

ADVISORY AND INFORMAL  
ADVISORY PANELS

**ROUTING SLIP**

Date 2/19/69

From Dr. Wolfgang

To Mr. Campbell

**PLEASE NOTE AND**

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Form letter sent to all  
members of the Advisory  
Panel.

NATIONAL COMMISSION ON THE CAUSES AND PREVENTION OF VIOLENCE

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

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MARVIN E. WOLFGANG  
CO-DIRECTORS OF RESEARCH

JAMES S. CAMPBELL  
GENERAL COUNSEL

WILLIAM G. McDONALD  
ADMINISTRATIVE OFFICER

February 19, 1969

Professor James Q. Wilson  
Department of Government  
Harvard University  
Cambridge, Massachusetts 02138

Dear Professor Wilson:

As Co-Director of Research for the Commission, James Short and I are most anxious to have, as soon as possible, your considered comments on each Task Force draft and other papers that are sent to you. We receive copies of the reports you mail to the Commission and study them carefully in order to make the best decision we can for improving the reports.

I am writing to you at this time to urge you to give us as specific, detailed and substantive critical comments as you can, now that we are coming toward the closing months of our work. Where you think there are gaps that need to be filled, some or further documentation to be made, errors of fact or interpretation, poorly phrased ideas, inappropriate assertions, questionable methodology, etc., please indicate them clearly to us. We would appreciate bibliographic references where they may be needed; we would be grateful for any editorial suggestions should you have time to give these. We would also like to hear praise where you think it is deserved, for those comments give us leads as well.

Even if a particular Task Force topic is not one in which you might claim special knowledge, we need your thoughtful consideration.

Page Two

Thank you for the comments we have thus far received. They have been most helpful. We shall continue to rely on your wisdom to guide us.

Sincerely yours,

Marvin E. Wolfgang  
Co-Director of Research

MEW/kle

File

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ALBERT E. JENNER, JR.  
CONGRESSMAN WILLIAM M. MCCULLOCH  
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January 4, 1969

LLOYD N. CUTLER  
EXECUTIVE DIRECTOR

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MARVIN E. WOLFGANG  
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GENERAL COUNSEL

WILLIAM G. McDONALD  
ADMINISTRATIVE OFFICER

MEMORANDUM FOR: Orville Brim, Jr.  
Morris Janowitz  
Benjamin Quarles  
Leon Radzinowicz  
John Spiegel  
Richard C. Wade  
Stanton Wheeler  
James Q. Wilson  
James Vorenberg

First of all, thank you for your comments on the draft Progress Report (which is still being reworked by the Commission). Your views were most helpful, and we hope the Report has benefitted from them.

Our Task Forces are now in the process of completing the preliminary drafts of the seven Task Force reports. You should be receiving in the mail shortly the report on Firearms, put together by George Newton, Frank Zimring and their associates. The second package will contain the draft report on Historical and Comparative Perspectives on Violence in America, put together under the direction of Hugh Graham and Ted Gurr. The third package will be Jerry Skolnick's efforts on Violent Aspects of Protest and Confrontation, and before the month of January is over you should have the draft reports on Law and Law Enforcement by George Saunders and Leroy Clark, Assassination by Messrs. Crotty, Kirkham and Levy, Mass Media by Baker and Ball, and Individual Acts of Violence by Mulvihill and Tumin.

I am well aware that all of these topics are of varying degrees of interest to each of you and I know that your major attention will probably be devoted to

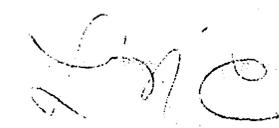
the field of your greatest interest. I am, however, forwarding to each of you all of the seven Task Force reports, and I would appreciate it if you could at least give us your general reaction to all the reports, together with more detailed comments on particular ones.

The Task Force directors will be discussing these reports with the Commission at various intervals during the next month and a half, and at the same time the central staff will be beginning to draft the Commission's own Final Report. It is during this period that we will need your advice on the reports so that both the Commission and the Task Force directors can profit from your views. Later on we will send you draft sections of the Final Report as they become available, and we will arrange some direct consultation between the panel and the Commission at that time.

On the matter of compensation for your efforts on our various reports, you should know that we have budgeted the amount of \$1,500 as an honorarium for each of you, and you should be receiving this shortly.

Please feel free to call me at any time collect at the following number: 202-395-3187 (or Jim Campbell at the Commission: 202-395-4876 or 4877). Jim Short will be in Washington for two weeks starting today and after that will be in and out during the next few months. Marvin Wolfgang's present address is:

University of Cambridge  
Institute of Criminology  
7 West Road  
Cambridge, ENGLAND

  
LLOYD N. CUTLER  
Executive Director

UNIVERSITY OF CAMBRIDGE  
INSTITUTE OF CRIMINOLOGY

Director  
L. RADZINOWICZ, LL.D.  
Wolfson Professor of Criminology



7, WEST ROAD  
CAMBRIDGE

Telephone 59375  
59196

3 February 1969

Adv  
Panel

Dear Mr Cutler,

I regard it as an honour to have been asked by you to become a member of the Advisory Panel to the National Commission on the Causes and Prevention of Violence. I accept this invitation with great pleasure, and the terms offered, which I regard as generous.

I have already started on the task of studying the various reports emanating from the Task Forces, and hope to complete this within the next ten days. I understand, however, that you are anxious to receive the views of the members of the Advisory Panel as soon as possible and I therefore propose to send you separate memoranda, each relating to a particular report or group of reports.

Also, in order to save time, I shall confine myself to expressing in these memoranda my views on the crucial questions such as suitability for publication and the form in which it should appear.

As you know, by a happy coincidence, Professor Marvin Wolfgang is with us here as a Visiting Fellow to the Institute, and it might be so much easier if I were to communicate to him whatever I have to say on other matters. Naturally, I also assume that you would like me to show to him the memoranda to which I refer above.

There may be some matters which it would be very difficult, if not impossible, to examine and reach a conclusion by correspondence. Should this prove to be so, or should you wish to see me on any other subject, I shall be in a position to come to see you and your collaborators without much effort or expense because, as it happens, I shall be back in New York on 8 March and shall stay there for six weeks. My address there will be Stanhope Hotel, Fifth Avenue at 81st Street, New York, N.Y. 10028 (Apartment 411). The post has lately been irregular across the Atlantic owing to a strike here and I should be grateful to you if my letters could be acknowledged without delay.

I gather that the work of the Commission is proceeding very satisfactorily, nevertheless I have a feeling that you will be glad when it is finished.

With my kindest regards  
Yours truly  
L.R.

Mr Lloyd N. Cutler  
Executive Director  
National Commission on the Causes and

SUPPLEMENTAL LIST

(L) Stanton Wheeler  
Russell Sage Foundation  
230 Park Avenue  
New York, New York

(L) Hans H. Toch  
School of Criminal Justice  
State University of New York  
Albany, New York

(L) David Daniels  
Stanford University  
300 Pasteur Drive  
Palo Alto, California

(L) Dr. Joseph Satten  
Director  
Division of Law and Psychiatry  
Menninger Foundation  
3517 West 6th Street  
Topeka, Kansas

(L) Richard Rubenstein  
1725 Q Street  
Washington DC

*Campbell*

December 9, 1968

Dr. John P. Spiegel  
Chairman  
Task Force on Aggression  
and Violence  
Lemberg Center for the  
Study of Violence  
Brandeis University  
Waltham, Massachusetts 02154

Dear John:

Thanks for the notes on the deliberations of the  
APA Task Force on Aggression and Violence - and for  
your own helpful comments on the draft Progress Report.

Ron Wolk and I enjoyed seeing you and Ralph Conant  
today, and we look forward to the commentary on the  
Walker Report which you are contemplating.

Sincerely,

James S. Campbell  
General Counsel

JSC/cah

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John P. Spiegel					
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Task Force on Aggression					
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Lemberg Center for the Study of Violence

BRANDEIS UNIVERSITY

WALTHAM, MASSACHUSETTS 02154

DIRECTOR  
JOHN P. SPIEGEL, M.D.  
ASSOCIATE DIRECTOR  
RALPH W. CONANT, Ph.D.

December 4, 1968

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

Dear Jim:

I am enclosing the Summary of Discussion  
of the Task Force on Aggression and Violence  
held at the fall APA meetings for your  
information.

