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Prod. No. 68748

5-731

THE BOBBS-MERRILL
REPRINT SERIES IN
SOCIOLOGY

Civil Disorder and the Agents of Social Control¹

Gary T. Marx
Harvard University

Quis custodiet ipsos custodes?

Juvenal (VI.347)

The mob quails before the simple baton of the police officer, and flies before it, well knowing the moral as well as physical force, of the Nation whose will, as embodied in law, it represents.

The Police and the Thieves, 1856.

Most of our municipalities appear to be organized solely for social service. In the presence of a mob their police officers are as helpless as their school teachers or their hospital interns.

Newspaper Report on 1919 Riot

Now, I'm not saying that the community, the people in the community of Harlem, were blameless. There was bottle-throwing, but when people throw bottles, when they throw bricks, it's the responsibility of the police to arrest, or at least restrain the culprits, the guilty parties, not indiscriminately to shoot into hotel windows and tenement houses. Not to beat people who are merely walking down the street.

James Farmer, 1964

Sure we make mistakes. You do in any war.

Police Commissioner of New York City, 1964

I don't want to hear anything you [Negro director of Human Relations Commission, counseling need to use black officers] have got to say; you're

¹An earlier version of this paper was presented at the 1968 American Sociological Association meetings. I am grateful to the M.I.T.-Harvard Joint Center for Urban Studies for support and the National Advisory Commission on Civil Disorders.

part of the problem. We know how to run a riot and we are going to handle it our way.

Deputy Chief of Police, Los Angeles, 1965

[The local police chief] rushed into his office and, grabbing the rifle . . . and two boxes of ammunition, he shouted, "They've shot one of my officers. We're going to get every son-of-a-bitch down there. I'm getting goddamned tired of fooling around."

State Police Report, 1967

If you have a gun, whether it is a shoulder weapon or whether it is a hand gun, use it.

Director of Newark Police, over the police radio, 1967

To the [riot] commissioners and public alike we'd ask one question: When a law enforcement officer, faced with the extremely dangerous task of quelling what is in fact an armed rebellion, is the target of snipers' bullets, rocks and bottles, just exactly what constitutes "undue force?" Were any of the commissioners who accuse police of using undue force on the firing line? Do they really know what they are talking about? Use of the term "undue force" is an exercise in tortured semantics that police refuse to accept. Not only is the charge without merit, it is an insult to brave men who risked their lives for the public and equally unacceptable to reasonable people.

New Jersey State Patrolmen's Benevolent Association, 1968

In the final analysis [in spite of poor judgment, excessive use of firearms and a manifestation of vindictiveness on the part of police] the responsibility for the loss of life and property that is the inevitable product of rioting and mass lawlessness cannot be placed upon those whose duty it is to enforce the law and protect the free of our society.

Report of Essex County (N.J.) Grand Jury
Investigation of Riot Deaths, 1968

It seems . . . that it is not what you do, but how you do it and what you call it.

John Steinbeck, 1961

The number of popular and scholarly perspectives that can be brought to bear on the interpretation of civil disorder seems limited only by the breadth of one's imagination and reading. Among some of the more prominent are those that stress the increased radicalism of social movements as they evolve, the relevance of a world revolutionary struggle, the importance of an external war, limited political access, various types of frustration, conspiracies, and agitation, the mass media, relative deprivation and heightened aspirations, frontier traditions and a history of racial and labor violence, lower class and criminal sub-cultures and youthful, Hobbesian, biological, or territorial man. Many of these factors can be fitted into Smelser's (1962) useful value-added model of the determinants of collective behavior.

Despite the undeniable relevance of some of these perspec-

tives, they all focus on factors in the pre-disorder situation conducive to violence. They also tend to correspond to a particular left or right wing ideology. Thus conservatives tend to see disturbances as meaningless, irrational events caused by agitators activating the degenerate character of the lower classes, while liberals are more likely to see them as spontaneous patterned protests caused by deprivation. However, there is one perspective which finds support among both the extreme left and right, and which seeks the cause in the actual disturbance situation. This is the view which suggests that the police cause riots. (To be sure, ideological groups differ on the particular mechanism they emphasize—the right blaming the police for being too soft, the left blaming them for being too harsh.)

Unintended Consequences of Social Action

One of the justifications for social research is that it goes beyond our common sense views of the world. Merton (1957) suggests that an important task of social research is to point out the latent or unintended consequences of human action. Thus, corrupt as early twentieth-century political machines were, they were important in the assimilation of Irish and other immigrants; and prostitution, whatever its moral implications, may make an important contribution to family stability. However, there are more interesting cases where unintended consequences are the direct opposite of intended ends. Thus we have learned that propaganda designed to reduce prejudice may actually reinforce it, that youth institutions may create juvenile delinquents who are later made into knowledgeable and embittered criminals by the prison system, that mental hospitals may encourage mental illness, that schools can impede learning, that welfare institutions may create dependency, and that doctors sometimes injure or even kill patients.

In the same fashion, a review of police behavior in civil disorders of a racial nature through the summer of 1967 suggests a number of instances where the behavior of some social control agents seemed as much to create disorder as to control it. After a consideration of police behavior in earlier racial disturbances, the present paper examines some of the forms and contexts in which control behavior has had these unintended consequences.

This paper does not argue that police are the main *cause* of racial disorder. Indeed, police are one of the most scape-goated and stigmatized groups in American society and many parallels may be drawn between them and ethnic minorities. Yet, as Gertrude Stein noted, the answers one gives depends on the questions

one asks. There are certain questions about civil disorders that can only be answered by considering the general nature of the police-black community relationship and the interaction that occurs between these groups during a disturbance. These questions have to do with the course, pattern, intensity, and duration of the disturbance.

As Park and Blumer and later students have noted, collective behavior has an emergent character to it. It involves elements that can't very well be predicted by a static consideration of the pre-disturbance variables mentioned in the beginning of the paper. Civil disorder involves a social process of action and counter-action. It is here that a consideration of police behavior is relevant.

Police Behavior in Historical Perspective

As Allen Grimshaw (1963) has noted, police have been criticized for brutality and ineffectiveness in most twentieth-century racial disturbances. Any critical evaluation of recent control practices must first be put in historical perspective.

In reading about police behavior in earlier twentieth-century interracial violence, I found several reoccurring themes: (a) the police were sympathetic to (white) rioters and sometimes joined the riot themselves, (b) police often failed actively to enforce the law, and (c) when police did try to maintain law and order this often was not done in a neutral and impartial manner.

Some of the following discussion is based on reports of groups with vested interests other than (or in addition to) the dispassionate pursuit of truth. The highly charged emotional nature of civil disorder and the fact that it may cover wide areas makes research difficult. Traditional norms of police secrecy may require undue reliance on the reports of others, who are interested in overstating police misbehavior. The usual methodological strictures about this kind of historical data apply. At the same time, the very unusualness of the events leads to their receiving greater attention, making analysis somewhat easier. Social control behavior is further difficult to describe because in any one disturbance it may change markedly over time and may vary depending on the control unit in question.

Police as Rioters

Racial disorders are more likely during periods of social change—as the increased indignation of the oppressed confronts the threat to the status quo felt by the dominant group (Blumer,

1958; Shibutani & Kwan, 1965). Police represent the dominant group whose power is threatened, and tend to be recruited from those parts of the population most likely to hold negative stereotypes and to be in direct competition with blacks. It is thus not surprising that in the past police involvement in racial violence was sometimes on the side of the (white) mob rather than against it. This involvement has varied from statements of support to active participation in violence directed against non-lawbreaking Negroes.

The August 1900 New York race riot, one of the first of the twentieth century, was precipitated by a Negro killing a plain-clothes policeman after the latter grabbed his woman and accused her of being a prostitute. The subsequent riot was partly led by the predominantly Irish police. In what was called a "Nigger Chase" policemen and other whites dragged blacks off streetcars and severely beat them on the street, in hotels and saloons. At the time, a white observer felt that the ambition of the police seemed to be to "club the life out of" any Negro they could find. The New York Daily Tribune printed a cartoon of a massive Tammany tiger in a police uniform swinging a club. In the background was huddled a bloodied Negro (Osofsky, 1963).

The 1906 Atlanta riot growing out of the move to disenfranchise blacks saw police arresting Negroes who had armed for self-defense and an officer shooting into a crowd of Negroes. The head of a seminary where blacks sought asylum was beaten by a police official (Franklin, 1965, p. 433).

Some of the worst instances of official rioting may be seen in the relatively well-documented East St. Louis riot of 1917, which was triggered by the killing of two policemen. In an act called "a particularly cowardly exhibition of savagery" by a Congressional investigating committee, police shot into a crowd of Negroes huddled together and not offering any resistance. Some of the soldiers led groups of men and boys in attacks upon Negroes (Rudwick, 1966). Police relayed false reports of black reprisal attacks on the outskirts of the city, in order, according to the Post-Dispatch, "to scatter the soldiers so that they would not interfere with the massacre (Rudwick, 1966, p. 87)." Police also confiscated the cameras of newsmen because they had incriminating evidence. Guardsmen followed the cues of the police department. Some gave their weapons to the mob. Following the shooting of two blacks by "khaki-uniformed" men, rioters, according to a press account, "slapped their thighs and said the Illinois National Guard was all right (Rudwick, 1966, p. 48)." After indicating a number of instances of official complicity, the congressional investigating committee stated, "Instead of being guardians of the peace they

[the police] become a part of the mob . . . adding to the terrifying scenes of rapine and slaughter (Grimshaw, 1963, p. 274)."

