

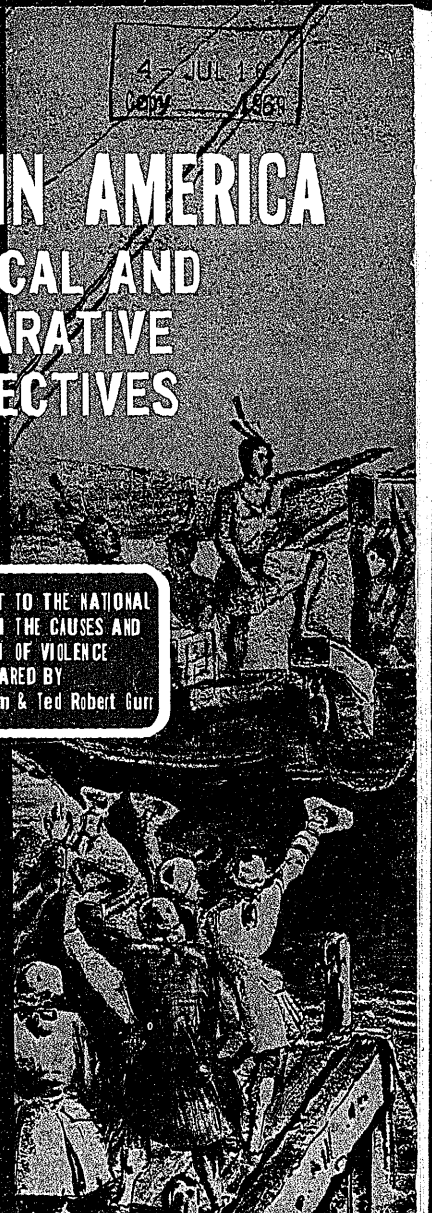
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VIOLENCE IN AMERICA

HISTORICAL AND COMPARATIVE PERSPECTIVES

A STAFF REPORT TO THE NATIONAL
COMMISSION ON THE CAUSES AND
PREVENTION OF VIOLENCE
PREPARED BY
Hugh Davis Graham & Ted Robert Gurr

STAFF REPORT
OF A REPORT
ON THE
MISSION



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The White House
June 10, 1968
EXECUTIVE ORDER #11412

ESTABLISHING A NATIONAL COMMISSION ON
THE CAUSES AND PREVENTION OF VIOLENCE

By virtue of the authority vested in me as President of the United States, it is ordered as follows:

SECTION 1. *Establishment of the Commission.* (a) There is hereby established a National Commission on the Causes and Prevention of Violence (hereinafter referred to as the "Commission").

(b) The Commission shall be composed of:

Dr. Milton Eisenhower, *Chairman*
Congressman Hale Boggs
Archbishop Terence J. Cooke
Ambassador Patricia Harris
Senator Philip A. Hart
Judge A. Leon Higginbotham
Eric Hoffer

Senator Roman Hruska
Albert E. Jenner, Jr.
Congressman William M. McCulloch
*Dr. W. Walter Menninger
*Judge Ernest William McFarland
*Leon Jaworski

SECTION 2. *Functions of the Commission.* The Commission shall investigate and make recommendations with respect to:

(a) The causes and prevention of lawless acts of violence in our society, including assassination, murder and assault;

(b) The causes and prevention of disrespect for law and order, of disrespect for public officials, and of violent disruptions of public order by individuals and groups; and

(c) Such other matters as the President may place before the Commission.

SECTION 4. *Staff of the Commission.*

SECTION 5. *Cooperation by Executive Departments and Agencies.*

(a) The Commission, acting through its Chairman, is authorized to request from any executive department or agency any information and assistance deemed necessary to carry out its functions under this Order. Each department or agency is directed, to the extent permitted by law and within the limits of available funds, to furnish information and assistance to the Commission.

SECTION 6. *Report and Termination.* The Commission shall present its report and recommendations as soon as practicable, but not later than one year from the date of this Order. The Commission shall terminate thirty days following the submission of its final report or one year from the date of this Order, whichever is earlier.

S/Lyndon B. Johnson

*Added by an Executive Order June 21, 1968

The White House
May 23, 1969

EXECUTIVE ORDER #11469

EXTENDING THE LIFE OF THE NATIONAL COMMISSION
ON THE CAUSES AND PREVENTION OF VIOLENCE

By virtue of the authority vested in me as President of the United States, Executive Order No. 11412 of June 10, 1968, entitled "Establishing a National Commission on the Causes and Prevention of Violence," is hereby amended by substituting for the last sentence thereof the following: "The Commission shall terminate thirty days following the submission of its final report or on December 10, 1969, whichever is earlier."