Sincerely,

*John*  
John P. Spiegel, M.D.  
Chairman  
Task Force on Aggression  
and Violence

Enclosure  
JPS:lcc

*The commentary on  
the Walker Report  
which you are  
contemplating.  
Sincerely,*

*Don Wolk and I  
enjoyed seeing you  
and Ralph Conant  
today, and we look  
forward to*

*Dear John:  
Thanks for the notes on  
the deliberations of the APA  
Task Force on Aggression and  
Violence - and for your own  
helpful comments on the  
staff progress report.*

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## SUMMARY OF DISCUSSION

Task Force on Aggression and Violence

APA Fall Committee Meetings  
Washington, D.C.  
October 31 - November 1, 1968

This was the first meeting of the Task Force on Aggression and Violence since it was officially appointed at the meeting of the APA Council on May 16, 1968. All current members of the Task Force attended the meeting, namely, John P. Spiegel, Chairman (Boston), James L. Curtis (Brooklyn), Thaddeus L. Kostrubala (Chicago), Charles A. Pinderhughes (Boston), and Donald J. Scherl (Boston).

At the outset John Spiegel brought up some questions about the advantages and disadvantages of his remaining as Chairman of this Task Force. On the plus side was the fact that he is in touch with most of the persons and organizations currently active in the field of violence research. Negative factors, weighing more heavily on his mind than the positives, were his involvement in so many different organizational roles concerned with this one, narrow area, and, flowing from this, a possible limitation on his ability to speak freely or to fairly represent a subdivision of the American Psychiatric Association in the role of Task Force Chairman. Since the Task Force members were not convinced, one way or the other, of the best solution of this situation, it was decided to postpone further

consideration of the matter until enough time had passed to evaluate the various issues on the basis of events rather than abstract arguments. John Spiegel thereupon agreed to carry on as chairman at least until the spring meeting of the APA.

Next there occurred a discussion of the need to enlarge the membership of the Task Force. After a review of possible candidates, it was decided to propose the following three names to the Co-ordinating Council on National and International Affairs: David Daniels (Stanford), Alan Elkins (St. Lukes, New York City), and Murray Glussman (Columbia). Dr. Daniels has recently led a team within the Department of Psychiatry at Stanford University Medical School which has been reviewing and assessing the literature in the area of aggression and violence. Dr. Elkin, a community psychiatrist, has looked at the effect of poverty and community conflicts on individual and collective aggressive behavior. Dr. Glussman has investigated the neurophysiological correlates of aggression both in man and in experimental animals. The chairman agreed to contact these three persons to determine whether they would be willing to serve on the Task Force.

The discussion then turned to the questions of the immediate and long-range objectives of the Task Force. Since the relation of the Task Force to the work of the National Commission on the Causes and Prevention of Violence had already been raised in prior communications from Walter

Barton, APA Medical Director, this matter quickly became the center of discussion of immediate goals. Concern had been expressed about the adequacy of the psychiatric input to the work of the Commission, both in the area of testimony before the Commissioners, and in relation to the work of the research staff and the contracting agencies working for the Commission. Pursuing this question, the Task Force members reviewed the outlines prepared by the various research staffs of the Commission supplied by John Spiegel in his role as member of the Advisory Panel to the Commission. To familiarize themselves more concretely with the nature of the Commission's procedures, the Task Force members also attended a hearing of the Commission on November 1 at the New Senate Office Building and listened to the testimony and questioning of former Governor Sanders of Georgia in the area of Law and Law Enforcement. At this time, we had the opportunity to talk to Dr. Walter Menninger, who is one of the Commissioners, about his views of the Commission's work. In addition, we spoke to Lloyd Cutler, Executive Director of the staff of the Commission. In the course of these contacts an arrangement was worked out whereby our Task Force would be supplied with rough drafts of the reports being prepared by the research staffs of the Commission in at least three areas: Individual Violence, Collective Violence, and Assassinations. Task Force members, it was decided, will review these documents and

write critiques, or make such comments as seem advisable from the point of view of psychiatry, which the staffs may want to take into consideration in preparing their final reports.

Finally, in connection with this immediate goal, there was some discussion concerning the advisability of the Task Force recommending to the Council of the APA that it frame a statement or a resolution concerning the final report and recommendations of the National Commission on the Causes and Prevention of Violence--a procedure that, perhaps unfortunately, was not adopted in relation to the report of the National Advisory Commission on Civil Disorders (Kerner Commission). Since it would obviously have been premature to form a judgment on this point at present, it was decided to keep the matter under continuous review during future meetings of the Task Force.

With respect to long-range goals, the discussion centered on the desirability of formulating critical questions which might lead to needed research on aggression and violence. A number of such questions were tentatively identified:

- 1) What are the factors involved in the initiation and maintenance of polarization of conflict between groups? Some empirical generalizations concerning possible factors were suggested in the hope they might turn out to be

researchable hypotheses:

- (a) If there exists a wish to display violence, polarization must be created (e.g., by provoking an adversary to attack) in order to justify the violence, both to the superego restrictions of the participants and in the eyes of a non-participating audience. But once the act of violence has been committed, polarization must be maintained in order to continue to justify the behavior; forgiving and making room for negotiating thus becoming impossible.
- (b) In the absence of formal (socially structured) polarization (for example, war is declared or an adversary is challenged to a fight) if the violent aggressor is not highly aroused (e.g., as in a "crime of passion") or otherwise normatively motivated (e.g., acting in self-defense), he will be perceived as either crazy or evil, or both (e.g., the "cool" or detached killer).
- (c) A group involved in intense struggle can perceive a potential decrease in

polarization as a threat to be avoided at all costs when it also perceives the adversary as stronger, wlier, and fortified by traditional sanctions. Under these circumstances, to make any concession at all is to undergo complete surrender (i.e., "co-optation"). This may explain the intransigence of such groups as the SDS and their unwillingness to engage in an intellectual discussion of the issues or to accept partial victories.

2) When is violence functional, and when it is not?

It was felt that this question should be left open and ways found to investigate it, especially in view of popular thinking which either condemns specific acts of violence (e.g., the war in Vietnam is immoral) or praises them (e.g., wars of national liberation are both necessary and moral).

3) Independent of the social and personal consequences of answers to the above questions, it was thought advisable to raise questions about the effect of polarization, conflict, and violence on maturation of the personality, for various developmental periods in childhood and adolescence and for variously involved (e.g., oppressing or oppressed) groups.

Task Force members raised several other possible research questions but there was insufficient time to examine them in detail. John Spiegel also spent some time describing the program of studies being conducted at the Lemberg Center for the Study of Violence and at other research sites. Because of the amount of information which the Task Force will have to review, and because of the probable time needs required for the immediate goal of responding to the work of the National Commission on the Causes and Prevention of Violence, it was decided to hold an interim meeting, either at the Lemberg Center in Waltham, Massachusetts or in Washington, D.C. in late February or early March.

Respectfully submitted,

*John P. Spiegel*  
John P. Spiegel  
Chairman

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*Seymour Miller*

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MEMORANDUM  
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I have been familiar with Dr. Spiegel's work only since last June when the Commission on Violence was formed, and I am not now intimately familiar with the details of the operation of his Center ~~at~~ at Brandeis. I do know, however, that John Spiegel is an able man who has assisted this Commission in numerous respects relating to its work. He has aided us in deciding the scope and ~~nature~~ nature of the Commission staff work, he has recommended several competent scholars to us who are now serving on our staff, and he has agreed to serve on our Advisory Panel to aid us in assessing the quality of the Commission staff work. As you know, the Lemberg Center is generally highly regarded and my experience with Dr. Spiegel has produced nothing to cause me to disagree with the generally high opinion which the Center ~~has~~ has held.

*Dictated to Miss Utley -  
Dr. Muller's office - on 10/25/68.*

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JAMES S. CAMPBELL  
GENERAL COUNSEL

WILLIAM G. McDONALD  
ADMINISTRATIVE OFFICER

September 24, 1968

MEMORANDUM FOR THE COMMISSION

Attached are the following items:

- (1) A memorandum concerning production of the Interim and Final Commission Reports;
- (2) A memorandum concerning the informal Advisory Panel;
- (3) A new draft of the Schematic Outline; and
- (4) A paper recently delivered by Harris Wofford, Jr. on the subject of civil disobedience.

The first two of the above items were on the agenda for the Executive Session of September 19, but were not reached. We should probably discuss both of these items, and the Schematic Outline, at our next Executive Session.

Lloyd N. Cutler  
Executive Director

Attachments

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September 24, 1968

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ADMINISTRATIVE OFFICER

MEMORANDUM FOR THE COMMISSION

Re: Proposed Staff Plan for Production of  
Interim and Final Commission Reports.

It is necessary for the staff to obtain at this time guidance from the Commission concerning the drafting of the Commission Reports because of the President's request that a Commission Report be delivered to him by December and because of the Commission's response that it would do "its utmost to put out at least an Interim Report by that time." The President evidently wishes at least to be able to draw on the findings of the Commission for his State of the Union Message in the first week in January; in order to do so, it is necessary for him to have some type of report from us by mid-December, although not necessarily one he would make public at that time.

