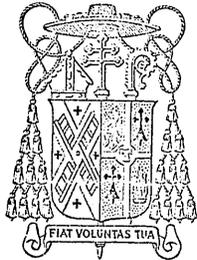


COMMENTS ON GROUP VIOLENCE
TASK FORCE REPORT (1st draft)

J.S. Campbell



452 Madison Avenue
New York, New York 10022

April 9, 1969

Lloyd N. Cutler, Esq.
National Commission on the Causes
and Prevention of Violence
726 Jackson Place, N.W.
Washington, D.C. 20506

Dear Mr. Cutler:

I appreciated very much the opportunity to read the Task Force report, entitled "Protest and Confrontation: The Politics of Dissent."

Although I recognize the carefulness of this research study, nevertheless I should like to point out that references are made on page II-45 which are not accurate insofar as they relate to the late Francis Cardinal Spellman.

Cardinal Spellman did not in any way try to limit the free speech or action of Father Daniel Berrigan and Father Philip Berrigan. As a matter of fact he was in Rome attending a session of the Second Vatican Council at the time and did not know of the matter until his return. While it is true that he was picketed, it is equally true that he was not personally involved in this situation.

Secondly, I can assure you from my own personal knowledge that Cardinal Spellman had absolutely nothing to do with the installation of Diem in 1954.

Finally, I can assure you that it was not characteristic of the Cardinal to refer to the men in the Armed Forces as Christian Knights. It was his conviction that they were defenders of freedom. He was also personally convinced that the quickest way to peace was to bring the forces of the opposition to the negotiating table. It should be remembered that he was, by appointment, the Bishop of all the Catholics in the Armed Forces of the United States and in that sense he was their chief chaplain.

I trust that these inaccuracies will be removed from later drafts of the Task Force report.

N. Cutler, Esq.

- 2 -

April 9, 1969

With every best wish, I am

Sincerely yours,



Terence J. Cooke
Cardinal-designate
Archbishop of New York

cc: Doctor Eisenhower

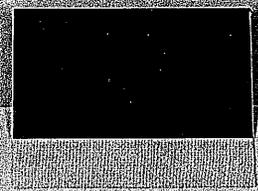
April 15, 1969

Jerry:

Please revise to take into account
these comments from Cardinal Cooke:
this subject is not vital to the
Antiwar chapter and obviously of
deep concern to him.

James S. Campbell

Attachment



HARVARD UNIVERSITY

File
here

LITTAUER CENTER 318
CAMBRIDGE, MASSACHUSETTS 02138

DEPARTMENT OF GOVERNMENT

March 4, 1969

Mr. Marvin Wolfgang
Director of Research
National Commission on the Causes and Prevention of Violence
726 Jackson Place, N.W.
Washington, D. C. 20506

Dear Marvin:

I have had a chance to read the section on the police in the task force report prepared by Professor Skolnick. It is entitled, I believe, "The Police in Protest."

I am not sure whether this is the only place in our report where the problem of the police will be considered. I hope not, for I find this treatment to be unsatisfactory and one-sided. If the purpose of this section is to indicate the extent to which the police themselves are becoming a source of violence, then that, of course, is quite proper and a legitimate point of inquiry. As such, however, it does not, in my opinion, give a balanced view of the situation. If, on the other hand, this section is to be a general treatment of how we can improve the relationships between the police and various sources of civilian violence in our society (students, Negroes, and the like), then it falls very short of the target.

My basic criticism is this: the task of the social scientist, especially of one advising a governmental commission, is to try to state the circumstances under which one or another kind of behavior will emerge, so that the public official may know what is likely to be the consequence of creating one set of circumstances rather than another. In the present instance, the specific question is: under what circumstances are the police more or less likely to themselves be an illegitimate source of violence and under what circumstances are the police likely to respond in an adequate or inadequate way to the violence created by others? This chapter answers neither of these questions satisfactorily. It does have a good deal of interesting, and, as far as I know, accurate material in it. Its emphasis on the "police ideology" is a useful one, for indeed, police attitudes have hardened just as the attitudes of ghetto residents and of students toward the police have hardened. I find it somewhat harder to know (unlike the author) which group is more to blame for the hardening of attitudes, but that, I suppose, is not the crucial question. The police, after all, are the public agency and it is only with the public agency that we can expect to have much progress if we try to bring about change. The chapter does contain a number of horror stories, ranging from individual anecdotes to accounts of police misconduct. These horror stories do not, however, answer the questions I have raised above. Perhaps the questions I have raised above cannot be answered given our knowledge. If that is the case, that should be said explicitly. Or, perhaps the questions I have raised admit of only one answer, namely

Mr. Marvin Wolfgang

(2)

March 4, 1969

that wherever there has been violence, stimulated from civilian sources, the police have mishandled it or overreacted to it. Or, wherever there has been a big city police department it has engaged in systematic or widespread acts of police-instigated violence. If this is true, it should be said so. I personally don't believe that this is true, though I confess that I cannot refute it from facts I now have.

It is more important to cast the argument and the search for facts in the right framework than to come out with any particular conclusion. Let me stress that I am not urging that the report moderate its criticism of the police, to say nothing of giving the police a whitewash. I know as well as anyone, I think, the extent to which the police, out of bitterness and frustration or incomprehension, are engaging in overreaction or police-instigated violence. But I also suspect that we could find cases in which the police have handled civilian violence with reasonable skill and coolness. I think we can also find cases in which the police have managed in such a way as to minimize the instances of police-instigated violence. In short, I believe there is a range of variation in the phenomena we have under investigation. I get no sense of any range of variation from the manuscript I have before me. I get a sense only of police, driven by an anti-civilian ideology, increasingly and everywhere resorting to acts of terrorism and violence and increasingly and everywhere mishandling or misunderstanding the demonstrations and violence of others.

Let us suppose that the indictment that the author of this chapter brings against the police is the correct one. What then is the public official to do about it? There are practically no guidelines for action. Indeed, there can be no guidelines for action because the author has not indicated the circumstances under which the police are more or less likely to behave in this way. As a result, policy conclusions at the end of the chapter are limp; a call for "better training" and "better manpower", a call also for some grievance redress procedure. Yet there has been no showing and there have been no presumptive grounds offered for the proposition that better manpower or better training or redress of grievances will produce better police behavior.

I am perfectly aware of the constraints of time, money, and manpower which have made research into many of the fields the commission is concerned about preliminary if not superficial. While one can understand this, one still cannot excuse writing that seems to be animated by political rather than scholarly objectives. And even with the constraints of time and resources, I should still think it would be possible to have pulled together examples of appropriate police behavior or examples of police administrators who have changed police departments for the better and then, having gathered these materials, asked what have been the circumstances that have facilitated or made possible these constructive changes. I would imagine that when we looked at it,

Mr. Marvin Wolfgar

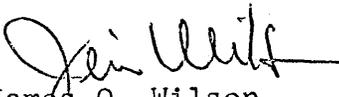
(3)

March 4, 1969

we would discover that these circumstances have practically nothing to do with manpower or training techniques. On the contrary, most police departments have the same kind of men and few have been able to change their human compositions very dramatically in the last five or ten years. Furthermore, few have instigated any training programs which are likely to have had any wide-spread effect. I imagine what has made the difference is, first, tight hierarchical control over the police, exercised by an administrator who was tough and determined, and secondly, careful planning and preparation, so that everyone understood what was expected of him and everyone was prepared to follow orders or face the consequences. I may be wrong, but I believe such organizational explanations are not only more correct than those offered in the paper, but also provide more realistic policy guides as to what we can do.

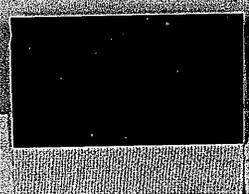
I am sorry that so much of this comment is couched in general terms, but I think the general flavor and format of the paper is much more important than any specific details to which I could react.