S/Richard Nixon

STATEMENT ON THE STAFF STUDIES

The Commission was directed to "go as far as man's knowledge takes" in searching for the causes of violence and the means of prevention. These studies are reports to the Commission by independent scholars and lawyers who have served as directors of our staff task forces and study teams; they are not reports by the Commission itself. Publication of any of the reports should not be taken to imply endorsement of their contents by the Commission, or by any member of the Commission's staff, including the Executive Director and other staff officers, not directly responsible for the preparation of the particular report. Both the credit and the responsibility for the reports lie in each case with the directors of the task forces and study teams. The Commission is making the reports available at this time as works of scholarship to be judged on their merits, so that the Commission as well as the public may have the benefit of both the reports and informed criticism and comment on their contents.

Milton S. Eisenhower
Dr. Milton S. Eisenhower, *Chairman*

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Ted Robert Gurr

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Carol Voit
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National Commission on the Causes and Prevention of Violence

Dr. Milton S. Eisenhower, *Chairman*

**VIOLENCE IN AMERICA:
HISTORICAL AND COMPARATIVE
PERSPECTIVES**

VOL. 1

**A Report to the
National Commission on
the Causes and Prevention of
Violence**

by
Hugh Davis Graham
and
Ted Robert Gurr

June 1969

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1968
COPY 2
Vol. 1

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PREFACE

From the earliest days of organization, the Chairman, Commissioners, and Executive Director of the National Commission on the Causes and Prevention of Violence recognized the importance of research in accomplishing the task of analyzing the many facets of violence in America. As a result of this recognition, the Commission has enjoyed the receptivity, encouragement, and cooperation of a large part of the scientific community in this country. Because of the assistance given in varying degrees by scores of scholars here and abroad, these Task Force reports represent some of the most elaborate work ever done on the major topics they cover.

The Commission was formed on June 10, 1968. By the end of the month, the Executive Director had gathered together a small cadre of capable young lawyers from various Federal agencies and law firms around the country. That group was later augmented by partners borrowed from some of the Nation's major law firms who served without compensation. Such a professional group can be assembled more quickly than university faculty because the latter are not accustomed to quick institutional shifts after making firm commitments of teaching or research at a particular locus. Moreover, the legal profession has long had a major and traditional role in Federal agencies and commissions.

In early July a group of 50 persons from the academic disciplines of sociology, psychology, psychiatry, political science, history, law, and biology were called together on short notice to discuss for 2 days how best the Commission and its staff might proceed to analyze violence. The enthusiastic response of these scientists came at a moment when our Nation was still suffering from the tragedy of Senator Kennedy's assassination.

It was clear from that meeting that the scholars were prepared to join research analysis and action, interpretation, and policy. They were eager to present to the American people the best available data, to bring reason to bear where myth had prevailed. They cautioned against simplistic solutions, but urged application of what is known in the service of sane policies for the benefit of the entire society.

Shortly thereafter the position of Director of Research was created. We assumed the role as a joint undertaking, with common responsibilities. Our function was to enlist social and other scientists to join the staff, to write papers, act as advisers or consultants, and engage in new research. The decentralized structure of the staff, which at its peak numbered 100, required research coordination to reduce duplication and to fill in gaps among the

original seven separate Task Forces. In general, the plan was for each Task Force to have a pair of directors: one a social scientist, one a lawyer. In a number of instances, this formal structure bent before the necessities of available personnel but in almost every case the Task Force work program relied on both social scientists and lawyers for its successful completion. In addition to our work with the seven original Task Forces, we provided consultation for the work of the eighth "Investigative" Task Force, formed originally to investigate the disorders at the Democratic and Republican National Conventions and the civil strife in Cleveland during the summer of 1968 and eventually expanded to study campus disorders at several colleges and universities.

Throughout September and October and in December of 1968 the Commission held about 30 days of public hearings related expressly to each of the Task Force areas. About 100 witnesses testified, including many scholars, Government officials, corporate executives as well as militants and activists of various persuasions. In addition to the hearings, the Commission and the staff met privately with scores of persons, including college presidents, religious and youth leaders, and experts in such areas as the media, victim compensation, and firearms. The staff participated actively in structuring and conducting those hearings and conferences and in the questioning of witnesses.