The main question posed in this memorandum is how we can best meet the President's needs in a manner consistent with our basic obligation to do a thorough, scholarly job of studying the subject of violence.

It must be recognized at the outset that the staff Task Force Reports cannot be completed and ready for distribution to the Commission for their information until December 1 - 15, assuming that no delays are encountered. Obviously, therefore, any Interim Report cannot be based on adequate consideration of these Task Force Reports, although the Commission will be apprised of the general drift of the Reports, and will perhaps be able to see portions of them in draft, prior to December 1. It does seem practicable at this time to conceive of being able in December to utilize to some extent the work of the Task Forces and some of the independent scholarly papers they have commissioned.

Another source of material for any Interim Report to the President in December will be the information obtained by the Commission in its hearings, which will have been concluded in the first week of November (aside from such hearings as may be held on Chicago or other recent incidents). These hearings will present substantial information to the Commission in each of the seven substantive areas being investigated in greater detail by each of the Task Forces.

Moreover, the hearings will also involve regular Executive Sessions in which the information obtained is discussed and evaluated by the Commission and the relevant members of the staff, and in which progress reports are made on the Task Force work. Following the conclusion of the hearings in early November, there will be a period of approximately three to five weeks during which the Commission could meet on a regular basis to consider drafts of an Interim Report.

On the basis of these considerations, the staff concludes that while it is not feasible for the Commission to attempt to provide the President with a Final Report in December (or even in early January), it is feasible and appropriate for the Commission to plan for providing an Interim Report to the President in December.

It would be desirable to decide now what, in a general way, the form and content of such a Report should be. In the view of the staff, the Interim Report should follow the form of the Final Report which would appear some months later -- i.e., the form now tentatively set forth in the draft Schematic Outline. The Interim Report, of course, would contain an appropriate preface stressing that it is an interim document for the President's convenience and that a more detailed report will follow.

In proposing that the Interim Report be modeled on the Final Report, the staff does not intend that the earlier Report be simply a capsule summary of the later one. That would be inconsistent with the Commission's need to evaluate the Task Force Reports in a careful and thorough way. It would seem clear, for example, that the Interim Report could not properly contain a full set of recommendations on all the subjects to be studied by the Commission. In particular areas, however, some recommendations suitable for the State of the Union message might be possible based on the hearings and on preliminary Task Force drafts. Similarly, even generalized findings of fact might not be possible in particular areas where the Task Forces are doing original work (e.g., the effects of media portrayals of violence), while in other areas a reasonably detailed factual picture could be provided based on pre-existing data that had been presented at the hearings (e.g., the amount and occurrence of violent individual crime). Where the Commission is not prepared to comment on a particular topic, the Interim Report would simply describe in a general way what the Commission was investigating and state that the matter was still under consideration.

The extent to which the Interim Report could be published, and the time of publication, if any, would, of course,

- 5 -

be up to the President. While the President undoubtedly intends that the Final Report be widely publicized, he might be amenable to any different views of the Commission as to publication of the Interim Report.

Lloyd N. Cutler  
Executive Director

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LLOYD N. CUTLER  
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September 24, 1968

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MARVIN E. WOLFGANG, PH.D.  
CO-DIRECTORS OF RESEARCH

JAMES S. CAMPBELL  
GENERAL COUNSEL

WILLIAM G. McDONALD  
ADMINISTRATIVE OFFICER

MEMORANDUM FOR THE COMMISSION

Re: Informal Advisory Panel

Professor Hylan Lewis of Brooklyn College and the Metropolitan Applied Research Center was invited last week to serve on our Informal Advisory Panel, but he declined to do so because of other commitments.

If the Commission approves, we propose to invite the following additional persons to serve on the panel:

Myrl Alexander  
Director  
U.S. Bureau of Prisons  
Department of Justice  
Washington, D. C.

Clarence Mitchell, Jr.  
Washington Representative  
NAACP  
Washington, D. C.

Mary Bunting  
President  
Radcliffe College

Benjamin Quarles  
Professor of History  
Morgan State College  
Baltimore, Maryland

Charles Hamilton  
Professor of Political Science  
Roosevelt University  
Chicago, Illinois

Quinn Tamm  
Executive Director  
International Association  
of Chiefs of Police  
Washington, D. C.

John Martin  
Professor of Sociology  
Fordham University  
New York, N. Y.

Michael Winston  
Assistant Dean of  
College of Liberal Arts  
Howard University  
(Former President of  
Student Council)  
Washington, D. C.

- 2 -

Additional suggestions from the Commission will  
be welcome.

James F. Short, Jr.  
Co-Director of Research

James S. Campbell  
General Counsel

DRAFT 9/24/68

September , 1968

~~SCHEMATIC OUTLINE OF THE COMMISSION'S FINAL REPORT~~

I. INTRODUCTION

II. THE EXTENT OF VIOLENCE IN AMERICA: a descriptive  
and statistical overview

A. Acts

1. Assassination and other attacks or threats  
of attack on prominent persons: attackers  
and victims.
2. Group violence: who is involved? where is  
it? what are its dimensions?
  - a. University rebellion
  - b. Anti-war and other political  
protest involving violence
  - c. Black militancy -- new developments  
since the Kerner Commission Report
  - d. Ghetto riots (since Kerner Commission Report)
3. Individual acts of violence; kinds, occurrences,  
and social costs of violent private crimes.
4. Use of violence by law enforcement agencies.

B. Attitudes

1. Toward law and order -- what are American  
attitudes toward law and law enforcement and  
what do these attitudes indicate about the  
degree of respect for law?
2. Toward gun ownership -- what is the pattern  
of gun ownership and use in the U.S. and  
what does this indicate about violence in  
the U.S.?
3. Toward violence--as indicated in folklore,  
mass media, and popular culture.

C. Historical and Comparative Perspectives

1. Assassination -- history in U.S. since colonial times and comparison with other modern nations.
2. Group violence -- history of group violence in the U.S. and comparison with levels of collective disorder in other countries.
3. Individual acts of violence -- history in U.S. and comparison with other countries.

D. Conclusions: What does history and comparative study tell us about the extent and depth of violence in the U.S.?

III. WHAT CAUSES AND CONTRIBUTES TO VIOLENCE IN THE U.S.?

A. Violent Crimes

1. The role of environment -- sociocultural perspectives.
2. The role of personality -- psychological perspectives.
3. The role of organic disorders -- medical and biological perspectives.

B. Group Violence

1. The problems of black Americans -- racial unrest; the Kerner Commission Report; black and anti-black militancy.
2. Opposition to the war in Vietnam: motivation, organization, and escalation resulting in violence.
3. The problems of the campus -- student unrest, sources and developments from Berkeley to Columbia that result in violence.
4. The response of the police and other official agencies to protest and demonstrations, both as a control and as a cause of violence.

C. Assassinations and Political Violence

1. Psychological causes and effects of assassination.
2. The effects of quasi-violent extremist groups and subcultures.

D. Firearms and Violence: Cause, Contribution, or Coincidence?

1. Accidents
2. Suicides
3. Violent Crimes (type, esp. homicide, aggravated assault, robbery and rape.)

E. Media and Violence: Cause, Contribution or Symptom?

F. Violence and Respect for Law.

1. Long range importance of public attitudes toward law in reducing the levels of crime and violence.
2. Causes of negative attitudes toward law, especially among minorities and disadvantaged groups in society.
3. Critique of ideologies justifying violence as a response to the failures of the rule of law.

IV. WHAT WE KNOW AND DON'T KNOW ABOUT THE USE AND CONTROL OF VIOLENCE

A. An analysis of some current hypotheses about violence in the U.S.

1. "Violence is a necessary and effective instrument for disadvantaged groups' achieving significant and rapid social or political change."
2. "Forceful repression of violent group outbursts will prevent further outbursts, while concessions will tend to provoke further outbursts."

3. "Poverty causes violence."
4. ~~"Negroes are more violent than whites."~~
5. "The war in Vietnam has increased the level of violence in the U.S. today."
6. "The amount of violent crime in the U.S. results largely from our failure to invest adequate resources in law enforcement."
7. "Violence is the result of 'permissiveness' and lack of respect for law and order."

B. Comprehensive discussion of the limits of our present knowledge about the causes of violence and the means of preventing it.

C. Steps to improve the state of our knowledge about violence.

V. HOW CAN VIOLENCE BE PREVENTED OR CONTROLLED?

A. Investment of resources in law enforcement -- recommendations of the Crime Commission, including new insights on the problem of violent private crime.

B. Investment of resources in institutional reforms -- providing non-violent means for the redress of grievances and the resolution of conflicts and reaffirming the rule of law in society.

