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Joseph L. Alioto

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THE MORAL BASIS OF VIOLENCE

*Joseph L. Alioto**

These may be murky times when truths are not self-evident. At least, the principles of democracy for which this nation was founded are under increasing attack. This attack is not necessarily subversive and underground. Actually, it is quite public and finds its dimension in violence in the streets of big-city ghettos and on the campus.



Mayor Joseph Alioto

The attack is not concerted or planned, but rather is the raw onslaught of great frustrations that have been present in America since her founding but are only now in noisy crescendo. Bursts of violence rip society much as a gale wind might tatter a sail. The pressure of destruction is not the deliberate conjuring of rabid revolutionaries, but the seething of social forces that break through where the fabric of organization is weakest.

The whiskered radicals of the so-called "New Left" may try to stand before the angry surge and flail their arms as if to bestow the whirlwind with an ideology and a direction. They boast of leadership over the transient current. They posture and say they can control its course. But they neither lead nor direct. They are carried along by their own outrage, and, while their uncombed novelty gives them notoriety and while they may give some articulation to drives and urgencies of a changing society, they are not the harbingers of vast social forces.

These forces have their beginning almost from the moment this continent was discovered and became the amazingly creative outlet for the energies of sturdy immigrants from around the world. The nation found its dazzling strength because it, more than any society in all history, gives outlet to the fierce creative energies of mankind.

Because the system is so abundantly and apparently successful, its promise of personal fulfillment daily heralded on television and through all the media, it is all the more vulnerable to attack by these of its members who are thwarted from fulfillment and whose aspirations are unanswered. Frustration is expectancy denied.

Frustration in the ghettos increases as the lacerating deprivations of joblessness, bad housing and inferior education are put in painful relief by the incredible affluence of society generally. The abrasive anonymity of the city, where the individual stands exposed to so many crosswinds of uncertainty, unshielded by the compactness and closeness of the big family or the small town, makes the contrast all the more stark. So, increasingly, does the fact that the great buffer of American society, the middle class, is withdrawing for suburbia, and the very poor and the very rich are left in dubious confrontation in the cities.

* Mayor, San Francisco.

The aching inheritance of slavery is all the more apparent in the cities, particularly those in the North and West, which seemed to offer escape from the magnolia despair of the South, but despoiled hope in the dust and smoke of stifled opportunity. The barriers of the slave compounds seem all the higher in the resentful retrospect of black young men and women, who see the cornucopia spread of American opulence and are filled with the anguish of generations ruthlessly denied their dignity and pride.

Frustration wells as deeply within the Spanish-surname community, for whom America beckoned with all the gleaming hope of a promised land, but where expectations shriveled in the daily struggle of simply surviving and, because language can be as much of a gulf as skin color, of simply being understood.

The brash fire frustrations of the underprivileged whites, adrift from their own heritage, fearful they will be overwhelmed in the tide of national change, add further to the explosiveness of ghettos from San Francisco to New York.

The ghettos are not alone in their tensions. The entire nation is throbbing with change. Men soar to the moon, industry automates, farms merge, and families scatter. The individual is both exalted and reduced. This unbalancing, some contend, acts as a kind of flywheel that motivates our competitive society. It drives persons to seek fulfillment and success.

Frustration results when that individual quest is stymied and hopelessness extinguishes aspiration. America has succeeded because, to a measure unmatched in all history, she has been able to accommodate the aspirations of her citizens. Men from throughout the world found hope here, and matched the nation's mountains with their achievements. Expanding cities and seemingly inexhaustible frontiers opened opportunities to persons of all walks of life — the lowly and the highborn, the dreamer and the doer, the scholar and the artisan. The kaleidoscope of individual success and failure blurred Old World class lines and made democracy work.

At least, the fabulous system of competitive enterprise and democracy works for white America. The imperative question remains: Can it work as well for black and brown and yellow-skinned America?