Sincerely,


James Q. Wilson
Professor

JQW:cwk

P.S. Since my remarks are so critical, it may be that you will find the authors of this section more receptive if they are presented anonymously. I have often discovered that it is easy to reject criticism if one can find some grounds of personality on which to do so.



UNIVERSITY OF CAMBRIDGE
INSTITUTE OF CRIMINOLOGY

7 WEST ROAD CAMBRIDGE Telephone 59375 & 59196

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



Secretary
R. G. HOOD, Ph.D.
Assistant Director of Research

11, February 1969

Dear Mr Cutler,

I enclose my Memorandum C, on The Politics of Protest - a report submitted by Professor J.H. Skolnick and his Task Force.

I presume that you have received my Memoranda A and B and my letter of 3 February.

Mr Lloyd N. Cutler
Director
National Commission on the Causes and
Prevention of Violence
7026 Jackson Pl., N.W.
Washington D.C. 20506

Wm J. G. [unclear]
[unclear]
[unclear]

MEMORANDUM C.

The Politics of Protest. A Report submitted
by Jerome H. Skolnick, Director, Task Force on
Violent Aspects of Protest and Confrontation.

(533 pp. approx.)

1. This document of the Task Force led by Professor J.H. Skolnick is remarkable for the vigour and thrust of its intellectual attack, analytical and evaluative, on the problem entrusted to them for investigation. The problem is of major social, political and moral importance and it is also one which is central to the Commission's preoccupations.
2. The value of the document is much more than transitory. It will stand out as a social document of the period through which American society is now passing, and this irrespective of some of its limitations, judgments and conclusions.
3. It is written in clear straightforward language. The narrative and discussion move with speed and rhythm, which makes the reading of the report a pleasant exercise. It is also remarkably well documented. There is no padding in the bibliography, but a successful attempt has been made to select all that is characteristic and worthwhile. A large part of the documentation is not easy to come by, and it is therefore useful to have it brought together.
4. For all these reasons, it is my considered opinion that the report should be published as soon as possible. However, the very important questions arise: in what form this report should be published, and when its publication should take place. Both questions are related to the Report of the Commission as a whole. My view, for what it is worth, on these two matters will emerge in the course of this memorandum.
5. The report is an elaborate account of several manifestations of social and political ferments of present-day American society, ferments which produce violent protests and confrontations. But it is also an evaluative document throughout. This particular Task Force express their views on virtually all the most sensitive aspects of the ferments which in themselves are of a highly controversial nature. The impression that the report conveys is that its authors are, broadly speaking, in sympathy with the ferments. The document also conveys the impression that the speedy and total implementation of the programmes adumbrated by the major groups of dissenters is an essential condition for future progress in American society and a basic remedy against group violence.

6. These programmes, however, are not always coherent and homogeneous, nor are they endorsed in the same way by the various dissenting groups. Thus, for instance, one would have liked to see the report examining whether within the dissenting group of students there is a small but hard core of those who are totally destructive. The term "humanist tradition" attached to the whole movement is not specific enough. It may mean many things and it does not reveal where, in social terms, it may lead.

Again, in describing the movement for equality, economic, social and educational, of the American Negro, the Task Force says nothing about the time which would be required for these vast and dramatic changes to be effected and integrated in the fabric of American society. One could give several other illustrations of a somewhat simplified and impatient approach to problems of exceptional complexity.

7. The report emphasises a distinction between preventive control techniques and schemes of basic social readjustments; in effect it goes further than that. It urges the Commission to ignore the first altogether and concentrate on the second. It warns that, if the two were to be dealt with at the same time, every effort would be made to attain the first objective and little would be done about the second. This again is a view on which there may be a sharp division of opinion. For obvious reasons of social stability and security, as well as of the counter-effects of uncontrolled violence, the approach of "either/or" may simply not work.

8. The two chapters on "The Police in Protest" and "Judicial Response to Collective Protest" are very valuable indeed. They concentrate attention on two attitudes, in two vitally important areas, which are in a state of flux and which require a certain amount of attention. They bring together a lot of salient facts and timely hints.

9. I do not know whether the Task Force would be willing to accept changes in the report of the more fundamental nature to which I refer in Points 5, 6 and 7 above. I regard this consideration as the first strong argument not to publish the report of the Task Force before the report of the Commission as a whole appears. Even if this particular document were to appear with the clear qualification that it does not express the views of the Commission as a whole, it could still have an effect on public opinion which the Commission in their report may not wish to convey. It would therefore be fairer to both if the report of the Commission were given precedence, and the report of the Task Force as it stands were to be published afterwards.

UNIVERSITY OF CAMBRIDGE
INSTITUTE OF CRIMINOLOGY

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



7, WEST ROAD
CAMBRIDGE

Telephone 59375
59196

- 3 -

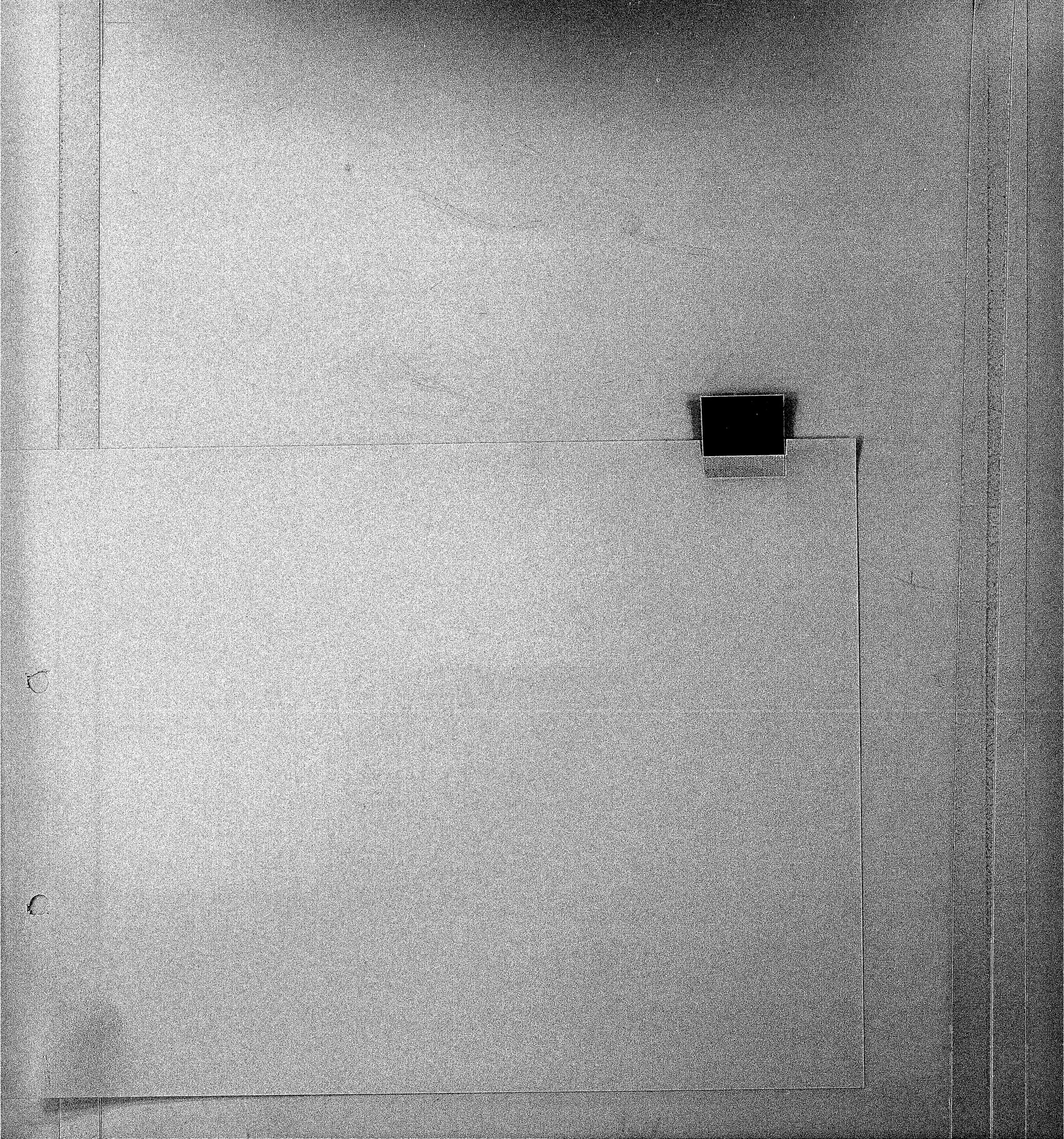
10. Secondly, large parts of the report of the task Force are of direct concern to the Commission, not only as a background opinion but as a basis to be used for their own analysis and conclusions. This applies to the chapters on police and the judiciary as well as to many other sections of the report. It would be something of an anti-climax if these sections were to appear in the Task Force report before they were made use of in the report of the Commission.