C. Methods of reducing the threat of assassination and of protecting prominent figures.

D. Methods of controlling firearms availability in the U.S. -- existing and proposed systems of gun control and their effects; firearms control and law enforcement.

E. The role of the media -- in resolving divisive social issues and in accurately reflecting the use of violence and other means of resolving conflict in our society.

F. The role of the courts, the police, the schools, and the churches, and other social agencies.

VI. CONCLUSIONS AND RECOMMENDATIONS

WHICH IS THE DANGER: CIVIL DISOBEDIENCE OR UNDUE OBEDIENCE?

Talk to session on "Protest in a Democratic Society."

91st Annual Meeting of the American Bar Association  
Philadelphia, August 6, 1968

By Harris Wofford, Jr.

With law and order the popular battle cry, it may seem quixotic for anyone to contend that undue obedience not civil disobedience is our chief danger. Yet this is the first proposition in Justice Fortas's little book, Concerning Dissent and Civil Disobedience, and I think it is the clue we need in the present crisis of dissent and disobedience in the academic world. It tells us to welcome the new world-wide protesting student generation as a giant Socrates come to stir us from our dogmatic slumbers.

Justice Fortas starts with a line from Erich Fromm: "Human history began with an act of disobedience -- it is likely to end with an act of obedience." That original disobedience in the first groves of academe called Eden is said to have been the beginning of human learning -- of learning what Plato calls the one great subject of education, the knowledge of good and evil. Educators should take some courage from this strong original connection between man's fall and his subsequent enlightenment. And when we try with a flaming sword to enforce obedience, in our hearts we know we are wrong; for the synonyms of "obedient" -- "complaint, docile, tractable, yielding, deferential" -- are the opposite of traits needed by a good student.

The kind of undue obedience that might put an end to history is suggested in Justice Fortas's hope that had he lived in Nazi Germany he would not have obeyed Hitler's edicts that ended in genocide even though they were law. The Justice adds:

"If I had been a Negro living in Birmingham -- I hope I would have disobeyed the state law that said that I might not enter the public waiting room reserved for 'Whites.' I hope I would have insisted upon going into the parks and swimming pools and schools which state or city law reserved for 'Whites.' I hope I would have had the courage to disobey, although the segregation ordinances were presumably law until they were declared unconstitutional."

"How, then," he asks, "can I reconcile my profound belief in obedience to law and my equally basic need to disobey these laws?" He then searches for "a principle, a code, a theory" to help him deal with this paradox: "the duty to obey and to disobey."

We in the academic world face the same paradox, for an increasing number of students and faculty are doing in regard to laws and policies which they feel a basic need to disobey what Justice Fortas says he hopes he would have done in Germany or Alabama. We, too, need a theory or principle that will help us deal with the new spectre haunting academia, the spectre of the red flag of communism and the black flag of anarchy flying over Morningside Heights, of students entering and capturing, even briefly, the commanding heights of American higher education. We need a theory of law and politics that will explain and hopefully contain constructively the new politics of direct action protest, including civil and uncivil disobedience, open jail-court and secret law-breaking, student rebellions both non-violent and violent.

Fortunately, the old forms of protest that do not go beyond mere speech; lawful assembly or peaceful petition for the redress of grievances are protected by the Constitution and are even permitted, albeit as if by grace, in most of our feudal principalities called colleges and universities. The right of students or faculty or visitors to advocate anything on our campuses -- Nazism, Communism, sexual freedom, the legalization of marijuana, black supremacy, the war in Vietnam, the victory of the Vietcong, even the reelection of President Johnson -- is generally accepted by academic administrators, though they usually wish that the particular cup would pass from them. And although a majority of the Supreme Court has not yet quite confirmed his doctrine, most of us seem to agree with Alexander Meiklejohn\* (a Socratic college president who spent his last years as an amateur constitutional lawyer) that the primary measure of the right of protest in a democratic society is not the individual's liberty to say what he wants to say, which is protected and limited by the due process clause of the Fifth Amendment -- but a democratic society's need to hear anything relevant to its self-government, the first principle of our body politic, affirmed by the command of the First Amendment that this fundamental freedom shall not be abridged.

The question then is whether We the People, in our capacity as governors of ourselves, need to hear some things that may only be heard or may best be heard through these new forms of protest. Does our system need to provide an opportunity for our bodies politic -- whether the whole of the United States or smaller institutions such as colleges and universities -- to be questioned and challenged at any time in these drastic ways?

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\*Alexander Meiklejohn, Free Speech and Its Relation to Self Government,

Harper, 1948.

I want to argue the affirmative, but if I start with the set of symbols coming out of Columbia -- the forcible capturing of a college dean or the burning of a professor's papers -- we are likely to get stuck where Justice Fortas I think got stuck, the place where even Justice Black has turned back saying civil disobedience is not a proper extension of the freedom of speech. Let me emphasize, in passing that the theory of civil disobedience advanced by Gandhi and Martin Luther King does not ask for amnesty; to the contrary, it assumes that until the law is changed it should be enforced, and that those who choose civil disobedience as a way of persuading society to change the law should expect to suffer the legal consequences. Gandhi liked to advise the judge either to resign his office and join the civil disobedience, or, if in conscience he could support the law, to impose the maximum sentence and Gandhi himself went to jail cheerfully, "as a bridegroom entering the bridal chamber." Mark Rudd might not agree, but as an advocate of civil disobedience I do not find it contradictory to advocate also the arrest and prosecution of law breakers, and particularly of kidnapers and arsonists. I would also advise the deans, professors and presidents against whom such extreme student protests are conducted, to consider the substance of the protests. For example, a visit to talk with the protestors in jail would seem to be in order, to find out more what was on their minds. The best talk I ever had with one leader of the Free Speech Movement at Berkeley was while he was in a California county jail.

But let me come back to this difficult point by a different route with a different set of symbols. With the help of Mrs. Wilbur J. Cohen, some trees in Rock Creek Park and a bulldozer, let me argue why part of the antidote to communism and anarchy alike may very well be larger doses, from time to time, of non-violent direct action or civil disobedience.

Last week I walked in the wake of a bulldozer on a path that wound three miles through the woods in which our new campus at Old Westbury is being built. I saw the hundreds of trees knocked down to make room for the construction of one of the most modern campuses in the country. Regretting the beauty gone, and remembering the perilous balance of carbon and oxygen in nature, the spread of air pollution, and the human world's dependence on the green world to save it from suffocation, I felt great sympathy and respect for Mrs. Wilbur J. Cohen who that very day, according to the New York Times, had joined eight other persons in forming a human chain to prevent bulldozers from clearing the trees to make a road through Rock Creek Park, one of the last wildernesses left in the Washington area. The protestors were also legally appealing the denial of a court injunction they had sought to block the project, but knowing that in this, as in many cases, justice delayed is justice denied, they were taking direct action to save the trees, and they were prepared to pay the consequences of this civil disobedience.

Their protest, you will note, went beyond the legalities of their court claim or any constitutional right, for there is no provision for equal protection of the laws or due process to trees; it was based on their idea of the common good or of the good, the true and the beautiful, or, in Jefferson's words, of the "laws of nature and of nature's God." Nor does it fall within Justice Fortas's limitation of civil disobedience to disobedience of specific laws that are themselves considered by the protestors to be unjust, for I doubt that Mrs. Wilbur Cohen considers the trespass laws unjust in themselves. I stress this example because the students who seize and sit in buildings, presumably in violation of some trespass or other property laws, are in this category, as are those who engaged in many of the protests against the draft or the war in Vietnam.

Mrs. Cohen's particular civil disobedience, let me add, is not far removed from academic affairs. Students at City College of New York last year blocked the bulldozing of some of that college's last trees, cost the college or the contractor a lot of money, and went to jail for it: and at Old Westbury our dean of students has already vowed to join our students in defending the trees if those trees are disposed of too ruthlessly.

Is Mrs. Cohen's non-violent direct action an appropriate form of protest in a democratic society? I think it is. Indeed I suspect Mrs. Cohen contributed more to the health, education and welfare of this nation that day by her example than her husband contributed that day or many days as Secretary of Health, Education and Welfare.

In the age of the bulldozer mere speech is not enough. The bulldozer driver can't hear above the din, and he is not the one to receive petitions. According to Gandhi's tests, the citizen should go through all the conventional politics of petitions, council meetings, and courts as Mrs. Cohen and her friends did, but he should not always stop there. If the issue seems to him important enough, he should try to stop the bulldozer with his body and cause society and all the forces behind the bulldozer to pause and reconsider. This has been called voting with your feet. It is speaking through symbolic action. In our complex technological society are not such new forms of political communication necessary?

