of view of the profession. It would deprive the public of the great contributions that the practicing bar—a vast residue of highly skilled, knowledgeable and influential lawyers—could make to advancing the national goals of justice and equality. Nor would such exclusion be any real boon to these lawyers—or even to their corporate and other affluent clients. As those lawyers become increasingly removed from the social and public problems and concerns that society deems most exigent and vital, they may become narrow in point of view, unduly circumscribed by the private and parochial interests of their clients, lacking in perspective and breadth of vision. The proud tradition of our profession as one "charged with public duties and responsibilities" will be compromised.

We will become a bifurcated profession—half devoted single-mindedly to public duties and responsibilities, half concerned exclusively with private interests. And the two halves will not make a whole. Nor, I might add, is it desirable that those lawyers engaged in the public sector lose touch completely with the profession's basic tradition of loyalty and service to clients and with the satisfactions, understanding—and perspective—that result from such service.

I fear unless present trends are reversed the cleavage will harm the practicing bar in another respect. Many of the best of our young lawyers—those who are most idealistic, most concerned with the profession's public responsibilities, often those who have been attracted to the profession precisely because of those opportunities—will be increasingly reluctant to join the private sector of the profession, lest they be wholly cut off from what they consider is the most attractive aspects of the lawyer's role. Practicing law firms will find themselves unable to attract and keep the most able and imaginative young lawyers.

I think we can see this happening already. Although I have no statistics on the subject, I venture to say that our large private law firms have experienced in the past 10 or 15 years a marked decline in their ability to attract the top graduates of leading law schools. I need no better authority than the very latest issue of the Harvard Law Review. With a distinct note of exuberance the graduating editors announce that "only eight members of the Review plan to enter private practice upon graduation."⁴ All of the others have gone into some kind of public service. And whatever difficulties our large firms are now having in this regard, I should expect that they will become even greater in the next few years, as the changed emphasis in the law schools whets the desire of young graduates to participate professionally in the great efforts to eliminate our social ills.

⁴80 Harv. L. Rev. No. 5, vii-viii (June 1967).

"What we need," Dean Griswold said at the Conference of Law and Poverty held at this Law School last March, "are not narrow-minded, single-track poverty lawyers." "A fine corporate lawyer," he added, "has the background and breadth of understanding to recognize the scope of the poverty problem."⁵ I agree that the challenge to our profession will not be well met by the development of narrow-minded, single-track poverty lawyers. Even less, however, will it be met by the development—perhaps I should say, the continued development—of narrow-minded, single-track corporation lawyers. Fine corporation lawyers of breadth and background in the sense Dean Griswold intended will not emerge in a system that erects steel bulkheads between private and public practice, and even if they do their value to the public sector will be academic unless they can be involved concretely in its problems and struggles. Poverty lawyers and corporation lawyers will both remain unduly narrow-minded and single-track so long as the prevailing career patterns in our profession continue to make it very difficult to switch from one track to the other.

What we need badly and will need increasingly in the coming years are means of cross-fertilization. We should work to avoid the situation in which a young lawyer must make a permanent choice between devoting himself to private practice on the one hand or, on the other, to poverty law or other forms of service within the public sector of the profession. It should not be the case, as now it substantially is, that if he chooses private practice he can subsequently make the other choice only as an act of abnegation or, many years later when he has made enough money, as an act of quasi-retirement.

I reject the easy solution which concentrates on the public-service opportunities open to practicing lawyers on the traditional type of spare-time basis. Poverty and civil rights law, and most other important forms of public

⁵ 41 Harvard Law Record No. 7, at 7 (March 23, 1967).

(17) service, are as specialized and demanding as private practice, so that what Justice Stone described as "those occasional and brief intervals when the busy lawyer secures some respite from the pressing demands of clients to participate in the festivities of bar association meetings"⁶ are wholly inadequate to bridge the gap. What we primarily need, rather, are more and better ways to combine, within a legal career, consecutive periods of full-time service of private and public service, although I would not abandon the search for imaginative new ways by which the lawyer can serve the public interest while continuing in private practice in a more substantial and concentrated fashion than has traditionally been true of spare-time activities.

Without any pretense of complete originality, let me suggest what I consider to be some of the main channels through which beneficial cross-currents between the public and private sectors of the profession could be set in motion.

Let us consider first what is still by far the most prevalent form of full-time public-service activity engaged in by lawyers: employment by the government. To an excessive degree, the paths of government service and private practice are now distinct and, in the vast majority of lawyers' careers, mutually exclusive. There can be no doubt, I think, that shuttling between government service and private practice should be encouraged. It is good for the lawyer to have his vision broadened and his judgment enriched by direct participation in the concerns of government and close contact with the public-interest considerations that in private practice, are too often submerged. It is good for the government to have infusions of talent, fresh points of view and familiarity with private business and other aspects of national life with which career government officials necessarily tend to lose touch.

⁶ Stone, *supra*, note 2, at 11.

We need to find more ways to make this possible; and we need to remove some of the barriers that now unnecessarily prevent it. One such barrier is the undue reluctance of many leading law firms to hire, or take in as partners, lawyers who have devoted significant portions of their careers to government service—and the comparable reluctance to allow young lawyers to leave the firm to enter government service with an understanding that they can probably come back after a few years. Some of this reluctance is purely snobbery; much is the result, I think, of blind adherence to past practice and deference to the views of seniors whose own careers were formed in the day when the legal profession consisted almost exclusively of private practitioners. Of course, the reluctance is also due, especially in some large firms, to loyalty toward those lawyers who have been with the firm throughout their careers. I suggest, however, that this attitude leads to a narrow parochialism among practicing lawyers, and deprives the firm of the broader horizon all its lawyers would acquire through closer contact with the public service and the public interest.

It also deprives the firm, in many cases, of talent and skills greater than those the lawyer in question would have developed had he stayed with the firm. In certain fields of the law—for example, litigation—it seems clear that the young lawyer can obtain better training and more responsible experience at a certain stage of his career in the government than in private practice. I would by no means limit my proposition, however, to fields of government work which have a direct, “merchandisable” relevance to law practice; indeed, my concern here today is more with those fields that are not so “merchandisable.” I think private practitioners should be much more receptive to potential colleagues who have worked for the government in fields without significant substantive relevance to the concerns of law practice—fields such as foreign policy, civil rights, or poverty law. Indeed, the more “alien” the lawyer’s government ex-

perience has been from the day-to-day concerns of the firm, the broader the horizons he can open for his colleagues in the firm. It is time for our law firms to extricate themselves from the old groove and abandon parochialism and a trade-school approach to their hiring policies.

I also think that the government has been partly blame. The Federal Government, for all the thousands of lawyers it employs, and despite its obvious need for the top-flight legal talent and fresh point of view that able practicing lawyers can contribute, makes it very difficult for such lawyers to find appropriate positions. I am convinced that the number of very able practicing lawyers throughout this country who would be willing to take a suitable job with the Federal Government for a few years is much greater than the number who do so. The government should devise some way—perhaps in cooperation with a special committee of the organized bar, or perhaps through a special Presidential committee that could extend the advantages of the new system to businessmen and other non-lawyers—to put the recruitment of lawyers and other professional men for non-career service in the Federal Government on a more open and inclusive basis.

But what is also needed is a change in emphasis in the nature of the service. It seems to me that for too long the focus has been almost exclusively on the Federal Government at the expense of State and municipal and other governmental bodies. The flow of talented young lawyers to Washington that began in the 1930's, and that has continued apace through the present time, has yet to be matched by a comparable attraction to State capitals, county and regional government offices, and the like. Yet, our Country's problems have clearly changed in nature, and it now is apparent that many of them must be solved at the local and State levels if they are to be solved at all. Non-federal government service has the advantage for the lawyer, moreover, that it

can be assumed in the lawyer's own State or community, without the necessity of uprooting his family and disrupting his professional contacts by moving to Washington.

In sum, I would like to see more traffic in both directions between private law practice and positions in State and local governments and I think our law firms, our bar associations, and other government officials should exert efforts to accomplish this.

As for the problem of devising more and better ways for lawyers to serve the public interest even while they remain fully engaged in private practice, I start from the premise that the occasional dabbings of the busy private practitioner are inadequate. Nor is it enough for a law firm to take the position that its partners and associates are perfectly free to spend as much as they like of their spare time—that is, time beyond what they ordinarily devote to the firm's business—on projects devoted to the public interest. Such inadequacy in public service exists even if it is made clear—and I fear it often is not—that the lawyer may use firm facilities such as day-time stenographic help and duplicating equipment for these projects so long as he still puts in his accustomed number of billable hours on firm business. The rub is that in the real world the busy lawyer does not have those extra hours left over after completion of firm business; or, if he does, either he is then too tired to devote them to a separate project, or he finds it difficult to find a project that can be satisfactorily pursued in the random extra hours he has available, usually in the evening. It is almost impossible to meet clients, conduct litigation, telephone public offices, and so forth, in the evening.

It is preeminently true, with respect to spare-time public-service work by practicing lawyers, that if such work is to have any significant existence at all, the firm must not only tolerate it but affirmatively encourage it. Some large firms have in recent years inaugurated such

a policy of encouragement with respect to associates desiring to spend several weeks working for one of the civil rights organizations in the Deep South. The firms have allowed extra weeks of vacation for this purpose, or have otherwise made concessions without which, however public-spirited the associates might have been and however tolerant the firm, the probability is that nothing would have happened.

I might observe that to my knowledge at least a few of these firms, in announcing their new policy on this question, have stipulated that the extra weeks of vacation allowed for this work in the South were not to be regarded as a "precedent" for similar allowances for other public-service work in the future. If one were to ask my opinion, this is one case where I am wholeheartedly in favor of following precedent. Indeed, I deplore the timid and ungenerous attitude that would avoid doing so.

What is most needed, I think, is a way in which the law firm may apply the same kind of encouraging attitude—the same willingness to make concessions so that its lawyers may participate in public-service work—to public-service projects that can be performed, not once a year in Mississippi, but throughout the year while the lawyer sits at his regular desk. As indicated above, the problem is difficult. Yet the difficulties must be overcome if a viable, everyday connection is to be established between the lawyer in private practice—especially the young associate in a large firm—and the public-service responsibilities and satisfactions of the profession.

