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ON THE DEMAND FOR ORDER IN CIVIL SOCIETY

A review of some themes in the history
of urban crime, police and riot
in England

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Even a faint acquaintance with the facts of city life during the last two centuries is enough to tell us that diffuse concern with civil violence and criminality, such as marks much discourse in America today, is far from new. There is an extensive and relevant journalistic and historical literature concerning reactions to urban crime, violence and riot. In England, especially, there is a literature focused on the achievement of "public order", the very existence of which as an articulated theme is significant in a society which passed with amazing speed from disorder to order. This paper is a brief review of aspects of that literature, a procedure which requires rather frequent and liberal quotation from it. The paper is neither a summary nor a synthesis; it attempts, rather, to call attention to a few dominant themes in this large and miscellaneous literature and to suggest some questions, arising from its perusal, which might be put to the situation in contemporary America.

Criminals and the Dangerous Classes

Crime and violence in the life of city dwellers has long evoked complaints which have a quite contemporary tone. Peaceful and propertied people in eighteenth century London, for example, confronted a level of daily danger to which they and their spokesmen reacted with indignation. Thus Daniel Defoe dedicated a pamphlet to the Lord Mayor of London, whom he addressed in these terms:

> The whole City, My Lord, is alarm'd an uneasy;
> Wickedness has got such a Head, and the
> Robbers and Insolence of the Night are such,
> that the Citizens are no longer secure within
> their own Walls, or safe even in passing
> their Streets, but are robbed, insulted and
> abused, even at their own Doors... The
> Citizens...are oppressed by Rapin and Violence;
> Hell seems to have let loose Troops of human
> D----ls upon them; and such Mischiefs are
> done within the Bounds of your Government as
> never were practised here before (at least
> not to such a degree) and which, if suffered
> to go on, will call for Armies, not
> Magistrates, to suppress.[1]

In the body of his pamphlet, Defoe describes a situation of pervasive insecurity, stressing the mounting and unprecedented extent of criminal attack. The idea of the crime wave is already quite explicit:

> Violence and Plunder is no longer confin'd to
> the Highways... The Streets of the City are
> now the Places of Danger; men are knock'd down
> and robb'd, nay, sometimes murther'd at
> their own Doors, and in passing and repassing
> but from House to House, or from Shop to Shop.
> Stagecoaches are robb'd in High-Holbourn,
> White-Chappel, Pall*Mall, Soho and at almost
> all the Avenues of the City. Hackney-Coaches
> and Gentlemen's Coaches are stopt in Cheapside,
> St. Paul's Church-yard, the Strand, and other
> the most crowded streets, and that even while
> the People in Throngs are passing and repass-
> ing... 'Tis hard that in a well-govern'd
> City...it should be said that her Inhabitants
> are not now safe...[2]

Many contemporary themes richly abound in magazines that urban Americans read six decades ago. To cite but two examples:

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[1] An Effectual Scheme for the Immediate Prevention of Street Robberies and Suppressing of all other Disorders of the Night; with a Brief History of the Night-houses and an Appendix Relating to those Sons of Hell call'd Incendiaries, London, 1736.

[2] Ibid., pp. 10-11.

> Individual crimes have increased in number and
> malignity. In addition to this...a wave of
> general criminality has spread over the whole
> nation... The times are far from hard, and
> prosperity for several years has been wide-
> spread in all classes. Large sums are in
> unaccustomed hands, bar-rooms are swarming, pool-
> rooms, policy shops and gambling houses are
> full, the races are played, licentiousness
> increases, the classes who 'roll in wealth'
> set intoxicating examples of luxury and reck-
> lessness, and crime has become rampant.[3]

In that period, it was commonplace to ascribe the funda-

mental causes of mass criminality to large-scale immigra-

tion:

> In the poorer quarters of our great cities
> may be found huddled together the Italian
> bandit and the bloodthirsty Spaniard, the bad
> man from Sicily, the Hungarian, the Croation
> and the Pole, the Chinaman and the Negro, the
> cockney Englishman, the Russian and the Jew,
> with all the centuries of hereditary hate back
> of them. They continually cross each others'
> path. It is no wonder that altercations occur
> and blood is shed... We claim to be a rich
> and prosperous city and yet we cannot afford
> to employ enough policemen to keep thieves and
> burglars out of our houses and thugs and
> robbers from knocking us on the head as we
> walk along our own streets... The bald, bare,
> horrible fact is that the conditions existing
> in Chicago today are the most criminal and
> damnable of any large city on the face of the
> earth.[4]

It seems that the current rhetoric of concern about crime

and violence drawn on long established motifs: the indig-

nant sense of pervasive insecurity; a mounting current of

crime and violence due both to unaccustomed prosperity

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[3] James M. Buckley, "The Present Epidemic of Crime", The
Century Magazine, November, 1903, p. 150.

[4] James Edgar Brown, "The Increase of Crime in the United
States", The Independent, April 11, 1907, pp. 832-833.

and prolonged poverty; the bad example of the self-
indulgent wealthy; the violent proclivities of immigrants
and other newcomers; and the ironic contrast between
the greatness of the metropolis and the continued spread
of crime.

But at times there was a somewhat different attitude
towards urban crime and violence. In the London and
Paris of the late eighteenth century, and the early
nineteenth, people often saw themselves as threatened by
massive agglomerations of the criminal, vicious and
violent--the rapidly multiplying poor of cities whose
size had no precedent in Western history. It was much
more than a question of annoyance, indignation of personal
insecurity; the social order itself was threatened and
endangered by an entity whose characteristic name reflects
the fears of the time--the "dangerous classes". The
phrase occurs repeatedly. Thus, an anonymous essayist
of 1844 writes of the situation in urban England, where
"destitution, profligacy, sensuality and crime, advance
with unheard-of-rapidity in the manufacturing districts,
and the dangerous classes there massed together combine
every three or four years in some general strike or
alarming insurrection which, while it lasts, excites
universal terrors..."[5] But even where the term is not
explicitly invoked, the image persists--one of an

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[5] "Causes of the Increase of Crime", Blackwood's Magazine,
July, 1844, p. 2.

unmanageable, volatile and convulsively criminal class at the bass of society.[6]