11. When the report of the Task Force is published, the present brief "summary" (pp.iv - xv) should be removed. It does not do justice to the wealth and strength of the report. I would be inclined to say that each chapter should have conclusions and recommendations; that all these conclusions and recommendations should then be brought together at the end of the report; and that these in turn should be rounded off by some general remarks, in the preparation of which the present "summary" could be made use of.

Cambridge

11 February 1969

Leon Radzinowicz.



NATIONAL COMMISSION ON THE CAUSES AND PREVENTION OF VIOLENCE

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

DR. MILTON S. EISENHOWER
CHAIRMAN

CONGRESSMAN HALE BOGGS
ARCHBISHOP TERENCE J. COOKE
AMBASSADOR PATRICIA HARRIS
SENATOR PHILIP A. HART
JUDGE A. LEON HIGGINBOTHAM
ERIC HOFFER
SENATOR ROMAN HRUSKA
LEON JAWORSKI
ALBERT E. JENNER, JR.
CONGRESSMAN WILLIAM M. McCULLOCH
JUDGE ERNEST W. MCFARLAND
DR. W. WALTER MENNINGER

LLOYD N. CUTLER
EXECUTIVE DIRECTOR

THOMAS D. BARR
DEPUTY DIRECTOR

JAMES F. SHORT, JR.
MARVIN E. WOLFGANG
CO-DIRECTORS OF RESEARCH

JAMES S. CAMPBELL
GENERAL COUNSEL

WILLIAM G. McDONALD
ADMINISTRATIVE OFFICER

January 22, 1969

Dear Milton:

I have been over your correspondence with Jim Campbell about the history and group protest task force reports. I share many of your concerns and I agree with Jim's observations about them.

I do not think the overlapping in the history report need cause too much concern, since it is presented as a collection of papers by different historians who necessarily assemble and interpret evidence from somewhat differing points of view. I think this volume will have its principal audience among scholars and students and that the differing shades of interpretation will prove useful. Since the report will essentially be a symposium, readers will probably not expect it to be tightly organized. For myself, I found many portions extremely interesting and informative. I believe it will give the Commissioners and other readers a much better perspective from which to examine current patterns of violence.

As for the report on group protest, Jim and I have made extensive suggestions for editorial revisions which are in Professor Skolnick's hands and which we hope he will adopt in substance. I agree with Jim's observation that Skolnick's report will never become a document which the Commission is prepared to endorse in full; the subject is so controversial and sensitive that I doubt whether the Commission itself will ever arrive at a consensus on the matter. I therefore agree that Skolnick's report should not be published until some time after the Commission has issued its own final report.

In this connection, Skolnick's report is conspicuously lacking in detailed recommendations, and deliberately so. In this sensitive area, recommendations are more properly a topic for Commission consideration in its own report. In my own view, we should consider recommendations in the group protest area on the following matters, among others:

a) We should express some firm judgments about the morality and legality of various forms of protest, particularly physical attacks, seizure of property and the disruption of civil and school activities. Pages A-53 and 54 of the Progress Report, as edited by the Commissioners, represent an initial effort to formulate such a position.

b) We should emphasize the importance of differing strategies and tactics followed by government and university authorities in dealing with mass protests and how these differences affect the resulting degree of violence. We should have some very useful comparisons to make between the strategy and tactics at San Francisco State and those at Brandeis, for example, between Columbia and Berkeley, between the government's handling of the peace demonstrators in Chicago and the same demonstrators in the Pentagon march (and the current inauguration); and between the treatment of black protest demonstrations in the South and the treatment of Resurrection City.

c) We should comment on what I believe are the self-defeating results of such legislative measures as those denying further federal grants to students who take part in disruptive protests.

d) We should as you suggest discuss various changes in university administration to remedy student grievances about participation in disciplinary processes, educational policy, etc., and the difficult problems that such changes pose for universities. We obviously cannot lay down any standard formula for the reform of university administration, but we can describe the

measures different universities have taken and their success (or lack of success, as at San Francisco State) in satisfying student and faculty grievances. We can also draw appropriate parallels and distinctions between the degree of flexibility with which private and even some state universities have made changes and the relative inflexibility of governmental institutions in their capability for change. Perhaps a conference of university administrators, as you suggest, or a series of smaller interview sessions, would be a good method of developing alternative views.

e) With respect to both student and anti-war protest, we ought to consider the desirability of recommending a lowering of the voting age and either a liberalization of the conscientious objector requirements or, as President Nixon has recommended, a transition to a wholly volunteer military establishment.

f) As for black protest, we must consider both the degree to which we should endorse or supplement the Kerner Commission recommendations and how to discourage the various tendencies toward black separatism which I am afraid strike a welcome chord in some parts of the white society. We should also deal with the point made so well by Peter Young in the assassination

task force report (which is not yet complete) that additional social, economic and educational programs directed primarily at helping poor blacks are simply not obtainable until we make an equal effort to improve the conditions of poor whites.

g) Lastly, and despite the contrary recommendations of Skolnick's last chapter in its present form, we should consider endorsing various measures to improve the capability of the police and when necessary the Armed Forces to preserve order with minimum violence and without administering "punishment."

This is of course a large order, particularly at this late stage of the Commission's life. However, I do not believe we could have undertaken it until we had acquired the understanding of the protesting groups, their tactics and motivations, that Skolnick's study goes a long way toward giving us. If our editorial suggestions are accepted, I believe it will become a very useful document and, if we first set it in the proper context by our own report, one well worth publishing.

Sincerely,

Lloyd N. Cutler

Dr. Milton S. Eisenhower
4545 North Charles Street
Baltimore, Maryland 21218

cc: Messrs. Barr, Campbell, Wolk

NATIONAL COMMISSION ON THE CAUSES AND PREVENTION OF VIOLENCE

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

DR. MILTON S. EISENHOWER
CHAIRMAN

CONGRESSMAN HALE BOGGS
ARCHBISHOP TERENCE J. COOKE
AMBASSADOR PATRICIA HARRIS
SENATOR PHILIP A. HART
JUDGE A. LEON HIGGINBOTHAM
ERIC HOFFER
SENATOR ROMAN HRUSKA
LEON JAWORSKI
ALBERT E. JENNER, JR.
CONGRESSMAN WILLIAM M. McCULLOCH
JUDGE ERNEST W. MCFARLAND
DR. W. WALTER MENNINGER

January 16

LLOYD N. CUTLER
EXECUTIVE DIRECTOR

THOMAS D. BARR
DEPUTY DIRECTOR

JAMES F. SHORT, JR.
MARVIN E. WOLFGANG
CO-DIRECTORS OF RESEARCH

JAMES S. CAMPBELL
GENERAL COUNSEL

WILLIAM G. McDONALD
ADMINISTRATIVE OFFICER

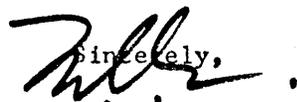
Dear Jim:

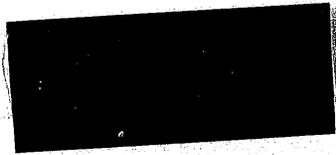
I am about to leave for San Francisco, but there is something on my mind that depresses me, and so I am dashing off this note to you on my own typewriter at home, hoping to set you, Lloyd, Ron and others thinking about it.