The most promising solution, so far as I can see, is to allow and encourage the young lawyer to bring his public-service work into the office and to do it, to some extent, on firm time. I would propose that firms set aside a specified proportion of their billable time—five hours a week, say—as time which their lawyers are free to devote to any public-service project of their choice. It would be expected, of course, that the lawyer would add a good deal of his own time as well; the firm would be

contributing "seed time," during the business day, without which the lawyer would probably never be able to embark on the project. I realize that in a number of cities where the system of representation for indigent criminal defendants depends on "involuntary" assignment of counsel, law firms already devote large amounts of time in similar fashion to work on assigned cases. My proposal, however, while it would include representation of indigent defendants if the individual lawyer chose to spend his "public-service time" in that fashion, would by no means be limited to that. It would comprehend any public-service project that the lawyer might choose. Our law firms can well afford to donate a small percentage of their time to the public in this fashion. In pecuniary terms such a contribution would seem minor compared to, for example, the large sums contributed to educational institutions and other charities by our business corporations.

Apart from the various techniques that might help to construct bridges between private practice and the public sector of the profession, it is obvious that bridges are no use unless traffic flows over them. In the final analysis the obligation rests on the individual lawyer, whatever may currently be his position within the profession, whether he is in a large or small firm or is an individual practitioner, to devote himself, however it may be possible, to some project involving the public interest. Every lawyer should have at any given time, I think, at least one public-service project to which he is in some manner actively devoting his professional ability. Arthur Sutherland, in the very last paragraph of his splendid Sesquicentennial History, said to this Law School:

"One imperative lesson is written in these annals. The familiar is not the necessary. What has been habitual in the law and in education for it may be deadening if it fails to accord with new demands of society. The Harvard Law School of 1869, resting on formulas devised when America was far

different, only began to prepare itself for the next half-century when the shock of Langdell's innovations awoke it to change. So for tomorrow; the School must be ready to put away former things even when these in their own time have demonstrated great value, if change all around calls for new selection of students, new fields of study and new means of studying them, new literature, new ways of testing the training given to candidates. Our universe is changing. We had better accept it changes and all."⁷

With a spirit such as this and with imaginative innovations in the organization of our profession, the American Bar too can preserve its unity and, by the contribution of all its members to the problems of equal opportunity facing America today, can once again vindicate the proud tradition, noted by Justice Stone a third of a century ago, "that we may rightly look to the Bar for leadership in the preservation and development of American institutions."⁸

⁷Sutherland, *The Law at Harvard* 369 (1967).

⁸Stone, *supra*, note 2, at 2.

Tentative outline of an article for the History and Comparative Studies Task Force of the National Commission on the Causes and Prevention of Violence.

THE AMERICAN VIGILANTE TRADITION

By Richard Maxwell Brown, College of William and Mary.

- I. The Old Vigilantism: a response to the problem of frontier disorder.
 - A. Colonial Origins: the South Carolina Regulators, 1767-69.
 - B. Eastern Vigilantism (i.e., east of the 96th meridian and mainly before the Civil War).
 1. Stemming from the weakness of local law enforcement.
 2. A response, primarily, to frontier horse thieves, counterfeiters, and lower people (ne'er-do-well poor whites). For the purpose of establishing order and stability in newly settled areas.
 3. A brief survey of Eastern vigilantism, state-by-state.
 4. The nemesis of vigilantism: many vigilante movements result in chaos and anarchy.
 - C. Ideology of Vigilantism.
 1. The 19th-century doctrine of "vigilance."
 2. The philosophical justification of vigilantism:
 - a. Self-preservation as the first law of human nature.
 - b. The right of revolution.
 - c. Popular sovereignty.
 3. Economic rationale of vigilantism: vigilantism is much cheaper and more efficient than the regular system of law and order -- a persuasive argument in economically poor and underdeveloped frontier societies.
 - D. Western Vigilantism (i.e., west of the 96th meridian and mainly from the Civil War era to the 1890's).
 1. A response to disorder in mining camps, cattle towns, and the open ranges.
 2. A brief survey of Western vigilantism, state-by-state.

The Old Vigilantism (continued)

E. Related to ^{il}vigantism: the Anti-Horse Thief Association movement.

1. Launched in the Northeastern United States in the late 18th and early 19th-centuries.
2. Area of greatest growth was from the Great Lakes to the Southwest in the late 19th and early 20th-centuries.

F. Waning of the Old Vigilantism.

1. Improved transportation (railroad, automobile) and communications (telegraph, telephone) greatly increase the mobility and effectiveness of regular law enforcement, thus lessening the usefulness of vigilantism in dealing with crime.
2. Increasingly prosperous post-frontier societies have the economic resources to support regular law enforcement.
3. Maturing of frontier societies renders obsolete vigilantism's function as an agent to establish social stability.

II. The New Vigilantism.

A. The New Vigilantism occurred mainly between the Civil War and World War II. It arose largely as a response to the problems of an emerging industrial, urban, ethnically diverse America.

1. San Francisco Vigilance Committee of 1856: a transition from the Old to the New Vigilantism.
2. Quasi-vigilante movements: 1st and 2nd Ku Klux Klans, White Caps, Bald Knobbers (Missouri), Night Riders (Kentucky and Tennessee), etc.
3. Vigilante attacks on minority groups and unpopular Americans: Catholics, Jews, immigrants, Negroes, industrial workers, labor organizers, free thinkers, political radicals, etc.
4. Waning of the New Vigilantism.
 - a. In the 1930's and the World War II era ethnic and cultural pluralism and the effects of the New Deal combine to produce a socially diverse but unified America.

The Present Danger: vigilante tendencies of the 1960's.

A. Urban and racial disorders and cultural and political anxieties threaten a new wave of vigilantism.

1. Quasi-vigilante movements in the cities (Hasidic Jewish movement in Crown Heights, Brooklyn; North Ward Citizens Committee in Newark; etc.), Deacons for Defense (Negroes in the South), the Minutemen (extreme right-wing), etc.

Appendix A: a line-by-line listing of all American vigilante movements known to the author.

needs to study mechanism
of how an alteration leads to
crowd formation and then to violence - form
spontaneous to organized
June 18, 1968
to draw in
spontaneous
acts of violence

SCHEMATIC OUTLINE OF COMMISSION WORK PROGRAM

1. DEFINE. Define Types of Violence to be Studied.

a) Attacks on politically prominent persons: assassination and other physical attacks on and threats against (or other expressions of disrespect for) public officials and others in positions of authority or prominence;

b) Group violence: violence of all types associated with activities of formal and informal groups (e.g., city riots; Klan or gang-type attacks; forcible entry, obstruction, and destruction of property in connection with mass "protests" and similar activities). *relationship between spontaneous & organized*
inspirational: preorganized: preparatory
spontaneous *political or public interest*
subpublic - hump gangs

c) Violent private crimes: violent acts against private persons and property committed by individuals or small ad hoc groups (in particular, murder, rape, robbery, assault, burglary, arson). *"fights"*

2. MEASURE. Make Quantitative Measurement and Historical Analysis of Each Major Type of Violence.

- a) In U. S. since colonial days.
- b) By comparisons with other modern societies.
- c) By comparisons among distinguishable groups and areas in the United States.

3. EXPLAIN. Examine the Hypotheses Advanced to Explain Each Type of Violence and Any Recent Growth in Intensity.

- a) Historical Explanations (nation created by revolution; slavery; frontier and immigrant societies).

conversion through time

and cultural
b) Sociological/Explanations (racial, economic, and political factors - e.g., racism of all kinds; poverty, urbanization, revolutionary ideologies; family, church and community structures; institutional inertia). *over crowding in housing and consequent crowding of streets*

c) Psychological and Physiological Explanations (family factors - e.g., "mother dominance," permissiveness; psychic conditions - alienation, guilt, despair; mental derangement - insanity, drugs, alcohol). *social, occupational etc position of performers of violent acts*

d) Specific Hypotheses - For Example

1. Correlation, if any, with factual and fictional accounts and presentations of violence in television, motion pictures, newspapers, and other media.
2. Correlation, if any, with war and military training.
3. Correlation, if any, with degree and character of law enforcement and activities of legal institutions generally, including courts and legislatures.
4. Correlation, if any, with particular political, racial or social ideologies.
5. Correlation, if any, with per capita number of guns and various degrees of gun control enforcement.
6. Correlation, if any, with increasing individual mobility and freedom and weakening of family and community ties.

4. CONTROL. Consider Specific Measures to Contain or Deter Violence.

- a) Federal and local gun controls limiting right to possession and licensing manufacturers and importers of firearms.
- b) Increased protection of public figures.
- c) Intensified and improved police activities (surveillance, prevention, apprehension).
- d) Improved court procedures and penalties.

5. CURE. Consider Measures to Reduce or Eliminate Significant Factors in the Release of Violent Impulses.

For example, assuming but not deciding that the following factors are significant:

- a) Early detection and treatment of potentially violent individuals.
- b) Better sentencing policies and post-conviction treatment for convicted criminals, especially juveniles.
- c) Reducing mass media stimulants to violence.
- d) Mass education on the superiority of law to violence, balance between authority and liberty, etc.
- e) Reducing violence-inducing pressures by mitigating grievances and providing constructive participative outlets.
 - 1. Alleviating socio-economic conditions which may give rise to violence.
 - 2. Strengthening family and neighborhood political, social and religious institutions.

3. Revamping the structures of authority
(government, schools, churches, law enforcement)
to provide for more direct individual participa-
tion in decision-making at all levels, by voters,
students, etc.

*Need for
better
public means
for meeting
authority*

4. Other concrete measures designed to
restore (or confirm) public faith in ability of
democratic institutions to correct injustices
and reform themselves continuously by peaceful
means.

Individual peccaminous are
drawn into the pandemonium
organized collective violent
actions.

Minute Men
Conspiracies.

The 'frisky' part of truth -
unemployed ^{unemployed} irregularly
employed ^{unemployed} shell-shocked flotsam
and jetsam of society (Ray,
Oswald, Sultan)

Need to emphasize the many dimensions
of the phenomenon and that no single action
will solve the problem. No! just weapons control,
not just increase and improvement of police,
not just dealing with "fundamental" or
root causes. (In fact the fundamental
causes will be the most difficult to deal
with

Policy:
I. Weapons A Greater restraint on sale of weapons
Weapons should be sold by state
authorities on license and
after obtaining of a permit
which must be renewed
annually. [State border.*

* Subject to Federal
Control & inspection

This will entail buying up
of private weapons ~~and~~
(~~for~~ sale if not produced
by compensation of new
business owners)

The National ^{retail} weapons market
should be carefully inspected
every six months to check
stocks against recorded
sales

B. The ~~disposal~~ ~~of~~ ~~the~~ collection
of existing weapons. By call for
turning them in; by cash payment
by confiscation; by raid on
gangs or headquarters where they
are known to be concentrated (by
search & seizure)

C. Control of manufacture and
wholesale distribution of weapons
Careful control over ~~the~~ where
they go - to retail outlets

Police

II Strengthening of Police.