The Chicago Commission on Race Relations, while noting the unusual circumstances of the 1919 riot, felt that "certain cases of discrimination, abuse, brutality, indifference, and neglect" on the part of police were "deserving of examination." The "certain cases" included things such as a policeman approaching a Negro who lay wounded from mob attack, with the words, "Where's your gun, you black — of a —? You damn niggers are raising hell." Whereupon the officer then reportedly knocked the Negro unconscious and robbed him. There was also cited a case of a Negro who after asking police for protection was searched and clubbed by them and shot when he attempted to run away. (See the Chicago Commission on Race Relations, 1923, pp. 35, 38-39.)

In the 1919 Knoxville, Tennessee, disorders troops "shot up" the black section of town following an unsubstantiated rumor that Negroes had killed several whites. According to John Hope Franklin, a Negro newspaper declared, "The indignities which colored women suffered at the hands of these soldiers would make the devil blush (Franklin, 1965, p. 475)."

In Tulsa, Oklahoma, May 31, 1921, after fighting broke out between whites and Negroes over the latter's effort to stop a lynching, local police invaded the Negro area and did much damage.

The 1943 Detroit riot was preceded by interracial violence at the Sojourner Truth Homes where police openly sided with whites and joined in fighting Negroes trying to move into public housing. During the 1943 riot, claims were made to the effect that "rather than protecting stores and preventing looting, the police drove through the troubled areas, occasionally stopping their vehicles, jumping out, and shooting whoever might be in a store. Police would then tell Negro bystanders to 'run and not look back.' On several occasions persons running were shot in the back (Grimshaw, 1963, p. 277)." It was claimed that police forced Negroes to detour onto Woodward Avenue, a street where violence against blacks was very intense.

A study of the 1943 Detroit riot reports the case of a black man shot as he fled a streetcar attacked by a mob. The man ran to a policeman and shouted, "Help me, I'm shot!" He later stated, "The officers took me to the middle of the street where they held me. I begged them not to let the rioters attack me. While they held me by both arms, nine or ten men walked out of the crowd and struck me hard blows. Men kept coming up to me and beating me, and the policemen did nothing to prevent it." This is followed a few pages later by the report of a white who stated, "A gang of Negroes suddenly seemed to assemble from nowhere at

all. They dragged me from the car and were roughing me up when three policemen appeared and rescued me (Lee and Humphrey, 1943, pp. 3, 30; Shogan and Craig, 1964)."

Passive Police

More common than police rioting was police passivity. In a useful article on conditions conducive to racial disorders Dahlke stresses the relevance of weak agents of external control, police who either cannot or will not take aggressive efforts to uphold law and order (Dahlke, 1952). As with lynch violence, such a situation characterized many earlier racial disorders. Even when they desired to take action, police were usually understaffed and lacked the appropriate means to quell the disorders. Technical incapacity mixed with a non-aggressive control ideology and sympathy for the rioters often produced inaction. In the case of recent disturbances, it should be noted, the administrative confusion that has contributed to the disorders certainly has not implied approval of the violence; this article and much pre-1964 material on racial violence really deal with one-sided pogroms and bi-racial rioting and not with current disturbances which have more the character of colonial uprisings.

The 1904 Statesboro, Georgia, riot started when a mob entered the courtroom and overpowered the militia, whose rifles were not loaded "in tender consideration for the feelings of the mob." Two Negro prisoners were burned alive and a "wholesale terrorism" began. The leaders of the mob were not punished (Franklin, 1965, p. 433).

The congressional investigating committee studying the East St. Louis riot reports:

The testimony of every witness who was free to tell the truth agreed on condemnation of the police for failure to even half-way do their duty. They fled the scene where arson and murder were in full swing. They deserted the station house and could not be found when calls for help came from every quarter of the city. The organization broke down completely and so great was the indifference of the few policemen who remained on duty that the conclusion is inevitable that they shared the lust of the mob for Negro blood, and encouraged the rioters by their conduct. (cited in Grimshaw, 1963)

Rudwick notes, "At least six or seven guardsmen stood around like 'passive spectators' during the hanging at Fourth and Broadway, and ignored pleas to save the victim's life. A few blocks away at Collinsville and Broadway a bloodied Negro sought the protection of eight guardsmen. Their mute answer was to turn bayonets on him, forcing the victim back into the arms of five

assailants (Rudwick, 1966, p. 76)." There are reports of lawmen "laughingly held captive" while the mob attacked blacks.

Organization on the part of both the police and militia seemed to break down as they scattered throughout the city without officers. Fraternalization with the mob was common and not conducive to efforts at restraint. Many soldiers openly stated they "didn't like Niggers and would not disturb a white man for killing them." It was reportedly a common expression among them to ask, "Have you got your nigger yet? (Grimshaw, 1963, p. 281)." The day after the riot as an ambulance came to remove part of the burned torso that a soldier was exhibiting to throngs of people with the words, "There's one nigger who will never do any more harm," a crowd of militia men "saluted . . . with shouts of merriment (Rudwick, 1966, p. 67)."

In Longview, Texas, in July 1919, police did not intervene when a group of whites with iron rods and gun butts beat a black man suspected of writing an article in the *Chicago Defender* on lynching. Nor did they try to stop the mob from burning a number of blacks' stores and homes (Waskow, 1966, p. 17).

Local authorities and police lacked the resources to control a riotous mob bent on lynching in Omaha in 1919. Some policemen surrendered their clubs and guns peacefully when the mob demanded them.

The 1919 Chicago riot was triggered by the drowning of a black swimmer who drifted across the "line" separating the "white" water from the "black" water. A white policeman refused to arrest the white thought (by Negroes) to be responsible for the death and then proceeded to arrest a Negro on a white man's complaint. Police were accused of leaving the scene of rioting on "questionable excuses." The Chief of Police and the Mayor refused to ask for troops, although the former acknowledged that his force was insufficient (Chicago Commission on Race Relations, 1923, pp. 39, 40). Outside pressure finally compelled the Mayor to ask the Governor for aid.

The following report on the 1919 Washington, D.C. riot clearly indicates something of the social process involved in the development of a collective definition conducive to violence on the part of both blacks and whites which is found in many early disorders. Blacks arm for self-defense and out of indignation while whites interpret police behavior as granting them permission to use violence against blacks with little fear of being sanctioned.

Failure of police to check the rioters promptly, and in certain cases an attitude on their part of seeming indifference, filled the mob with contempt of authority and set the stage for the demonstration the following night. In the early hours of Monday morning the attacks on Negroes were

carried into sections where the black population is heavy. The whole negro element of Washington suddenly became aware of a war on their race. . . . By Monday night the colored population held themselves to be without police protection. The mob elements among the blacks armed for war, while many of the better element of their race armed in obedience to the first law of nature. (An anonymous article in *The Outlook*, 1919, as quoted in Grimshaw, 1963, p. 277.)

W. E. B. Dubois charged that the Washington police intervened to stop the violence only when whites began to get the worst of it (Waskow, 1966, p. 34).

In Detroit in 1943 the NAACP took the position that, "There is overwhelming evidence that the riot could have been stopped in Detroit at its inception Sunday night had the police wanted to stop it (Lee and Humphrey, 1943, p. 73)."

Beyond police passivity in the face of attacks on Negroes, officials were criticized for delays in calling out higher levels of force and for the hesitancy to use force against whites. According to some sources the disturbance stopped only when troops appeared and a shoot-to-kill order was given wide publicity (Grimshaw, 1963, p. 283). The "inactivity" involved in the failure to call out higher levels of force is very different from that involved in failure of control agents to act once they are on the scene. Although at a more abstract level, the consequences may be much the same.

In the Cicero disturbance of 1951, the mob roughed up a black man attempting to move into an apartment, attacked the apartment, burned his furniture, and was "completely out of control." These activities were not prevented or hampered by the local police who were present. In fact, the local Chief of Police earlier had told the black man that he needed a permit to move in and threatened to arrest him if he tried to move in. The disorders continued until after the decision of the Governor of Illinois to send out National Guard troops (Grenley, 1952).

Police Partiality

In spite of well-documented instances of police involvement in rioting and police failure to take decisive action, an image of general police inaction or complicity is incorrect. In most cities efforts were made toward the control of violence. However, when police did try to maintain law and order, this was frequently not in a neutral and impartial manner. Given white control of police and a tradition of differential law enforcement, such partiality is not surprising. Partiality was often involved in the precipitating incident as well as in the police arresting on charges of rioting

Negroes who were beaten by the mob or those who armed for self-defense. The pattern of stopping Negro attacks on whites was much more common than the reverse.

During the 1900 New York riot, local police courts were filled to capacity—but only with Negroes. A magistrate criticized the police and asked to see “some of the white persons who participated in the riot.” His request was fulfilled when a white teenager was brought in for trying to trip a policeman (Osofsky, 1963).

In East St. Louis, “after a number of [white] rioters had been taken to jail by the soldiers under Colonel Clayton, the police deliberately turned hundreds of them loose without bond, failing to secure their names or to make any effort to identify them (Grimshaw, 1963, p. 274).”