As you well know, I am terribly disappointed in the first two chapters of the report on group violence. My main point about student violence is that some of it is anarchistic, revolutionary, spiteful, and senseless---a fact that isn't recognized at all in the essay of justification placed before us. At my alma mater, Kansas State University, arsonists have just burned the gymnasium; a near-riot has been caused by the arrest of two black young men who are charged with disturbing the peace, this charge being by city authorities, not the university.

How are we going to get the complete picture? Call a conference of a dozen or so presidents, faculty members, and students? Read the January issue of Fortune which may have done a better job than our Task Force?

I fear the point repeatedly made by Mr. Jenner is valid.

Sincerely,




January 13, 1969

AIR MAIL

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

Dear Jerry:

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

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

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

Again, congratulations on the good job.

Sincerely,

James S. Campbell
General Counsel

Enc.
cc: Lloyd N. Cutler
JSC/cah

Am. Full

January 8, 1969

AIR MAIL

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

Dear Jerry:

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

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

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

- 2 -

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

More comments to follow.

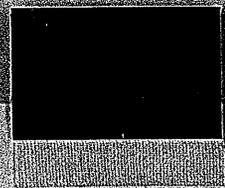
Sincerely,

James S. Campbell
General Counsel

Enclosures

cc: Lloyd N. Cutler

JSC/cah



February 12, 1969

Professor Neil Smelser
Department of Sociology
University of California
Berkeley, California

Dear Neil,

I have spent the early days of 1969 attempting to respond to the criticisms I've received from a variety of sources. I took your criticisms with particular seriousness, and I thought you might be interested in my response to them. Let me say at the outset that I much appreciate the effort you put into making these criticisms, although, as will be evident from my comments there is a considerable disagreement between us. I think what I should do is to refer to your criticisms by topic number, since that makes it relatively easy to address myself to them.

General Comments:

(1) I note that you say that we have done an accurate and a sensitive job of describing the social psychology and ideological outlook of a variety of types of dissenters. If our comments appear to be somewhat more "appreciative and sympathetic to some protest groups than others" the reason may well lie in the fact that certain forms of protest evoke more sympathy in the minds of the reader, as well as of the writer. For example, it is true that we are more sympathetic to the protest of the black community than to the protest of the white bigot. In my opinion, however, we leaned over backward to give the bigot his due. If, after attempting to show the social strains of his position, one still does not feel as sympathetic toward him as he does toward the plight of the black urban dweller, then so be it.

(2) I do not regard the document as a "political polemic" but I do hope that it will be convincing. As for being able to convince committed people, be they commissioners or public leaders, I agree that the document may not convince those who are already heavily committed to one position or another. But the question of attitude change, as you know, is a thorny one. The implication of your statement, and of some you made later, e.g., referring to the position we take on drugs, is that we should somehow shade what we believe to be true and right in order to gain a form of political victory. We did not consider the document in such political terms and tried very hard to present the facts as we saw them, without considering what their political effect would be. I do agree, however, that the political effect of some of the things we have presented may not be expeditious. If so, so be it.

(3) Your criticism here is most serious. To say that "in so far as the manuscript is an attempt to apply social scientific reasoning to a public problem," it is "quite weak" is very serious. I agree wholeheartedly with you that questions of logic and evidence are essential, and I also agree completely with your implication that very great time pressure constitutes no excuse for a lapse of scholarly quality. The issue is whether your assessment is correct. I believe it is not, and in what follows, I shall attempt to show why not. I will answer your comments one by one.

Specific Comments:

(1) The distinction between an "investigation" and an "analysis" was meant to convey a distinction between the sort of report that Daniel Walker did, and the sort of report that we have written. His job was to "investigate" a series of events that occurred over a brief period of time, although they indeed had an important and causally meaningful history. Our job was to understand at a more general level why those events occurred as they did.

I think you're quite correct in saying that throughout the report we make judgments about what are "facts" and what are not "facts." Such a judgment is inevitable in any analysis, as I think you would agree. I do not agree, however, that we treat differentially the anti-war movement and the police. Our analysis goes something like this: the Yippies release a statement that they are going to poison the water supply with LSD. The police respond to this statement as if it is true. We point out that the police response is inappropriate. The government says that it is not bombing civilians. Harrison Salisbury investigates and finds that the government statement is false. The anti-war movement responds with indignation. We find that understandable. Of course, our judgment shows in the report. That is implicit in analysis.

(2) We accept your small point, with gratitude.

(3) I agree that we should give our definitions earlier. I am including them in the revised preface.

(4) Part of your criticism here is answered in (1). But there is another criticism that ought to be answered. We treat the peace movement, black militants, white militants, and the police all as acting in response to their "social role" and to their developed ideologies. I also think that we may be hardest of all on the police. There is a bias that authorities have a special obligation to behave appropriately because, after all, they are being paid and are accorded official power. The manuscript no doubt reflects this judgment, and I am prepared to defend it. I consider the lawlessness of police a more serious violation of social norms than the lawlessness of the private citizen. Most police forces agree with that judgment. Don't you?

(5) Good point. In our concluding chapter, we also come out for improved training of the police as we do in Chapter VII.

(6) The summary is a bit oversimplified. We shall try to remedy that. In the text, when we deal with such oppositions, we give the reasons for the opposition being as it is. For example, the whole last portion of Chapter IX is an analysis of why the two-pronged approach won't work. There are underlying reasons for the moving into an increasingly polarized society. I think if you're going to challenge that conclusion, it needs to be challenged on far firmer ground than merely the posing of a logical opposite. What you must do is challenge our analysis, and I note that the analysis of Chapter IX goes without challenge. As for our discussion of riots, I think you're taking the words out of context. When we say that riots are frequently seen as a pathological behavior engaged in by riff-raff, we have reference to that. Many people believe that that is true. So we say, on the contrary, that it is not true and that therefore these phenomena are more accurately viewed as political acts which express genuine grievances. And we are perfectly aware that acts can be pathological or nonpathological and at the same time be genuine expression of grievances. We make that perfectly clear in Chapter IX. The question we raise there, however, is why at a particular point in time whatever psychological needs may exist are expressed in terms of a different political content. I'll go into this point in somewhat greater detail when I discuss your criticisms of Chapter IX.

In general I think there is a problem of your having made your criticisms from the summary, because naturally there is a tendency in a summary to make statements more elliptically than they are made in the body of the report itself. There, our distinctions tend to be more qualified than they are in the summary. I think that response answers your point (7).

(8) We did change the definition of violence slightly to "violence is the intentional use of force to injure, to kill, or to destroy property." Your testimony before the Commission was considered and rejected. Your definition raises more problems than it solves. Within the anti-war movement, for example, the pacifists have long advocated obstruction. The nonviolent portions of the civil rights movement have long advocated sit-ins. So your definition is historically and institutionally inappropriate. In addition, the examples you offer are quite beside the point. You say "again, rape and kidnapping are usually thought of as violence, even though actual physical injury may not be inflicted." A rape that does not involve any actual physical injury is indeed nonviolent, but I doubt that there are many such. Rape is usually an assaultive physical act except for statutory rape, and that is not violent. In any event, I don't think that the occupation of a seat at a segregated lunch counter is comparable to a rape, and I can't imagine what made you think it was. Kidnappers threaten violence, and sometimes engage in it. Threats of violence can cause great harm, but they are not the same as violence. An act contemplated is not an act completed. There is, after all, an important legal distinction between words, and the intentional use of physical force. In action, the distinction may sometimes be difficult to draw, but it is worth making analytically. I think that this response covers both points (9) and (10) as well, although I would say that I agree with your observation that violence is a commodity in the contest for political support. Moreover, I wonder what evidence you have for saying that deliberate and excessive violence is viewed as illegitimate in American society.