A Increase numbers, need for situations
better remuneration ~~and pay~~
better use for protection of life &
property - instead of traffic
control: prostitution
and gambling & narcotic
addiction control
so that more police can be
available for criminal control
of crime

B Improve quality
better recruits (through better
remuneration and making
work less dangerous than
diminution of danger
better training
- avoidance of provocative
action
- alternatives to shooting

III

Absorption of unemployed labor
by job training and absorption
into industry

by absorption into municipal
services: refuse collection

: Street maintenance

: house repairing.

: rodent & vermin control

: park maintenance and
policing.

[More money needed by
municipalities]

File
TF#7

NATIONAL COMMISSION ON THE CAUSES AND PREVENTION OF VIOLENCE

October 17, 1968

Mr. Thomas Rose
Department of Sociology
Federal City College
425 Second Street, N. W.
Washington, D.C. 20001

Dear Mr. Rose:

Intra-Commission communication being what it is (slow), I received and read today your paper on "Violence as Political Control and Revolt." It makes a number of important points that are being examined in the report of this Task Force, among them the high level of offensive and reactive violence in American history and the contingent cultural justifications for it; the spiralling nature of threat and counterthreat, violence and counter-violence in internal conflict situations; and the critical requirement that grievances must be resolved if violent conflict is to be minimized. The essays shown on the enclosed list will appear in our final report, with extensive introductory and concluding essays. Taken together, they provide coverage of much that is included in your paper. I would like to keep your paper, with the possibility of referring to it in our summary report; there seems no prospect of this Task Force using it in its entirety, however.

Your interest and patience is appreciated, and I personally wish you the best of luck with your work.

Sincerely yours,

Ted Gurr
Assistant Professor of
Politics, Princeton University
Co-Director, Historical and
Comparative Perspectives
Task Force

Enclosure

CC: James Campbell ←
Jim Short

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Jim Campbell

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Rapporteur's Revision of Transcript
July 18, 1968

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TF#7

Report of Professor Ted Gurr, Political Science, Princeton University, to the National Commission on the Causes and Prevention of Violence.

I am reporting for the group which appears on the agenda as the history seminar. The discussion leader, Professor James Wilson of Harvard, could not be here today. I should point out that our group was more diverse than its name suggests. Several of us, including myself, are political scientists, several are historians, and there were an economist, a psychoanalyst, and a lawyer on the panel also. Because of this diversity, there was a diversity of viewpoints suggested. Several of the people were primarily concerned with individual violence, but most were concerned with collective or group violence, so most of the things I have to say this morning are applicable to group rather than individual violence.

One of the questions we discussed was what kind of contribution historians and people doing comparative studies might make to the Commission. One such contribution is that we can identify, at least to some extent, the patterns and characteristics of violence in the United States in the present era compared with their characteristics in previous areas and by comparison in other societies today.

It was pointed out that contemporary group violence has ~~some parallels with violence historically initiated by or~~ directed at immigrant groups, but is substantially different

from chronic labor violence in the late 19th and early 20th century. The comparative evidence is that the United States has had more collective disorder in the early and mid-1960's than many other societies but not as much as some. About ten nations, including several Western ones, have had proportionally more turmoil than the U.S. in this period. About 40 out of 114 have had proportionally more civil strife of all kinds, taking into account revolutionary movements and conspiracies as well as riots and demonstrations.

While this kind of comparison may provide some comfort, it does not provide a great deal in the way of explanation.

The second kind of contribution that historians and comparativists can make is to provide part of the evidence and data that can be used in testing some of the general explanations and some of the specific hypotheses that are suggested for individual and collective violence. Some of the questions that were raised yesterday are: is violence most likely to occur during a period of rapid social change? The general answer seems to be yes. We have a good deal of evidence that can be examined to specify a little more precisely what kinds of social change involve violence and what kinds of groups affected by social change are most likely to participate in violence.

Other kinds of questions are: How strong is the relationship between the existence of subordinated groups and classes in a society and violence? How have societies in the past resolved collective violence? The panelists

would not suggest that we have anything like final answers to these kinds of questions, but we do have some of the information and some methods for getting better answers than we have now.

Insofar as explanations of violence are concerned, there were three kinds of approaches to the explanation of violence that were discussed by this group. First are the explanations that center around deprivation and frustration and discontent, the argument here being that individuals and groups are not likely to strike out violently or to rebel unless they are substantially discontented--not discontented in absolute terms, but by reference to their own expectations. The basic relationship is that the more intense an individual's discontent is, the more likely he is to act violently. In a group situation, the more intense discontent is, the more extensive the violence is likely to be. It was pointed out by several panelists that such discontent or deprivation arises not only from a sense of specifically economic deprivation, but also from violation of people's desires for self-respect, status, or political participation--from, in effect, violation of individual and group pride.

The second kind of explanation that was discussed is that people resort to violence to the extent that they think it can be successful. For people who want to defend what they have and for those who want more than they can get,

violence can appear to be a promising technique for defending their position or improving their position. For people who lack pride or feel their integrity threatened, violence, according to some arguments, can be a way of asserting their individuality. When people see others engaging in violence successfully, this can be taken as a cue that violence is justifiable for them.

A third kind of explanation is that violence occurs when the control systems of society break down, when social institutions weaken, when respect is lost for government, when the police and the judicial system become inconsistent in exercising sanctions.

None of the panelists would suggest that these are mutually exclusive explanations. I think they are all complementary explanations. No single factor except for our "humanness" itself can account for violence. I do think that the most fundamental of these explanations is the relationship between discontent, or deprivation, and violence: people who are discontented are inherently disposed toward violence. In addition, if they think that violence is justified and has a chance for success, and if institutional controls are weak, then they are quite likely to resort to violence.

With reference to the question of institutional control, it was pointed out that there is some evidence that people

lose their respect for established institutional patterns such as the law when they are extremely discontented. Discontent tends to come first; disrespect for the system that fails to remedy it follows. This is not universally the case but it is a common pattern.

Another question we considered was what kinds of information, what kinds of data, can be used to examine patterns of violence and to evaluate various explanations. I will review these informational issues very briefly.

There was a feeling that the data we have on ghetto disorders are extensive enough so that quite a bit of additional analysis can be made of them.

Attention was also directed to variations in rates of homicide and other kinds of aggressive crime. One difficulty with much of this data is that they are not particularly reliable, especially for other nations, but that they can be generally useful for the kinds of historical analysis we are concerned with.

Thirdly, there is information on historical patterns of collective violence in the United States. General information on these patterns can be gotten--information that is more reliable and more useful than historical information on individual violence. Collective violence, it was pointed out, was common among three kinds of groups in America: immigrant groups; secondly, among participants in industrial disputes (and incidentally, one member of our

panel, Professor Taft, mentioned that he had information on most acts of labor violence in the United States that have occurred since the 1870's); and thirdly, there was, especially in the eighteenth and nineteenth centuries, a great deal of violent resistance by frontier groups to expansion of governmental authority. This area is subject to an increasing amount of scholarly investigation.

Finally, a fourth kind of information for the Commission is evidence on the patterns of collective violence in other societies, now and in the past. There is considerable data on the kinds, levels, motivations, and group participation in collective violence in other societies of the modern world--not enough, perhaps, but a good deal of it.

There also is some data on strife in a few countries in past eras. There have been some studies of the patterns of urban collective violence in France in the 1790's. We know that in England and in France in the seventeenth, eighteenth, and nineteenth centuries, there were hundreds of food riots, grain riots, machine breaking riots. We know something about their causes. In the case of England, historians can tell us something about the conditions that eventually led to the resolution of the problems, and the elimination of this kind of collective protest.

All this data can be used both to provide us with some kind of perspective on the levels and kinds of violence in the United States today, and to test some of the explanations

suggested for its causes. There was some concern among the panelists that the Commission might limit itself primarily to the cause of black violence. It was pointed out that individual and collective violence are pervasive American problems. The assassins of the Kennedy brothers and Martin Luther King were not black. Of the three or four hundred people arrested each year for making threats on the life of the President, very few are black. Student demonstrators and mothers demonstrating against school bussing are not black. Violence is an integrated problem and deserves integrated examination of explanations, causes, and cures.

One other question that we discussed was what role historians and comparativists might play in a fairly specific sense in the Commission's work. As I suggested, we can test some of the proposed explanations against existing data. I should emphasize again that there are some data, not a great deal and not accurate enough, but there are enough to begin with.

Quite a different kind of proposal was made by several historians among us. They argued that historians can serve best as individual scholars and suggested that the Commission consider appointing one or two to do interpretive background papers on American history and character. They argued that the exercise of individual scholarship might provide a better and more integral account than collective Committee scholarship alone. I

am not going to pass judgment on that suggestion, but simply pass it on to you.

It was also suggested that there was considerable information on threats and attacks made on political figures and on other prominent individuals in American history and in the contemporary era, for example, threatening letters to the President. Some good systematic studies could be made of the motivations of the kinds of individuals who make these threats and assaults.

Finally, it was mentioned that there was a good deal of information on urban disorders in the United States, for example, in the Kerner Commission Report, that could be subjected to productive additional analysis.

On the question of prevention of violence, I think most of the panelists would agree that the information we have is more directly useful for telling us about the patterns of violence and suggesting what some of its causes are than for telling us about its prevention. Several men on other panels suggested that cures can be sought and found even if we do not understand causation. But few would disagree that the best cures are those based on an understanding of causes. If causes are not understood, attempted "cures" can make the problem worse.

The supposed effectiveness of force in controlling ~~group violence provides an illustration. There is historical~~ and comparative evidence that the more force that is applied

to discontented groups, the more violent their resistance becomes. If they are angry enough to think that violent protest is justified, then applying intense, inconsistent force to them makes them even more angry and less respectful of the system that does so. Violence can be repressed by extraordinary force in the short run. If the underlying discontent that caused violence is not remedied, however, the long-range consequence is not riot but attempted revolution, as in Russia in 1917, Hungary in 1956, and the Dominican Republic in 1965.

All the kinds of explanations that were considered yesterday do have implications for prevention. For example, if deprivation or discontent is the primary cause of collective violence, and for common kinds of individual violence, then eliminate it, or at least provide discontented groups with the capacity to improve their lot short of violence. Some specific suggestions applicable to urban violence were that greater effort be made to break down patterns of residential segregation, and that greater authority and resources be given ghetto leaders so that they have a sense of potentiality for reducing deprivation.

If justifications for violence and expectations about its success are a major cause, then the American glorification of violence should be minimized, beginning with changes in ~~educational emphasis and reduction of aggressive messages in~~ mass communication content. This point was only briefly

mentioned. I know of suggestive survey evidence that Americans are much more tolerant of violence and more likely to think that it is justified than people in other Western societies. For example, 40% of white Americans interviewed in an upstate New York community said they would join a movement to overthrow the federal government if its laws became very unjust and harmful. By contrast, less than one-half of one percent of French-Canadians interviewed in 1963 thought violence was an acceptable means to separatism, although about 40% wanted separation. There also are substantial differences in individual violence among groups in American society, it was pointed out. White Southerners are much more likely than white Northerners to commit murder, for example, and black Americans more likely than whites to commit murder.