A report on the 1919 Washington, D.C. riot notes:

Although the aggressors were white mobbists led by white men in the uniform of the United States, ten Negroes were arrested for every white man arrested. (Seligmann, 1919, p. 50)

In a 1919 Phillips County, Arkansas, disturbance, according to the Negro view (later supported by affidavits of whites present at the time), whites fired from autos and then burned a church where a black tenant farmer's union was meeting. This spurred a week of violence. A few whites and many Negroes were killed. According to Waskow (1966), “hundreds of Negroes . . . were charged with murder or arrested as ‘material witnesses’ or for ‘investigation’ (pp. 121–142).” No whites were arrested at all except for one who was believed to be on the Negroes' side. Even the U.S. Army seemed less neutral here than in other disturbances. According to the *Arkansas Gazette*, the troops were anxious to get into battle with blacks in order to prevent a supposed plan to kill whites (a plan “discovered” by telling tortured Negroes what to confess to).

During the 1919 Chicago riot, twice as many Negroes as whites appeared as defendants although twice as many Negroes were injured. The State Attorney of Cook County stated:

There is no doubt that a great many police officers were grossly unfair in making arrests. They shut their eyes to offenses committed by white men while they were very vigorous in getting all the colored men they could get. (Chicago Commission on Race Relations, 1923)

In a telling example, Walter White reports:

In one case a colored man who was fair enough to appear white was arrested for carrying concealed weapons, together with five white men and a number of colored men. All were taken to a police station; the light colored man and the five whites being put in one cell and the other colored men in another. In a few minutes the light colored man and the five whites

were released and their ammunition given back to them with a remark, "You'll probably need this before the night is over." (White, 1919)

A criminologist expressed the belief that the police showed greater readiness to arrest blacks than whites because the officers felt they were "taking fewer chances if they 'soaked' a colored man (Chicago Commission on Race Relations, 1923, p. 35)."

After soldiers and sailors beat Mexican-Americans in the 1943 Los Angeles zoot suit riot, police who had been onlookers would move in and arrest the Mexicans for vagrancy or rioting. Military authorities were reportedly lax in not canceling leaves (*Time* magazine, June 21, 1943).

In writing about the 1943 Detroit riot, Supreme Court Justice Thurgood Marshall suggests:

The trouble reached riot proportions because the police once again enforced the law with an unequal hand. They used "persuasion" rather than firm action with white rioters, while against Negroes they used the ultimate in force: night sticks, revolvers, riot guns, submachine guns, and deer guns. (Marshall, 1943)

Differential law enforcement can also frequently be seen in the different sentences received by white and black arrestees and, at another level, in the failure to punish control officials in those cases where force was misused. Grand juries and official investigating commissions have tended to label police killing of Negroes "justifiable homicide." The point of view expressed by the New York police department in its annual report about the 1900 race riot, whereby "the city was threatened with a race war between white and colored citizens. . . . prompt and vigorous action on the part of the police . . . kept the situation under control," was typical of most post-riot inquiries (Osofsky, 1963). (Prominent exceptions to this tendency to whitewash disturbances were the reports of the congressional committee that investigated East St. Louis and the Chicago Commission on Race Relations.)

Variation in Control Behavior

In this effort to characterize control behavior in collective interracial violence prior to the 1960s, I do not mean to suggest that these themes of police rioting, inaction, and partiality were always present, nor that when they were present they applied to all actions of all policemen. Among striking examples where such a characterization does not apply are the 1919 Charleston riot between Negro and white sailors and the 1935 and 1943 Harlem riots. In Charleston, neutral police behavior may partly be understood by the fact that the rioting white sailors were outsiders not

a part of the constituency of local authorities (Waskow, 1966). In Harlem only blacks were involved, so the issues of partiality and white police joining the riot are less relevant. The Harlem riots were in many ways the precursors of recent disorders (Fogelson, 1968).

Even where control behavior was the worst, heroic action on the part of some officials could be noted, as can cases of the police failing to interfere or arrest Negroes who had beaten whites. Nor should it be forgotten that often, as the Mayor of Detroit said in 1943, "The police had a tough job. A lot of them have been beaten and stoned and shot." And beyond being unprepared for their task and usually undermanned, they were the recipients of various insults about their lineage, manhood, and the nature of their maternal relationships. Under such conditions some observers might choose to emphasize their degree of restraint.

Significant variation in control behavior can often be found to be dependent on things such as region of the country, type of disturbance, nature of the issues, unit of control, and time period. Other factors being equal, conscientious impartial action to maintain law and order has been more likely where the rioting whites were not local citizens, where the disturbance was an insurrection against the local government as well as a black pogrom, where a strike or labor issue was involved, when the precipitating incident did not involve a Negro killing a police officer, and where only blacks rioted.

While conscientious impartial action is related to effectiveness, it is not synonymous with it. Among factors that seemed related to effective control are prior training, experience and planning, strong leadership from command officers and local government, the maintenance of organization and discipline within the control organization, the rapid mobilization of large numbers of personnel, and the use of Negro as well as white agents of control.

Control behavior has tended to be better the higher the level of control agency (state police, militia, and the U.S. Army) and the later one gets into the twentieth century (1900, 1919, 1943). In many cities disturbances came to an end with the appearance of outside forces and, except for the state militia in East St. Louis, relatively few criticisms of unprofessional behavior or ineffectiveness were directed against them. This was even more true of the U.S. Army than of the state forces. This is related to the fact that the army and state units often came in fresh at the end of a riot cycle. As outsiders they were uninvolved in local issues and perceived as being neutral. Their larger numbers, superior training,

and military organizational structure better suited them for coping with such disorders.

However, in considering the dynamics of the riot, rather than an abstract score card of police behavior, the effect of well-publicized instances of police brutality, inaction, or partiality, no matter how unrepresentative (and they often were all too representative) was often sufficient to escalate greatly the level of rioter activity. Such misbehavior to Negroes became symbolic of past injustice and part of a generalized belief justifying self-defense and retaliatory violence, while whites interpreted it as giving them license to attack blacks.

The 1960s: Some Changes in Police Behavior

In spite of the variation and qualifications noted above, in accounts of earlier disturbances the themes of police rioting, inactivity, and partiality could often be noted. Perhaps they were particularly apparent because they contrast rather markedly with police behavior in recent disturbances. We have come a long way since the 1863 New York Draft Riot where, when the president of the police board was asked about taking lawbreakers into custody he reportedly replied, "Prisoners? Don't take any. Kill! Kill! Kill! Put down the mob." Riots are now triggered when police kill or injure a Negro, rather than vice versa. Police have been much quicker to take action and this action has generally been more restrained than previously. The law has been enforced much more impartially. Particularly in the North, there are few reports of police failing to stop interracial assaults or of police firing into unarmed non-combative crowds. Considering the absolute number, size, intensity, and duration of recent disorders, there has probably been much less police rioting, less brutality, and relatively less injury inflicted upon Negroes by the police; this is all the more salient since police have been provoked to a much greater extent than earlier and have many more opportunities to use force legally against blacks than they did in previous riots.

Where police rioting has been present—as in Watts, Newark, and Detroit—this tends to be primarily in the later stages of the disturbance as police are unable to control the disorder and as they become subject to the same collective behavior phenomena as blacks (such as the breakdown of social organization, rumor, panic, innovative efforts to handle strain, etc.).

This contrasts with earlier disorders where police rioting was present from the beginning of the disturbance. That police be-

havior has shown considerable improvement, of course, should give no cause for rejoicing, since numerous, well-documented instances of undue and indiscriminate use of force, often deadly, can be cited.

In trying to account for these changes in police behavior, changes in the police and in the type of disorder must be considered. Police now are more professionalized and have better resources. Perhaps equally important, the task of maintaining law and order now involves suppressing blacks.

Just as the nineteenth-century emergence of a bureaucratic police force with fluid organization capable of rapid concentration greatly reduced the fear of riots, mobile units and modern communications have made it easier for the police to take rapid action. In some cases the availability of non-lethal weapons may have inhibited the use of deadly force. These factors work both ways, however. One reason a large crowd gathered so rapidly in Newark was that the beating of the cab driver involved in the initial incident was broadcast over the taxi radio system, drawing a caravan of taxis. The monitoring of police radio calls by rioters has occasionally been reported. In Newark there were reports of looters and snipers using "CBR" (Citizens' Band Radio). We can also note civil rights groups photographing activities of police as well as the reverse. In recent anti-war demonstrations some protestors could be seen wearing helmets, thickly padded jackets, gas masks, in a few cases accompanied by their own German shepherds. The pattern of neutralizing social control devices and the continual readjustment of deviants and social controllers as new technology emerges is a fascinating and unwritten story.

But beyond such technical factors is modern society's decreased tolerance for internal disorder and the ethos of the contemporary police department. The complexity and interdependence of contemporary society may have increased its vulnerability to civil disorder; at any event, its tolerance for internal violence has certainly been decreasing since 1900 (Waskow, 1966). American traditions about non-governmental interference in private violence have tended to disappear.