Even Jeffersonian persuasion included such direct action as the Boston Tea Party and the illegal declaration here at Philadelphia. In our day, knowing the deeper realms of the psyche disclosed by Freud, the complicated ties of class stressed by Marx, and the difficulties of making oneself heard in the system of mass production and mass communication ushered in by Henry Ford and company, we need to develop a different and stronger dialectic

than mere words and periodic elections. Gandhi and Martin Luther King believed that non-violent direct action added a new dimension of persuasion that reached through lines of class, that penetrated the deeper levels of the human mind and heart, that could even help us deal with bulldozers.

Are our institutions and governments today not something like bulldozers? They are cumbersome and powerful, they knock things down in their path, it is difficult to get their attention. By the time citizens discover what is happening, the trees are being destroyed in Rock Creek or Morningside Park or City College or the Redwood Forest; the bombs are being dropped on North and South Vietnam.

If ancient Athens, with a few thousand citizens, was a great steed that needed a gadfly to sting its conscience, don't our colleges and universities and churches and corporations and cities and nation states need such a gadfly? Isn't civil disobedience a good gadfly, a kind of collective reincarnation of Socrates? Its practitioners, sometimes with beards like Socrates, come to ask all the upsetting questions. Yet, like Socrates, they respect the Law -- if they are practitioners of civil disobedience -- even while openly and peacefully disobeying particular laws, a respect they demonstrate by accepting the legal consequences of their disobedience. They do not secretly violate the law or escape the penalty, which would subvert the very system of law. They seek not to undermine law but to perfect it -- "not to abolish the law but to fulfill it."

There is a high legal and constitutional theory behind all this: law should be seen not as a command but as a question. If Justice Fortas as a private citizen, with his mind and heart as guide, should have judged some laws -- Nazi laws and southern segregation laws -- to be so unjust as to require his disobedience then that option should be open to every citizen with every law. Inherent in every law there is the possibility that some citizen will judge it to be unconscionable. In this view, every law, including God's law or a Pope's interpretation of it, is always asking every citizen affected by it the question whether it is a just and good law. And if the citizen's answer is No, then there is always the alternative of civil disobedience. Put this way, each law gives the citizen an alternative of obedience or civil disobedience. Jail-going thus becomes a constitutional way by which a citizen can say No to a law that seems to him so bad or unjust that he would pay the price of prison in order to persuade people to change it. It should be noted there is a corrective implicit in the theory: since not many people will want to spend much of their life in jail, the alternative of civil disobedience will not very often be taken, or will be taken only when people feel very strongly about the issues involved.

But you may fairly ask, thousands or hundreds of thousands of students, perhaps millions, seem to be now in the verge of disobedience and not very civil disobedience at that. That states, quite accurately, the crisis.

Our response should be to affirm the theory of civil disobedience, to enforce the laws in ways that will encourage civil disobedience and discourage violence; to see the massiveness of the new protests as important efforts at communication, and to consider seriously the substance of the protests. Instead it seems to me we have not generally distinguished between civil and uncivil disobedience; we have invoked massive police actions that have taught and promoted violence; we have discounted and ridiculed the students' demands for a more democratic society as calls for communism or anarchy; and we have added to the students' frustration by talking primarily about the form of their protest and seldom considering the content.

Let me elaborate. Our present predominant response, which considers the students as the enemy, exhorts them to behave and then resorts to force, is in fact promoting the very communism and anarchy we profess to abhor. That is, I assume we are not literally concerned about communists, with a capital C, whether of the old conservative Russian vintage or the new Maoist or Fidel Castro or Che Guevara varieties. At most their potential constituency in this country would reach a few million very poor people and a few thousand very radical students. If they were the main problem in the world, we should open our doors to all the militant Communists of the world, for American society is strong and big enough to contain them and frustrate them all. But there is the broader meaning of communism -- the totally planned and programmed society of organization men, the state where bulldozers and the bureaucrats behind them reign supreme. It is that kind of communism, with a small "c", that Mrs. Cohen and most of the student rebels are resisting. It is that kind of communism to which every technological society seems to be heading and which civil disobedience may help us check.

Ironically, the theory and practice of civil disobedience may also be an antidote to anarchy. Again I am not referring to the bomb-throwing of a few students, but to the fatalism and indifference of the multitude of Americans. When people lose the hope that they can determine their own destiny, when Americans lose the hope that they can demonstrate, as the first Federalist paper promised, that men can govern themselves by deliberation and choice and not be forever governed by accident and force, then the consent of the people withers and with it their respect for law. Then law becomes an alien force and indeed "things fall apart the center cannot hold; mere anarchy is loosed upon the world." We are in danger of this today. At a time when students were

almost abandoning hope of influencing great matters affecting them, such as the war in Vietnam and the governance of universities they, like Negroes, in the South before them, found in civil disobedience a powerful new way of registering their dissent -- ~~and thus of generating the fundamental consent we need to keep the process of self government alive.~~

Take Vietnam, for example. Is it not clear that the Vietnam war should have been, and still should be, debated seriously all across the country, and particularly in our institutions of higher learning? It is no tribute to Academia that students generally initiated the Teach-Ins on the war, that the courses and structures of colleges and universities generally precluded serious consideration of the issue as regular part of academic life, and that the students, often in opposition to academic administrations, led most of the protests. Last spring, with a few exceptions, college administrators sought to frustrate the student protestors' call for classes to be suspended on a particular day so that the whole academic community could give collective testimony on the war. One president, Howard Johnson of M.I.T. took a different tack: when student leaders told him they were going to protest campus recruiting by the makers of Napalm, he said that it seemed to him the war was the real question and that he knew of no more important question and that he for one was prepared to meet in a public assembly and to stay as long as anyone had any light to throw on it. That is what happened: thousands of students and many faculty came, Howard Johnson opened the meeting, and for days afterwards students came up to him to say they had felt proud to be part of M.I.T.

That was an approach that took the substance of the protest seriously, that went beyond concern for the students' style or procedures, that for a few days at least, at M.I.T., was an antidote to anarchy. Neither the President of the United States nor many university presidents responded like that, and many dissenters to the war concluded that only the most extreme forms of protest could cause the great bulldozer of our war machine to pause and reconsider. Which was the worse fault, the excesses of those students or the failure of our colleges and universities to sponsor the great disputation our nation needed?

Or take a smaller question, the draft. Burke Marshall's Commission analyzed the inequities and injustice of the present draft laws. Congress then ignored the facts and recommendations and compounded the problem. Why should colleges and universities not take the initiative in throwing light on this issue, and why should young people who consider the selective service system or the war in Vietnam unjust not resist through civil disobedience? I am happy to note that the State University of New York, along with some other colleges and universities, has officially affirmed its respect for students practicing such civil disobedience. The trustees have adopted a policy that "students in good academic standing who demonstrate that their non-compliance with selective service induction orders is firmly rooted in conscience and who accept the penalties of the law for non-compliance, will be re-

admitted to the State University" just like those students in good academic standing who leave because of selective service or for voluntary service.

Finally, let us consider the issue at the center of the student uprising at Columbia: student participation in the government of the university. It may be that the idea of a republic is good almost everywhere except in what have been called republics of learning. It may be that student participation in the government of colleges and universities is good for De Gaulle's platform of reform in France but that participatory democracy is subversive in America. But it seems to me that American students have every right to raise this issue, and through direct action to demand that the academic feudal system of faculty administration and trustee overlords be ended -- to stand up, sit down, or walk out in order to become citizens instead of subjects.

Our response as academic administrators? If we want to drive the student rebellion underground, if we want to teach it to burn buildings and use bombs, if we want to live and die by the old law of returning force for force, a tooth for a tooth, an eye for an eye for an eye that leaves everyone blind, then we will continue the course followed this spring. In fact we might go a step further: if we find the police so congenial to our campuses and students so unruly, we could turn the campus over to the police. They need higher education and have a right to it as much as anyone. Then unhappy students could proceed with their threat to form free universities.

Instead, I hope we pursue what Justice Fortas calls "an alternative to violence." This is law, but a lively, responsive law that is derived from the consent of the governed, that has reason as its central principle, that includes as part of the law's reasoning process the practice of civil disobedience. This new law, that I believe is promised by our Constitution, would prosecute and punish violence and lesser crimes; and it would distinguish between violence to persons, the highest kind of crime, and destruction of property, and there, too, between actual destruction of property such as arson and invasion of property rights such as sit-ins; and the last thing we would do is to invoke mass police action that involves the use of tear gas, black jacks, clubs, mace or guns. The sad lessons of escalation in violence should be as clear at Columbia as they are in Vietnam.