If weakened institutional control is an important cause of violence, then new and more effective institutional alternatives to violence should be created. Our systems of police and judicial control should be made more efficient and equitable. It was pointed out that there are and always have been a great many "lunatic fringe" groups in the United States and that many acts of individual political violence have been committed by their members. One implication is that existing institutions of political participation are not broad or flexible enough to permit these people to participate.

There is no implication in these suggestions that the panelists consider themselves competent to tell the Commission in any detail how violence should be prevented. We do feel we have some information on means that should help the process.

In conclusion, I should like to emphasize what many panelists pointed out yesterday, and that is that we do not know nearly enough to answer these questions fully: the information is not adequate in a scholarly sense, and it is certainly not adequate enough for a Commission that has the obligation of recommending public action.

My own suggestion that arises out of this very common sentiment is that the Commission give some serious attention to establishing an agency whose purpose is to carry on the tasks of this Commission after it disbands. I foresee three kinds of tasks such an agency could carry out:

First, to study the causes of violence in this country and elsewhere;

Second, to report its findings to the public, to Congress, and to agencies in the executive branch; and

Third, to make periodic recommendations for public and private action to alleviate violence.

I have taken the liberty of making some recommendations that go beyond what the panel suggested yesterday, and may have passed over some of the panelists' points too lightly. I hope some of them will fill in the gaps for me this morning.

August 16, 1968

Dear Ted:

Enclosed is the draft outline of some of the issues which might be covered in a historical and comparative survey of violence. An earlier version of the same memorandum has also been sent to Hugh David Graham.

We look forward to seeing you on the 27th. I will be here all next week, if you would like to telephone or come down for a visit.

Sincerely,

Lloyd N. Cutler

Professor Ted Gurr
Center for International Studies
Princeton University
108 Corwin Hall
Princeton, New Jersey

P.S. Also enclosed is an interesting article by Professor Brogan.

August 16, 1968

SOME ASPECTS OF A HISTORICAL AND COMPARATIVE SURVEY OF VIOLENCE

1. We want to measure the present volume of political acts of violence and non-political assaultive crimes against the available data on the number of such acts and crimes at other times in our own history and in the past and current experiences of other comparable nations. This may help us to determine whether we have become a more violent society than other cultures or in our own past.

2. If we can identify past periods or current cultures that appear significantly less violent, we want to identify factors (e.g., rapidity of social change, governmental responses, availability of weapons, etc.) that may explain the difference, and we want to test the validity of any such explanations.

3. We particularly want to identify past or current social situations that have a good deal of similarity, and that were resolved with a low incidence of violence in one set of social circumstances and responses and a high incidence of violence in another. If we can find such cases (e.g., 1785-1815 in Great Britain and France; current rates of assaultive crime in Europe and the United States; the first decade of independence in the Ivory Coast and Nigeria), we want again to identify and validate factors that may explain the difference.

4. We particularly want to examine the historical and comparative validity of a number of widely held theories:

a. That violence by those seeking social changes is a necessary and causative factor in the process of achieving their objective (e.g., would slavery have been abolished without the Civil War; would ghetto or campus reforms have been achieved without the Newark, Detroit, Berkeley and Columbia disorders?).

✓ Are there good historical and comparative examples of cases in which violence by those seeking social change defeated or greatly delayed their objectives (e.g., the slave rebellions, the Hungarian revolution of 1956, the ELAS movement in Greece, the postwar Communist riots in Western Europe?). If so, what explains the differences in result? Can we demonstrate by history that violent protest is a very dangerous form of protest, and that the quantum of violence which may succeed in winning favorable action by the white majority may come within a razor's edge of the quantum that may elect George Wallace instead?

b. That forceful repression of violent group outbursts will prevent such outbursts from occurring,

and that responses or "concessions" in the direction of social change will "make violence pay" and encourage additional violent outbursts. Hoffer. Are there good historical and comparative examples in which forceful repression unaccompanied by "concessions" toward social change ultimately resulted in even more violent outbursts and greater social changes (e.g., the decade preceding the French Revolution, the Russian Revolution, and the Civil Rights Movement in the South, the history of labor-management relations in the U.S.?). Are there examples of comparable cases where a judicious combination of law enforcement and "concessions" toward widely supported social change resulted in significantly less violence (e.g., the British experience during the French Revolution, the decolonization of the British Empire as compared to the French and Dutch Empires)?

c. That the pace of social change substantially affects the incidence of accompanying violence. Are there historical or comparative examples to support any of the following propositions:

- i. That we have race-tension violence because we have permitted social conditions for blacks to improve too rapidly?

ii. That we have race-tension violence because we have not permitted social conditions for blacks to improve fast enough?

iii. That we have race-tension violence because the pace of improvement of social conditions for black people has been uneven?

d. That the incidence of assaultive crime is directly and causatively related to the incidence and depth of poverty among both the perpetrators and their victims. Are there good historical and comparative examples of poverty-stricken but peaceful areas of the U.S. or foreign cultures (e.g., prewar Japan)? If so, can we identify special factors, irrelevant to our own circumstances, that may explain the difference? Can we posit a definite and significant relationship between poverty and violence? Can we assign this relationship a higher value than any other?

e. That the incidence of assaultive crime is directly and causatively related to racial or ethnic origin and cultural patterns. Is there historical and comparative evidence that identifies violence more closely with poverty cultures (e.g., Wolfgang's Subculture of Violence) than with racial or ethnic cultures (e.g., machismo, the Mafia, etc.)? Can we point to peaceful

Black or Latin societies (past or present) and to violent Nordic ones (Past or present)?

f. That the incidence of assaultive crime is inversely and causatively related to the resources a society invests in law enforcement and the respect of the public for the law enforcement system. Are there historical or comparative examples of more peaceful societies which invest greater resources in law enforcement and induce greater respect for the system? Are there any episodes in which a given society increased its investment or achieved a higher degree of respect and thereby reduced the incidence of assaultive crime?

LNC

INTERPLAY AUGUST/SEPTEMBER 1968 (15 AUG)

Murder, Incorporated or the Last, Best Hope of Earth?

D. W. BROGAN

On the morning of Robert Kennedy's funeral, I was visiting a doctor for a checkup. Naturally, we talked of the murder and the mourning. I expressed the view that much of the mourning was bogus, for Robert Kennedy was much hated as well as much loved. But, I added, the refusal of the Congress to do anything serious about gun control shocked me more. The doctor agreed: "The murder of Senator Kennedy fills me with less alarm than the behavior of the surviving senators." And there is surely something odd and alarming in a country where the most august legislative body, more than four years since the murder of John Kennedy, in the wake of two great political murders that the rest of the world thinks justify anger and fear among the neighbors of the most powerful nation on earth, passes bogus legislation and justifies it on grounds that leave only two possible theories standing: American senators (in the majority) are very stupid or they are totally irresponsible and really regard murder as, if not quite a recognized sport, at any rate nothing to get very excited about. It is not too important whether they are giving way under the pressure of the arms lobby and the National Rifle Association or whether it is simply that they really don't think human life very important, even the life of another senator, compared with the constitutional right of every American he-man (and he-woman, a point not so frequently made) to acquire, easily and cheaply, the dangerous weapons that, the President has just told an unattentive Congress and possibly a basically unattentive nation, have killed 750,000 Americans in this century, more than the number of Americans killed in all American wars. (I think that this is, in fact, an exaggeration of a sufficiently vile situation; but even if the commercial industry of murder has not quite surpassed the nationalized industry of war, its record is sufficiently impressive and is noted by a world that is less and less willing to trust the American government—or the American people—with any weapon more serious than a toy bow and arrow.)

At the moment, the world is fearful that the realities of American life are the 8,000 murders reported each year, most of them performed by guns, more real than all the prayerful invocations of the Declaration, the Bill of Rights, the memory of Lincoln.

isle s.)

But moral indignation is not enough. What is it that makes—and for long has made—the American domestic record so lawless and bloody? That the record is bloody and lawless cannot be denied.

One explanation there is—and it is highly paradoxical. For much of the increasingly evil tradition of violence has its origins in an almost Edenic simplicity in the early colonies. First of all, the colonists were mainly English, not "British." That is, they came from a country in which domestic order was maintained by amateurs, with little or no central control and with a confidence that internal peace could be kept by mutual support for the law. It was the rupture of this domestic peace in the Civil War that made that admirable Puritan poet Andrew Marvell lament that even the victory of his side could not restore that

dear and happy isle,
The garden of this world erewhile
and led him to fear that
unhappy can we never more
That sweet felicity restore.

That the England of King Charles I was not necessarily "dear and happy" for the mass of men on whom the burden of government fell with few of its rewards has recently been shown by Carl Bridenbaugh in his *Vexed and Troubled Englishmen*. But the unfortunate minor officers like the constables and their betters, like squires and justices such as Adam Winthrop of Groton, had an expensive training in the maintenance of order. The order was imperfect. Later, harassed travelers might envy the kind of order imposed on the French roads by the *maréchaussée* (the ancestor of the present *gendarmerie*), or even wish that there was a force like the *archers* whom we encounter enforcing law in Molière's Paris; but it was this largely unpaid, if not quite voluntary, system of keeping the law that was exported to the English colonies.

Of course, order, even in the Holy Commonwealths of Plymouth, Massachusetts Bay, Connecticut, Pennsylvania, was not always effectually enforced. In ports like Boston, New York, even Philadelphia, there were the normal disorders brought in by sailors and longshoremen, with their doxies and their smugglers. Yet the governing class had few material means of imposing order, and the recourse to imperial power, by the importation of British troops after the conquest of Canada, was more irritating than effective. But the admiration that visiting foreigners felt for the idyllic little republics was not entirely bogus nor were the visitors necessarily uncritical or hoaxed.

When we turn to the South, we come to a different society. First of all, there were no cities, few real towns. There was neither the town system of rural New England nor the prosperous little cities like Providence or New Haven. This meant that there was less of the sys-

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At the moment, the world is fearful that the realities of American life are the 8,000 murders *reported* each year, most of them performed by guns, more real than all the prayerful invocations of the Declaration, the Bill of Rights, the memory of Lincoln.

This is the reaction of a British subject who, being of Irish ancestry, does not believe that violence never settles any questions (it settled the Irish one for a long time); it is the reaction of one who has spent a very large part of his adult life in the United States and yet has been oppressed, long before the second Kennedy murder, with the fear that the inheritance of violence, more *damnosa* than ever, was increasing; that the representative example of "the American way of war" was not Gettysburg or D-Day but Hiroshima; for are we sure it is merely an accident that the most domestically murderous nation in the world was the first—and only—nation to drop the atomic bomb?