No, shout some extremists. The system, they claim, is corrupt, racist, repressive and doomed. Violence, they say, will purge the system; and, in fire and bloodbath, long-suppressed minorities will achieve — what?

The philosophers of violence are unable to answer. They talk of revolution but never of what follows. Huey Newton, theorist of the Black Panthers, looks to the day when

people move for liberation, they must have the basic tool of liberation, the gun. Only with the power of the gun can the black masses halt the terror and brutality perpetrated against them by the armed racist power structure. . . . [W]e were forced to build America and, if forced to, we will tear it down.¹

The old Machiavellian maxim about the end justifying the means is sud-

1 The Black Panther [official newspaper of the Black Panthers], June, 1967.

denly turned about into the means justifying whatever the end might be. Newton and the other petty führers of his black racist storm troopers are unable to define a goal other than the smoldering ruin of a society they both envy and despise. All they do is articulate a vengeance that somehow gives virtue to violence.

Once again in America violence is an article of faith, as it once was to the sheeted Klansmen, extolling force over reason and thereby denying an essential tenet of our democracy.

The Black Panthers strut about in leather jackets and find their recruits among jailbirds and misfits, as Hitler's beer-hall gang did in the 1920's. And, apparently, they derive the same kind of kick that Hitler's bravado must have given his followers when he wrote: "The very first essential for success is a perpetually constant and regular employment of violence."²

Violence for the sake of violence is a chilling creed, and it finds adherence among those whose lives are empty of any other fulfillment. An ugly egotism may bind Panther and Nazi, but there any resemblance diminishes, for the striding pomp of Nazism filled a void in a defeated and decimated Germany that the drab pretensions of the Panthers never will in an affluent and confident America.

Nonetheless, the philosophy of violence has ample and honorable antecedents in America. Thomas Jefferson suggested, somewhat lightly, perhaps: "[A] little rebellion, now and then, is a good thing, and as necessary in the political world as storms in the physical."³ Throughout history, particularly our nation's, violence has been the irrevocable instrument of last resort — the final alternative — the only answer to an unresponsive and repressive society. Our nation achieved its independence through rebellion, and, only a century ago, secured its continued unity through a brutal and bloody civil war. The nation took to the musket and cannon when all opportunities for peaceful settlement appeared foreclosed, and bloodshed became the only means for preserving the national interest.

Yorktown, Gettysburg and other great battles of the War of Independence and the Civil War were not idle and purposeless spasms of violence. They were fought with a clear determination of what victory would achieve, and they helped to insure a destiny for this nation in which men could be free under a government of themselves, by themselves and for themselves.

There is a discernible and disquieting difference between the historic purposes of these past battles and the dead-end philosophy of the Black Panthers and other modern panderers to violence. There is a temper-tantrum quality to their preachments. They, like an angry child smashing his favorite toy, would burn and bomb. Their philosophy is narrow and paranoid, filled with hate and distrust and suspicion and illuminated by visions of power. They lust for the vicarious power the mere possession of a gun gives them, and they preen in the psychopathic thrills of terror and murder.

The Black Panther credo is a danger, not always for what it advocates, although that is horrible enough, but for the frustrations to which it caters. The philosophy doesn't so much shape events, as it is shaped by them. It is no more

² A. SCHLESINGER, JR., *VIOLENCE: AMERICA IN THE SIXTIES* 81 (1968).

³ Jefferson, *On Shays' Rebellion*, in 6 *WRITINGS OF THOMAS JEFFERSON* 65 (1903).

than the visible surface of deep and powerful currents of discontent. If it has any credibility whatsoever, it is an opportunistic pandering to the pent-up emotions of utterly frustrated segments of society — those who want to blast out of an intolerable and draining existence — for its writings do read more like a manual for firearms than any blueprint of what follows the final bullet. Actually, the philosophy provides little more than a rationale after-the-fact — a kind of postmortem justification — for riot and looting that invariably find their trigger not in some obscure manifesto but in some street corner encounter between a policeman and a lawbreaker.