For example, as you might have noted in our report, a majority of the American people did not seem to be disturbed even after the Walker Report. The same might be said for the bombing of Hanoi, at least at certain periods of time. And while the phrase "by and large" gets you out of most conceptual corners--what do you make of the history of thousands of lynchings in the South?

(11) We deal with that in the chapter on black protest.

(12) We deal with that in Chapter I, where we agree with you that the automobile has been an important cause of personal injury in America.

(13) I think we make the distinction between legitimate and illegitimate violence clearly enough. Besides, you evidently have a more developed capacity to make this distinction easily than we. We find it complex.

(14) The whole point here is that the war has already broken out. And the departure we're discussing is criticism during wartime.

(15) Quite right. We have already made the changes.

(16) Good point. We have already incorporated the change.

(17) You may be right about the detail as we present it, but what we are trying to indicate is that this is a movement of middle-class, educated people responsive to this sort of criticism, even though each participant may not have encompassed each and every detail.

(18) I think that your imagination will be shared by many other readers.

(19) I considered rewriting it as you suggest, but I decided it was more accurate as it stood. Read it again. For example, the "it" in your second sentence is not clear. I presume you mean the anti-war movement. In the other parts of your rewrite you seem to be talking about American foreign policy. I just find your statement confusing.

(20) What that sentence means is that the movement can best be understood by the social characteristics rather than the organizational affiliations of its membership. I think we rewrote it something like that.

(21) The introductory statement here was made casually, and if you look at it in context it's not very important.

(22) I think we now have made that clear.

(23) This is answered by our earlier discussions of violence.

(24) I think that structural protest has been an ingredient of the movement for some time, but that its most important ingredient has been moral protest. This may be changing.

(25) We looked at the literature and selected that which seemed sensible and appropriate, always keeping a sharp eye for contradictory evidence. I would have appreciated references to any you might be aware of, for the revision.

(26) That's a good point and we will include it. What we mean to suggest is the kind of ideology that prevails in Leninism, where the view is that you don't act unless your analysis shows that historical circumstances favor your action. The student movement, by contrast, does not have that sort of highly developed ideology. It's not that well organized, or at least has not been in the past and has been highly responsive to particular events occurring on particular days, without much backroom organizing and strategy. What we mean to contrast is something like Communist party organization as described by Selznick in The Organizational Weapon. We'll fix up comment (27).

(28) I agree. I think we need to revise to take that point into account.

(29) We have more material now that will support the position we take here. Especially the materials in the most recent issue of Fortune magazine.

(30) You are quite right here. But I would add this: that ultimate disciplinary authority still remains with the administration leads to student unrest.

(31) We will try to document the point.

(32) That is a good point and easily changed. What we are trying to say is that rule violation takes place as a form of political action, and should not be seen simply as hi-jinks. Perhaps we are not clear enough here and need to revise.

(33) I agree.

(34) I think our entire description of the situation of the black man in America validates that point.

(35) You make two points here. The first, that early riots were not "black protest" is correct. As to your second point, "that the violence of militant whites and the violence of police and troops has to be viewed a little differently," the way you write your criticism suggests somehow that the violence of police and troops is to be more readily excused. If, however, you read the Kerner Commission Report you will find that both the deliberate misuse of violence and the bumbling of police and troops led to considerable injury. The fact is, we do make the distinction you suggest, except in the other direction. We believe that militancy and political violence on the part of the police and troops is more reprehensible than such actions taken by ordinary citizens.

(36) I think that throughout the report, starting with Chapter I, we do indeed make the assumption that many groups, including blacks, and white militants, and the police, have "resorted to violence" when they perceived "other, more traditional means of change" as having failed.

(37) I thought we did suggest the diversity of composition and motives of the participants in riots, pointing out that they are not really riff-raff. On the other hand, I believe it would be wise to make changes in the manuscript so as to clarify that point.

(38) That is an interesting observation, although I'm not sure where it leads.

(39) (40) To the extent that there is additional data, we should certainly include it. But we've looked at Marx and find little there, for these purposes.

Thank you very much for giving me a copy of your book. I, of course, read your chapter with great interest, especially in the light of your criticisms, and I'll have some things to say about it in connection with the materials on the theory of collective behavior.

(41) The backlash notion certainly needs to be clarified, and will be in the final report.

(42) It is true that vigilantes protest in the name of control and contemporary protesters in the name of a higher morality or a higher constitutionality. But again I think you overlook a critical distinction, namely, that vigilante protest takes almost exclusively the form of extra-legal behavior, whereas, overwhelmingly, anti-war, student, and black protest has been either legal or has gone through legal channels. Can you think of an illustration of the Klan acting to test the constitutionality of a statute? If so, I'd appreciate a reference.

(43) I think you're right to suggest that the popularity of the film, "Birth of a Nation" and the organization of the Klan were products of the convergence of racist forces immediately after World War I. At the same time, the film itself probably did influence the continuing success of the Klan, a success that prevailed well into the 1920's. The same variable may of course be both an effect and a cause.

(44) We should probably make our argument on drugs stronger although I don't think we should eliminate it entirely. I would rather not play this kind of politics, but present what I believe to be the truth in this area, even though it may upset a number of people. Anyhow, I've written about this quite extensively in a recent article, a copy of which I enclose.

Some Comments on Your Comments on the Concluding Chapter:

So far as our whole treatment of the field of collective behavior is concerned, I think the best answer to your criticism is our characterization taken from the work of Roger Brown. It is Brown who says, after a review of the literature which presumably includes, since he mentions them by name, Freud, E. A. Ross, MacDougall, and Robert Park, as well as Smelser, that collective behavior is not only "extraordinary" and "dramatic," but also "likely to be foolish, disgusting or evil." And Roger Brown, as I am sure you will agree, is not critical of the field of collective behavior--merely descriptive.

As for your criticism that we misinterpret you by saying that collective behavior falls "outside the constituted order," let me quote to you from your recent work on this. You say that (pp. 96-97) "people involved in episodes of collective behavior are trying to reconstitute [their] environment on the basis of a certain type of belief, which I call a generalized belief; in this kind of belief the environment is portrayed in terms of omnipotent forces, conspiracies, and extravagant promises, all of which are imminent. Uninstitutionalized action (my italics) taken in the name of such a belief constitutes an episode of collective behavior . . . I was interested in primarily in why various types of collective episodes cluster in time and in certain parts of the social structure--for example, among adolescents, recent migrants, and unemployed people." So in your most recent work you say that collective behavior is "uninstitutionalized" and again use the example of adolescents, recent migrants, and unemployed people. It seems to me that it is a fair interpretation to say of "uninstitutionalized" that it is behavior that "falls outside the constituted order."

Now it is quite possible that I might not know what "uninstitutionalized" means. And in fact I think that is true. I find the word "institutionalized" quite confusing. It is perhaps an outstanding example of what you earlier called in your letter a "fallacy of false opposites." How can one be clear as to what is "institutionalized" and what is not? In reviewing student conduct, for example, should the sociologist conclude that party raids were "institutionalized," or not? Were perennial spring riots in the freshman quadrangle at Yale "institutionalized," or not?