Perhaps the average American, who has some responsibility for what his chosen rulers do, will impose some sense on Congress, will effectively condemn the arms lobby to national hatred and contempt and will begin to ask why American life is so soaked in violence.

The not very profound national stock-taking is under way. (We have had over the last five years so many American national stock-takings that one comes to regard the Capitol as a kind of store with a perpetual fire sale going on. And it is surely ironic that, after belated legislation on truth in advertising and lending, the one phony set of salesmen left unhampered by the law are the nation's leg-

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Of course, order, even in the Holy Commonwealths of Plymouth, Massachusetts Bay, Connecticut, Pennsylvania, was not always effectually enforced. In ports like Boston, New York, even Philadelphia, there were the normal disorders brought in by sailors and longshoremen, with their doxies and their smugglers. Yet the governing class had few material means of imposing order, and the recourse to imperial power, by the importation of British troops after the conquest of Canada, was more irritating than effective. But the admiration that visiting foreigners felt for the idyllic little republics was not entirely bogus nor were the visitors necessarily uncritical or hoaxed.

When we turn to the South, we come to a different society. First of all, there were no cities, few real towns. There was neither the town system of rural New England nor the prosperous little cities like Providence or New Haven. This meant that there was less of the system of mutual observation and support. (It was the absence of the New England "town" that Jefferson most lamented in the political system of Virginia.) Moreover, there was still an open frontier. That the Puritans could be ruthless and exultant like the Jews in the conquest of Canaan is true enough. King Philip's War showed that. But it was on the Pennsylvania frontier, away from the smug Quaker farms and merchants of the maritime counties, that a tradition of violence was imported by the rebellious settlers whom it is now fashionable to call "Scotch-Irish." They were then simply called "Irish," which was often a general term of abuse, and they had better be called Irish (or Ulster) Presbyterians.

They imported their belligerent Calvinist theology among the Quakers and the German Pietists. If it was the Germans who made the best rifles, it was "the Irish" who used them most enthusiastically. And they moved down the Great Valley into the "back country" of Virginia and the Carolinas. There was a tradition of violence all along the great alley-way of immigration from Pittsburgh to the back country of Georgia. It was not unnatural, then, that the Revolutionary War was a savage civil war in the

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South (and to some extent on the Indian frontier of New York) and that more than royal authority went down in the struggle.

But more serious was the role of slavery. The complicated village structures of East Anglia that Carl Bridenbaugh described had no "mudsill" of black slaves. But the common people of the South, even the indentured servants (from whom Chief Justice Taney sprang), were part of a political society based on a rigid barrier of race and status, more rigid even than that of Russian serfdom.

Without believing all that Mr. Aptheker has written on slave revolts, all Southern whites had to be nervous. Violence was built into the very foundations of society, as Jefferson noted. The arrogance of the whites—poor and rich alike—led to violence not only to the slaves but to each other. One of the most atrocious slave owners' crimes was committed by young kinsmen of Jefferson on the raw frontier of Kentucky. It was a "dark and bloody ground" long after the migrant Indians had been driven away from the blue grass. And if we want a pedigree for American violence, we must seek it first in the slave society.

In the slave society, there could be no such faith in the easy and natural enforcing of justice that was plausible in New England and even in the Middle States. The "patrollers" who controlled the slave population had their Spartan precedents, but Laconia was a small area and the Spartans had the less need to practice violence in that they always could rely on their own superiority in any possible violence. But the plantation owner was not in the happy position of a Spartiate. He was more like a Russian landowner in face of his serfs. There were as many mute inglorious Pugachevs as there were mute inglorious Miltons or Cromwells. The Irish landlord was in constant fear of assassination, if not of a great peasant revolution. The Irish landlord system was like the Russian autocracy: "Despotism tempered by assassination."

And just as the Irish gentry were murderous duellists (Daniel O'Connell had killed his man, although he repented of the sin later) so were the Southern gentry. Jackson and Benton were examples of the rule of the *code duello*. Decatur and Hamilton were examples of its victims, but in the South there could not have been any such sense of shock as was felt in the North after Hamilton's death—as was shown by the success with which Aaron Burr involved Henry Clay and Andrew Jackson in his mysterious maneuvers. And the lower orders, what the slaves called "poor white trash," imitated their betters. The savagery of life among the poor whites shocked the Northern or European visitor.

The whole frontier was disorderly for reasons I shall state, but it was in the South, down the Mississippi, that organized as well as sporadic murder was institutionalized—as in the exploits of the Murrell gang.

Lynching existed under slavery as well as after it. The slave owner could, in practice if not in theory, murder his slaves. And we know from the unexpurgated version of Mrs. Chesnut's *Diary* that the plantation owners had reason to fear domestic conspiracy against their lives (an endemic weakness of slave society, as the savagery of Roman law shows).

The life of the frontier free states was not orderly by English or New English standards, but it was far more orderly than the life on the Southern frontiers, for slavery affected the attitudes of the Southern pioneers not only to the black slaves but to the technically free and equal Mexicans and Chinese, indeed, to all people that the Southern movers and shakers did not approve of. The history of Texas, New Mexico and California all illustrate this. And the violence of the Northern mountain states was an extension of the Southern slave *ethos*.*

* It was paradoxical that Kansas, the state saved from Slave Power (so the legend runs) by the efforts of noble and ethically motivated New Englanders, had as its most famous "city" Abilene, admired for its murder rate, and that as late as 1954, the Supreme Court had to rule against the segregationist School Board of Topeka, proud capital of "the Jaywalkers," set off, in Republican legend, against the slave Sodom of Lecompton.

Not all the heroic criminals of the Wild West were Southerners. "Billy the Kid" (hero of *The Outlaw*, not, as was generally thought by the prurient, a mere "feed" for the talents of Miss Jane Russell) was a New Yorker by origin. John Dillinger was a Midwest Quaker. The most murderous of the gun heroes, John Wesley Hardin, was more representative of the frontier (and a better shot), but violence was endemic and was approved of.

It is too easy to be censorious about the Western violence, for in addition to the *damnosa hereditas* of slavery the frontier suffered from the practical abdication of authority by the federal government and from the fact that the most outrageous violators of the law were often the law officers, the sheriffs and marshals. This notorious fact justified, in the short run, the resort to vigilante tactics, especially in the famous case of the San Francisco vigilante committees, but the legacy of violence survived the need.

Then, it must be remembered that on the Southern frontier the Civil War, like the Revolutionary War, was a civil war. It was on the savage Missouri Civil War frontier that the James Brothers (not Henry and William) learned their trade. In vain, naïve Englishmen protested against being robbed and their families protested against their being murdered. In vain, canny Scots tried to make money on a frontier far more lawless than the Highlands of Rob Roy. But the most permanent legacy of that frontier was the exaltation of blind violence, even violence in defense of the law. "Boot Hill" was an odd institution for a theoretically self-governing democracy to boast of.

Canada Presents a Startling Contrast

The oddity was made more obvious by the contrast with Canada. Apart from two trivial skirmishes, in 1870 and 1884, Canada had no Indian wars in the 19th century. It had no horrible crime like the Chivington Massacre, carried out by a devout Methodist. It had no shameful feats like Little Big Horn and no ignominious victory like Wounded Knee. Why? Because in Canada legal authority did not come from the bottom up but from the top down. Compared with the United States, the Canadian provinces, and even the Dominion, had behind them an irresistible power—that of the Empire, as Louis Riel discovered. The new federation policed its frontier with the famous Mounted Police, whose prestige is almost as great in the United States as it is in Canada.

No Indian wars and no gunmen. The Canadians do not stress enough their superiority, never more manifest than in the figures which President Johnson, in the wave of national indignation which is asserted to have followed the murders of Martin Luther King and Robert Kennedy, has in vain put before a stupid or timid Congress. There may be some drawbacks in the Canadian historical tradition. (Australians, having little or no domestic history to interest themselves, not to speak of outsiders, play up Ned Kelly.) But in a world poisoned with violence, one needs happy countries with no history more than one needs—or wants—immensely powerful countries with too much history of a very bad kind.

Violence was not, of course, merely a matter of the possibly natural, and in some ways even admirable, disorder of the frontier. In an age of classical education the assault on Senator Charles Sumner by Representative Preston Brooks was, in the strict sense of the term, heinous. It recalled the murder of the Gracchi, the first political crime in Rome since the expulsion of the Tarquins. Yet this brutal and cowardly assault was defended by Southern gentlemen and has been palliated by modern historians.

Yet the friends of the slaves were often bitter enemies of whites whom they disliked. Thus Elijah Lovejoy, the martyr for the cause, was almost as passionately anti-Catholic as he was anti-slavery. This was true of the

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MURDER INC. -----CONTINUED

father of the Becchers. And the savage anti-Negro riots in New York in 1863, with most of the rioters Irish, represented both a sense of race supremacy and a sense of race inferiority. The Irish might well think, contemplating the draft law, that as the poor whites came to say in the South: "This is a rich man's war and a poor man's war." The first great 19th-century city riots were anti-Catholic riots in Philadelphia and Boston, a point not missed by that ex-Catholic, Carl Schurz, whose career as senator, general, minister, cabinet officer would have been impossible had he remained faithful to his ancestral creed. And the much-admired German cartoonist Thomas Nast, who represented all the moral smugness of the Mugwumps, naturally even more unattractive in a German than in a Yankee guise, drew the detested and detestable Irish in forms that prefigure the depiction of Jews in *Der Stürmer*.

It was no wonder that the "older stocks" (which meant Protestants) resented the descent on them of largely illiterate, ignorant, desperately poor victims of the beneficent rule of Queen Victoria and their political habits (they were bought, but what were to be called the Wasps were the buyers) and this bred a division in American life only healed, if it is healed, in this generation. But there were institutional reasons why the results of Irish immigration were more serious in New York or Boston than in Liverpool or Glasgow. For the ruling classes had not organized urban life in time. Boston didn't get a regular municipal government until the presidency of John Quincy Adams. New York was a little, but not much, better off. And in no city was there an adequate or honest police force. The fight for control of the New York police (called "the finest," not, apparently, ironically) recalled the gang wars of the last days of the Roman Republic.