Just as blacks have the misfortune of being poor when most other groups aren't, they have the misfortune of being a lower-class urban migrant group at a time when tolerance for the violence characteristically associated with such groups is less than ever. The state has increasingly come to monopolize the means of violence. To a degree that can't be very precisely measured, earlier police behavior transcended racism and must be seen in the context of police ambivalence about the control of private violence.

Citizenship rights in theory, and to an ever greater extent in practice, have been extended to all people, even the ethnically stigmatized lower classes. While this stress on the inclusion of the lower class, at least as far as blacks are concerned, can no longer be used (as many have tried to use it) to explain the presumed decline of violence in American society, it is still useful in accounting for the restraint shown them by authorities once violence breaks out. Police departments increasingly have come to stress universalistic criteria of law enforcement, as well as affective neutrality and limits on the use of force. An additional factor contributing to police restraint may be the presence of the press—in contrast to their role in earlier disturbances where the irresponsible concern of the media with Negro crime and especially rape of white women did much to raise tensions (Waskow, 1966).

To interpret these changes only in light of abstractions such as professionalization would be naive. The police today, while in many ways different from the police in 1917, are also dealing with a very different kind of racial violence. Rather than whites attacking Negroes under the guise of an ideology of white supremacy held by the police, we find Negroes attacking stores and police under the guise of an ideology clearly not held by the latter. The task of restoring law and order today coincides with the repression of Negroes, rather than of whites as earlier. Thus, that the police have been more ready to take action is not surprising. Similarly the greater neutrality of the police (in the form of enforcing the law equally, regardless of the attributes of the law breaker) may partly relate to the fact that in these almost all black disturbances, few whites have been involved. Yet acknowledging such factors should not lead to a wholly cynical denial of the changes that have occurred. Police, particularly in the North, have often controlled white mobs bent on attacking civil rights demonstrators. During riots they have arrested white youths (usually on the perimeter of the disturbance area) looking for confrontations with blacks.

Given the above factors one might be led to believe that police would have been much more successful in quelling recent disorders than in the past. This is not to argue that police behavior has always been effective or humane. While the old adage told me by a veteran police official that in the past "the riot didn't start until the police arrived" may seem less true today, this is certainly not to say that the riot now stops when the police do arrive—though this has sometimes (as in the Kercheval area of Detroit in 1966 and earlier at Trumbull Park in Chicago) been the case. One observer suggests "policemen everywhere claim they know of a hundred riots squelched for every one that gets out of hand

(Wills, 1968, p. 37).” For documentation on two incipient riots that didn’t happen, see Wenker, Magney, and Neel (1967), and Shellow and Roemer (1966). It is nevertheless ironic that although police are technically; better prepared to control disorders and have a greater will to do so, they often have been unsuccessful. Control is more difficult now than in earlier race riots because of the greater use made of private weapons and the fact that merely separating whites from blacks and protecting black areas from white invasion is not sufficient for stopping the riot. (Janowitz, 1968, p. 100). But in addition two important factors here are the general nature of police-black community relations and the actual behavior of police during the disturbance.

Police-Community Relations

In its riot analysis (inspired by what it felt were failings in the reports of the New Jersey and National Riot Commissions) the New Jersey State Patrolmen’s Benevolent Association (1968) finds a “growing disrespect for law and order” to be “one of the root causes” or recent civil disorders. While much in this document could be disputed by social scientists, there is an element of truth here, although the adjective “white” might have been added to “law and order.” There may be less consensus among ghetto youth on the legitimacy of the police in the past. Increasing technical proficiency and a more professional ethos are thus undercut by the decreasing respect potential riots may hold for the police (Bouna and Schnade, 1967)

Developments within the black community have meant that even the most “enlightened” police riot behavior has sometimes been ineffective. As blacks have gained in power and self-confidence through civil rights activity, and have become more politicized, the legitimacy granted police has declined. This is especially true for many of those most prone to participate in the disorders. For many of this group, police are seen as just a group of white men, meaner than most, who are furthermore responsible for the historical and current sins of their racial group. From the point of view of one youth in Watts, “The policeman used to be a man with a badge; now he’s just a thug with a gun.” This change in view is clearly in the eye of the beholder rather than in the behavior of the police. Though it may be true that relatively less capable people are being recruited for police work, by most criteria police are better than ever before. Ironically, indignation against the police has risen as police behavior has improved. During a five-year period in which the Chicago Police Department became increasingly professionalized, one study notes no change in police perception of how the public viewed them (Wilson, 1967).

To be sure, this negative view is held by only a minority of the black community, but it is held disproportionately by the most riot-prone group. For the general Negro community, complaints of police brutality are matched by the demand for greater police protection and indignation over the behavior of Negro law breakers.

The New Jersey Governor's Select Commission on Civil Disorder (1968) notes that "there was virtually a complete breakdown in the relations between police and the Negro community prior to the disorders.... Distrust, resentment and bitterness were at a high level on both sides (p. 143)."

Indeed, for some blacks police come to be seen as an occupation army. Silver (1967) suggests the concomitant of this view when he notes that, for many whites in the face of black unrest, "Police forces come to be seen as they were in the time of their creation —as a convenient form of garrison force against an internal enemy (p.22)." As the various (largely unanalyzed) organizational ties between the police and the Department of Defense become stronger, the view of the police as a counterinsurgency force takes on added significance. In reviewing police preparations for future riots, a journalist notes, "One would think the police were readying for war. Or waging it (Wills, 1968).

Useful parallels can be drawn to the way police were often seen in other ethnically mixed societies during tense periods (such as India and Pakistan in 1948), or Cyprus or Israel more recently). Police are viewed not as neutral representatives of their ethnic communities. At this point, whatever obedience police can command emerges primarily out of gun barrels and not out of respect for them or the law and order they are enforcing. Even here the symbolic hatred that police may inspire can inhibit the effectiveness of threats of force. In such situations using ethnically alien police to stop an ethnically inspired riot may be equivalent to attempting to put out a fire with gasoline.

In such a context control agents may not be successful even when they "refrain from entering the issues and controversies that move the crowd, remain impartial, unyielding, and fixed on the principle of maintaining law and order" —one of "an effective set of principles for troops to control a rioting mob" suggested by Smelser (1962, p. 267). This is precisely because even in being neutral the police are in one sense not being neutral. By the mere act of maintaining white (or the status quo) law and order the police have in fact entered "the issues and controversies" and on **[continue to next page]**

a side likely to aggravate potential rioters. As Joseph Lohman, a former police scholar and official has noted, "The police function to support and enforce the interests of the dominant political, social, and economic interests of the town (Neiderhoffer, 1967, p. 13)."

Police Behavior in Recent Disturbances

As noted, earlier police inaction in riots has generally given way recently to decisive police action. Yet many disorders have escalated, not as in the past because of what police failed to do, but precisely because of what they have done. Here racial liberals and conservatives have switched in their indictments of the police. Where liberals earlier complained that police were indecisive and not tough enough, complaints of excessive use of force are now common—while conservatives suggest the opposite. In another reversal the same U.S. marshals who were looked upon favorably by liberals when they protected civil rights activities in the South, became the enemy during the march on the Pentagon. Many conservatives who expressed pleasure over the presence of the marshals in Washington were indignant when they were in the South.

I have found it useful to organize police behavior that was ineffective or seemed to have the effect of creating rather than controlling the disorders into the following three categories: (1) inappropriate control strategies, (2) lack of co-ordination among and within various control units, (3) the breakdown of police organization. The remainder of the paper is concerned primarily with police behavior up to the end of the summer of 1967.

Inappropriate Control Strategies

*Crowd dispersal.*² Here I wish to consider ideas held by some control officials about disorderly crowds and the kind of police action that has flowed from such views. In the spirit of Gustav Le Bon it is sometimes assumed that crowds are uniformly like-minded, anarchic, irrational, and hell-bent on destruction. From this it may follow that all people on the street are seen as actual or potential rioters, that crowds must always be broken up, that a

²Data on disorders in Plainfield, Jersey City, and Elizabeth, New Jersey; Cambridge, Maryland; Detroit, Newark, Cincinnati, Dayton, New Haven; Rockford, Illinois; and Milwaukee which are not referenced are from material in the files of the National Advisory Commission on Civil Disorders (Kerner, et al., 1968). Some of the ideas in this section have profited from discussions with and were jointly developed by Robert Shellow, Lou Goldberg, and Dave Boesel.

riot will not terminate unless it is put down, and that only a technical approach involving the use of massive force is adequate.

In all too many cases police have not gone beyond a 19th century riot manual (Molineux, 1884) which stated "crushing power, exercised relentlessly and without hesitation is really the merciful, as it is necessary, course to be pursued (cited in Garson, 1969)."

Police were often responsible for the formation of the initial crowd by responding to fairly routine incidents with a large number of squad cars with loud sirens and flashing lights. In some cities, applying the traditional strategy of dispersing the crowd had unanticipated consequences and served to escalate and spread the disorders. The control problem then shifted from a crowd to guerrilla-like hit and run activities more amenable (technically if not humanly, given innocent bystanders and the minor crimes) to city clearing tactics. In commenting on new riot training, a national guard officer stated, "We ran through all that crowd-control crap again. Hell, I was in Detroit two weeks and I never once saw a crowd (Wills, 1968, p. 55)."