This imagery is only in part the product of class antagonisms in early industrial society; rather, the working classes were included in an older, vivid and continuing concern with massive criminality.[7] Urban administrators regarded the swelling numbers of the poor as unmanageable.[8] Indeed, the image of the "dangerous classes", as distinct from that of pervasive criminality, seems to have flourished especially during periods of very rapid population growth, reflecting the migration of the numerous poor, without employment, skills, or a history of urban life. During this period, the labor force of the metropolis was still

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[6] For Paris, Honoré Antoine Frégier, Les Classes Dangereuses de la Population dans les Grands Villes (Paris, 1840) is a work often cited by contemporaries. An extensive and interesting recent work is Louis Chevalier, Classes Laborieuses et Classes Dangereuses à Paris pendant le Première Moitie du XIX Siècle (Paris, 1958). In the Paris of that time, he writes, "le proliferation des classes dangereuses était...l'un des faits majeurs de l'existence quotidienne de la capitale, l'un des grands problèmes de l'administration urbaine, l'une des principales préoccupations des tous, l'une des formes les plus incontestables de l'angoisse sociale." The city was one "où le crime a une importance et une signification que nous ne comprenons guère..." (pp. iii-iv).

[7] Influential books expressing this concern were Henry Fielding's Enquiry into the Causes of the late Increase of Robbers (1751) and Patrick Colquhoun's Treatise on the Police of the Metropolis (1796). According to Chevalier (op. cit., pp. 451-468), the Parisian bourgeoisie made little distinction between the "industrious" and the "dangerous" poor.

[8] Asa Briggs, "Social Structure and Politics in Birmingham and Lyons", British Journal of Sociology, 1950, p. 67.

not primarily industrial.[9] Thus, the events and antagonisms
of early industrialism exacerbated, but did not create,
the image of the "dangerous classes". It referred, pri-
marily, to the unattached and unemployed. An advocate of
police reform in London, writing in 1821, defined the
problem in these terms:

> The most superficial observer of the external
> and visible appearance of this town, must soon
> be convinced, that there is a large mass of
> unproductive population living upon it, without
> occupation or ostensible means of subsistence;
> and, it is notorious that hundreds and
> thousands go forth from day to day trusting
> alone to charity or rapine; and differing
> little from the barbarous hordes which traverse
> an uncivilized land... The principle of [their]
> action is the same; their life is predatory; it
> is equally a war against society, and the
> object is alike to gratify desire by strategem
> or force.[10]

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[9] The population of London tripled in the first half of
the nineteenth century. On its occupational composition,
see the Census of Great Britain in 1851, (London, 1854),
p. 182 passim. (For Paris, see Shevalier, op. cit.,
pp. 183-265.)

[10] George Mainwaring, Observations on the Present State of
the Police of the Metropolis (London, 1821), pp. 4-5.
The anonymous essayist of 1844, quoted above on the
connection between the dangerous classes and the "manu-
facturing districts", went on to write: "In examining
the classes of society from which the greater part of
the crime comes, it will be found that at least three-
fourths, probably nine-tenths, comes from the very
lowest and most destitute... If we examine who it is
that compose this dismal substratum, this hideous black
band of society, we shall find that it is not made up of
any one class more than another--not of factory workers
more than labourers, carters or miners--but it is
formed by an aggregate of the most unfortunate or
improvident of all classes..." Blackwood's Magazine,
July, 1844, p. 12 (emphases in original).

As class tensions involving the threat of riot and revolutionary violence subsided in London, the older concern with diffuse criminality rather than the "dangerous classes" re-emerged. Thus, Henry Mahew's immense reportage on London's criminals, vagabonds and casually employed, published in 1861, was informed variously by moralism, indignation, pity, compassion, horror and mere curiousity--but not by the sense of dread that had earlier afflicted those confronted by the dangerous classes.[11] Indeed, contemporary writing in mid-century London exhibits a sense of relief and victory over the forces of mass violence. Contrasting the present with the past, a writer in 1856 observed that "the only quarter in which any formidable riot could take place would be eastward, in the neighborhood of the docks, where there are at least twelve thousand sailors in the river or on shore, ready for a spree, fearless and powerful, and acting with an undoubted esprit de corps. These, if associated with the seven or eight thousand dock labourers and lightermen,

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[11]This was the fourth and final volume of London Labour and the London Poor, separately titled Those That Will Not Work.

would certainly produce a force difficult to cope with."[12]

To judge from contemporary accounts, New York did not experience a comparable sense of relief or improvement. Indeed, it appears that by 1872 New York was already being compared unfavorably to London with respect to crime and violence:

> ...If the vice and pauperism of New York are not so steeped in the blood of the populace [as in London and other European cities] they are even more dangerous... They rob a bank, when English thieves pick pockets; they murder, where European proletaires cudgel or fight with fists; in a riot they begin what seems about to be the sacking of a city, where English rioters merely batter policemen or smash lamps...[13]

For this observer, whose book is largely concerned with relief and other remedial programs among New York's poor, the dangerous classes are very much a part of the city-- which, after all, had only a decade earlier suffered the

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[12] London Quarterly Review, July, 1856, p. 94. Many observers, though still concerned with criminality, acknowledged a change for the better at this time. Remarking that accounts of the earlier situation in London "seem like tales of another country", a writer in 1852 went on to detail improvements: "No member of Parliament would now venture to say that it was dangerous to walk in the streets of London by day or night... Bad as the dens of infamy in London still are, they are not to be compared with those older places of hideous profligacy... In the most disorderly part of the town, such as St. Giles, Covent Garden, and Holborn, the streets every Sunday morning exhibited the most outrageous scenes of fighting, drunkenness and depravity... Crimes, too, are greatly diminished in atrocity. The large gangs of desparate robbers, thirteen or fourteen in number, now no longer exist..." Edinburgh Review, July, 1858, p. 12-13.