As Research Directors, we participated in structuring the strategy of design for each Task Force, but we listened more than directed. We have known the delicate details of some of the statistical problems and computer runs. We have argued over philosophy and syntax; we have offered bibliographical and other resource materials, we have written portions of reports and copy edited others. In short, we know the enormous energy and devotion, the long hours and accelerated study that members of each Task Force have invested in their labors. In retrospect we are amazed at the high caliber and quantity of the material produced, much of which truly represents, the best in research and scholarship. About 150 separate papers and projects were involved in the work culminating in the Task Force reports. We feel less that we have orchestrated than that we have been members of the orchestra, and that together with the entire staff we have helped compose a repertoire of current knowledge about the enormously complex subject of this Commission.

That scholarly research is predominant in the work here presented is evident in the product. But we should like to emphasize that the roles which we occupied were not limited to scholarly inquiry. The Directors of Research were afforded an opportunity to participate in all Commission meetings. We engaged in discussions at the highest levels of decisionmaking, and had great freedom in the selection of scholars, in the control of research budgets, and in the direction and design of research. If this was not unique, it is at least an uncommon degree of prominence accorded research by a national commission.

There were three major levels to our research pursuit: (1) summarizing the state of our present knowledge and clarifying the lacunae where more or new research should be encouraged; (2) accelerating known ongoing research so as to make it available to the Task Forces; (3) undertaking new research projects

within the limits of time and funds available. Coming from a university setting where the pace of research is more conducive to reflection and quiet hours analyzing data, we at first thought that completing much meaningful new research within a matter of months was most unlikely. But the need was matched by the talent and enthusiasm of the staff, and the Task Forces very early had begun enough new projects to launch a small university with a score of doctoral theses. It is well to remember also that in each volume here presented, the research reported is on full public display and thereby makes the staff more than usually accountable for their products.

One of the very rewarding aspects of these research undertakings has been the experience of minds trained in the law mingling and meshing, sometimes fiercely arguing, with other minds trained in behavioral science. The organizational structure and the substantive issues of each Task Force required members from both groups. Intuitive judgment and the logic of argument and organization blended, not always smoothly, with the methodology of science and statistical reasoning. Critical and analytical faculties were sharpened as theories confronted facts. The arrogance neither of ignorance nor of certainty could long endure the doubts and questions of interdisciplinary debate. Any sign of approaching the priestly pontification of scientism was quickly dispelled in the matrix of mutual criticism. Years required for the normal accumulation of experience were compressed into months of sharing ideas with others who had equally valid but differing perspectives. Because of this process, these volumes are much richer than they otherwise might have been.

Partly because of the freedom which the Commission gave to the Directors of Research and the Directors of each Task Force, and partly to retain the full integrity of the research work in publication, these reports of the Task Forces are in the posture of being submitted to and received by the Commission. These are volumes published under the authority of the Commission, but they do not necessarily represent the views or the conclusions of the Commission. The Commission is presently at work producing its own report, based in part on the materials presented to it by the Task Forces. Commission members have, of course, commented on earlier drafts of each Task Force, and have caused alterations by reason of the cogency of their remarks and insights. But the final responsibility for what is contained in these volumes rests fully and properly on the research staffs who labored on them.

In this connection, we should like to acknowledge the special leadership of the Chairman, Dr. Milton S. Eisenhower, in formulating and supporting the principle of research freedom and autonomy under which this work has been conducted.

We note, finally, that these volumes are in many respects incomplete and tentative. The urgency with which papers were prepared and then integrated into Task Force Reports rendered impossible the successive siftings of data and argument to which the typical academic article or volume is subjected. The reports have benefited greatly from the counsel of our colleagues on the Advisory Panel, and from much debate and revision from within the staff. It is our hope, that the total work effort of the Commission staff will be the

source and subject of continued research by scholars in the several disciplines, as well as a useful resource for policymakers. We feel certain that public policy and the disciplines will benefit greatly from such further work.

* * *

To the Commission, and especially to its Chairman, for the opportunity they provided for complete research freedom, and to the staff for its prodigious and prolific work, we, who were intermediaries and servants to both, are most grateful.

James F. Short, Jr.