Your next criticism, that our treatment is much simplified, is subject to an alternative explanation. I have already quoted to you Roger Brown's characterization of collective behavior. That, presumably, is also much simplified. Again, look again at your own quotations. You write that collective behavior is based on a generalized belief that sees an environment of "omnipotent force, conspiracies, and extravagant promises, all of which are imminent." To me, that virtually sounds like a definition of delusional perception. But it's true, unaccountably, you also include all kinds of movements under this definition even "all kinds of quiet, legal reform movements."

Your "concluding remark" on page 121 of your recent article suggests some sensitivity to being quoted out of context. I grant that you are earnestly striving to avoid any biases, but in the effort what you write in the attempt to achieve objectivity and complexity runs the risk of appearing to others as contradiction.

Yet, in fact, you are not unbiased--your examples repeatedly affirm that status quo without, I think, consciously intending to. Let me offer a couple of illustrations of this tendency: On page 94 (of your latest article) you write:

Any given behavioral datum is inherently neither "psychological" nor "social"; indeed, the same event may be both, depending on the body of constructs within which it is interpreted. An outburst of anger on the job, for instance, may be "psychological" in the sense that it gives rise to recriminations

by the individual. The same outburst may also be "social" in the sense that it strains the social relations among employees in the office where it occurs. The status of a behavioral datum, then, is determined by ^{the} conceptual system to which it is referred for assessment and explanation.

I agree with the first and last sentences of that paragraph, but the middle sentences could be rewritten as follows: "An outburst of anger on the job, for instance, may be 'social' in the sense that it derives from working conditions that are intolerable. The same outburst may be 'psychological' in the sense it strengthens the emotional bonds among employees in the office by providing them with an example of leadership." The status of the behavioral datum is indeed determined by the conceptual system to which it is referred for assessment and explanation. That conceptual system, however, may itself have built-in biases even in its most sophisticated attempt to remain value-free. Or, (p. 112) you write "for example, in the prisons, the inmates grievances centered around conditions such as 'poor, insufficient or contaminated food; inadequate, unsanitary, or dirty housing; sadistic brutality by prison officials,' or some combination of these. These reality conditions," you continue, "combined with the exaggeratedly suspicious attitudes toward authority on the part of the selected prison population, made for a high level of hostility." Why do you describe the suspicions of the prison population as "exaggerated"? They are not prima facie "exaggerated" given the condition you describe. What are your objective criteria for measuring exaggeration?

Finally, I must say that the statement in your letter that really rankled is on page 2; you say that the report is "filled with statements which are not supportable by evidence." That statement either means nothing, since the same could be said of any analytical document; or it was intended to mean "not supported by evidence," an unwarranted charge, surely unsubstantiated by the evidence of your thirteen pages of single-spaced comments that follow. Indeed, nowhere in our report do you find statements which are so lacking in evidence as some in your recent paper on collective behavior. The most glaring illustration is the following statement on page 111: "One of the common background features of episodes of collective behavior," you write, "is that the stable social linkages of individuals are loosened in various ways. Riots, for example tend to break out on hot summer Sundays at beaches, recreational resorts, taverns and public dance halls--in short, in those corners of the social structure where people are most likely to be away from their familial and occupational role attachments." The only support cited for this statement is a reference to Joseph D. Lohman, The Police and Minority Groups, published in 1947. A book published in 1968 might have considered work since 1947, dealing with the numerous and more recent instances of riots that did not break out on hot summer Sundays at a beach, a recreational resort, a tavern, or a public dance hall.

Although your letter made a number of valuable comments and observations, your negative characterization of the social scientific quality of the report invites a vigorous defense.

Yours in truth, candor, and objectivity,

Jerome H. Skolnick

UNIVERSITY OF CALIFORNIA, BERKELEY

BERKELEY • DAVIS • IRVINE • LOS ANGELES • RIVERSIDE • SAN DIEGO • SAN FRANCISCO



SANTA BARBARA • SANTA CRUZ

DEPARTMENT OF SOCIOLOGY
BERKELEY, CALIFORNIA 94720

January 9, 1969

Mr. Lloyd N. Cutler
Executive Director
National Commission on the Causes
and Prevention of Violence
726 Jackson Place, N.W.
Washington, D.C. 20506

Dear Mr. Cutler:

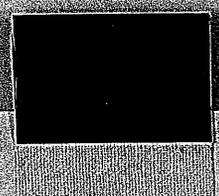
A couple of days ago I finished a long and detailed critique of the report of the task group prepared by Jerry Skolnick. He has agreed to have my comments typed up and he will send a copy to you. You can consider those remarks as a communication not only to Jerry but also to you and the commission in my role as advisor.

Sincerely yours,

Neil J. Smelser

Neil J. Smelser
Professor

NJS:bm



C

C

NATIONAL COMMISSION ON THE CAUSES AND PREVENTION OF VIOLENCE

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

DR. MILTON S. EISENHOWER
CHAIRMAN

CONGRESSMAN HALE BOGGS
ARCHBISHOP TERENCE J. COOKE
AMBASSADOR PATRICIA HARRIS
SENATOR PHILIP A. HART
JUDGE A. LEON HIGGINBOTHAM
ERIC HOFFER
SENATOR ROMAN HRUSKA
LEON JAWORSKI
ALBERT E. JENNER, JR.
CONGRESSMAN WILLIAM M. McCULLOCH
JUDGE ERNEST W. McFARLAND
DR. W. WALTER MENWINGER

LLOYD N. CUTLER
EXECUTIVE DIRECTOR

THOMAS D. BARR
DEPUTY DIRECTOR

JAMES F. SHORT, JR.
MARVIN E. WOLFGANG
CO-DIRECTORS OF RESEARCH

JAMES S. CAMPBELL
GENERAL COUNSEL

WILLIAM G. McDONALD
ADMINISTRATIVE OFFICER

January 22, 1969

Lloyd N. Cutler
Executive Director
National Commission on Causes and
Prevention of Violence
726 Jackson Place Northwest
Washington, D.C. 20506

Dear Lloyd:

I read through the last of the comments that you and Jim made on the manuscript. They were pointed and useful and I intend to respond to every one of them. Where you give specific advice, on the whole I intend to follow it. Where you raise questions, we will try to answer or clarify.

I've made primary assignments for the revision, roughly as follows:

I'll rewrite the preface, including some definitional material on what we mean by politics and what we mean by protest and what we mean by violence. I'll also undertake to rewrite the introduction, as needed, and also Chapter 1 and Chapter 9.

I asked Ed Ursin to rework Chapter 2 along the lines of your comments. Ed has never read the chapter through before, and I thought he could ably serve as someone who could arbitrate between political sensitivities and the integrity of the chapter. As with all the chapters where I assign somebody to do a primary revision, I will go over their revision and be responsible for the file changes myself. If I can't get Sheldon Messinger to do a primary revision of Chapter 3, I'll have Platt and Currie have a go at it. Then I'll go over it, of course.

Platt should do the primary revision of Chapter 4, and should try to make the last part, on youth protest, more analytical. Just as we finished the chapter for the January 1 deadline, a batch of material came in that might enable us to do something more analytical.

We've sent Chapters 5 and 6 off to Tom Pettigrew at Harvard. When he returns them with comments, we'll do some revising. My wife, who holds a Ph.D. in Social Psychology from Yale, and who edited one of Carl Hovland's books on attitude change, will do the primary revision. Elliot Currie will do the revision of the white militant chapter. Hopefully, we'll be able to get some more materials from Sheldon Levy, and perhaps Pettigrew will have some suggestions for materials.

When Ed Ursin returns to Washington I hope that he will do the primary revision on the police and courts chapters. If he is still working for the Commission, then I presume this will pose no problems. If he is not working for the Commission, he has agreed to do these revisions evenings and weekends, while working in the General Counsel's Office.

I'll undertake to do Chapter 9 myself. I should add that when I do a primary revision I'll pass it along to Platt and Curry who will continue to work on a part time basis.