[13] Charles L. Brace, The Dangerous Classes of New York, (New York, 1872), p. 26.

great Draft Riot of 1863:

> There are thousands upon thousands in New York
> who have no assignable home, and 'flit' from
> attic to attic, and cellar to cellar; there are
> other thousands more or less connected with
> criminal enterprises; and still other tens of
> thousands, poor, hard-pressed... Let but law
> lift its hand from them for a season, or let
> the civilizing influences of American life fail
> to reach them, and, if the opportunity afforded,
> we should see an explosion from this class which
> might leave the city in ashes and blood.[14]

Such rhetoric is not, as we have seen, an inevitable part of concern with criminality and violence--even when the latter were of an order unthinkable in daily urban life today.[15] What are some of the factors that underlie the shifting relationships between the urban criminality and disorder and the significance ascribed to them by the peaceful and propertied classes? An adequate answer to this question would need to encompass aspects of economic and political history, the labor movement, demography, and general urban history. Here, however, we must take such fundamental considerations as foundation and background. Instead, we will be concerned with two aspects of the larger situation that, until recently, have been neglected: the significance of the police, and the culture of riotous protest.

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[14] Ibid., p. 29.

[15] Thus, Defoe saw the intolerable conditions of his time as due to the arrogance and bad influence of a rapidly increasing group of prostitutes and their "bullies"; and his solution was to disperse them by raids (op. cit., pp. 26-32).

The Policed Society

Some modern nations have been police states; all, however, are policed societies. Practical men have never underestimated, though they have often distorted, the importance of the police; sociological theory in the "social control" tradition, however, has usually slighted the police in favor of normative or voluntary processes.[16] For our purposes, the police have another significance, one which is perhaps best experienced through the eyes of a generation for whom the modern police were an unprecedented innovation--Englishmen in the mid-nineteenth century. The London police were created, in 1829, on an essentially modern basis: they were a bureaucratic organization of

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[16] In 1901, E. A. Ross was aware of the development of the police as a historic trend: "In the field of physical coercion there is an increase in the number of lictors, bailiffs, police and soldiers told off to catch, prod, beat and hold fast recalcitrants, and they are brought under a stricter discipline. They are more specialized for their work, and an esprit du dorps is carefully cultivated among them." (Social Control, ed. Edgar F. Borgatta and Henry Meyer, Boston, 1959, p. 116). However, the great bulk of this pioneering work is devoted to social psychological processes and their derivation from changing forms of social organization. Moreover, Ross considered the normative processes of "public opinion" to be uniquely flexible, preventive and ubiquitous, whereas the coercive effects of "law" were clumsy, retrospective, and remote (ibid., pp. 42-43). As we shall see below, this formulation overlooks some distinctive features of the policed society. Later standard texts in "social control" that fail to treat the characteristics of the policed society in a theoretical way, or which see organized and legitimate coercion as extrinsic to the system of social control proper, are L. L. Bernard, Social Control, (New York, 1939) and Richard T. LaPiere, A Theory of Social Control (New York, 1954).

professionals.[17] One of their tasks was to prevent crime
by regularly patrolling beats, during which they operated
under strict rules which permitted individual discretion.
The police also had a mission against the "dangerous classes"
and political agitation in the form of mobs or riots. On
all fronts they were so successful that initial and strong
objections to them rapidly diminished; from being a consider-
able novelty, they quickly became a part of "British
tradition".

The policed society is unique in that central power
exercises potentially violent supervision over the popula-
tion by bureaucratic means widely diffused throughout
civil society in small and discretionary operations that
are capable of rapid concentration. All of these character-
istics struck contemporary observers as remarkable. Fear
of mob or riot diminished when early police showed that
fluid organization can overcome numbers:

> There seems to be no fear that a London mob will
> ever prove a serious thing in the face of our
> present corps of policemen. A repetition of
> the Lord George Gorden riots would be an
> impossibility. Those who shudder at the idea
> of an outbreak in the metropolis containing two
> millions and a half of people and at least
> fifty thousand of the "dangerous classes"
> forget that the capital is so wide that its
> different sections are totally unknown to
> each other. A mob in London is wholly without
> cohesion, and the individuals composing it have
> but few feelings, thoughts or pursuits in

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[17] Basic sources for British police history are the writings
of Charles Reith, especially The Police Idea (1938),
British Police and the Democratic Ideal (1943), The Blind
Eye of History (1952), and A New Study of Police History
(1956). See also F. C. Mather, Public Order in the Age
of the Chartists (Manchester, 1959).

common. They would immediately break up
before the determined attack of a band of well-
trained men who know and have confidence in
each other.[18]

Another writer put the same point in more impersonal

terms:

As each police constable being alone might
easily be overpowered, and as the men of each
section, or even division, might be inferior
in numbers to some aggregation of roughs or
criminals collected in a given spot, it is
arranged that...reserves of force can be
gathered...and concentrated upon the disquieted
area, and as the commissioners command the
whole district, and the force is organized and
united, while roughs act in small areas, and
have diverse and selfish interests, the peace
of London may be held secure against violence.[19]

The peaceful and propertied classes appreciated two

other advantages of the modern police: they relieve ordinary,

respectable citizens from the obligation or necessity to

discharge police functions, especially during emergencies;

and they also made less likely a resort to the military

for the purposes of internal peace-keeping. Both involved

changes in the relationship of these classes to the criminal

or disorderly.

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[18] "The Police and the Thieves", London Quarterly Review,
July, 1856, p. 93.

[19] "The Metropolitan Police System", Westminster Review,
January, 1873, p. 16. An early historian of the New York
Draft Riot of 1863 was similarly impressed by the
decisive contribution of the telegraphic system in link-
ing police stations within the city and to those in
Brooklyn. He devoted considerable space to the mob's
attacks on the telegraphic system, citing the defense of
its equipment and personnel as a key phase in the
struggle for control of the streets. See J. T. Headely,
The Great Riots of New York (New York, 1873).

In unpoliced society, police functions were often carried out--if at all--by citizens rotating in local offices (sheriffs, constables, magistrates) or acting as members of militia, posses, Yeomanry Corps, or watch and ward committees.[20] This system was not only inefficient, but it directly exposed the propertied classes to attack. Agrarian men of property were frequently willing to undertake these tasks. Thus the Yeomanry, a cavalry force whose characteristic tactic was the sabre charge, was largely composed of small land-owners[21] who were especially zealous in police duty against mobs and riots, and especially disliked by working people.[22] For these reasons, the Yeomanry were particularly popular among the land-owning classes as a means of defense. Praising them in the course of a Parliamentary debate in 1817, for example, a Member observed that "The people would in many instances be debarred from violence by seeing those arrayed against them to whom they were accustomed to look up to as their masters."[23]

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[20] A good summary is in F. C. Mather, Public Order in the Age of the Chartists, pp. 75-95.