While the formation of a crowd at the beginning seemed to be an important factor in most disturbances, it does not follow that crowds should always be dispersed, nor that when they are dispersed, force is the only means that should be used. While the crowd itself may be conducive to a lessening of inhibitions, the anger it feels may be heightened and released by precipitous police action. Here it may be useful to distinguish a series of precipitating or initiating events.

In New Haven in 1967, for example, after some initial minor violence the crowd's mood was still tentative. A small crowd walked down the street toward police lines. As the perimeter was reached, police fired three canisters of tear gas. The crowd then ran back breaking windows and began to riot seriously.

According to a report on the 1964 Harlem riot, following the efforts of New York City's tactical patrol force to clear an intersection by swinging their clubs and yelling charge as they plowed into the crowd and broke it into smaller segments, "Hell broke loose in Harlem (Shapiro and Sullivan, 1964)." The angry but otherwise peaceful crowd then began pulling fire alarms, starting fires, and beating whites.

In Englewood, New Jersey, police efforts to force Negro bystanders into houses, whether or not they were the right house, angered and sparked violence on the part of young men. In Rockford, Illinois, the first instances of rock and bottle throwing were inspired by police efforts to clear a late-night bar crowd off the streets.

A peaceful rally protesting school practices in Philadelphia was violently broken up by the civil disobedience squad using riot plan number three. This elicited a violent response from the Negro youth. The superintendent and the president of the school board subsequently blamed the police for starting a riot (Philadelphia Inquirer, Nov. 18, 1967).

Contrary to official riot control manuals and (usually) the wishes of higher authorities, as police encounter a crowd they may break ranks, raise their night sticks above their shoulders, and hit people on the head rather than the body.

Beyond the issue of police provoking a hostile but as yet non-destructive crowd to retaliatory violence or providing a symbolic act and serving as a catalyst for the expression of the crowd's anger, the members of the crowd, once dispersed, may do more damage than the crowd itself. This may be somewhat equivalent to jumping on a burning log in efforts to put out a fire, only to see sparks and embers scatter widely. In both Milwaukee and New Haven, disorders were spread in this fashion; scattered bands of rioters presented police with a more difficult control situation than the original crowd.

An additional problem may emerge if police lack the power to clear the street or, as in Detroit, to control it once it has been cleared. In Newark after an angry crowd pelted the police station with rocks, bottles, and a few fire bombs, police made several sorties into the crowd using their clubs, and each time withdrew back to the station. Such a seesaw motion, in demonstrating police ineffectiveness and the crowd's parity with control officials, may have emboldened rioters.

Failure to negotiate. The treatment of disorders as strictly technical problems of law and order to be solved only by force has meant that negotiations and the use of counter-rioters were often ruled out. Such iron-clad rules, popular in many police circles, completely obscure the variation in types of disorder. Where the disturbance seems apolitical, unfocused, and primarily expressive and is not related to current issues or demands, and where there is no minimal organization among rioters and no one willing to take counter-riot roles, there would seem to be no alternative, from the perspective of the authorities, to the graduated use of force. However, where the disturbance develops out of a very focused context involving specific issues (the demand for finding promised jobs, a particular instance of police brutality, discrimination by a business firm, disagreement over school policies, etc.), where grievances are clearly articulated and demands are present, where there seems to be some organization among rioters, and

where actual or would-be spokesmen and potential counter-rioters come forth, the disturbance may be stopped or dampened by entering into a dialogue, considering grievances, and using counter-rioters. To resort only to force in such a situation is more likely to inflame the situation and increase the likelihood of future disorders.

The refusal to negotiate and use strategies other than a white show of force may have had disastrous consequences in Watts. The director of the Los Angeles Human Relations Commission had worked out a plan to assign 400 black plainclothes officers and several hundred anti-poverty workers to make inconspicuous arrests and spread positive rumors ("the riot is over") and to withdraw white officers to the perimeter. Young gang leaders promised to use their influence to stop the riot and were led to believe that these conditions would be met.

The deputy chief of police rejected this proposal, stating among other things that he was not going to be told how to deploy his troops and that, "Negro police officers are not as competent as Caucasian officers and the only reason for sending them in would be because they have black skins and are invisible at night." To the director of the Human Relations Commission he said, "I don't want to hear anything you have got to say, you're part of the problem. *We know how to run a riot* and we are going to handle it our way." In response to the promises of gang leaders to stop the riot, he stated, "We are not going to have hoodlums telling us how to run the police department." And, "We are in the business of trying to quell a riot and we haven't got time to engage in any sociological experiments (McCone, et al., 1965, pp. 59, 61, 63, 65)." Following this refusal a full scale riot ensued.

All blacks as rioters. Just as it is sometimes erroneously assumed that all men at a gay bar are gay or all women standing on certain street corners at a particular time are prostitutes, so to the police any black person out on the street during a period of civil disorders may be suspect. In some cities, orders to clear an area and the panicky use of force (along with beliefs about the efficacy of getting tough) have resulted in the indiscriminate application of force to anyone with a black face, including innocent bystanders, government officials, policemen in civilian clothes, ministers and Negro youth trying to stop the disorders.

In noting police inability to differentiate rioters from spectators, an observer of the 1964 Harlem disturbance notes, "The result was injuries to spectators and, in many cases, conversion of spectators into players (Shapiro and Sullivan, 1964, p. 57)." A factor related to failure to negotiate and the treatment of all

black people on the streets as rioters involves official response to counter-rioters. In many cases they were not used at all, or, once mobilized, their efforts were frustrated.

Previous role relationships have an important effect on behavior in disaster situations. While collective behavior is essentially defined by the emergence of new norms, it nevertheless occurs within a context of ongoing familial, religious, economic, political, and social relationships. In many cities the resources of the black community were effectively used in counter-riot activities—quelling rumors, urging people to go home, and trying to channel indignation into less destructive protest.

During the summer of 1967 in such cities as Tampa, Florida, and Elizabeth, New Brunswick, and Plainfield, New Jersey, police were even ordered out of the disturbance area and local residents successfully patrolled the streets. The issue of whether or not police should be withdrawn is a complex one that far transcends the simplistic rhetoric of its opponents and supporters. While it was successful in the above cities, in several other cities it had the opposite effect. However, what is not really at issue is the fact that there existed a sizeable reservoir of counter-riot sentiment that could have been activated in the place of, or along side of, other control activities. This counter-riot sentiment was generally not counter-protest and in many cases represented considerations of strategy rather than principle. But motivation aside, failure to use counter-rioters effectively may have prolonged a number of disturbances.

In Cincinnati, despite an agreement between the mayor and black leaders that the latter would be given badges and allowed to go into the riot area to help calm things, police refused to recognize the badges and arrested some of them on charges of loitering. A somewhat similar situation existed in Milwaukee. In Newark the mayor and governor gave permission to Negro volunteers to go among the people in efforts to calm the situation. Their activities were inhibited by enforcement personnel. According to the governor, they "were chased around so much by people who suspected them as participating in the riot that they had to abandon their efforts (Governor's Select Commission on Civil Disorders, 1968, p. 120)."

Beyond the general confusion in the disorders and a racially inspired (if not racist) inability to differentiate among types of Negroes, this police response was related to a view of the disorders as a technical problem to be met only by a show of force and a feeling that police competence and jurisdiction were being infringed upon. That counter-rioters were often black activists, and in some cases gang youth, may have accentuated this feeling.

Official anticipation. Thus far, the disorders considered have involved the pattern of riotous or at least disorderly Negro behavior followed and sometimes encouraged by the official response. However, there were other instances where the dynamics of the disturbance worked in the opposite direction. Here authorities (with poor intelligence reports) precipitated confrontation by anticipating violence where none was imminent and by overreacting to minor incidents that happened to occur during a major riot elsewhere.

While adequate planning and preparation are vital to effective control, they may help create a state-of-siege mentality, increase susceptibility to rumors, and exert a self-fulfilling pressure. This is particularly true when they are found with a get-tough, act-quickly philosophy. Following the Newark riot, fourteen cities in the surrounding area had some type of disorders; after Detroit, eight additional Michigan cities reported disorders. An important factor (rather than, or in addition to, psychological contagion) in the spread of violence from major urban centers to outlying communities was the expectation of a riot—and subsequent overreaction on the part of white authorities.

In New Jersey a month and a half before Newark erupted, there were reports of planned violence, and counter-plans were designed. On June 5, 1967, the police chiefs of more than 75 New Jersey communities met in Jersey City to discuss the supposed plans of militant blacks to foment violence. Jersey City, Newark, and Elizabeth were reportedly given "triple A" ratings for violence over the summer. Plans to coordinate control efforts were set up and procedures for calling in the National Guard and state police gone over. Riot control training was held in a number of communities.

When Newark finally erupted, prior rumors were confirmed in the minds of many local officials in other communities and fears of anticipated violence were acted upon. In one New Jersey city, officials reacted to the rumor that Stokely Carmichael was bringing carloads of black militants into the community, although Carmichael was in London at the time. In Jersey City, 400 armed police occupied the black area several days before any disorders occurred. In Englewood, where police out-numbered participants three to one, black residents had earlier been angered by riot control exercises in which the wind had blown tear gas into surrounding Negro homes. In Elizabeth, police greatly increased patrols in the black area and residents expressed opinions such as, "The community felt it was in a concentration camp." The appearance of armed police patrols increased the likelihood of confrontation and greatly strained relations with local Negroes.