My present understanding is that I will appear before the Commission on February 14. I would like to get as much of revision to you before that time, so that the Commissioners can see the most up-to-date version of the Report. I hope to have revised by that time at least the preface, the summary, Chapter 1, Chapter 2, Chapter 4 (hopefully) and Chapter 9. Perhaps we should begin to rework Chapter 8 right away, since it is weaker than Chapter 7.

The revision raises the critical issue of publication. I certainly don't want to undertake a second revision. But this is a topical volume, and relevant materials are being produced all the time. For example, the recent issue of Fortune magazine, the Educational Testing Service's poll on the attitudes of trustees, the Vera Foundation's survey of the attitudes of police already sort of date the present draft. So I hope that I will be able to learn, as a result of the February 14 meeting, what the publication plans are. It seems to me that it just doesn't make sense to complete the revision unless prompt publication is assured.

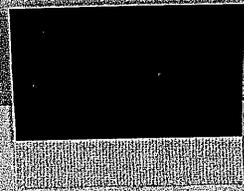
One last question: do you think it would be advisable for me to plan to stay over on February 15?

Cordially,

Jerome H. Skolnick

JHS:lm

cc: James Campbell
James Short
Tom Barr
William MacDonald



GSA FORM 0A-2
 SEPT 1951

ADMINISTRATOR'S
 COMMUNICATIONS CONTROL SLIP

A 46102

FROM: Milton Eisenhower

SUBJECT: See Attached letter

RFRD	RFRD	RFRD	RFRD
DATE	DATE	DATE	DATE
1/21/59	LNC 1/21		
	REPLY DISPATCHED	FILE DESIGNATION	

ADMINISTRATOR'S MAIL

LOCATOR COPY 3

NATIONAL COMMISSION ON THE CAUSES AND PREVENTION OF VIOLENCE

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

DR. MILTON S. EISENHOWER
CHAIRMAN

CONGRESSMAN HALE BOGGS
ARCHBISHOP TERENCE J. COOKE
AMBASSADOR PATRICIA HARRIS
SENATOR PHILIP A. HART
JUDGE A. LEON HIGGINBOTHAM
ERIC HOFFER
SENATOR ROMAN HRUSKA
LEON JAWORSKI
ALBERT E. JENNER, JR.
CONGRESSMAN WILLIAM M. MCCULLOCH
JUDGE ERNEST W. MCFARLAND
DR. W. WALTER MENNINGER

January 16

LLOYD N. CUTLER
EXECUTIVE DIRECTOR

THOMAS D. BARR
DEPUTY DIRECTOR

JAMES F. SHORT, JR.
MARVIN E. WOLFGANG
CO-DIRECTORS OF RESEARCH

JAMES S. CAMPBELL
GENERAL COUNSEL

WILLIAM G. McDONALD
ADMINISTRATIVE OFFICER

Dear Jim:

I am about to leave for San Francisco, but there is something on my mind that depresses me, and so I am dashing off this note to you on my own typewriter at home, hoping to set you, Lloyd, Ron and others thinking about it.

As you well know, I am terribly disappointed in the first two chapters of the report on group violence. My main point about student violence is that some of it is anarchistic, revolutionary, spiteful, and senseless---a fact that isn't recognized at all in the essay of justification placed before us. At my alma mater, Kansas State University, arsonists have just burned the gymnasium; a near-riot has been caused by the arrest of two black young men who are charged with disturbing the peace, this charge being by city authorities, not the university.

How are we going to get the complete picture? Call a conference of a dozen or so presidents, faculty members, and students? Read the January issue of Fortune which may have done a better job than our Task Force?

I fear the point repeatedly made by Mr. Jenner is valid.

Sincerely,


*Campbell
File*

January 16, 1969

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

Dear Dr. Eisenhower:

Your thoughtful letter of January 13 raises a number of important problems going both to the substance of the reports which you discuss and to the larger question of the procedure which the Commission should follow concerning the publication of its own Report or Reports and the Task Force Reports. Accordingly, I should like to respond to your observations in some detail.

1. As to the History Task Force Report, I agree that there is a significant amount of duplication and that the individual essays often go into rather more detail than is desirable for the general reader or even for many members of the Commission. While some of the duplication and detail can be eliminated through editing, I suspect that large-scale revisions would require a greater expenditure of time than the Task Force Co-Directors and the contributors are now willing to make. I know that your feelings about the problem of detail are to some extent shared by the Co-Directors themselves (particularly in the case of the Feierabend essay), and that the Co-Directors are currently engaged in a revision of the Report. But, as a practical matter, I believe that the Report will always be essentially a collection of partly-overlapping, occasionally tedious, individual essays. My suggestion would be to have the

Co-Directors concentrate their efforts on revising their own introductory and concluding essays, and, indeed, to have them combine these two essays into a single "overview" to appear at the beginning of the Report. (I gather from your letter that you may not have read the Co-Directors' concluding essay that runs from page 1373 to page 1411: it makes a good beginning at tying together the various different analyses offered by the contributors and can doubtless be improved on further.

2. Your comments on the Group Violence Report raise much more difficult issues.

At the outset, let me say that I hold no brief for the chapter on the Vietnam War. I quite agree that objectivity is lacking. I would point out, however, that the 33-page catalog of shortcomings in the United States' war policy is, while clearly excessive, not entirely gratuitous. It is Professor Skolnick's point of view that "having no single ideology or clearly formulated goals beyond an end to the war, the [anti-war] movement is dependent on government policy for its survival, growth, and tactical evolution." (page vi) Approaching the peace movement as an organizationally and ideologically diffuse phenomenon whose development is dependent upon external events, Professor Skolnick obviously feels the need to describe in some detail those events (particularly government actions) which have "lent the movement its capacity for occasional fury and desperation." (See II - 22.)

Both Lloyd and I have urged strongly upon Professor Skolnick (a) that the analytical reasons for discussing the events of the war are not made sufficiently clear to the reader, (b) that the amount of attention given to the events of the war as such is, in any event, clearly excessive, and (c) that the discussion of the events of the war continually lapses into a critical description by the author himself, rather than an objective description of how these events were perceived by the participants in the anti-war movement. Professor Skolnick has agreed to revise the chapter along the lines which we have suggested. I hasten to add, however, that

even after the revision has been done, I do not believe that the analysis in the chapter will be one that either you or the majority of the Commission will unreservedly embrace. Even were we to engage in prolonged negotiations with Professor Skolnick over this chapter, I am fairly sure that Professor Skolnick and the Commission could not arrive at a mutually satisfactory draft.

Turning now to the chapter on "Student Protest", I would agree with your observation that Professor Skolnick does not articulate a constructive program for university reform. Indeed, although he offers some rather generalized observations, he explicitly states that the question of how to strengthen the authority of the leadership within universities "is a complex and difficult matter."
(page III - 60)

Concerning the revolutionary attitudes of SDS and the ringleader of the Columbia University disturbance, I do think that you and Professor Skolnick are in essential agreement and that this fact emerges with reasonable clarity from the "Student Protest" chapter. On page III - 22, Professor Skolnick concludes a 15-page discussion of the history of SDS and other radical student movements with the following generalization: "What happened in the eight years we have just briefly reviewed was a precipitous decline in the degree to which active participants in the student movement attributed legitimacy to national authority and to the university." On page III - 23 and - 24, Professor Skolnick reproduces a statement by Mark Rudd which ends with the following sentence: "We intend to make a revolution." Professor Skolnick then observes: "Thus the student activists appear to have moved from an ideology of reform to one of revolution. (page III-24) Again, on pages 31 and 32 Skolnick discusses the factors which encourage new left activists "to take the idea of revolution seriously."