[21] John Fortesque, A History of the British Army, Vol. XI, (London, 1923), p. 43. Since the Yeomanry were required to supply their own horses and equipment their status as agrarian men of property was largely assured. (See K. Chorley, Armies and the Art of Revolution, (London, 1943), p. 167.

[22] J. L. and B. Hammond, The Town Labourer (London, 1928), p. 89. Also, F. C. Mather, op. cit., p. 148. Yeomanry, for example, precipitated the "Peterloo" massacre.

[23] Quoted in Reith, The Police Idea, p. 191.

But this machinery exposed the Yeomanry, once an emergency had passed, to direct attack on them in the course of daily life.[24] It also enabled them to modify police missions to suit their own proclivities and convenience. Thus, during the extensive agricultural uprisings of 1830 in southern England, fifty men of the village of Holt "declared their willingness to turn out to protect all property except threshing machines; they did not wish to show disrespect to their poorer neighbors"[25]--yet threshing machines were the very form of property then under attack.

The urban and new industrial propertied classes, however, were much less eager to take up the tasks of self-defense as volunteer or co-opted police. Land-owning military officers attempting to encourage self-defense among commercial or industrial capitalists met with much reluctance. Replying in 1819 to advice from Wellington, the army commander in the newly industrializing North of England replied in exasperated terms:

> I have always fought against the dispersal of
> my force in trivial detachments; it is quite
> impossible to defeat the disaffected if they
> rise, and at the same time to protect any town
> from plunder; that resistance should be made
> by the inhabitants... But I am sorry to say

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[24] For example, many resigned when they received threatening letters after Peterloo. (Ione Leigh, _Castlereagh_, London, 1951, p. 127.)

[25] J. R. M. Butler, _The Passing of the Great Reform Bill_ (London, 1914), p. 132.

the general remark from the manufacturers in
and near Manchester has been that government
is bound to protect them and their property.[26]

We are dealing here not merely with the classic con-
frontation of an agrarian military tradition and a
pacific commercial and industrial one; what also emerges
is the specific demand for the bureaucratization of
police functions. The manufacturing classes not only
wished to avoid personal danger and inconvenience while
protecting their property;[27] they also saw that--contrary
to the social rationale underlying the Yeomanry--the use
of social and economic superiors as police exacerbated
rather than mollified class violence. This emerges clearly
in the testimony of one Thomas Ashton, "the owner of con-
siderable property in manufactures, and the employer of
about 1,500 persons", before the Royal Commission of 1839
concerned with extending the professional police from
London to the provinces.[28] Among other reforms, Ashton
favored the use of personnel from outside a locality
affected by violence, and for a reason other than the
reluctance of local personnel to act against their
neighbors:

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[26] Despatch of General Byng quoted in Reith, *The Police Idea*,
p. 202.

[27] "Respectable tradesmen cannot, without detriment to them-
selves, be so engaged [as constables]..." George Main-
waring, *Observations on the Police...*, p. 46.

[28] *First Report of the Commissioners Appointed as to the Best
Means of Establishing an Efficient Constabulary Force in
the Counties of England and Wales* (London, 1839) pp. 158-159.

On such urgent occasions, I think it extremely
desirable that a stipendiary magistrate should
be sent into the district and entrusted with
the administration of the law. A great majority
of the more serious disturbances originate in
disputes between master and servant. The
local magistracy is chiefly composed of the
resident landowners and manufacturers, and
the irritation of the workmen against their
employers is greatly increased when they find
the person, with whom the disputes have arisen,
openly supported by, and giving directions to,
the military, and subsequently punishing them
for breaches of the peace, which would never
have been committed unless such disputes had
occurred. Ought the employer to be placed in
such a situation? Is it likely that animosities
should be allayed or peace maintained by it?
What safety has the proprietor of machinery?

This reasoning was accepted by the Commissioners in their

Report, which was largely written by the Benthamite

reformer Edwin Chadwick:

In several instances where there was an
effective resistance given to the rioters, we
have been informed that the animosities created
or increased, and rendered permanent by arming
master against servant, neighbour against neigh-
bour, by triumph on one side and failure on the
other, were even more deplorable than the out-
rages actually committed.... The necessity for
such painful and demoralizing conflicts between
connected persons should be avoided by provid-
ing a trained and independent force for action
in such emergencies... The constitutional
authority of the supreme executive is then
emphatically asserted. In reply to recent
inquiries made of local authorities in the
manufacturing districts, why they took no
steps for the repression of riotous or alleged
treasonable proceedings within their districts,
why so long a career of criminal incitements
was permitted, the prevalent answer has been,
that such proceedings were understood to be
exclusively within the province of government.[29]

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[29]Ibid., p. 205.

Thus, at a time when the agrarian rich were seeking to
multiply and reconstruct the traditional means of self-
defense against violent uprising and attack,[30] those
springing from the newer sources of wealth turned toward
a bureaucratic police system that insulated them from
popular violence, drew attack and animosity upon itself,
and seemed to separate the assertion of "constitutional"
authority from that of social and economic dominance.

Other means than a bureaucratic police--especially
the army itself--were potentially available for this
purpose. However, not only was the army largely officered
by an agrarian class which sometimes did not distinguish
itself for zeal in protecting the property of manufacturers,[31]
but the army as an organization was ill-equipped to meet
the needs of a policed society. It was unable to act in
small, dispersed units in civilian society; often alternated
between not intervening at all and the most drastic proce-
dures; and, of course, represented a declaration of
internal war, with lingering consequences of hate and

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[30] "I hope to get up a troop of Yeomanry at Cheltenham,"
wrote Lord Ellenborough during the disturbances of 1832,
"but this requires delicate management... Yeomanry
however we must have, or we shall be beaten." A. Aspinall,
Three Early Nineteenth Century Diaries (London, 1952), p.
275.