As might be expected, the Black Panthers have been much more successful in gathering publicity than in recruiting members. They have all but been repudiated in San Francisco where Eldridge Cleaver, before he once again became a fugitive, complained in a national magazine interview that he could find little “revolutionary fervor” among the City’s blacks. He blamed “sops” handed out by my administration; and, by so saying, he contemptuously spit in the eye of the courageous, but non-violent militancy of San Francisco’s proud Negro community.

The community is militant in advocating social reform, and is persuasive in all levels of city government and decision-making; it dismisses the Panther notion that the shooting of a policeman somehow will lead to better jobs and nicer homes. The Panthers, by the vast majority of their fellow blacks, are seen as nothing but another Murder Incorporated — thugs, not social revolutionaries. The senseless ambushing of police by Panthers is deplored by the Negro community as vehemently as by the white community. Murder is not a policy for change and reform.

Assassination of police is an article of faith with the Black Panthers, and when it is carried out by a member of the Panthers, he, as well as those who exhort him, should be prosecuted to the fullest extent of the law. Freedom of speech does not embrace such an offensive tenet when it is implemented in even the most inconsequential encounter with police. One Oakland, California, officer was shot and wounded when he stopped a Panther for driving through a red light. In San Francisco, three policemen were wounded when they stopped a truck-load of Panthers after an \$80 service station holdup. At the time, I asked the County grand jury to investigate whether a conspiracy to commit murder exists between the leaders of an organization that advocates the shooting of policemen and members who actually do shoot policemen. The grand jury failed to act, but I am confident my principle is sound, and I believe, in all justice, that Black Panther leaders should not go unpunished for what their subordinate trigger men do.

A measure of the rejection of the Black Panthers in San Francisco came stunningly in last year’s election when the party’s candidate for the State Assembly, Mrs. Eldridge Cleaver, received only four per cent of the vote in a largely black district. Repudiation of the Panthers’ program for violence is borne out nationally by general attitudes in the black community toward violence as a useful tactic in gaining their rights. The National Advisory Commission on Civil Disorders polled exhaustively in the ghettos of fifteen major American cities

and concluded that only about six per cent of the persons questioned would resort to any kind of violence. The commission's report emphasized:

Most Negroes, though they speak in terms that would seem to justify riots, reject violence both as a general strategy and as an approach they would be willing to take part in themselves. Riots are justified by most Negroes, but they are not recommended.⁴

The justification looks back through a rear view mirror on decades of resentments and disappointments over housing, problems with police, education, welfare and, especially, employment. At any time, these frustrations may explode into a riot, and, while the vast majority of blacks will take no part, they comprehend the intense outrage finding expression in leaping flame and shattered windows. Riot itself finds its spark locally, usually in the friction between a policeman and a person or group, but the impulse toward violence is national. Dr. Robert Blauner, professor at the University of California and a consultant to the McCone Commission on the causes of the Watts riot, sums it up well: "[T]he condition of being a black man in America is fundamentally the same whatever the locale. For him, the central fact of life is racism."⁵

The color line still intrudes on jobs, housing and even the quality of schooling; it is here that the rage of the young Negro merges with the idealism of the young white into a ferment that spills from the ghetto to the campus.

The civil rights marches of the early 1960's gave many young whites their first involvement in broad social issues, and awakened them to the fact that their comfortable history books obscured a systematic oppression of the Negro. The assassination of their hero president, John F. Kennedy, and the head-on collision of their anti-war feeling with national policy in Vietnam caused some to relate their emotion with the truly historic frustration of the Negro and to accept what black militants have been saying about the decadence of our democracy.

Their ideology became a tumbled mixture of heady idealism and splenetic nihilism. From their history books, they remembered Abraham Lincoln in his first inaugural address: "If by the mere force of numbers a majority should deprive a minority of any clearly written constitutional right, it might, in a moral point of view, justify revolution — certainly would if such a right were a vital one."⁶ From the streets, they hear the cry that it might be better to destroy society as it exists, even though no benefits would accrue to anyone.