But the situation in even the worst cities—Philadelphia, New York, and Quaker leadership was, possibly, more helpful than harmful in keeping the city "corrupt and contented," or the endless variations on the same theme in the history of Chicago—was no more serious than the absence of any effective rural police. Sir Robert Peel had, after all, not confined his great reform to London and especially he had not confined to London his great decision not to arm the new "Peelers."*

Company Armies and Guerrilla Workers

But if the absence of any effective federal police in the Western territories was a cause of the growth of a tradition of admired violence, the result of the absence of state police forces was more serious still in the new industrialized regions of the East and the Middle West. There were what, in effect, were private armies like the Coal and Iron Police of central Pennsylvania, a region in which the writ of the federal government could not run against the writ of the steel companies and the Pennsylvania Railroad until the triumphs of the New Deal in 1936. And in Pennsylvania, the Irish coal miners recognized in the Coal and Iron Police their old enemies, "the Peelers," and imported into Pennsylvania the methods of Irish agrarian war, methods that recall the working of some admired Resistance movements in Europe. The Irish Maguires were broken up, but the scars of the semi-civil war did not heal for a long time.

Other immigrant groups brought to the United States a dislike for the official representatives of "law and order" that added to the store of indigenous violence. The great lynching of alleged "Mafiosi" in New Orleans toward the end of the last century put the government of

* In an Ireland suffering, as Disraeli put it, from a "thwarted Revolution," Peel, a devout anti-Papist, had armed his new Royal Irish Constabulary, a police force no more trusted by the Catholic Irish than the Dutch *maréchaussée* by the Catholic Dutch. Thackeray noticed acutely that the violence of the Catholic Irish was perhaps an answer to the violence of their rulers. It was one of the boldest and bravest decisions of the government of the new Irish Free State in 1922 to disarm the police.

the United States in an awkward position *vis-à-vis* the Kingdom of Italy. The numerous Jews fleeing from Czarist pogroms, plus other fugitives from the Russian Empire, made the application of the nickname "Cossacks" to the police easily understandable. The divisions among the immigrants that helped labor discipline (as the bosses interpreted it) also weakened the trade union movement. The famous Homestead battle that so damaged the philanthropic reputation of Andrew Carnegie was, in part, the result of the violent resistance of the older immigrant groups to the undermining of their position by the more docile "new immigration."

Growth Meant Mobility Meant Instability

And the unparalleled growth of the American economy uprooted millions of native as well as immigrant workers. It was hard to establish any stable institutions; it was hardest to establish them among the workers. Moreover, social criticism as apart from what was to be called (on the French precedent) "direct action," was largely the work of immigrants, above all German immigrants who imported Marxism as well as "anarchism." The execution of the Chicago "anarchists" was the first—and for many European activists the final—proof that the United States was no longer the "last, best hope of earth," but the embodiment of capitalism in its most odious form. (It is not unimportant that the dreary anthem of the British Labour Party, "The Red Flag," contains an allusion to the Chicago martyrs.) There was now little or nothing to choose between British and American "imperialism." Nor was it unimportant that many European leaders, like Aneurin Bevan, got their first—and often last—impression of American life from Jack London's *Iron Heel*. Violence was built into the American labor movement.

Nor was it necessarily immigrant violence. Many of the "Wobblies" were of old indigenous stock. Oklahoma was a stronghold of rural migrant "Socialism" before it became a state—and for a few years after. The labor movement, above all in the mountain states and in the West, was both a promoter of violence and a victim of it. There were martyrs like Swedish Joe Hill or like Frank Little, celebrated as a victim of lynching (or of slightly irregular justice) by friends and enemies and the subject of a once-famous poem by Arturo Giovannetti.

The color question continued to feed the tradition of violence. Only slowly, very slowly, did the tide of lynchings recede. Attempts to hasten its decline by calling in federal power were opposed not only by Southern senators, but by the greatest pseudo-liberal senatorial windbag of this century, Senator William E. Borah. (This judgment is uttered only after considering some serious competitors.) It was to Pennsylvania that John Jay Chapman went from Boston on his pilgrimage of expiation of the national or white sin of a particularly atrocious lynching, not notably repented of by Pennsylvania. The intolerable atmosphere of racial oppression led to the mutiny of Negro cavalymen in Brownsville, Texas, and to the hysterical indignation of President Theodore Roosevelt, indignation directed against the troopers, not the people of Brownsville.

The American Negro was passively a cause of violence since he was often only employed when he could be used as a strike-breaker. But he might, like the Irish patriot (and defender of slavery) John Mitchel, have prayed, "Give us war in our time, O Lord," for war improved the economic prospects of the Negro. It had another side, for both wars produced race riots (what would have been called pogroms had they occurred in backward and undemocratic countries). For the Negro who was race-conscious (and more and more had learned to imitate the whites), Chicago and East St. Louis, in and after World War I, and Detroit in World War II, were ironic comments on the great crusades. So, with the racial aspect omitted, were examples of law and order of a rough kind like the Bisbee deportations or the massacre at Everett

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(Washington). The Ludlow Massacre as an aspect of a strike against Rockefeller properties led to an examination of conscience by John D. Rockefeller, Jr., a turning away from the easy solution of legalized violence—but the memory died slowly.

It must be remembered that violence was not one-sided, although naturally it was more effectively used by the possessing classes. The McNamara brothers *did* blow up the *Los Angeles Times* and there *was* a great bomb outrage in Wall Street. There are even people, not necessarily wicked or foolish, who have some doubts of the complete innocence of Mooney and Billings, or even of Sacco and Vanzetti. And the bad habit of calling on the National Guard to carry out police duties, which had caused bitterness as long ago as the great railroad strikes in Pennsylvania in 1877, was resorted to in Newark in 1967, to mention only one place where order was restored with an amount of violence that recalled the spirit of the repression of the Paris Commune.

And the historical glorification of violence went on. The legend of the West, glorified on the screen and then on the even more powerful television set, showed violence in ways that suggested admiration rather than horror. And, in the case of TV, it has been asserted that the cameramen not only photographed violence but promoted it.

Some Americans took up the harmless sport of archery, but far more were gun fans, less harmfully employed when they shot their own feet off in "quick-draw" exhibitions than when there were such displays of marksmanship as terrified the campus of the University of Texas, but did not shake the Texas belief in the sacred right of the Texan to shoot, if not quite at his total discretion, whenever he is seriously provoked—and Texans are easily provoked. So are other Americans—husbands, wives, mistresses, robbers—and cops. For the readiness with which the American police shoot nearly at sight anybody they suspect of threatening property is remarkable. That most of the victims of these trigger-happy peace officers are black is not accidental.¹

Nineteen sixty-eight has shown that the tradition of violence is not dying or nearly dying. No murder of Martin Luther King or of Robert Kennedy can shake the belief of the United States Senate that to tamper with the gun-toting of the virile American is wrong, futile or unconstitutional. The Americans are back in, or have never left, the murderous world of the city-states of Renaissance Italy, not of Rome, where the lictors were forbidden to carry their axes into the city, or of classical Athens, where Thucydides gave as a definition of civilization the fact that you could walk unarmed in the *polis*. Polls may show that the majority of the American people want a stricter gun law and that they are alarmed at the exaltation of violence and the highly profitable sale of the most formidable methods of murder. But Congress is above taking notice of the emotional and ill-informed pleas for some restraint, whether they come from the White House or from sickened and ashamed citizens.

One cannot help feel at times that if the Old Testament had been written by a red-blooded American, Cain would have been the hero! The greatest poet in the English language of modern times, Yeats, who celebrated the heroic violence of the leaders of the Easter Rebellion of 1916, yet warned us, a few years later, that

Mere anarchy is loosed upon the world,
The blood-dimmed tide is loosed, and everywhere
The ceremony of innocence is drowned.

"Well, what of it?" is the answer of Congress,² of the National Rifle Association and the millions of he-men who celebrate (in another sense than the sardonic Miss Mitford meant it) "the American way of death."

¹ I once visited the great cyclotron at Berkeley at the invitation of the chief engineer, a friend of mine. Every kind of safety precaution had been taken—except, possibly, against earthquakes. Yet the guard at the door wore, proudly, a heavy revolver with a white handle decorated with roses. Even the world of atomic science thinks it needs guns.

Predestination?

One of the most staggering news stories to appear in our columns in recent weeks was one reporting scientific studies which link criminality with a genetic abnormality. The new studies, as interpreted by well-known researchers at Harvard and the University of Glasgow, indicate that perhaps as many as one out of every 300 males possess an extra male sex chromosome in his genetic makeup and that those who do tend towards aggressive, criminal behavior. Funds are being sought to continue the research to determine whether this estimate is accurate and to follow the careers of men with this extra chromosome to see how many of them do in fact become criminals.

The importance of this research can hardly be overestimated. If some people are, as a result of a natural quirk, inclined towards or doomed to lives of crime, our present criminal law, most of our major religions, and the very basis of our system of ethics are in serious trouble. Only the Calvinists would escape unscathed.

The problem that society would face, if further research bears out of the tentative conclusions, would be excruciating. We would have in our hands a scientific test that would point out in advance who among us was likely to commit crime. With this information available, a society would be foolish not to use it; it could hardly sit by idly until these men committed crimes. But would a society—or a mother—accept a situation in which certain individuals were selected at, say, one week, and confined for the rest of their lives because of their genetic makeup? Any system permitting this would conflict with the fundamental idea that a man cannot be restrained or even treated until he has given evidence through his own actions of his inability to live peacefully in the world.

Underlying that fundamental idea, of course, is the basic precept of most religions and of Western ethics that a man is a free spirit able to choose his course of conduct freely and able to choose between doing right and doing wrong. If some men enter life with a physical malformation that narrows or eliminates their ability to make those choices, what happens to the ideas of free will in religion and of individual responsibility in ethics? They would be, of course, destroyed or, at the least, severely impaired.

Psychiatrists have been moving along the same general path in some of their analyses of the behavior of criminals. As a result of their work, the law has moved towards broadening the legal definition of insanity and creating the concept of diminished responsibility to take care of those who seem unable to conform their conduct to the requirements of law. But the work of psychiatrists has not been universally accepted and much of the philosophical battle here a decade ago over the Durham rule in criminal cases turned on the possibility it was undermining the idea of free will. Now, the attack on that concept is much more concrete for the current research turns on physical evidence that can be demonstrated in a laboratory.

Undoubtedly the research to prove or disprove this new theory will be long and costly. But it is so fundamental that it must be completed unless we are to live with nagging fears that science has not done all it could to help us understand ourselves.

² Since this was written, public opinion has forced at any rate the House of Representatives to accept the beginnings of effective gun control. What the Senate will do is still uncertain. One of the Senators who is afraid of hasty legislation on this delicate subject is Eugene McCarthy.