[31] See, for example, Frank Darvall, Popular Disturbances
and Public Order in Regency England (Oxford, 1934), pp.
80-81, 267-268.

resentment.[32] The police were designed to penetrate civil
society in a way impossible for military formations, and
by doing so, first of all to prevent crime and violence[33]
and, secondarily, to detect and apprehend the criminal.
Early descriptions by contemporaries describe both sorts
of police action, taken today as routine, as novel and
startling.[34]

The police penetration of civil society, however, lay
not only in its narrow application to crime and violence.
In a broader sense, it represented the penetration and
continual presence of central political authority through-
out daily life. In an important defense of characteristically
modern social arrangements, Edward Shils has argued that
the close integration of the social and geographic
periphery is a unique achievement of "mass society". In

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[32] All these points of superiority of police over Army were
explicit in the minds of those who advocated or created
the early professional police. See, for example, the
First Report of the Commissioners..., p. 159-161;
Edinburgh Review, July, 1852, p. 6; Charles Reith,
British Police and the Democratic Ideal, pp. 9-30; and
George Mainwaring, Observations on the Police..., p. 69.

[33] Great stress was initially laid on the "preventive
principle", at the time a new principle in internal peace-
keeping. See Reith, ibid., pp. 18-23, and the same
author's A New Study of Police History, pp. 221-224.
For the view of a contemporary advocate of police, see
Mainwaring, op. cit., pp. 9-10.

[34] Note, for example, the palpable astonishment that
underlies an account of a burglar who had robbed a
house in central London to an obscure hiding place in
the East End ("The Police System of London", Edinburgh
Review, July, 1852, pp. 8-10).

his view, the "mass society is not the most peaceful or 'orderly' society that has ever existed; but it is the most consensual. The maintenance of public peace through apathy and coercion in a structure of extremely dis-continuous interaction is a rather different thing from its maintenance through consensus in a structure of more continuous interaction between center and periphery..."[35]

But in Shils' account, the integration of the periphery emerges entirely as a moral or normative process. "The mass of the population is no longer merely an object which the elite takes into account as a reservoir of military and labor power or as a possible or actual source of public disorder... Most of the population...stand in closer moral affinity and in a more frequent, even though mediated, interaction with the center than has ever been the case... The greater proximity to the center of society consists in a greater attachment to that center--to the institutions which constitute it and the views which are embodied in it. There is, accordingly, a greater feeling within the mass of being continuous with the center, of being part of it, and of its being a part of the same substance of which one is oneself formed."

The moral and organizational extension of the national community is undoubted. But such an account overlooks the simultaneous extension of the police throughout the "periphery"

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[35]"The Theory of Mass Society", Diogenes, 1962, pp. 53-54, (for this and succeeding quotations).

both as the agent of legitimate coercion and also as the
pervasive personnification of the values of the "center".
Far from being a latter-day consequence of organizing the
police for purely coercive tasks, this was explicit in
early police doctrine and much remarked upon by early
observers. Such accounts stress the capacity of bureau-
cratic organization to make the values of the "center
palpable in daily life by means of detached persons operat-
ing on organizationally defined missions.

> Amid the bustle of Piccadilly or the roar of
> Oxford Street, P.C.X. 59 stalks along, an
> institution rather than a man. We seem to
> have no more hold of his personality than we
> could possibly get of his coat buttoned up
> to the throttling-point. Go, however, to
> the section-house...and you no longer see
> policemen, but men... They are positively
> laughing with each other!...[36]

And they stress also the power of the police over mass dis-
order as it stems not only from superior organization and
the rational application of force, but also from its presence
as the official representative of the moral order in daily
life:

> The batton may be a very ineffective weapon
> of offence, but it is backed by the combined
> power of the Crown, the Government, and the
> Constituencies. Armed with it alone, the
> constable will usually be found ready, in
> obedience to orders, to face any mob, or
> brave any danger. 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.

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[36] "The Police and the Thieves", London Quarterly Review,
  July 1856, p. 93.

> And take any man from that mob, place a baton
> in his hand and a blue coat on his back, put
> him forward as the representative of the law,
> and he too will be found equally ready to
> face the mob from which he was taken, and
> exhibit the same steadfastness and courage
> in defense of constituted order.[37]

In this setting, early police doctrine and observers
agreed from the beginning that it was necessary to rely
on the moral assent of the general population; even the
earliest policemen were elaborately instructed in the
demeanor and behavior required to evoke, establish and
sustain that assent.[38] This was more than a merely
technical convenience. The replacement of intermittant
military intervention in a largely unpoliced society by
continuous, professional and bureaucratic policing meant
that the benefits of police organization--continual,
pervasive moral display, and minimizing the long-term
costs to the state and propertied classes of official
coercion--absolutely required the moral cooperation of
civil society.

Thus, the extension of moral consensus and of the
police as an instrument of legitimate coercion go hand in
hand. Along with other, ramifying bureaucratic agencies
of the center, the police link daily life to central
authority. However, the police rely not only on a technique
of graduated, discretionary and ubiquitous coercion, but

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[37]"The Police of London", London Quarterly Review, July
1870, p. 48.

[38]Charles Reith, A New Study of Police History, pp. 140-
142.

also on a new and unprecedentedly extensive form of
moral consensus. The center is thus able to supervise
daily life more closely and continuously than ever before;
but police organization also requires pervasive moral
assent if it is to achieve the goals peculiar to its
technique. In earlier times, as we have seen, voluntaris-
tic and non-bureaucratic police permitted the sabatoge of
official coercion by allowing participating classes to
make their services conditional. In a policed society
(as distinct from a police state), a comparable hostage is
given to fortune: the fundamental assent, not of the
classes who comprise volunteer or non-professional quasi-
police, but of the general population. Without at least
a minimal level of such assent, coercive functions become
costly in exactly the ways that those who created the
policed society sought to avoid. In this sense, then, the
extension of the moral community and of the police are
aspects of the same historical development.