The militancy of the blacks and the radicalism of the whites find a conspicuous mutuality on the campus. The bravado and tendency toward over-reaction typical of all youth kindle the kind of turmoil evident at San Francisco State College and other schools in this country and around the globe. Campus unrest is truly international. Actually, only a relative handful of students are dedicated to actual violence and to the destruction of familiar institutions.

⁴ SUPPLEMENTAL STUDIES FOR THE NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS 51 (1968).

⁵ Blauner, *The Dilemma of the Black Urban Revolt*, 24 J. OF HOUSING 603 (1967).

⁶ Lincoln, First Inaugural Address, reprinted in *THE FORMS OF PUBLIC ADDRESS* 233 (G. Baker ed. 1904).

Hundreds may swarm to the excitement caused by troublemakers who throw rocks at the Presidential limousine, splash paint on public buildings, seize college administration buildings and throw rocks at police. But the number of hard-core troublemakers who thirst for violence and relish confrontation for confrontation's sake is small. They try to infiltrate into areas of legitimate campus concern, and they must be isolated, and then dealt with firmly if they violate the law.

Essentially, however, much of what is described as revolution on campus is merely aspiration for a more relevant education that satisfies youth's hunger for individuality and yet prepares them for life in our enormously complex society. At San Francisco State, the most clamorous of the protesters are not interested in some distant revolutionary goal, but in achievable campus programs. Manifestos for campus change invariably have as their foremost priority the increasing inclusion of black and Spanish surname and other minorities into the mainstream of education. Demands are made for an ethnic studies program and for reducing admission — not graduation — standards for young men and women from ghetto neighborhoods. These demands are legitimate and commendable.

By and large, students, more than at any other time in our history, are deeply concerned about the quality of their education. They are serious about their studies, and they work harder in the classrooms than any previous generation.

No generation of students has been more involved with its times than the one now in our colleges and high schools. Students are filled with history's own impatience for a more stable and harmonious world, and the vast majority express their idealism not with rocks and violence, but in the Peace Corps, VISTA and the Teacher Corps.

The riots in the ghetto and the disruption on the campus are a national phenomenon that, while involving a fraction of those who could join the spree of violence, give rise to the spectre of some vast, intricate and coordinated conspiracy. Although revolutionists do exist in most major cities, it is highly doubtful whether any single central committee or group has masterminded the rising tide of protest over the past couple of years. What is happening in the ghetto and the campus is not conspiracy, but rather a mood of disenchantment about the way things are.

But, whether by plan or spontaneity, violence cannot be tolerated and must be quickly controlled within constitutional limitations, with whatever force is required. There is an absolute imperative for the cities and for the nation to make clear that dissent will be tolerated, even encouraged, but violence will be put down with whatever force is necessary. There must be a sharp and distinctive line between the right of the individual to speak his mind and the right of society to protect itself. Justice Abe Fortas defined the matter succinctly:

The state may defend its existence and its functions, not against words or argument or criticism, however vigorous or ill-advised, but against *action*; and the state may and must protect its citizens against injury,

damage to their property, and willful and unnecessary disruption of their work and normal pursuits.⁷

Our nation must give careful consideration to how to deal with the sporadic violence that breaks out with increasing frequency, particularly where the fabric of society is weak — in the ghetto, because of neglect; on the campus, because of design and a firm and splendid belief in academic freedom. Certain principles seem applicable to both the ghetto and the campus:

1. To reemphasize, dissent itself will be protected, but fire-bombing, rock-throwing, the seizure of public buildings and other tactics of terror will be rigorously put down. Experience at San Francisco State is conclusive that seized buildings should be cleared immediately and not be allowed to become occupied territory and the subject for negotiation.