Whatever an individual's feeling about civil rights, to have his neighborhood saturated with armed men in uniform in the face of minimal, sporadic, and even no disorders, often created indignation. A frequent demand was for police withdrawal or less visible show of arms. In six of seven New Jersey cities (that had disorders at the time of Newark) chosen for study by the riot commission, removal of police from the ghetto signalled an end to violence.

Sniping. While much sniping was attributed to control agents firing at each other, fire-crackers, and the snapping of broken power lines, response to the sniping that actually did exist was inadequate. Mass firing by men on the ground at buildings, often using their private weapons, without an adequate system of accounting for ammunition spent and not under the command of a superior officer, created much havoc, killed and wounded many innocent people, and helped escalate the violence. Such firing no doubt drew counter-fire from angry Negroes bent on retaliation or who viewed their counter-fire as self-defense, in some cases creating the very sniper fire it was supposedly trying to stop. The fact that changes in policy from not shooting to shooting looters during the Detroit riot were not announced may have increased the death toll. In a related context, if people don't hear an order to disperse because they are too noisy, that doesn't affect the legality of their arrest—according to guidelines put out by the San Francisco police department (1963, p. 4).

The use of force. In the use of force in quelling a disturbance, the police have traditionally faced a dilemma. To underreact out of concern with heightening tensions, because of technical incapacity, or because the seriousness of the situation is not appreciated, may permit disorders to spread rapidly as new norms conducive to disorderly behavior emerge and as people see that they can break rules without fear of being sanctioned. On the other hand, to use too much force too soon may create incidents and escalate the disorders as bystanders become involved and the already involved become ever more indignant. In cities such as Watts, Newark, and Detroit, police departments moved from a pattern of underreaction to overreaction, in each case inadvertently contributing to the disorders.

In Detroit a factor that came to be known as the "blue flu" may have been relevant. Prior to the riot, in an abortive unofficial strike many officers had called in sick. It has been suggested that some policemen in their anger and in order to demonstrate their importance to the city went beyond the policy of departmental restraint in underreacting during the initial disorders, in some cases even encouraging people to loot. This police strike did not

have the tragic consequences of the 1919 Boston police strike. In fact, according to several pre-riot sources, reports of crime actually went down when the police were out on strike.

There are two independent issues in the much-debated role of force in quelling civil disorders. One has to do with the effect of threats of force on the outbreak of disorders and the other with its effect on the course of a disturbance once it has started.

The tensions which generate riots are not likely to be reduced by a tough-talking mayor or police chief. Such rhetoric would seem to have little deterrent value and may help further to polarize the atmosphere and create fear in blacks of genocide and plans for self defense (which are then likely to be taken by police as proof of the need to be even tougher). However, once disorders have begun, a get-tough policy may be more "effective." (Although the criteria of effectiveness are by no means clear; and effectiveness, if defined simply as the cessation of the disorders, may conflict radically with other cherished values of the society.)

The example of Milwaukee shows that an early display of overwhelming force can stop the disorders—though the closing of airports and highways, the presence of 4,800 national guardsmen, 800 policemen, and 200 state police after about 150 youths broke windows and looted after a dance seems rather out of proportion. Similarly, indiscriminate lethal force will temporarily scatter a crowd. A group of angry blacks protesting a segregated bowling alley in Orangeburg was broken up (in the largest single blood-letting thus far) when state police fired without warning into the unarmed group, killing three and wounding 27 others (many of whom were shot in the back).

While such force may temporarily break up the crowd (ethical considerations aside), it may create martyrs and symbolic incidents which galvanize social-movement support. Witness the cases of Lafayette and the Parisian National Guard firing on unarmed demonstrators in 1791, the Boston Massacre in 1770, the calvary's riding down peaceful demonstrators at Peterloo in 1819, the firing on unarmed petitioners at the Winter Palace in 1905, and General Dyer's massacre of Indians at Amritsar. A fruitful area of study is the sociology of martyrdom and the conditions under which repression will arouse sympathy on the part of larger audiences. Important issues here would seem to be whether the repression is directed against non-violent or violent demonstrators and whether the protest involves a moral issue easily seen to be consistent with the basic values of the larger society.

Unfortunately, it can't very well be said scientifically that those control practices most offensive to humane sensibilities are also those least likely to be effective, although neither can the

opposite be said. Strong moral grounds clearly exist for opposing such policies, but very little is known about the likely short- and long-run consequences of different control strategies.

We can hypothetically differentiate between control practices that may have no effect on the disorders, those that cause them to escalate, and those that reduce or stop them. Empirically trying to sort these out is, however, very hard. Given the lack of sophisticated analysis with a reasonable sample, examples can be selectively chosen to show the effectiveness or ineffectiveness of almost any given strategy. In the case of the "get tough perspective" these often are embarrassingly time-bound. Thus two cities often cited, Miami (whose police chief stated, "When the looting starts, the shooting starts") and Philadelphia ("They take your attempts to meet their demands as a sign of weakness; you have to meet them with absolute force") subsequently have experienced disorders.

There is a curious confusion in the image of man held by proponents of a get-tough policy. On the one hand, they assume that the potentially riotous individual is cold and calculating, carefully weighs the consequences of his actions, and hence will be frightened by the potentially strong sanctions. On the other hand, rioters are simultaneously thought of as completely wild and irrational people caught up in an "insensate rage."

In a related context students of criminal behavior in American society have consistently noted that harsh sanctions and capital punishment are not effective deterrents for many offenses. Some research in other countries has reported curvilinear relationships between hostile outbursts and repression (LeVine, 1959; Bwy, 1968). Student and anti-war protests are beyond the scope of this paper yet much of what has been said about police behavior during city racial disorders applies here as well. As a brief aside we can particularly note their role in aiding the success of student protests.

The state of our social engineering knowledge is admittedly limited; however, if one wanted to structure the world to be sure that university disturbances would occur, one could learn a lot by watching the unintended consequences of the behavior of university administrators. One pattern that applied to a great many disorders up to 1968 is as follows. A small number of students, often with a cause or issue that doesn't actively interest the mass of their fellows, plan or actually carry out limited peaceful protest action. The university administration tries to restrict the protest; it prevents freedom of speech and action, or it arbitrarily and without due process singles out certain activists for punishment, or it calls the police to break up a demonstration. With these administrative actions the nature of the unrest changes quantita-

tively and qualitatively. A basic issue now becomes free speech or police brutality or rights of due process. Latent tensions may result in additional issues such as the quality of education coming to the surface, issues which had nothing to do with the original problem or the university response. Greater unity among the protestors develops; the mass of uncommitted moderate students are drawn to their side (often in spite of initially opposing them or being indifferent to the original issue); liberal faculty and organizations in the outside community respond in like fashion. The dynamics of the situation thus involve the move from a small peaceful protest to a large disorderly and disobedient protest. (In student demonstrations abroad, use of police has often had similar consequences; in the case of France and Germany see Crozier, 1968, and Mayntz, 1968.)

In this move from limited to general protest, aged if sometimes crew-cut university administrators, confronted with a novel situation, are pulled between conservative boards of regents, trustees, and public, and the liberal academic community. They vacillate, act inconsistently and unpredictably, and may fail to grasp the essence of the situation they are confronted with; they may make undocumented (and certainly unwise) statements about the role of communists, off-campus agitators, and trouble makers; they may be unable to differentiate kinds of student demonstrators. Various deans and university officials make statements and offer interpretations that may contradict each other; agreements reached between student and authorities may be overruled or distorted by other authorities. As at Berkeley and Columbia, administrators may fail to accept the recommendations even of their own faculty or faculty-student committees set up to deal with the crisis. Students perceive university administrators as being confused, bungling, arrogant, hypocritical, and acting in bad faith; this strengthens student feelings about the legitimacy of their cause.

Finally, when authorities do act by calling in the police, police often conform to the strategy of the demonstrators, seemingly unaware that such a strategy, if not completely self-defeating, at best has no win consequences for the authority structure. There are two important issues in using police in campus disorders: first, the fact that the conflict is stopped by the naked power of the state, contrary to hallowed ideals of a liberal university; and second, the fact that insulted and provoked police sometimes lose control and use undue and discriminate force, thus greatly increasing the disorders. Some private schools such as Chicago, Brandeis, Roosevelt, and Reed where the police have not been called in to "solve" conflicts (partly because such schools are

not under as strong external pressure from the public and government to do so) have avoided the degree of disruption and disorder, the residue of bitterness, and the concessions to students that have been present at schools such as Berkeley, Wisconsin, San Francisco State, Columbia, and Harvard where the police were called in.

Lack of Co-ordination Among Control Units

The historical fact that the United States did not develop a specialized national riot police as in France and Italy has probably meant prolonged disorders and greater injury and death. The constitutional delegation of the police function to states and our forty thousand separate police units means that initially each city must rely on its own inadequate resources.

In the face of major, unanticipated disorders involving a wide area and large numbers of people engaged in hit-and-run guerrilla-like tactics, local decentralized autonomous American police, organized primarily to fight crime, control traffic, and keep the peace were usually ineffective. The control of such disturbances requires training and activity that are almost opposite in nature to those needed for normal police operations (Turner, 1968), and necessitates calling in other control units differing in training, organizational structure, ethos, and familiarity with the local area. Not surprisingly difficulties often emerged as a result.