Names dictated by Prof. Graham Aug. 28, 1968

Fdu -
History
TF

Consultants - History (tentative)

Professor Herbert Guttmann
History Department
University of Rochester

Professor Carl Degler
History Department
Stanford University

Rxx

Professor Robin Brooks
History Department
San Jose State College

Professor Christopher Lasch
History Department
Northwestern University

NATIONAL COMMISSION ON THE CAUSES
AND PREVENTION OF VIOLENCE

726 JACKSON PL., N.W.
WASHINGTON, D.C. 20506

August 20, 1968

NOTE:

Re Prof. Graham's proposed trip to Washington on Aug. 27, it has been discovered that Cutler, Barr, Short, Wolfgang and Gurr will not be in town on that day.

Gurr will probably be here on August 26th.

JSC

10:00 arr, Mon. Aug. 26

Campbell

H.
T.F.

August 19, 1968

AIR MAIL

Professor Hugh Davis Graham
1478 Twin Ridge
Santa Barbara, California 93105

Dear Professor Graham:

Lloyd Cutler asked me to find out if you could come to Washington on August 27 to decide what the History Task Force should be doing. Professor Ted Gurr will be here then as will Lloyd, Jim Short and I, and perhaps Tom Barr as well.

I am enclosing a copy of the seminar report which Professor Gurr delivered to the Commission at the Academic Conference, which we held on July 10.

Please call us collect about the 27th.,

Sincerely,

James S. Campbell
General Counsel

JSC/cah

Enclosure.

cc: Lloyd N. Cutler, Esq.

Send Graham the Gear Summary

Ask Graham to come in the 27th

Now at Santa Barbara.

Graham only 1/2 time.

Gear - the comparative work.

① We want an essay - when has violence paid etc? The LNC outline. Gen hist + comp essay.

② Review hist materials of TFs.

~~③ Walk - give IDS his articles - hire.~~

~~④ Tattafarro - LNC will call.~~

④ Statement of British Justice at ABA in Phila. - get.

~~⑤ Radinowitz - LNC will contact.~~

~~⑥ Tell Gaither no thanks on Software Systems Task.~~

NATIONAL COMMISSION ON THE CAUSES AND PREVENTION OF VIOLENCE

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WILLIAM G. McDONALD
ADMINISTRATIVE OFFICER

July 30, 1968

Dear Professor Graham:

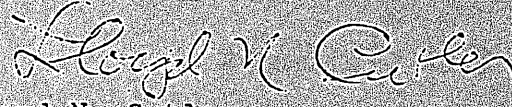
As agreed in our conversation today, I am enclosing
the following papers:

- a) A Schematic Outline of the Commission's work program.
- b) An Operational Outline of the program showing the proposed division into seven working groups.
- c) A memorandum outlining some of the questions that might be considered by the historical working group, entitled "Some Aspects of a Historical and Comparative Survey of Violence."
- d) A thoughtful paper by Professor Potter on the same subject.

I should have mentioned that Professor Marvin Wolfgang of Pennsylvania and James Short of Washington State will be our co-directors of research. As you may know, they are both sociologists who have written extensively in the field of violence. We will also have available as consultants to react to outlines and drafts a group including Morris Janowitz, Peter Rossi, James Q. Wilson, Orville Brim, Stanton Wheeler, Richard Wade and Professor Potter.

Please call me about any questions that are in your
mind.

Sincerely,



Lloyd N. Cutler
Executive Director

Professor Hugh Davis Graham
1478 Twin Ridge
Santa Barbara, California 93105

Enclosures

ISC
August 16, 1968

Dear Ted:

Enclosed is the draft outline of some of the issues which might be covered in a historical and comparative survey of violence. An earlier version of the same memorandum has also been sent to Hugh David Graham.

We look forward to seeing you on the 27th. I will be here all next week, if you would like to telephone or come down for a visit.

Sincerely,

Lloyd N. Cutler

Professor Ted Gurr
Center for International Studies
Princeton University
108 Corwin Hall
Princeton, New Jersey

P.S. Also enclosed is an interesting article by Professor Brogan.

August 16, 1968

SOME ASPECTS OF A HISTORICAL AND COMPARATIVE SURVEY OF VIOLENCE

1. We want to measure the present volume of political acts of violence and non-political assaultive crimes against the available data on the number of such acts and crimes at other times in our own history and in the past and current experiences of other comparable nations. This may help us to determine whether we have become a more violent society than other cultures or in our own past.

2. If we can identify past periods or current cultures that appear significantly less violent, we want to identify factors (e.g., rapidity of social change, governmental responses, availability of weapons, etc.) that may explain the difference, and we want to test the validity of any such explanations.

3. We particularly want to identify past or current social situations that have a good deal of similarity, and that were resolved with a low incidence of violence in one set of social circumstances and responses and a high incidence of violence in another. If we can find such cases (e.g., 1785-1815 in Great Britain and France; current rates of assaultive crime in Europe and the United States; the first decade of independence in the Ivory Coast and Nigeria), we want again to identify and validate factors that may explain the difference.

4. We particularly want to examine the historical and comparative validity of a number of widely held theories:

a. That violence by those seeking social changes is a necessary and causative factor in the process of achieving their objective (e.g., would slavery have been abolished without the Civil War; would ghetto or campus reforms have been achieved without the Newark, Detroit, Berkeley and Columbia disorders?).

✓ Are there good historical and comparative examples of cases in which violence by those seeking social change defeated or greatly delayed their objectives (e.g., the slave rebellions, the Hungarian revolution of 1956, the ELAS movement in Greece, the postwar Communist riots in Western Europe?). If so, what explains the differences in result? Can we demonstrate by history that violent protest is a very dangerous form of protest, and that the quantum of violence which may succeed in winning favorable action by the white majority may come within a razor's edge of the quantum that may elect George Wallace instead?

b. That forceful repression of violent group outbursts will prevent such outbursts from occurring,

and that responses or "concessions" in the direction of social change will "make violence pay" and encourage additional violent outbursts. Hoffer. Are there good historical and comparative examples in which forceful repression unaccompanied by "concessions" toward social change ultimately resulted in even more violent outbursts and greater social changes (e.g., the decade preceding the French Revolution, the Russian Revolution, and the Civil Rights Movement in the South, the history of labor-management relations in the U.S.?). Are there examples of comparable cases where a judicious combination of law enforcement and "concessions" toward widely supported social change resulted in significantly less violence (e.g., the British experience during the French Revolution, the decolonization of the British Empire as compared to the French and Dutch Empires)?

c. That the pace of social change substantially affects the incidence of accompanying violence. Are there historical or comparative examples to support any of the following propositions:

1. That we have race-tension violence because we have permitted social conditions for blacks to improve too rapidly?

ii. That we have race-tension violence because we have not permitted social conditions for blacks to improve fast enough?

iii. That we have race-tension violence because the pace of improvement of social conditions for black people has been uneven?

d. That the incidence of assaultive crime is directly and causatively related to the incidence and depth of poverty among both the perpetrators and their victims. Are there good historical and comparative examples of poverty-stricken but peaceful areas of the U.S. or foreign cultures (e.g., prewar Japan)? If so, can we identify special factors, irrelevant to our own circumstances, that may explain the difference? Can we posit a definite and significant relationship between poverty and violence? Can we assign this relationship a higher value than any other?

e. That the incidence of assaultive crime is directly and causatively related to racial or ethnic origin and cultural patterns. Is there historical and comparative evidence that identifies violence more closely with poverty cultures (e.g., Wolfgang's Subculture of Violence) than with racial or ethnic cultures (e.g., machismo, the Mafia, etc.)? Can we point to peaceful

Black or Latin societies (past or present) and to violent Nordic ones (Past or present)?

f. That the incidence of assaultive crime is inversely and causatively related to the resources a society invests in law enforcement and the respect of the public for the law enforcement system. Are there historical or comparative examples of more peaceful societies which invest greater resources in law enforcement and induce greater respect for the system? Are there any episodes in which a given society increased its investment or achieved a higher degree of respect and thereby reduced the incidence of assaultive crime?

LNC

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file -
history
TF

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DEPUTY DIRECTOR

JAMES S. CAMPBELL
GENERAL COUNSEL

WILLIAM G. McDONALD
ADMINISTRATIVE OFFICER

August 2, 1968

Dear Milton:

Thanks for your letter of August 1 about the history outlines. We have very much in mind the English experience, particularly at the time of the French Revolution when a very similar society across the channel was erupting into the most extreme form of violence.

We discussed yesterday with Dr. Wolfgang and the Assassination group the precise problem you raise in your letter as to whether the history of a particular subject - e.g., assassination - will be the responsibility of the subject task force or the history task force. We agreed that the basic responsibility for collecting the historical data will rest with the subject task force and that the evaluation and interpretation of this data will be reviewed with the history group.

I have now talked to Professor Graham, who is most interested, and to Professor Donald. Professor Donald is concerned about Dr. Graham's administrative responsibilities

-2-

on a southern history program and says that if Dr. Graham is willing to come and we really need him, there will have to be some further talks with Lincoln Gordon about working out a replacement.

I look forward to seeing you and Mr. Wolk on August 8.

Sincerely,


Lloyd N. Cutler
Executive Director

Dr. Milton S. Eisenhower
12 East Bishops Road
Baltimore, Maryland 21218

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August 1, 1968

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EXECUTIVE DIRECTOR

THOMAS D. BARR
DEPUTY DIRECTOR

JAMES S. CAMPBELL
GENERAL COUNSEL

WILLIAM G. McDONALD
ADMINISTRATIVE OFFICER

Dear Lloyd:

This letter will be signed after I am on my way to Wisconsin.

Your outline and Professor Potter's comments on what for short-hand purposes one may call a comparative sociological history of violence are comprehensive and hence a comment by me is only for emphasis.

I have felt that a comparison of the British and American experiences would be especially helpful. Certainly the English, Scots and Welsh had long periods of violence, but today I suspect the British people are as law-abiding as any national group in the world. What were the developments in its history that led to what seems to be a genuine respect for the law, while we seem to have a historic monotony of lawlessness? Such a comparison would bring forth the historian's view of the persistent causes of violence in the United States.

Another problem involving history is on my mind. All of the task forces will, I trust, deal with the historical aspects of their special assignments. Certainly this would seem to be necessary for the task forces on individual violence, mob or group violence, mass media, gun control, and the legal structure of gun enforcement. Will each task force be responsible for its specialized history, or will the scholars on the history task force help?

I'll be back from Wisconsin late on the evening of August 5th. My address and telephone number for the next few days: The Northern Resort Hotel, Minocqua, Wisconsin, 54548, telephone: area code 715 - 356-6150.