On the question of whether the "Student Protest" chapter gives the impression of being essentially a justification for violence, as you suggest, I think that this is much less clear here than it was perhaps in the case of the anti-war chapter. I would certainly agree

with your observation that insufficient attention is paid to the danger that disruptive student protest may ultimately destroy academic freedom, and I would agree that Professor Skolnick is obviously sympathetic to many of the criticisms being made of universities by student activists. But I do not think that Professor Skolnick anywhere approves of SDS-type violent tactics. Here I would draw your attention to the discussion on pages 26 to 32 where Professor Skolnick first sets out the position of the critics of confrontation tactics (see pages 26 and 27), and then goes on to provide what I consider to be an excellent capsule treatment of the activists' arguments in favor of confrontation tactics. (See pages 27-30) Professor Skolnick then concludes on pages 31 and 32 with what can fairly be described as an unfavorable assessment of the radicals' arguments. Indeed, he predicts the decline and failure of the current SDS movement: "If SDS persists in its current militant, revolutionary stance, it is likely to find itself increasingly isolated on many campuses, although still capable of attracting students on campuses that suffer from particularly illiberal or repressive administrations." (page III - 32)

Again, I am not suggesting that Professor Skolnick's chapter on student protest, either in its present form or after it is revised in light of the comments from the staff, the Advisory Panel and the Commission, is something which the Commission can adopt as its statement on the subject of campus unrest. I do believe that Professor Skolnick's sympathy with the aims of many student protesters and his rather cold-blooded analysis of their activities in terms of an essentially political power struggle (see, e.g., pages 57-60) have provided the Commission with a perspective that it would not have gained from someone whose point of view was more congenial to the majority of the Commission.

3. I think that where our discussion leads us is this: that while the two Task Force Reports are adequate for the purpose originally intended -- namely, as staff reports to the Commission to be released following the

Commission's own Report, they may not be adequate for the purpose which we have recently hoped they might serve -- namely, as documents to be published in close conjunction with brief separate Commission statements on the subject covered in the Task Force Report. Thus, to take the example that we have just been discussing, I think that Professor Skolnick's Report makes a contribution toward understanding the major contemporary forms of collective violence; but other important contributions will also be made by the History Task Force, the Law and Law Enforcement Task Force, by the four Study Team Reports, and by the testimony at the hearings and conferences. (The San Francisco State study, by the way, is ambitious: it will include a look at current disturbances on other campuses, besides an analysis of the San Francisco State problem itself.)

If Professor Skolnick's Report does not by itself deal comprehensively with collective violence in a manner reasonably consistent with the Commission's thinking, then we shall have to consider some strategy for publication other than the issuance of that Report together with a relatively brief statement by the Commission. Perhaps we won't have to go back to the original plan of a single Commission Report followed by publication of all the Task Force Reports; perhaps it will be possible to publish separate Commission Reports on, say, Firearms, Media, Assassination, Individual Violence and Group Violence. Under this scheme the Commission's Report on Group Violence might be accompanied by the release not only of Skolnick's Report but also of the History Task Force Report, the three remaining Study Team Reports and some or all of the Law and Law Enforcement Report.

In any event, the issues raised by your letter of January 13 go directly to the heart of the all-important matter of the form and timing of the Commission's Report or Reports. In order for the staff, and particularly the writing staff, to work most effectively, we should try to resolve this matter at the earliest possible date. Indeed, I would suggest that the Chairman and the central staff should have arrived at a firm proposed position on this matter in advance of the January 31 meeting.

- 6 -

Accordingly, I am taking the liberty of sending a copy of your letter and this response to Lloyd and Ron, and I add the suggestion that the four of us try to get together for a meeting on this question sometime in the next two weeks. When we have worked through the Firearms, History and Group Violence Reports, we will know all we need to know about the dimensions of the publications problem: none of the remaining Reports will be any more controversial than Skolnick's nor any less controversial than History. (Senator Hruska would add, nor any more controversial than Firearms.)

Again, my apologies for the length of this letter.

Sincerely,

James S. Campbell
General Counsel

cc: Lloyd N. Cutler
Ronald Wolk

JSC/cah

(DICTATED, BUT NOT READ)

ATIONAL COMMISSION ON THE CAUSES AND PREVENTION OF VIOLENCE

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

January 13, 1969

DR. MILTON S. EISENHOWER
CHAIRMAN

CONGRESSMAN HALE BOGGS
ARCHBISHOP TERENCE J. COOKE
AMBASSADOR PATRICIA HARRIS
SENATOR PHILIP A. HART
JUDGE A. LEON HIGGINBOTHAM
ERIC HOFFER
SENATOR ROMAN HRUSKA
LEON JAWORSKI
ALBERT E. JENNER, JR.
CONGRESSMAN WILLIAM M. McCULLOCH
JUDGE ERNEST W. MCFARLAND
DR. W. WALTER MENNINGER

LLOYD N. CUTLER
EXECUTIVE DIRECTOR

THOMAS D. BARR
DEPUTY DIRECTOR

JAMES F. SHORT, JR.
MARVIN E. WOLFGANG
CO-DIRECTORS OF RESEARCH

JAMES S. CAMPBELL
GENERAL COUNSEL

WILLIAM G. McDONALD
ADMINISTRATIVE OFFICER

Dear Jim:

I have, as you know, completed a study of the report of the Task Force on firearms. On the whole, it is excellent.

I have studied volume one of the report of the Task Force on History, and the first half of the report of the Task Force on group violence.

As to the first of these: most of the material is scholarly, but there is a substantial, wasteful and boring amount of repetition as, for example, on vigilante movements. Further, a great deal of the detail is not really relevant to the task of our Commission. Are the co-directors of this Task Force at liberty to eliminate the duplication, as well as some of the needless detail, before we come to the problem of publication?

The report on group violence presents a different problem. The sections on the Vietnam war and on student unrest are essentially essays of justification for the violence that has developed in the streets and on campuses. Objectivity is lacking. Let me illustrate this by pointing out several things with respect to violence on campuses. The report makes no mention of the 1968 SDS convention at Michigan State University; the declarations adopted there can only be described as constituting a revolutionary program. These declarations do not fit into the neat argument of justification made in the report; I assume that is why no mention is made of them. Again, in the Columbia University incident, Rudd, the ringleader, said, "Either the University will become politically committed, or we will destroy it." Needless to say, if our universities become politically committed, academic freedom will vanish and the institutions will suffer grievously. This phase of the matter is not mentioned. The report asserts that many university programs and procedures are not relevant to this rapidly changing era--but no mention is made of how universities should change. The statements in the report are essentially the same as those made by Hayden and others, and such radicals never

NATIONAL COMMISSION ON THE CAUSES AND PREVENTION OF VIOLENCE

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

DR. MILTON S. EISENHOWER
CHAIRMAN

CONGRESSMAN HALE BOGGS
ARCHBISHOP TERENCE J. COOKE
AMBASSADOR PATRICIA HARRIS
SENATOR PHILIP A. HART
JUDGE A. LEON HIGGINBOTHAM
ERIC HOFFER
SENATOR ROMAN HRUSKA
LEON JAWORSKI
ALBERT E. JENNER, JR.
CONGRESSMAN WILLIAM M. McCULLOCH
JUDGE ERNEST W. McFARLAND
DR. W. WALTER MENNINGER

LLOYD N. CUTLER
EXECUTIVE DIRECTOR

THOMAS D. BARR
DEPUTY DIRECTOR

JAMES F. SHORT, JR.
MARVIN E. WOLFGANG
CO-DIRECTORS OF RESEARCH

JAMES S. CAMPBELL
GENERAL COUNSEL

WILLIAM G. McDONALD
ADMINISTRATIVE OFFICER

James S. Campbell, Esquire
Page 2

1-13-69

have a constructive suggestion to make. Hayden did not do so before our Commission, and he has not submitted anything constructive to us, as he promised to do.

I shall try to withhold final judgment on both reports until I have completed my study of them. But I cannot refrain from expressing to you now a high degree of concern.

Sincerely,



James S. Campbell, Esquire
National Commission on Violence
Washington, D. C. 20506