Cultures of Riotous Protest

The themes of mass criminality and of political riot
and mob protest have long been intertwined. In a notable
and recent contribution, George Rudé has been especially
concerned to refuse the classic view--associated with
nineteenth century conservatives such as Burke, Taine and
Le Bon--that political crowds, mobs and riots are essentially

criminal in character.[39] According to Rudé's analysis,

demonstrating crowds and mobs in the latter half of the

eighteenth and the first half of the nineteenth century

were characteristically composed not of pauperized,

unemployed and disorganized "rabble", but of locally

resident, respectable and employed people.[40] It is not

surprising that privileged classes attempt to define

popular protest as criminal--that is, fundamentally and

unconditionally illegitimate. But this rhetoric, and

the very real fears of privileged and propertied people

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[39]The Crowd in History, 1730-1848 (New York, 1964), pp.
7-8, 199-204.

[40]Ibid., p. 47-65

facing recurrent popular agitation in an unpoliced age,[41]
must not lead us to overlook the evidence for another
aspect of this older relationship between elite and
agitational population: riots and mobs, however much they
were feared and detested, were also often means of protest

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[41]Expressions of this fear are vivid and aboundingly
frequent. "At this time," wrote the Tory poet Southey
in 1812, "nothing but the Army preserves us from the
most dreadful of all calamities, an insurrection of
the poor against the rich, and how long the Army may
be depended upon is a question which I scarcely dare
ask myself." (Elie Halevy, A History of the English
People, Vol. I. New York, 1912, p. 292.) Seven years
later, Lord Grenville used comparable language in
discussing the political situation: "We are daily
assailed with undisguised menace, and are little
removed from the expectation of open violence..."
(Substance of the Speech of the Rt. Hon. Lord Grenville
in the House of Lords, November 19, 1820, London, p. 23).
A year later, in a memorandum to Liverpool, then Prime
Minister, Wellington--urging the creation of a police
force--wrote: "I feel the greatest anxiety respecting
the state of the military in London... Very recently
strong symptoms of discontent appeared in one of the
battalions of the guards... There are reports without
number in circulation respecting all the Guards...
Thus, in one of the most critical moments that ever
occurred in this country, we and the public have
reason to doubt the fidelity of the troops, the only
security we have, not only against revolution but for
the lives and property of every individual in this
country who has anything to lose..." (Quoted in Reith,
The Police Idea, p. 213.) Robert Peel, fearing for his
family's safety at their country estate, left London
during the crisis of 1831, and asked a friend to send
weapons. "I have this day got your fourteen carbines,
bayonets and accoutrements", the friend replied. "How
will you have them sent to you? I have only desired a
cask of ball cartridges to be put in the case."
(Tresham Lever, The Life and Times of Sir Robert Peel,
New York, 1942, p. 144). A general description of the
situation is given in Reith, Police Principles and the
Problem of War, pp. 46-48.

that articulately communicated the desires of the popula-

tion to a responsive, if not a sympathetic, elite.

This is a major feature of Eric Hobsbawm's analysis

of the pre-industrial "city mob".[42]   While stressing that

such mobs were a "pre-political phenomenon" and often

reacted directly to fluctuations in wages and food-prices,

Hobsbawm also emphasizes, in effect, the normative

character of such riots:

> ...There was the claim to be considered. The
> classical mob did not merely riot as a protest,
> but because it expected to achieve something
> by its riot. It assumed that the authorities
> would be sensitive to its movements, and
> probably also that they would make some
> immediate concession; for the 'mob' was not
> simply a casual collection of people united
> for some ad hoc purpose, but in a recognized
> sense, a permanent entity, even though rarely
> permanently organized as such.[43]

Insisting, with Rudé, on the essentially non-criminal

character of such riotous protests, Hobsbawm summarizes

the system as a whole:

> Provided that the ruler did his duty, the popu-
> lace was prepared to defend him with enthusiasm.
> But if he did not, it rioted until he did. This
> mechanism was perfectly understood by both
> sides, and caused no political problems beyond
> a little occasional destruction of property...
> The threat of perennial rioting kept rulers
> ready to control prices and distribute work or
> largesses, or indeed to listen to their faithful
> commons on other matters. Since the riots were
> not directed against the social system, public
> order could remain surprisingly lax by modern
> standards.[44]

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[42]Primitive Rebels: Studies in Archaic Forms of Social
Movements (Manchester, 1959).

[43]Ibid., p. 111.

[44]Ibid., p. 116.

We will add but one example to the many instances of this system given by Hobsbawm and Rudé.[45] It comes from rather late in this period--the agitated London of 1831. It had long been a custom for demonstrating crowds to go from residence to residence, demanding that those within "illuminate" in honor of a given cause or person (sometimes the practise was reversed, and inhabitants were called on to darken all lights). If they did not comply, windows were pulled out or smashed, and on occasion the house sacked or destroyed. The residences thus besieged were usually selected with precision--the ruling class in eighteenth and early nineteenth century cities was neither anonymous, physically inaccessible or effectively insulated by a professional and preventive police force. Such a crowd, pressing for electoral reform of the Commons, gathered in April, 1831. The following is a contemporary account of its doings, clearly written from an unfriendly point of view:

> ...The reformers of London endeavoured to get
> up an illumination on Monday, the 25th; but
> that having been a failure, they prevailed on
> the Lord Mayor to announce another for the
> evening of Wednesday the 27th. On that
> evening, the illumination was pretty general...
> The mobs did a great deal of mischief. A

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[45]See the summary of this theme in The Crowd in History, pp. 254-257. See also the interesting article by R. B. Rose, "Eighteenth Century Price Riots and Public Policy in England", International Review of Social History, 1961, pp. 277-292.

> numerous rabble proceeded along the Strand,
> destroying all windows that were not
> lighted... In St. James' Square they broke
> the windows in the houses of the Bishop of
> London, the Marquis of Cleveland and Lord
> Grantham. The Bishop of Winchester and
> Mr. W. W. Wynn, seeing the mob approach,
> placed candles in their windows, which thus
> escaped. The mob then proceeded to St.
> James' Street where they broke the windows
> of Crockford's, Jordan's, The Guard's, and
> other Club houses. They next went to the
> Duke of Wellington's residence in Picca-
> dilly, and discharged a shower of stones
> which broke several windows. The Duke's
> servants fired out of the windows over
> their heads to frighten them, but without
> effect. The policemen then informed the
> mob that the corpse of the Duchess of
> Wellington was on the premises, which arrested
> further violence against Apsley House...[46]

After which, the mob marched off to other residences,

including that of Robert Peel, the political founder of

the police.

