

Sins of Commission

ONE WAY of dealing with our grave domestic crises, such as the steadily rising incidence of crime, the swelling tide of revolutionary violence and the progressive dissolution of sexual moralities, is to appoint a presidential commission to investigate the problem, explain its causes and show how they can be removed. Usually, after the expenditure of a good deal of money in gathering testimony from various self-acknowledged experts, subsidizing "in-depth" studies by professional researchers and the services of report-writers well rehearsed in sociological jargon, the commission is able to arrive at some exquisitely simple conclusion. Thus the Kerner Commission found that the epidemic of rioting, arson, looting and vandalism in some dozens of American cities was traceable to a single factor which it called "white racism." *Parturient montes!* Again, the Scranton Com-

mission was assembled to find out why on earth so many college and university students have taken up such odd extracurricular activities as the fouling up of administration offices and classrooms, the looting of files, the blowing up of buildings and power stations, the burning of banks, the blocking of interstate highways, the throwing of rocks, bottles and less mentionable missiles at police and militiamen, calling stridently all the while for the overthrow of this Republic. This time the commission found that the fault and most of the blame lay with the elected authorities, including the President who appointed the commission, for having failed to recognize "the emergence of a new youth culture" as the result of having made higher education available to everybody.

Still another commission, appointed by Lyndon Johnson, was asked to determine whether the flood of pornographic books, photographs, movie films, naked theatrical productions and tableaux has had anything to do with rise in sexual crime. After the expenditure of some millions of dollars a majority of the commission reported that it could find no connection whatever between the two phenomena and went on to recommend that all remaining restraints on the pornographic trade be repealed. This recommendation apparently applies to materials that are without redeeming social significance, since traffic in the redemptive kind had already been taken under the protection of the First Amendment by our wide-minded Supreme Court. Whether by coincidence or otherwise, the publication of the report was followed by a series of news dispatches out of Denmark, showing that in that country after virtually all varieties of pornography and virtually all forms of sexual behavior, public and private, natural and unnatural, had been legalized the number of arrests for sexual offenses had dramatically declined! The as-

sertion in the majority report that no statistical evidence had been uncovered to show that "exposure to explicit sexual materials plays a role in the causation of delinquent behavior among youth or adults" was generally applauded by librarians, book publishers, editors and some criminal lawyers. A few recalled the apothegm of the late Mayor Jimmy Walker of New York that "no girl had ever been ruined just by reading a book," an assertion that had overlooked at least one instance to the contrary—the sad and famous case of Francesca di Rimini.

The findings and recommendation of the commission, however, were bitterly attacked by two of its own members, both clerics, a Protestant and a Jesuit. In a dissenting report they charged that the evidence on which the findings were based had been inadequate, inaccurate and "manipulated," and that evidence pointing toward an opposite conclusion had been slighted or ignored. Certainly, the findings of all three of the Presidential Commissions here cited have been at considerable variance from those of the Congressional Committees that have been investigating the same problems, though these on the whole have received less publicity; indeed, in one curious instance a committee of the House of Representatives has been enjoined by a court from publishing its report, an indication that though the powers of the three branches of our government may be separate, some are now less separate than others.

The production and distribution of pornographic materials is said to be just about the fastest growing industry in the United States and its entrepreneurs to be piling up impressive fortunes. Whether this is a cause or only an effect of the progressive erosion of the traditional moral norms and the disappearance of most of the wonted proprieties, would be hard to determine; but there is no doubt that obscenity

—which may be defined as anything offensive to civilized sensibilities—is becoming more and more a factor in our politics as well as in our literature and art. Perhaps there should be still another commission to determine whether there is an interrelation between the three forms of social aberration which have claimed the attention of the commissions mentioned. There is some reason to think so. It was at Berkeley that obscenities of speech and conduct were adopted as a means of subverting the bourgeois establishment and its culture, and it was Berkeley that set the pattern for the other student insurrections throughout the United States. If it was the uprising in the Watts district of Los Angeles that set the pattern for the incendiary anarchy in Newark, Detroit, Washington, Baltimore and elsewhere, it was Berkeley, in the opinion of many, that set the pattern for Watts. Professor Lewis Feuer tells us that

the average Californian . . . sensed the effects of the Berkeley studentry “mobil-

izing” and violating laws and rules, the scenes of angry speakers, the students defying policemen and claiming the warrant of a higher ethic, the massive meetings, the arousing singers. No ordinary lawbreakers these, but students at California’s highest university. Disobedience, violation, the flouting of the democratic process, resistance to law, were given the sanction of the community’s intellectual elite. If the educated, the learned, the intelligent, approved of violating the law in a democratic society, then this path was so much the more indicated for those less fortunate and less endowed. Berkeley was the intellectual precursor for Watts.¹

As for the Presidential Commissions, *A fructibus eorum cognoscetis eos!*

— J. M. LALLEY

¹*The Conflict of Generations* (New York: Basic Books, Inc. 1969).