2. Vigorous law enforcement must be balanced by an equally determined drive against the social evils that divide the races and blunt opportunity. In the city, this means an all-out drive for better housing, more jobs and improved education. And it means more: minority entrepreneurship for the launching of businesses, and the solid participation of minorities in processes of government and community decision-making. On the campus, it means giving students and teachers greater voice in administration and curricula, and the establishment of black and other ethnic studies, not as a harbor for segregation, but as stimulating curricula for students and faculty of all color.

These two points are, obviously, not meant to be a detailed social program, but simply to put into juxtaposition the fundamental duality of democratic society: order, on the one hand; individual opportunity, on the other. Democracy succeeds only in sturdy balance between the requirements of personal safety and the imperatives of personal freedom.

The nation cannot tolerate colonies of alienation and hopelessness within our teeming cities — or, for that matter, on the campus — and discernible bars of prejudice that isolate citizens one from the other must be obliterated. The fresh winds of freedom and hope must clear the dead air of despair throughout the United States, leading ethnic minorities into greater involvement in our political and economic affairs, and stirring anew the idealism of students to fight injustice with the lasting reforms of law and ballots, not the fleeting bursts of Molotov cocktails and other terrors.

Violence has spurred some progress in cities. It has awakened communities to the searing quality of hopelessness in ghettos and prompted businesses and unions to open their doors to minorities. Money has been raised for housing and better schools. These efforts for treating long-neglected social abuses are a commendable kind of community first-aid, but they don't reach the deeper infections of alienation and prejudice that divide so many cities. Some radicals have concluded that riots do bring social change, but they fail to diagnose those deep currents that can polarize this nation into warring camps of black and white. The awful disease of racism could spread and produce a feverish reaction by the

7 A. FORTAS, CONCERNING DISSENT AND CIVIL DISOBEDIENCE 40-41 (1968).

majority community of repression, retrogression and irrationality that would wither and cripple all our liberties.

Already, some government leaders see "bayonets" as the means for enforcing the majority will. Such statements stab at the heart of our constitutional democracy just as surely as the contemptuous barbs of the radicals, who hone their hates on alien diatribes. Many mimic Mao and Che, as if there would be a parallel between this country and countries trying to crash out of the cement of centuries into the twentieth century. Through the great fortune of unlimited natural resources and her early isolation from the tumult of the old world, the United States long ago made that emergence, and now is on the threshold of enlarging the promise which, already, she has afforded millions of Americans.

The violence in the ghetto and on the campus that has streamed so constantly across the front pages and on the television screens for the past year does not deny the vigor of American society. It should not stand as a conclusive judgment that this is a sick or dying society, but rather as a warning that specific, deliberate and generous social action is needed. Most of the militant demonstration has been, in the magnificent example of Dr. Martin Luther King, Jr., non-violent, an exceptional testimony of faith in the American system's ability to accommodate the just aspirations of all her people. All America should embrace the faith that America has not lost her ability to grow and prosper. Hers has always been an expanding economy, and she always has had a tolerance for new ideas and free expression. None of these splendid qualities show any inclination to decline unless we ourselves through fear or despair, cause them to diminish, and that would be the tragic by-product of the contemporary violence.

Youth found substance to its usual rebelliousness in sympathy for minorities, dismay at the war in Vietnam and despair over the draft; as progress is made in these areas, so should there be some reduction in youthful animosity. But youths' fervor should remain constant against domestic and international injustice, and I am optimistic that our present generation of young people may prove the richest resource ever discovered in this great land of ours.

I believe in America's strength and her durability and in the good sense and enduring nature of her Constitution and government. The demonstrations, both peaceful and violent, are but the surface signs that this is not a static nation, but a dynamic one now undergoing great change. As in the 1930's for organized labor, our democracy is stretching wider to include new millions within the full promise that a person's opportunities are as unlimited as his talents. The barriers to opportunities must continue to be knocked down and the minorities brought into full partnership, and the nation's aspirations must continue to soar with the idealism of her youth.

These are the dynamic propulsions that shape the American dream. Their compelling drive may be obscured for some by the confusion and disarray of confrontation, but they remain as vital as that day long ago when this nation first held "these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of happiness."