The academic world's first administrative response to student direct action has not been unlike the business world's first response to labor strikes, and especially sit-down strikes, or southern white officials' first response to Martin Luther King and to most Negro mass protests: mass police action. But wiser heads and better lawyers intervened in those cases, and negotiation, new laws, and court injunctions that balanced the rights of

both parties became the order of the day. Before the next college administrator confesses defeat and calls in the police to break up, beat up, or imprison his students, I urge him to consult a lawyer like our commentator today, Burke Marshall. On the march from Selma to Montgomery a few years ago, Burke was by the side of the road with Federal marshals present to protect the Protest marchers and other citizens with a right to use the road. They were enforcing a court injunction that preserved our right to march and the right of cars to travel on the road. Our numbers had been limited to 300 on the narrow stretch of the road. Some militants wanted to defy this part of the injunction, but Dr. King, whose lawyers had had a fair day in court, and the great majority of participants accepted the protection and the limitation.

You may well doubt that some of the more militant students would respond to such an approach, although surely more of them would respect such a court order than mere administrative fiats and police force. Alienation and distrust are indeed widespread among the coming generation, and the strain of violence goes deep in our national soul. The older generation's last great example of disobedience -- against the prohibition laws -- was not very civil. It was semi-secret but gay and overwhelming, not unlike the younger generation's growing disobedience of the laws against marijuana. But the extent of the disaffection is all the more reason for the lovers of law not to let themselves be outwitted. Edwin Markham was a better politician or counselor for college presidents than poet when he wrote:

"He drew a circle that shut me out --  
Heretic, rebel, a thing to flout.  
But Love and I had the wit to win  
We drew a circle that took him in!"

I would amend that to say that academic leaders, with Love and Law, and perhaps with good lawyers at their side, should have the wit to draw a circle that takes students in.

It is easier to say all this in a college whose regular students have yet to arrive, whose administration building burned down -- accidentally (one adviser says providentially) -- before the students arrived. It is easier to have practiced some of this on a small scale first, by bringing in students to serve on the planning staff, in fact to comprise about half of our planning staff. And it is easier to welcome the questioning student generation as a collective Socrates when you agree, as I do, with much of their questioning and even with many of their tentative answers -- on Vietnam and participation in university government, for example.

But even if I believed in colleges and universities trying to function in loco parentis, with presidents and deans pretending

to have powers that most fathers and mothers by this time have given up, I would want not less but more protest, not obedience but some civil disobedience. For a good father or even a monarch should want his children or subjects to become men. In Ethiopia I heard a story about Haile Selassie. A colleague of mine went in with a delegation to see the Emperor and found himself standing straight before the Conquering Lion of the Lost Tribe of Judah while the other delegates were nearly prostrate on the floor. "Forgive me, Your Majesty, I thought you wanted us to talk and I can't talk in that posture," my friend said. "Keep standing," he says the Emperor replied. "I have been waiting 30 years for my people to stand up."

David Riesman insists that student protestors exist in significant numbers on only a minority of campuses, and that far from being plagued with dissent most colleges and universities need some. But here and there students at last are standing up -- or sitting down -- and where it has happened the faculty, the administration, the whole academic community have been stung into new life.

The Pandora's box of self-government, requiring the consent and the dissent of the governed, has many furies in it, some of them painful and disturbing, but at the bottom of the box, according to the myth, there is hope.

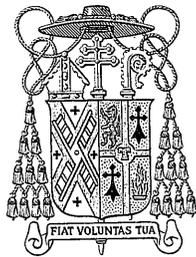
September 24, 1968

Archbishop Cooke:

With reference to your letter of September 17, 1968 concerning Dr. John M. Martin, Dr. Eisenhower asked me to call your attention to the inclusion of Dr. Martin's name in the attached list of persons whom we propose to add to our informal Advisory Panel.

James S. Campbell  
General Counsel

*(Attached to Cooke's copy of  
Sept 24 memo to Commission  
from L.N.C.)*



452 Madison Avenue  
New York, New York 10022

September 17, 1968

Dear Doctor Eisenhower,

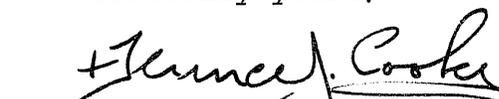
I understand that at the afternoon session of the Commission's meeting on September 4th, the Commission decided to expand the membership of our Commission's informal Advisory Panel.

I would like to recommend most highly the name of Dr. John M. Martin. Dr. Martin participated in the Seminar which the Commission held on Tuesday, July 9th. He is with the Social Research Institute located at Fordham University, where he is also a Professor of Sociology. He is distinguished for studies of violent behavior particularly on the part of delinquent youth and has had two books in this area published.

Dr. Martin was a consultant to the President's Commission on Law Enforcement and Administration of Justice. He has directed a number of demonstration projects and has been engaged in community development programs. It is my understanding that he has developed a good sized team of competent colleagues. I feel he can bring their capacities to bear for the National Commission. It is my belief and that of others to whom I have spoken that he would be a distinct asset to our informal Advisory Panel.

With kindest personal regards and sincere best wishes,  
I am

Cordially yours,

  
Terence J. Cooke  
Archbishop of New York

Dr. Milton S. Eisenhower  
National Commission on the Causes and  
Prevention of Violence  
726 Jackson Place, N.W.  
Washington, D.C. 20506

DRAFT 9/17/68

MEMORANDUM FOR THE COMMISSION

Re: Informal Advisory Panel

Professor Hylan Lewis of Brooklyn College and the Metropolitan Applied Research Center was invited <sup>earlier this week</sup> to serve on our Informal Advisory Panel <sup>but declined</sup> and he has ~~agreed~~ to do so <sup>because of other commitments.</sup>

If the Commission approves, we propose to invite the following additional persons to serve on the panel:

<sup>Mr.</sup> Myrl Alexander  
Director  
U.S. Bureau of Prisons  
Department of Justice  
<sup>W, D.C.</sup>

Dr. Price M. Cobbs  
Assistant Professor <sup>of</sup> Psychiatry  
University of California  
Medical Center  
San Francisco, California  
(~~Co-Author of Black Rage~~)

<sup>Dr.</sup> Professor Charles Hamilton  
Roosevelt University <sup>Dept. of Soc. Sci.</sup>  
Chicago, Illinois

Dr. Vincent Harding  
Professor of History  
Spelman College  
Atlanta, Georgia

Lt. Gen. George R. Mather  
U.S. Army  
Director of Civil Disturbance  
Planning and Operations  
Department of the Army

<sup>Mr.</sup> Quinn Tamm  
Executive Director  
International Association  
of Chiefs of Police  
Washington, D. C.

<sup>Mr.</sup> Michael Winston  
Assistant Dean of Howard Univ.  
Former President of Student  
Council

<sup>Washington, D.C.</sup>

James F. Short, Jr.  
Co-Director of Research

James S. Campbell  
General Counsel

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POSSIBLE ADDITIONAL NAMES FOR ADVISORY PANEL

Myrl Alexander  
Director  
U.S. Bureau of Prisons  
Department of Justice

The Honorable Tom C. Clark  
U.S. Supreme Court  
Washington, D. C.

Dr. Price M. Cobbs  
Assistant Professor of Psychiatry  
University of California Medical Center  
San Francisco, California  
(Co-Author of Black Rage)

Harold Cruse  
Author of The Crisis of the  
Negro Intellectual

Professor St. Clair Drake  
Roosevelt University  
(Co-Author of Black Metropolis)

James Farmer  
former Director of CORE

Fanny Lou Hamer  
active in Mississippi  
Freedom Democratic Party

Professor Charles Hamilton  
Roosevelt University  
Chicago, Illinois

Dr. Vincent Harding  
Professor of History  
Spelman College  
Atlanta, Georgia

Stephen Henderson  
Professor of English  
Morehouse College

Dr. Adelaide C. Hill  
Acting Executive Director  
African Studies Program  
Boston University

Miles Horton  
Hylander School  
Knoxville, Tennessee

Rev. Jesse Jackson  
SCLC

Howard R. Leary  
Commissioner  
New York City Police Dept.

Professor Hylan Lewis  
Brooklyn College  
Brooklyn, New York

Lt. Gen. George R. Mather  
U.S. Army  
Director of Civil Disturbance  
Planning and Operations  
Department of the Army

Patrick Murphy  
Director of Public Safety  
Washington, D. C.

Cecil F. Poole  
U. S. Attorney for the  
Northern District of Calif.  
San Francisco, California

Thomas Reddin  
Chief of Police  
Los Angeles, Calif.

Arlen Spector  
District Attorney  
Philadelphia, Pa.

John J. Stamos  
State Attorney of  
Cook County, Illinois

- 3 -

Quinn Tamm  
Executive Director  
International Association  
of Chiefs of Police  
Washington, D. C.