Whereas the inability to admit failure, bureaucratic entanglements, petty rivalries, and political considerations all delayed the calling out of higher levels of force, the lack of prior planning and an unclear chain of command meant further delays once other control agents finally did arrive on the scene. Local, state, and national guard units did not merge easily. Guard units, accustomed to acting in patrols, were fragmented and guardsmen were isolated from commanding officers; police, who were usually organized as one- or two-man autonomous patrol units, were to become disciplined members of military units, relying on commands from superiors and not on their own discretion. While officers from different units were together, they were often responding to separate orders. In Newark the three enforcement agencies were issued separate orders on weapons use. In commenting on the use of his men, a national guard commander in Detroit noted, "They sliced us up like balony. The police wanted bodies. They grabbed guardsmen as soon as they reached armories, before their units were made up, and sent them out—two on a firetruck, this one in a police car, that one to guard some installation." This meant that "a young man without a car or

radio, without any knowledge of the city, could get stranded far away from any officer, without food or cigarettes, convinced (often rightly) that no one remembered where he was. . . . The guard simply became lost boys in the big town carrying guns (Wills, 1968)."

Technical as well as social communications problems contributed to ineffective co-ordination of control activities and clearly furthered the disorders. Regular radio frequencies were heavily overtaxed, and local police, state police, and the National Guard operated on different frequencies. Though this had been a problem two years earlier in Watts, little had changed by the time of Detroit and Newark. In the beginning stages of the latter, state police were unable to get a clear definition of riot perimeters or where activity was heaviest. They could not obtain information about the movement of local police patrols or citizens' calls and were obliged to follow local police and fire trucks responding to calls (Governor's Select Commission, 1968). Inability to communicate was a factor in police and guardsmen firing at each other and in the belief in widespread sniping.

Poor communication within departments also had serious consequences (Cohen and Murphy, 1967; Conot, 1967). One reason the Los Angeles police department failed to employ sufficient manpower when needed was the reluctance of subordinate commanders to expose themselves to ridicule and downgrading by possible overreaction. While the Los Angeles police possessed some of the most skilled investigators in the world, trained to deal with master criminals, they could not get a true picture of what was happening in the early stages of Watts. Early on the third day of the riot, field forces knew the situation was out of control but the downtown command post was still optimistic. This is the classic problem of information flow in a bureaucracy. This highly professional department was unable to admit that a handful of what it considered hoodlums could create a major disturbance that it couldn't control.

In Plainfield, contrary actions by county and city police greatly inflamed the disorders. Plainfield had a relatively political disturbance with meetings and negotiations between blacks and city authorities alternating with violence. At one such meeting, under the auspices of community relations personnel and with city police understanding, several hundred men gathered in a county park to discuss their grievances and to choose leaders to represent them. During the meeting the violence had greatly subsided. However, this was shortlived, as the meeting was abruptly terminated by county police who said they could not meet in the park without a permit. This incensed the young men. Within an

hour violence flared –that night a patrolman was killed and the destruction reached its highest point.

Further conflict among different levels of authority emerged in Plainfield between the police and local and state officials. Police felt “left out,” tired,” and “poorly treated,” and threatened to resign en masse (and to some observers almost mutinied) following their exclusion from negotiations which led to the release of arrested rioters, a policy of containment following the killing of a fellow officer, and the stopping by a state official of a house-to-house search for stolen carbines. The New Jersey riot inquiry felt that the circumscription of local police activities was such “as virtually to destroy the department’s morale...[and] to limit seriously the effectiveness of the force (Governor’s Select Commission, 1968, pp. 150, 153).”

In still other cases, as in Los Angeles, Boston, and New York, agreements reached by mayor’s special representatives, human relations officials, and police-community relations officers who had rapport with rioters were not honored by other policemen, creating great indignation and a sense of betrayal. In Los Angeles, the police community relations inspector was reportedly not called into the inner circle of police advisors. The chief of police was unaware that his department had been represented at an important community meeting held during the riot. A potentially ugly incident might have emerged in Detroit (May 21, 1968) when mounted police outside a building tried to drive supporters of the Poor People’s March back into a building, while police on the inside were trying to drive them out. In Rockford, Illinois, in 1967, as people poured out of bars that were closing, police tried to drive them off the street that other police had already barricaded. In Birmingham in 1963, police circled several thousand blacks, on one side swinging their clubs and from the other side turning water hoses on them, catching bystanders as well as protesters—though this was no doubt all too well-coordinated.

Breakdown of Police Organization: One Riot or Two?

An additional source of police ineffectiveness and abuse stems from the breakdown of organization within enforcement agencies. In most discussions of recent riots, undue emphasis has been given to the behavior of rioters. The normal concepts used to analyze collective behavior have been applied to them –emotional contagion, the spread of rumors, panic and the expression of frustration, the lessening of inhibitions, and innovative efforts to handle certain kinds of strain. Yet in several major disturbances, this perspective might equally be applied to the police. Police, lacking training and experience and often uncertain of what they were to do,

sometimes became fatigued (frequently working 12 hour or more shifts with insufficient rest periods and nourishment): they were thrown off balance by the size of the disturbance and by being drawn frantically from one area to another, in some cases for false alarms seemingly coordinated with attacks and looting. As large numbers of people taunted, defied, insulted, and attacked them and they saw their fellows injured and in some cases killed, patience thinned and anger rose. Rumors about atrocities committed against them spread.

Police may come to take violent black rhetoric and threats (which are partly related to expressive oral traditions, ritual posturing, and political in-fighting) too literally—at the lack of police killed by snipers and even reports that some snipers may have misfired on purpose, and the lack of attacks on known racists might imply. The belief may spread that they are in a war and all black people are their enemy. Traditional misconceptions about riotous crowds may contribute to an exaggeration of the dangers confronting them. As police control of the “turf” is effectively challenged and rioters gain control of the street by default, the word may spread (as in Watts, Newark, and Detroit) that rioters have “beat the police.” Losing face, humiliated by their temporary defeat and with their professional pride undermined, police may have a strong desire for revenge and to show their efficacy.

In a context such as the above, superior officers may lose the power to control their men. The chain of command and communication between and within enforcement agencies, often unclear to begin with, may completely break down. The most dangerous part of the disturbance is now at hand as the environment changes from a riot to a war. Some police behavior seems as much, or more inspired by the desire for vengeance, retaliation and “to teach the bastards a lesson” as by the desire to restore law and order.

The words of Lee and Humphrey, written shortly after the 1943 Detroit riot, are clearly relevant twenty-six years later: “War is to the army what civilian outbreaks are to the police. Both offer socially acceptable outlets for residuum of aggressiveness characteristic of each (Lee and Humphrey, 1943, p. 114).”

On the third day of the Detroit riot, an officer was overheard telling a young black on a newly stolen bicycle, “The worm is turning.” And turn it did as the police took off their badges, taped over squad car numbers (this, of course greatly reduced their number of complaints filed), and began indiscriminately and excess- **[continue to next page]**

sively using force against rioters, bystanders, and in some cases each other. The death and injury toll climbed rapidly. Some of the firing stopped only when control officials ran out of ammunition. At this time the Algier's Motel killings and "game" occurred. One of the police officers involved in this incident stated, "there was a lot of rough-housing, you know, everything just went loose [following the killing of a police officer on the third day of the riot]. The police officers weren't taking anything from anyone (Hersey, 1968, p. 134)." This would seem to be something of an understatement.

According to one high police official in secret testimony, by the fourth day of the riot "the police were out of control." There are some reports of police keeping looted goods taken from prisoners, robbing them, and of doing damage to "soul brother" stores spared by the rioters (Governor's Select Commission, 1968). Claims of brutality filed included charges of the mistreatment of women and the carving of initials on prisoners. It should be noted that such behavior occurs in spite of official riot control manuals stressing restrained use of force, and (usually) in spite of the wishes of higher authorities. Recent control manuals, while leaving something to be desired in their conceptual approach to collective behavior, stress the controlled and graduated use of force (Federal Bureau of Investigation, 1967; Mombiosse, 1967; also see Westley, 1956).

The attacking of fellow officers took two forms. It was either accidental or willful—as in the case of the beating of Negro police officers thought to be civilians because they were in plainclothes. For an example of the beating of an off-duty officer in Newark (New York Times, July 14, 1967) and the case of two black plainclothes officers beaten when the New York tactical patrol force "stampeded a crowd, . . . flailing vigorously with clubs," see Shapiro and Sullivan (1964, p. 93). A related incident not involving force occurred in Watts where a Negro plainclothesman (sent incognito to scout the Watts riot) hailed a radio car to make his report. The officer inside leaned out and asked him, "What you want, shitass jigaboo? (Wills, 1968)."

The chairman of the Newark Human Rights Commission reported that ". . . men were being brought in, many of them handcuffed behind their backs, being carried like a sack of meal, and the fifth policeman would be hammering their face and body with a billy stick. This went on time after time. Many times you would see a man being brought into the police station without a mark on his face and when he was taken out he was brutally beaten (Governor's Select Commission, 1968, p. 118)." It has been said in jest, although there is an element of truth in it, that

Newark was a classical race riot except the Italians wore blue uniforms.