At every point, the normative and essentially non-

violent character of the mob is clear. In this case,

their cause was generally popular and they had the

support of the Lord Mayor and other worthies favoring

Reform, whereas many mob actions of course lacked such

sanctions. But a kind of "antagonistic cooperation"

between the mob and various parts of the elite, seeking

to enlist it in various causes, had a long

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[46] Annual Register, 1831, Chronicle, p. 68. Quoted in
Reith, British Police and the Democratic Ideal, pp.
90-91--who, however, views this incident solely as
an example of the endemic violence which the pre-
professional police were unable to stop. This
historian and celebrant of the modern police has
not a word in praise of so well-behaved a mob.

history.[47] Indeed, even pre-Reform electoral politics
sometimes required parts of the elite not only to com-
pete for the favor of the people, but to expose them-
selves to rough treatment by electors and non-electors
alike. Thus, a French observer of 1819, watching the
customary post-election procession of successful parlia-
mentary candidates, described a scene which Halevy calls
"one long familiar to the English public":

> [They] were immediately pelted with filth,
> greeted with a shower of black mud... I
> saw Lord Nugent with one side all black...
> Lord John Russell attempted with difficulty
> to wipe off the stinking patches of dirt
> which continually bespattered his cheeks...

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[47] A detailed account with reference to the Reform Crisis
of 1830-32 is Philip Hamburger, James Mill and the Art
of Revolution, New Haven, 1963, who, however, maintains
that the pro-Reform leaders manipulated the threat of
the mob, rather than its substance. (But for a
comparable case, which succeeded before the mob ever
took to the streets, see Thomas Perry, Public Opinion,
Propaganda and Politics in Eighteenth Century England:
A Study of the Jew Bill of 1753, Cambridge, Massachu-
setts, 1962). So strong was the tradition we have
illustrated that Lady Holland, the wife of a great
Whig aristocrat prominent in the struggle for Reform,
remarked disapprovingly on Wellington's reaction to
the prospect of mob attack on his house: "It is not
strange that the Duke of Wellington has boarded with
very thick planks all his windows upstairs to
Piccadilly and the Park?... The work of darkness
began on Coronation Day and is not completed. He says,
I hear, that it is to protect his plate glass windows
from the mob, who will assail him on the Reform Bill!
As it cannot be for thrift, it looks like defiance;
and the mob will be irritated when they discover his
intentions." (Earl of Ilchester, (ed.), Elizabeth,
Lady Holland to Her Son, (London, 1946, p. 118).
Emphases in original.

> Some had their windows broken and their
> furnitutre damaged. The houses of Lord Cast-
> lereagh and several others met with the
> same fate. The constables were insufficient
> to restore order, and the troops had to be
> called out.[48]

The English elite, then, sometimes lived on rather
casual terms with popular volatility so long as the latter
did not--as for a time the "dangerous classes" and early
working class movements seemed to--challenged the funda-
mentals of the current system. They did not do so willing-
ly, to be sure, but in a kind of symbiosis in which
"consideration" was exchanged for "support". Thus, to see
everyday, non-revolutionary violence or unruliness solely
or even largely as an impediment to the emergence of
stable democracy is to blur important distinctions between
kinds of popular violence and ways in which it may be
integrated into a political system. Popular violence which
forms part of an articulate system of demands and responses,
in which needs and obligations are reasonably clear to
each party, may not be at all necessarily "irrational",
"criminal" or "pointless"--to use words often applied to
riotous protest in contemporary democracies. Indeed, the
English case suggests that--granted the many other conditions
that lie outside our present scope--such a system may well
conduce to the establishment of stable democracy. For
"pre-political" though Hobsbawm rightly calls it, it is one
in which the population not only expresses its will but in

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[48]Halevy, op. cit., p. 118.

which elites have learned to listen.[49] The wide existence

of the normative culture of mob and riot in places other

than England[50] is enough to show--if the disclaimer

needs to be made at all--that the mere existence of

normative riot and violence is not a sufficient condition

for the emergence of institutionalized democracy. Yet

in an age when institutions did not organize, represent

and press the claims of ordinary people, and in which the

streets were therefore a political arena, it is important

to distinguish between kinds of popular violence, rather

than consider it wholly as a homogeneous anachronism.

The Demand for Order in Contemporary Democracy

Such a proto-democratic system of violent demand and

elite response, however, is confined to unpoliced, hier-

archical and pre-industrial society. It is not found

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[49] It is suggestive to compare Hobsbawm's very perceptive
comment on the situation in parts of Europe which did
not experience a comparably gradual development of
democratic institutions. Speaking of popular riot and
enthusiasm in support of the status quo, he remarks:
"Legitimate monarchs of institutions may not welcome
this. The Emperor Francis I of Austria took a poor
view of the revolutionary legitimism of his people,
observing correctly: "Now they are patriots for me;
but one day they may be patriots against me!" From
the point of view of the genuinely conservative institu-
tion, the ideal is obediance, not enthusiasm, whatever
the nature of the enthusiasm. Not for nothing was 'Ruhe
ist die Erste Bürgerpflicht' (Tranquillity is the first
duty of the citizen') the slogan of every German
princeling." (Primitive Rebels... p. 119).

[50] See Hobsbawm, passim.

where business classes, career bureaucrats and professional
politicians have replaced former ruling groups; were
popular volatility may disrupt tightly woven political
and market ecologies; and where the state makes its
presence felt ubiquitously in the form of police. In the
latter situation, the demand for "law and order" becomes
what it was not before--a constitutional imperative
stemming from an unprecedentedly pervasive consensus, and
personnified and enforced by police.