Sterling Tucker  
Director of Field Services  
National Urban League

Fred M. Vinson, Jr.  
Assistant Attorney General  
Criminal Division  
Department of Justice

Yale Daily News editor

POSSIBLE ADDITIONAL NAMES FOR ADVISORY PANEL

② [ Myrl Alexander  
Director  
U.S. Bureau of Prisons  
Department of Justice

Clark - add young people.

The Honorable Tom C. Clark  
U.S. Supreme Court  
Washington, D. C.

Frank E. Egan -  
Warden of  
Sing Sing Prison.

⑦ [ Dr. Price M. Cobbs  
Assistant Professor of Psychiatry  
University of California Medical Center  
San Francisco, California  
(Co-Author of Black Rage)

~~J. Edgar Hoover~~  
not him - but  
like him.

Harold Cruse  
Author of The Crisis of the  
Negro Intellectual

Student leaders.

Professor St. Clair Drake  
Roosevelt University  
(Co-Author of Black Metropolis)

① [ Asst Dean of  
Howard  
Michael Winston,  
former President of  
Student Council.

James Farmer  
former Director of CORE

Fanny Lou Hamer  
active in Mississippi  
Freedom Democratic Party

③ [ Professor Charles Hamilton  
Roosevelt University  
Chicago, Illinois

④ [ Dr. Vincent Harding  
Professor of History  
Spelman College  
Atlanta, Georgia

Stephen Henderson  
Professor of English  
Morehouse College

A. Poussaint -

Clarence Mitchell Jr.  
(Harris)

Clarence Mitchell, Sr.  
Washington Rep of  
NAACP.

Norton Batkin -  
like Herb Baker's  
(sugg by Ursin)

Dr. G. Franklin Edwards  
Chairman,

Dr. Adelaide C. Hill  
Acting Executive Director  
African Studies Program  
Boston University

Miles Horton  
Hylander School  
Knoxville, Tennessee

Rev. Jesse Jackson  
SCLC

Howard R. Leary  
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District Attorney  
Philadelphia, Pa.

John J. Stamos  
State Attorney of  
Cook County, Illinois

⑥  
✓  
Quinn Tamm  
Executive Director  
International Association  
of Chiefs of Police  
Washington, D. C.

Sterling Tucker  
Director of Field Services  
National Urban League

Fred M. Vinson, Jr.  
Assistant Attorney General  
Criminal Division  
Department of Justice

THE WHITE HOUSE OFFICE

REFERRAL

To: Mr. Lloyd N. Cutler  
Executive Director  
Commission on the Causes and Prevention  
of Violence

Date: September 12, 1968

JSC

NO  
ANS  
9/16

ACTION REQUESTED

- Draft reply for:  
 President's signature.  
 Undersigned's signature.
- Memorandum for use as enclosure to  
reply.
- Direct reply.  
 Furnish information copy.
- Suitable acknowledgment or other  
appropriate handling.  
 Furnish copy of reply, if any.
- XXXX For your information.
- For comment.

NOTE

*Prompt action is essential.*

If more than 48 hours' delay is encountered,  
please telephone the undersigned immediately,  
Code 1450.

Basic correspondence should be returned when  
draft reply, memorandum, or comment is re-  
quested.

JSC  
9/16

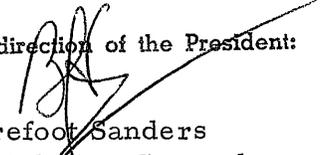
REMARKS:

Description:

XXX Letter:  Telegram:  Other:

To: The President  
From: Cong. John Monagan, Cong. Thomas Meskill, Cong. Donald Irwin  
Date: September 4, 1968 September 10, 1968 September 4, 1968  
Subject: Need for representation of the state police on the Commission on Law  
Enforcement and Criminal Justice.

By direction of the President:

  
Barefoot Sanders  
Legislative Counsel  
to the President

September 12, 1968

Dear Don:

Thank you very much for your recent letter concerning the need for representation of the state police on the President's Commission on Law Enforcement and Criminal Justice.

I believe you must be referring to the National Commission on the Causes and Prevention of Violence as the Commission on Law Enforcement and Criminal Justice filed its report and went out of existence sometime ago.

We understand from the Violence Commission that it is doubtful that additional commission members will be appointed. However, consideration is being given to an advisory panel, some members of which would be police officers.

I am forwarding your letter to the Commission for further consideration.

Sincerely,

Barefoot Sanders  
Legislative Counsel  
to the President

Honorable Donald J. Irwin  
House of Representatives  
Washington, D. C.

DONALD J. IRWIN  
CONNECTICUT

COMMITTEE ON  
MED SERVICES

43 LONGWORTH OFFICE BUILDING  
WASHINGTON, D.C.  
PHONE: 225-5541

DANIEL E. REED, JR.  
DISTRICT COORDINATOR  
866-3325

Congress of the United States  
House of Representatives  
Washington, D.C. 20515

September 4, 1968

DISTRICT OFFICES:

STAMFORD  
ROOM 301  
1 BANK STREET  
PHONE: 348-4265

NORWALK  
PHONE: 866-9271

BRIDGEPORT  
ROOM 841  
855 MAIN STREET  
PHONE: 335-1646

Hon. Barefoot Sanders  
White House  
Washington, D. C.

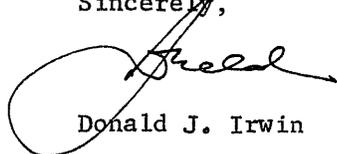
Dear Barefoot:

Commissioner of Connecticut State Police, Leo J. Mulcahy, has expressed to me his concern over the lack of representation of the state police in the President's Commission on Law Enforcement and Criminal Justice.

I am surprised to learn that the state police are not represented on this Commission, for they are more than highway patrolmen. They make a significant contribution to criminal apprehension and law enforcement in the state.

Perhaps you could express to the President my hope that the state police might receive representation in this Commission.

Sincerely,

  
Donald J. Irwin

DJI:ra

Congress of the United States  
House of Representatives

OFFICIAL BUSINESS

Hon. Barefoot Sanders  
White House  
Washington, D. C.

*Small J. Swain*  
M.C.

SEP 5 1966

RECEIVED  
SEP 5 1966  
U.S. HOUSE OF REPRESENTATIVES  
WASHINGTON, D.C.

SEP 5 1966  
U.S. HOUSE OF REPRESENTATIVES  
WASHINGTON, D.C.

September 12, 1968

Dear Congressman:

Thank you very much for your recent letter concerning the need for representation of the state police on the President's Commission on Law Enforcement and Criminal Justice.

I believe you must be referring to the National Commission on the Causes and Prevention of Violence as the Commission on Law Enforcement and Criminal Justice filed its report and went out of existence sometime ago.

We understand from the Violence Commission that it is doubtful that additional commission members will be appointed. However, consideration is being given to an advisory panel, some members of which would be police officers.

I am forwarding your letter to the Commission for further consideration.

Sincerely,

Barefoot Sanders  
Legislative Counsel  
to the President

Honorable Thomas J. Meskill  
House of Representatives  
Washington, D. C.

bs/jf

OFFICE BUILDING  
C. 20515  
-5-4476  
COMMITTEE:  
JUDICIARY

**Congress of the United States**  
**House of Representatives**  
Washington, D. C.

September Tenth

1 9 6 8

TIMOTHY D. SMITH  
ADMINISTRATIVE ASSISTANT

DISTRICT OFFICE:  
CITY HALL BUILDING  
ROOM 406  
NEW BRITAIN, CONNECTICUT 06050  
203-229-0773

ADOLF G. CARLSON  
DISTRICT ADMINISTRATIVE AIDE

The President  
The White House  
Washington, D. C.

Mr. President:

Mr. Leo J. Mulcahy, Commissioner of the Department of State Police in Connecticut, has contacted me expressing his grave concern over the image of the State Police as depicted by the Department of Justice and manifested by the absence of representation on the President's Commission on Law Enforcement and Criminal Justice.

In Connecticut and a number of other States, the State Police are not limited to the field of traffic but have specific criminal investigatory capabilities. In Connecticut, the State Police carry out their responsibilities in the finest tradition and work closely with local Police Departments and with the F.B.I.

Undoubtedly, this situation has come to your attention prior to this communication, but I did want you to know of my strong interest in the matter and to urge you to do all that you possibly can to insure the State Police of the recognition due them as a criminal investigation agency.

I would be interested in hearing from you in this regard.

Respectfully yours,



Thomas J. Meskill  
Congressman - 6th District

TJM/wav

Congress of the United States  
House of Representatives

OFFICIAL BUSINESS

The President  
The White House  
Washington, D. C.