Sincerely,

Milton

Lloyd N. Cutler, Esquire
Wilmer, Cutler & Pickering
Farragut Building
Washington, D. C. 20006

(H)

NATIONAL COMMISSION ON THE CAUSES AND PREVENTION OF VIOLENCE

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File - History TF

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JAMES S. CAMPBELL
GENERAL COUNSEL

WILLIAM G. McDONALD
ADMINISTRATIVE OFFICER

July 30, 1968

Dear Professor Graham:

As agreed in our conversation today, I am enclosing
the following papers:

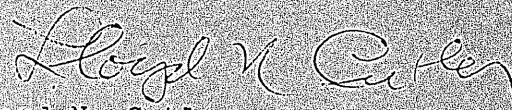
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- b) An Operational Outline of the program showing the proposed division into seven working groups.
- c) A memorandum outlining some of the questions that might be considered by the historical working group, entitled "Some Aspects of a Historical and Comparative Survey of Violence."
- d) A thoughtful paper by Professor Potter on the same subject.

I should have mentioned that Professor Marvin Wolfgang of Pennsylvania and James Short of Washington State will be our co-directors of research. As you may know, they are both sociologists who have written extensively in the field of violence. We will also have available as consultants to react to outlines and drafts a group including Morris Janowitz, Peter Rossi, James Q. Wilson, Orville Brim, Stanton Wheeler, Richard Wade and Professor Potter.

-2-

Please call me about any questions that are in your
mind.

Sincerely,



Lloyd N. Cutler
Executive Director

Professor Hugh Davis Graham
1478 Twin Ridge
Santa Barbara, California 93105

Enclosures

July 30, 1968

Dear Joe:

Thanks very much for your note of July 17th. I am glad to know you will be available to us as a consultant, and you can be sure we will be taking up the option.

As a start, I would appreciate anything you can tell me about the psychiatrists at Stanford who have formed the Stanford Committee on Violence and have submitted the enclosed proposal to us. We had a visit with them last week and are impressed with the way they are tackling their work. David Hamburg will also be part of the group when he returns this fall from Africa.

Sincerely,

Lloyd N. Cutler
Executive Director

Dr. Joseph T. English
Assistant Director for Health Affairs
Office of Economic Opportunity
Washington, D. C. 20506

HISTORY

July 29, 1968

File
History TF

MEMORANDUM FOR MR. BARR
cc: James S. Campbell/
Robert Baker

Subject: Professor David Potter

Bob and I tried hard to persuade Professor Potter to do a historical paper for us. Although he spent a dinner and breakfast with us, and will be happy to talk and react to papers at any time, he is not willing to undertake a specific responsibility.

He does agree on the value of historical and comparative analysis in our work, and he recommends as a possible candidate Hugh Davis Graham. He is a native of Tennessee, studied history at Yale and in the Stanford Graduate School under Potter. He is now an assistant professor of history at Johns Hopkins. He wrote a book published by the Vanderbilt University Press entitled "Crisis in Black and White," and a recent article in one of the historical quarterlies entitled "Crisis in Black Power." As these titles indicate, his specialty is in urban and racial problems. Do you want to ask Dr. Eisenhower about him and arrange an interview?

Attached is a very thoughtful paper which Potter prepared before our meeting entitled "A Memorandum on the Problem of Violence in Modern American Society." Also attached is a paper we prepared for Potter entitled "Some Aspects of a Historical and Comparative Survey of Violence."

Lloyd N. Cutler

Attachments

See back page

A Memorandum on the Problem of Violence in Modern
American Society

David M. Potter, Stanford University.

I. Preliminary Observations.

1. For purposes of this memorandum, violence means aggressive behavior by private individuals which results in serious injury to people or to property. The term has sometimes been mystically defined more broadly than this, but for operative purposes, I believe it should be limited in this way. War, of course, is a form of violence, but those who engage in it do not act as private individuals.

2. The immediate occasion for the appointment of a Commission on the Prevention of Violence was the killing of Senator Kennedy within a limited time after the killing of President Kennedy and Martin Luther King. But I assume that the circumstances of these assassinations are too controversial and too random to study very successfully, and that this inquiry is concerned with the general prevalence of violence and the atmosphere which it may have generated, and not with the assassinations as such. The historic study of assassination would be a difficult matter entirely and would involve a comparison of the assassinations of public leaders (and the degree of public exposure of public leaders), at various times and places in history.

3. I would note that while the Negro Revolution has resulted in a great deal of violence against property, the violence against persons has been limited, and it is astonishing how few have been killed, in proportion to the extent of the disturbances, rather than how many. This condition, of course, may not continue to prevail.

II. Proposed Steps of Analysis.

For purposes of breaking down this problem into topics which can be analyzed, I suggest three steps. These steps are borrowed from psychology, but my approach is historical. One needs to recognize the factors of (a) frustration, (b) psychological aggression, and (c) physical violence.

(a) Civilization frustrates all human beings by inhibiting some of their natural impulses. But historically, the rates of frustration in different societies vary widely. Frustration may be caused (1) by the harshness with which individuals are repressed, or (2) by the expectations which individuals are stimulated to believe in, beyond the capacity of society to fulfill these expectations. American society is especially vulnerable to the frustration of disappointed expectations, because historically we have used the political process of generating demands (pressure groups) as a means of leverage to bring about change and progress. If we generate demands which cannot be promptly met that is another matter. There are, of course, many forms of frustration, and this dissatisfaction with social situations is only one, but an important one. We are, of course, doing much to fulfill expectations, but this will not help unless the rate of fulfillment is greater than the rate of increase of expectations.

It might be supposed that frustration will always lead to aggression, but this is by no means true. Some frustrated individuals lapse into despair (they "drop out"); others are stimulated to exercise greater ingenuity in gaining their objectives (some rats in a maze become pathological; others solve the maze). But often, frustration leads inevitably to a psychological attitude of resentment or aggression.

(b) Aggression, like frustration, exists in all societies, but takes historically different forms in different ones. For instance, in some societies it is channelled into indirect, ritualistic, or vicarious forms. For instance, the practice of competitive sports gives a harmless outlet to aggressive impulses. Bull fighting and gladiatorial games are equally ritualistic but not so harmless. Some drama, from Greek tragedy to modern televised sadism, expresses aggression, and the sacrifices practiced in some religions may have done so. Some societies encourage aggression to take the form of self-hate, by teaching people to expect too much of themselves -- Puritanism was a case in point. Some societies minimize aggression by inculcating a belief in the sanctity of law. Others minimize it by penalties so harsh and enforcement so certain that they may inspire fear and deter the potential aggressor.

American society is very poorly equipped historically, to cope with aggression. Our humanitarian society has such strong feelings against harsh penalties that they cause sympathy for the aggressor who is punished. Our society has never been very law abiding, and it no longer inculcates belief in the sanctity of law. Within the last quarter century there have been three large-scale situations where major public sympathy was with the law-breakers (1) with Germans who rejected Nazi law, (2) with integrationists who refused to obey racial segregation laws in this country, and (3) with protesters who violate law in their demonstrations against the Vietnam War. Further, we have given wide currency to a deterministic philosophy which tells the disadvantaged that their plight is the result of social injustice. Even if this

is in part true, some simple minds certainly take it too literally. Hence, there are broad sanctions for the expression or acting out of aggression, somewhat limited inhibitions, and very circumscribed physical controls. Under these conditions, aggression very frequently takes the form of physical violence.

(c) Violence, like frustration and aggression exists in all societies, but varies greatly in intensity and form from one to another. In societies with a strong sense of communal membership, people of the in-group will not kill one another even though they feel aggressive toward one another. Where community breaks down, as it has to some extent in this country, and the population of a city becomes a mass or crowd, rather than a community, violence is less inhibited. Also in communities where physical violence is technologically easy, as in a society with ready access to firearms and high-powered cars for escape, violence is less easily prevented by social control.

Most societies can attain the social objectives which they say they want, if they are really willing to pay the social price (not the money price) for them. I would suppose that the crucial question in this case is whether American society is willing to pay the social price for the reduction of violence.

SOME ASPECTS OF A HISTORICAL AND COMPARATIVE SURVEY OF VIOLENCE (Draft)

1. We want to measure the present volume of political acts of violence and non-political assaultive crimes against the available data on the number of such acts and crimes at other times in our own history and in the past and current experiences of other comparable nations. This may help us to determine whether we have become a more violent society than other cultures or in our own past.
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 - a) That violence by those seeking social changes is a necessary and causative factor in the process of achieving their objective (e.g., would slavery have been abolished without the Civil War; would ghetto

or campus reforms have been achieved without the Newark, Detroit, Berkeley and Columbia disorders?). Are there good historical and comparative examples of cases in which violence by those seeking social change defeated or greatly delayed their objectives (e.g., the slave rebellions, the Hungarian revolution of 1956, the ELAS movement in Greece, the post war Communist riots in Western Europe?). If so, what explains the differences ^{or} result?

b) That forceful repression of violent group outbursts will prevent such outbursts from occurring, and that responses or "concessions" in the direction of social change will "make violence pay" and encourage additional violent outbursts. Are there good historical and comparative examples in which forceful repression unaccompanied by "concessions" toward social change ultimately resulted in even more violent outbursts and greater social changes (e.g., the decade preceding the French Revolution, the Civil Rights movement in the South, the history of labor-management relations in the U.S.?) And are there examples of comparable cases where a judicious combination of law enforcement and "concessions" toward widely supported social change resulted in significantly less violence (e.g., the British experience during the French Revolution, the decolonization of the British Empire as compared to the French and Dutch Empires)?

c) That the pace of social change substantially affects the incidence of accompanying violence. Are there historical or comparative examples to support any of the following propositions:

- 1.) That we have race-tension violence because we have permitted social conditions for blacks to improve too rapidly?
- 2.) That we have race-tension violence because we have not permitted social conditions for blacks to improve fast enough?
- 3.) That we have race-tension violence because the pace of improvement of social conditions for black people has been uneven?

d) That the incidence of assaultive crime is directly and causatively related to the incidence and depth of poverty among both the perpetrators and their victims. Are there good historical and comparative examples of poverty-stricken but peaceful areas of the U.S. or foreign cultures (e.g., prewar Japan)? If so, can we identify special factors, irrelevant to our own circumstances, that may explain the difference? Can we posit a definite and significant relationship between poverty and violence? Can we assign this relationship a higher value than any other?

e) That the incidence of assaultive crime is directly and causatively related to racial or ethnic origin and cultural patterns. Is there historical and comparative evidence that identifies violence more closely with poverty cultures (e.g., Wolfgang's Subculture of Violence) than with racial or ethnic cultures (e.g., machismo, the Mafia, etc.)? Can we point to peaceful Black or Latin societies (past or present) and to violent Nordic ones (past or present)?

f) That the incidence of assaultive crime is inversely and causatively related to the resources a society invests in law enforcement and the respect or fear of the public for the law enforcement system. Are there historical or comparative examples of more peaceful societies which invest greater resources in law enforcement and induce greater respect or fear for the system? Are there any episodes in which a given society increased its investment or achieved a higher degree of respect or fear and thereby reduced the incidence of assaultive crime?