With rising standards of public order has come an
increasing intolerance of criminality, violence and
riotous protest. Daniel Bell has suggested that a break-
down of spatial barriers between the daily round of urban
propertied classes and the criminal or unruly poor has
made the former more aware of violence in daily life.[51]
We may perhaps envisage three stages in such a sequence:
one in which the prosperous or respectable lived in
unimagineable closeness to crime and the threat of riot
or mob; a second in which these groups succeeded in
insulating themselves--spatially by regroupment in and
outside the centers of cities; organizationally, by the

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[51]"The Myth of Crime Waves: the actual decline of crime
in the United States", in The End of Ideology (New York,
1962, pp. 151-174.

police;[52] and a third in which penetrations of these barriers evoke a response which, by the standards of earlier years, would be considered exorbitant.

The character of the police as a public bureaucracy may also raise expectations about the level of public peace it is possible to attain. As the instrument of public policy, they are easily seen in terms of a naive social instrumentalism--as technicians applying efficient means that are in principle capable of fully realizing their ends. Have not public bureaucracies eliminated plague, solved the enduring problems of urban sanitation, and prevented gross impurities in purchased foods? Why cannot the police similarly "clean up" crime and control violence?[53] In short, the historic and strategic success

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[52] "The beats vary considerably in size; in those parts of the town which are open and inhabited by the wealthier classes, an occasional visit from a policeman is sufficient, and he traverses a wide district. But the limits of the beat are diminished, and of course the frequency of the visits increased, in proportion to the character and the density of the population, the throng and pressure of traffic, and concentration of property, and the intricacy of the streets. ...Nor must it be supposed that this system places the wealthier localities at a disadvantage, for it is an axiom in police that you guard St. James' by watching St. Giles'." ("The Police System of London", Edinburgh Review, July, 1852, p. 5.) St. Giles was one of the most notorious of London's "rookeries".

[53] It is more than symbolically significant that Edwin Chadwick (see above, p. 10) was also a prime mover in the reform of urban sanitation. See his report, Sanitary Conditions of the Labouring Population in England, 1842 (London, 1843).

of the police raises expectations, and exposes them to

pressures, which envisage the idea of the uniformly

peaceful civil society.[54]

Not only are expectations of public order higher

than before, but the area to which these expectations

refer has expanded. It has done so not only because of

the continuing, though obviously very incomplete, extension

of a single moral order throughout the national community--

a process which takes territoriality rather than the

divisions of class, locality or group as its ideal boundaries.

The arena of expectation widens as smaller formations--

regions, local communities, states--find it harder to

control or influence the moral climate in which they live.

The "nationalization" of civil rights, the federal involve-

ment in municipal programs like housing, the erosion of the

power of localities to control the content of mass media,[55]

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[54]See Bell, op. cit., p. 152 on the relationship between
better policing and a "higher" crime rate. The artifact-
ual character of this relationship, sometimes hard for
contemporaries for whom the police are taken for granted
to grasp, was obvious to an observer witnessing the
transition to policed society. See "Causes of the
Increase of Crime", Blackwoods Magazine, July, 1844, p. 5.

[55]Attempting to account for respectable people's greater
awareness of violence in daily life. Bell has also
suggested that the emergence of heterogeneous audiences
for the mass media, which include groups previously un-
exposed to violent themes, has heightened awareness of
violence even as its occurrence in daily life has declined.
(op. cit., pp. 170-174.) Simultaneously, local communities
and states are losing their formal and informal powers to
control such materials. (See Richard Randall, Some
Political Theories in Motion Picture Censorship Decisions:
Prior Restraint Reconsidered, Paper delivered at the
Midwest Conference of Political Science, Bloomington,
Indiana, April, 1965.)

the pressure from judiciaries on informal and quasi-legal

police practices--all mean that smaller formations come

to see themselves as less able to control or influence

their moral destiny. Thinking themselves more vulnerable

to incursion from the larger society, they extend moral

demands and expectations to a wider environment than in

the past was thought relevant to daily life.

These trends mesh with others. The imagery of the

"dangerous classes" is being reborn in contemporary America.

The nascent demand for a pervasively benign environment

arises as the urban poor, disorganized and unemployed--

especially the Negro--bears more heavily upon the awareness

and daily life of an urban society in which proportionately

more people are "respectable" than ever before.[56] Violence,

criminality and riot become defined not only as undesirable,

but as threatening the very fabric of social life. Police

forces come to be seen as they were in the time of their

creation--as a sophisticated and convenient form of

garrison force against an internal enemy. Lacking a strong

tradition of urban violence as a form of articulate protest,[57]

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[56] Here we follow Shils' argument, op. cit., p. 56.

[57] Obviously, the rural South would require special treat-
ment. See W. J. Cash, The Mind of the South (New York,
1941), passim, and H. C. Brearly, "The Pattern of
Violence", in W. T. Couch (ed.), Culture in the South
(Chapel Hill, 1934). Our focus, however, is on urban
situations. Thus, for example, there is a suggestion
in that the few food riots of nineteenth century New
York, in 1837 and 1857, were carried out largely by
foreign-born, rather than native, poor. See the chapters
on these episodes in J. F. Headley, The Great Riots of
New York, (New York, 1873).

it is all the easier to define such events as merely
criminal. Such definitions work not only on the respectable,
but also on the riotous or criminal poor. Like American
society as a whole, the American poor lack a traditional
past: on neither side of the boundaries of class and race
to the conditions for "articulate riot" exist in generous
measure. Crime and diffuse violence become not a spillover
accompaniment to protest, but its core. Similarly, the
propertied and respectable are ill-prepared to react in
terms other than a confrontation with uncontained and
shapeless criminality.

The rhetoric of current concern with criminality,
violence and riot, then, involves a problem of the political
language in which these events are experienced and described.
The problem is likely to sharpen as the official and
public show of restaint, based upon a kind of diagnostic
sociology, becomes strained by the pressure of events. It
is not to idealize even the optimal "traditional" political
society, as in England with its brutalities, squalidness
and hardness of soul to point out that it often provided
the unorganized poor with a language by which, in the
absence of representative institutions or the ability to
participate in them, they might articulately address the
propertied classes through riot and disorder. And it is
not to derogate the American adventure in modernity to
suggest that, however richly endowed with representative
and responsive institutions, it has not provided such a

language for those in its cities who have long been out-side their compass--a language whose grammar is shared by speaker and listener, rioter and pillaged, violent and frightened.