SEP 11 1968

AM



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SEP 11 1968  
1968 SEP 11 AM 8 52

WHITE HOUSE  
MAIL ROOM

TO THE PRESIDENT  
THE WHITE HOUSE  
WASHINGTON, D. C. 20503

September 12, 1968

Dear John:

The President has asked me to thank you for your recent letter concerning the need for representation of the state police on the President's Commission on Law Enforcement and Criminal Justice.

I believe you must be referring to the National Commission on the Causes and Prevention of Violence as the Commission on Law Enforcement and Criminal Justice filed its report and went out of existence sometime ago.

We understand from the Violence Commission that it is doubtful that additional commission members will be appointed. However, consideration is being given to an advisory panel, some members of which would be police officers.

I am forwarding your letter to the Commission for further consideration.

Sincerely,

Barefoot Sanders  
Legislative Counsel  
to the President

Honorable John S. Monagan  
House of Representatives  
Washington, D. C.

OFFICE:  
OFFICE BUILDING  
MIDDLETOWN, CONNECTICUT 06720  
TELEPHONE 754-2424

BUILDING  
322

**Congress of the United States**  
**House of Representatives**  
Washington, D.C. 20515

**COMMITTEES:**  
**FOREIGN AFFAIRS**  
EUROPE  
STATE DEPT. ORGANIZATION AND  
FOREIGN OPERATIONS  
INTER-AMERICAN AFFAIRS  
NEAR EAST  
**GOVERNMENT OPERATIONS**  
DONABLE PROPERTY (CHAIRMAN)  
NATURAL RESOURCES AND POWER  
FOREIGN OPERATIONS

September 4, 1968

The President  
The White House  
Washington, D. C.

S  
Dear Mr. President:

Commissioner Leo J. Mulcahy of the Connecticut Department of State Police has informed me that there is no representative of a State Police organization on the President's Commission on Law Enforcement and Criminal Justice.

It does seem to me that the knowledge and experience of the State Police should be available to such an important Presidential Commission. I am therefore writing this letter to urge that if and when possible a representative of a State Police Department be made a member of the Commission.

Sincerely yours,

*John S. Monagan*  
JOHN S. MONAGAN  
Member of Congress

JSM:le

Congress of the United States  
House of Representatives

OFFICIAL BUSINESS

The President  
The White House  
Washington, D. C.

*John S. Monagan*

M. C.

SEP 6 1968

RECEIVED  
SEP 6 1968

SEP 6 1968

TO: THE PRESIDENT  
FROM: THE HOUSE OF REPRESENTATIVES

OFFICE OF THE CLERK OF THE HOUSE OF REPRESENTATIVES  
WASHINGTON, D. C.

SEP 6 1968

1968 SEP 6 AM 8 57

WHITE HOUSE  
MAIL ROOM

POSSIBLE ADDITIONAL NAMES FOR ADVISORY PANEL

Myrl Alexander  
Director  
U.S. Bureau of Prisons  
Department of Justice

The Honorable Tom C. Clark  
U.S. Supreme Court  
Washington, D. C.

Dr. Price M. Cobbs  
Assistant Professor of Psychiatry  
University of California Medical Center  
San Francisco, California  
(Co-Author of Black Rage)

Harold Cruse  
Author of The Crisis of the  
Negro Intellectual

Professor St. Clair Drake  
Roosevelt University  
(Co-Author of Black Metropolis)

James Farmer  
former Director of CORE

Fanny Lou Hamer  
**active in Mississippi**  
Freedom Democratic Party

Professor Charles Hamilton  
Roosevelt University  
Chicago, Illinois

Dr. Vincent Harding  
Professor of History  
Spelman College  
Atlanta, Georgia

Stephen Henderson  
Professor of English  
Morehouse College

Dr. Adelaide C. Hill  
Acting Executive Director  
African Studies Program  
Boston University

Miles Horton  
Hylander School  
Knoxville, Tennessee

Rev. Jesse Jackson  
SCLC

Howard R. Leary  
Commissioner  
New York City Police Dept.

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Brooklyn College  
Brooklyn, New York

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Cook County, Illinois

Quinn Tamm  
Executive Director  
International Association  
of Chiefs of Police  
Washington, D. C.

Sterling Tucker  
Director of Field Services  
National Urban League

Fred M. Vinson, Jr.  
Assistant Attorney General  
Criminal Division  
Department of Justice

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

CHAMBERS OF  
A. LEON HIGGINBOTHAM, JR.  
JUDGE

July 22, 1968

2110 UNITED STATES COURTHOUSE  
PHILADELPHIA, PA. 19107  
WALNUT 5-0363

John P. Spiegel, M. D.  
Director  
Lemberg Center for the Study of Violence  
Brandeis University  
Waltham, Massachusetts 02154

Dear Dr. Spiegel:

Thank you for your letter of July 12, 1968,  
forwarding to me copies of two speeches.

I do think you have a most difficult problem  
in terms of the reaction of Negro social scientists as  
to what the media has implied has been your thought that  
the National Commission on Civil Disorders did a super-  
ficial job when they said the following:

"What white Americans have never fully  
understood - but what the Negro can  
never forget - is that white society  
is deeply implicated in the ghetto.  
White institutions created it, white  
institutions maintain it and white  
society condones it."

In fact, I talked to a couple of outstanding social  
scientists who refused to work with you on the panels be-  
cause they had misunderstood your comments about the Civil  
Disorders Commission's report. I do think that sometime in  
the future, if as you said to me, that you agree with  
ninety-five per cent of the findings and conclusions of the  
Civil Disorders Commission's report, certainly you should  
state it in your written speeches in that precise manner.

John P. Spiegel, M.D.

-2-

July 22, 1968

Looking forward to observing your work  
throughout the future years, I am

Sincerely yours,

  
A. Leon Higginbotham, Jr.

ALH, Jr. /emb

*File*

July 18, 1968

Dear Leon:

Anything you can do to persuade Kenneth Clark to join our senior advisory group would be most appreciated.

Do you have a judgment about asking Charles Hamilton to become a consultant on mass protest and related matters? James Wilson, Richard Wade and several others strongly advise we do so.

Sincerely,

Lloyd N. Cutler  
Executive Director

Judge A. Leon Higginbotham  
U. S. District Judge for Eastern  
District of Pennsylvania  
U. S. Court House  
Philadelphia, Pennsylvania

Enclosure

*JL*

July 18, 1968

Dear Professor Clark:

Since we have had so much difficulty getting together over the telephone, I am putting down the purpose of my calls in this letter.

As Leon Higginbotham has told you, we are most anxious to have the Commission's work reflect the full participation and views of the social and behavioral scientists whose work has touched on various aspects of violence. As indicated by the enclosed outlines, we plan to divide the Commission staff into 7 or 8 task groups, each of which would have a social scientist as a co-director and would engage outside consultants from the relevant academic disciplines.

Professor Marvin Wolfgang of the University of Pennsylvania has agreed to become the overall Director of Research, and he is now engaged in recruiting for the various task groups. To assist him in this and later phases of the Commission's work, we are planning to organize an informal panel of senior advisors who would be available for periodic consultation in selecting

and recruiting staff members and consultants, reviewing work programs and criticizing draft papers as the job progresses. Morris Janowitz and Richard Wade of Chicago, James Q. Wilson and James Vorenburg of Harvard, Orville Brim of Russell Sage and John Speigel of Brandeis have agreed to serve on the panel. We hope very much you will agree to join them.

I do not think many meetings will be involved, and that at most the assignment would not take more than a few days of your time between now and the end of the year.

I know how busy you are and that you have probably had your fill of Presidential commissions. While none of us can be sure at this stage that the present Commission will be able to make a worthwhile contribution, we do think we can render a useful service by putting the subject of violence in its proper historical and comparative perspective and by informing the public what evidence exists or is lacking to support various explanations of violent behavior. We may also be able to draw some useful conclusions about the fine tuning and institutional adaptations needed to establish an effective balance between law enforcement and social change, and to make some specific contributions in such areas as gun control, the role of the media and the urgent need for carrying out the many excellent recommendations of the Kerner and Crime Commissions. In any



July 16, 1968

Jim:

On board we have Janowitz (University of Chicago, Department of Sociology, James Q. Wilson (Harvard) and Brim at Russell Sage in New York (Mu 9-6622).

We have invited Stanton Wheeler, who is thinking about it and LNC says he thinks he will do it. He can be reached presently through Dean Robert Yegge of the University of Denver Law School - normally with Russell Sage.

We are thinking of inviting but have not yet invited the following:

Kenneth Clark - City College of New York  
~~John Spiegel~~ - Lemberg ~~Skinner~~ Center - Brandeis, Waltham, Mass.  
Richard Wade - University of Chicago  
Itzhel Pool - M.I.T.

B

*Just floor underlined* \_\_\_\_\_