Police may come to see rioters and suspected rioters, like those convicted of crimes, as having forfeited their civil rights. In Watts an officer responded to a black pedestrian who complained about being stopped on his way home from work: "Don't yell at me; you lost your rights a couple of days ago (Cohen and Murphy, 1967, p. 195)."

There often seemed to be a tendency for police behavior to become progressively worse as the disorders wore on. In Watts, Newark, and Detroit this was partly related to the entrance of higher level control units into the disturbance. The assignment of guardsmen to accompany policemen may be seen by the latter as offering a chance to reverse earlier humiliation and gain revenge for injury and death suffered by the police. At the same time, inexperienced guardsmen, isolated from the authority of their commanding officers, may become subject to the same collective behavior phenomena as police and blacks, further adding to disorder-creating activities.

The head of the Detroit police, a former reporter, was hesitant to call out the guard, noting, "I've been on too many stories where the guard was called up. They're always shooting their own people"; and "Those poor kids were scared pissless, and they scared me (Wills, 1968, pp. 43, 44)." Calling them out was, however, a necessity to gain federal troops.

What is especially tragic is that the symbols of police legitimacy become the cloak under which much indiscriminate force is exercised upon the Negro community. It is a mistake to attribute such behavior only to the desire for revenge or to a hatred of Negroes, because part of it would seem to be equivalent to the behavior of front line soldiers who in their first combat experience kill many of their own men. That the breakdown of police organization transcends racism may also be seen in police response to student protests (such as at Columbia University) and various anti-war demonstrations.

It is important to recognize that not only was police behavior in the latter stages of several major riots brutal and probably ineffective, but that such acts were not idiosyncratic or random. They were woven into a social fabric of rumor, panic, frustration, fatigue, fear, racism, lack of training, inexperience, and the breakdown of police organization. While such a situation creates widespread fear in the Negro community and may inhibit some rioters, it can lead to (and partly results from) escalation in the level of black violence. There is an interaction process with gradual reciprocal increases in the severity of action taken on both sides. The

fact that police abuses were most pronounced in Newark and Detroit, where disturbances were the most serious, does not imply a one-sided causal interpretation. Here we see the emergent character of the disorders.

Just as the belief that blacks want to kill police spreads among police so the opposite view may spread among black people. According to one account, Negro spectators in Harlem were "convinced that the policemen were the aggressors, in spite of the bricks, bottles, rubbish cans, and Molotov cocktails which flew around the intersection." According to an elderly woman, "They want to kill all of us; they want to shoot all the black people." A man agreed: "They wouldn't do all this gunslinging and clubbing on 42nd Street (Shapiro and Sullivan, 1964)."

An additional element in the misuse of official force is the view held by some policemen that they can (and indeed must) "hold court in the street," given the presumed leniency and complexity of the legal system (Reiss & Bordua, 1967). Gathering evidence that will hold in court during mass disorders and demonstrations is difficult; those arrested can often be charged with nothing more than a misdemeanor; sentencing for riot offenses tends to be lighter than for similar offenses committed in non-riot situations. The use of violence in such situations may also be related to the policemen's effort to save face and their belief that respect for their authority must be reestablished (Westley, 1953).

The breakdown of police organization and misuse of force did not happen to anywhere near the same extent in all cities that had disturbances. An important question for analysis is why in Watts, Newark, and Detroit—but not in Cincinnati or Boston? The conditions under which such police behavior appears are not well understood. There would seem to be a relationship to things such as training, the extent to which the police share social characteristics with and disagree with or are threatened and offended by the issues raised by protestors, the extent of injuries and provocation faced by police, the size and stage of the riot, the clarity of orders stressing restraint, the tightness of the command structure and whether civilian monitors and high level government and police officials are on the scene, whether or not it is made clear to police that they will be punished for misbehavior, and whether or not police expect disturbance participants to be sufficiently punished by the legal system. That there was a breakdown of police organization in two of the most "professional" (according to the standards of the International Association of Chiefs of Police) departments in the United States, Los Angeles and Chicago, suggests that this issue goes beyond what is usually understood as police professionalism. In fact it may even be that

less "professional" police departments such as Boston's have greater flexibility and a less zealous approach to potential threats to "law and order," permitting them to show greater restraint and making them more effective during a tense period.

Quis Custodiet Ipsos Custodes?

One of the central intellectual problems for social analysis is the basis of social order. If one resolves the question of social order by relying on shared values and the internalization of standards, then this is not seen as an issue. Yet even those who answer the question of social order by stressing the importance of external force usually ignore it. In several of the major disturbances, after a period of time the tragic answer to the question of "who guards the guards" almost seemed to be "no one."

In at least one case, however, the answer to this question was higher level authorities. In a border city whose chief of police wanted ". . . to get every son-of-a-bitch down there; I'm getting goddamned tired of fooling around," the highly professional restraint of state police and National Guard commanders seemed to prevent a police-initiated slaughter in the aftermath of minor disorders following a speech by H. Rap Brown. In the judgment of these higher level commanders, the best control of the disorders was seen to lie in controlling the local police. The original disorders to an important extent grew out of exaggerated fears that Negroes were planning an attack on the downtown area and a state-of-siege world view among white authorities. The police chief was enraged by the wounding of a police officer which had followed instances of "white night-riding" and several shots fired by a deputy sheriff at H. Rap Brown as he walked toward the dividing line between the white and black areas. The white local volunteer fire department refused to put out a fire of unknown origin at a Negro school that had been the center of controversy, resulting in several square blocks being burned down. The National Guard then effectively neutralized the local police force and protected the Negro community, action which clearly contradicts the view of a monolithic, oppressive white control force. In another instance—the 1964 Harlem disturbance—James Farmer felt "the police were hysterical" and reportedly appealed to Governor Rockefeller to send the National Guard to "protect the citizens of Harlem (Shapiro and Sullivan, 1964, pp. 71, 83)."

One of the manifestly unfair aspects of social organization is that those with official power are usually also those (or are intimately tied to those) who possess the power to sanction the misuse of this power. One means by which the police traditionally

have been controlled is through the courts by the *exclusionary rule*, whereby illegal means used in gaining evidence or making arrests are grounds for the dismissal of a case. However, this rule only applies when convictions are sought (a factor often beyond the control of the police). In addition many police abuses do not involve the gathering of evidence. The closeness of the police to the courts and their inter-dependence may inhibit the regulatory role of the former, particularly at lower levels.

Individuals can also bring costly and time consuming civil damage suits against the police, although those most likely to need redress may be least likely to have the resources necessary for a long court struggle—and establishing proof is difficult. The anonymity and confusion of a crowd situation and the tendency to remove badges make identification of offending officials unlikely. In the rare cases where police are criminally prosecuted for riot offenses, juries tend to find in their favor.

Police have also been controlled through direct political means. The rise of "good government"-inspired civil service reforms and the decline of the urban political machine makes this less likely today. Most of the now defunct Civilian Review Boards met with great police resistance, had no formal enforcement power, and could not initiate inquiries.

The means of control favored by the police is self-regulation, in a fashion analogous to specialized professions such as medicine or law. It is argued that police work is highly technical and only those who practice it are competent to judge it. Internal review mechanisms have been inadequate to say the least; there is evidence to suggest that, like the rest of us, the police can resist anything but temptation. Knowledge that they are unlikely to be subjected to post-riot sanctioning may have lessened restraints on their use of violence. In many departments there is a strong norm of secrecy surrounding police misbehavior; even when known, infractions often go unpunished.

The consequences, costs, and benefits of various means of regulating the police have not been carefully studied. It is clear from some of the data considered in this paper and from more recent events such as the Chicago Democratic Convention, the People's Park episode in Berkeley, and attacks on groups such as the Black Panthers that the control of the police is sometimes not much affected by the courts, various other checks and balances, internalized norms of fair play, nor internal police organization. The question of control and responsiveness of the police is certainly among the most pressing of domestic issues.

It has been often suggested that the most hideous crimes have been committed in the name of obedience rather than rebel-

lion. In the Gordon Riots of 1780, demonstrators destroyed property and freed prisoners but evidently did not kill anyone, while authorities killed several hundred rioters and hanged an additional twenty-five. In the Réveillon Riots of the French Revolution, several hundred rioters were killed, but they killed no one (Couch, 1968). Up to the end of the summer of 1967, this pattern was being repeated; police, not rioters, are responsible for most of the more than one hundred riot deaths that have occurred. To an important extent this pattern stems not from differences in will, but from the greater destructive resources of those in power, from their holding power to begin with, and from their ability to sanction. In a related context, the more than one hundred civil rights murders of recent years have been matched by almost no murders of racist whites. (Since 1968, this pattern may be changing.)

As long as racism and poverty exist American society needs relentless protest. It also needs police. It is increasingly clear that police are unduly scapegoated, stereotyped, and maligned; they are, as well, under-paid, under-trained, given contradictory tasks, and made to face directly the ugly consequences of the larger society's failure to change. It is equally clear that solutions to America's racial problems lie much more in the direction of redistributing power and income, eliminating discrimination and exploitation, than in changing the police. Nevertheless, one important factor in heeding the Kerner Commission's plea (1968) to "end the destruction and the violence, not only in the streets of the ghetto but in the lives of the people" is surely more enlightened police behavior.

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