Directors of Research

Marvin E. Wolfgang

INTRODUCTION

By Hugh Davis Graham* and Ted Robert Gurr†

Many unique aspects of our society and politics have contributed to the individual and collective violence that troubles contemporary America, among them the psychological residues of slavery, the coexistence of mass consumption with pockets and strata of sullen poverty, the conflict among competing ethnicities that leaves many men without clear guides to social action. Other sources of violence in our national life are inheritances of our own past: a celebration of violence in good causes by our revolutionary progenitors, frontiersmen, and vigilantes; immigrant expectations of an earthly paradise only partly fulfilled; the unresolved tensions of rapid and unregulated urban and industrial growth. Yet many societies as well as our own have experienced violent disorder as a consequence of such conditions at different times in their national development, in some cases disintegrating in a welter of blood and shattered institutions, in others emerging as stronger and more satisfying communities. Examination of our development as a nation provides a sense of understanding of the historical genesis of our present situation. Comparison with the historical experience of other societies helps identify the points at which our cultural experience differed from that of more—and less—orderly societies. Contemporary comparisons provide a mirror that can tell us, without favor or rancor, how far we have fallen from our self-anointed status as the most favored of nations. By these comparisons we also begin to identify some of the general conditions, processes, and outcomes of violence, and ultimately to anticipate the effects of what we do now and tomorrow on the creation, maintenance, and destruction of political community.

Men often are accused of being blinded by the immediacy of contemporary events to the lessons of history. A difficulty of American scholarship is that those lessons are only partly studied and partly understood. Historians

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†Ted Robert Gurr is assistant professor of politics, faculty associate of the Center of International Studies, and Associate Director of the Workshop in Comparative Politics at Princeton University. He is author of *Why Men Rebel* (Princeton University Press, 1969); *The Conditions of Civil Violence: First Tests of a Causal Model*, with Charles Ruttanberg (Princeton: Center of International Studies, 1967); *American Welfare*, with Alfred de Grazia (New York: New York University Press, 1961); and a number of articles.

interested in the differential inclinations of a people or of groups within a society to resort to violence face four basic obstacles. The first is a familiar one: insufficient or inadequate evidence. To be sure, evidence of violence per se is abundant, sure as newspaper accounts of civil commotion, though few of them have been closely examined. But many kinds of precise data that contemporary social scientists require—e.g., consistent and reliable crime statistics, participant profiles, public opinion surveys—are generally unavailable to historians. Others, such as the results of systematic content analysis of documents and evaluation of court records, are only occasionally used by American historians.

A second barrier to historical understanding has been the lack of a general theoretical framework with which to order our perceptions of the motives and attitudes that impel groups toward violence and the social conditions conducive to it. Until fairly recently, American historians have been inclined to regard economic motives as paramount, and to explain violence either sympathetically as the protest of the have-nots or unsympathetically as a byproduct of the defense of privilege. Sociologists and political scientists have usually focused on the tension-generating characteristics of incompatible social values and maladaptive institutions that lead to violent conflict among groups. Some social scientists have employed psychological instruments of analysis, such as frustration-aggression and cognitive dissonance theories, attempting to take into account social and political as well as economic motives, psychological dispositions as well as class cleavages. The variety of theoretical approaches reflected in this volume by no means exhausts the repertory, nor are all of them consistent in their assumptions or conclusions. But all assume that civil commotion has many causes, not just one, and that those causes have to do with both the nature of man and his social circumstances.

Ironically, professional specialization itself has in some ways impeded our understanding of the role of violence in our past. As the grand sweep of the multivolume historical surveys of the 19th century have given way to the penetrating but narrow monographic studies of the 20th, the quantity of American historical knowledge had been accumulating, but at the expense of synthesis. While the historians have been specializing by era, or through a process of professional tunneling that creates long but narrow channels of inquiry—diplomatic, constitutional, labor history—other social scientists have largely eschewed the study of violence in America and have concentrated almost exclusively on the peaceful and institutional processes of our social and political life. "Violence" does not even rate an entry in the new *International Encyclopedia of the Social Sciences*. We are not suggesting that the students of man add yet another specialty to their atomized ranks. But more of them should become more acutely aware of the bellwether function of civil strife. It is worth examining not only in its own right but as evidence of the character and social processes of the times and societies from which it rises. As Charles Tilly observes in chapter I, violence is normal in political life, and changes in its form tell us that something important is happening in the political system. Not only may a closer attentiveness to the dynamics of civil turmoil increase our understanding of political and social life; it may be a healthy corrective to our habit of looking at society from the top down.

A fourth impediment to understanding our violent past has been the powerful strain of optimistic parochialism that has variously equated the growth of

the American nation with the New Jerusalem, Manifest Destiny, and inelectably progressive Darwinian evolution. Historians have been perhaps less guilty of this ethnocentrism than have been chambers of commerce, but even historians who have eschewed flag waving have tended to focus their research so exclusively on American behavior that they have been denied the insights of the comparative dimension. Yet so disturbing is today's civil commotion and its attendant widespread disillusionment that it invites a reaction against the comfortable old certitudes. Contemporary Americans, confronted as they are with overseas war and domestic turmoil, may be tempted to overcompensate for past patriotic excesses by equating the American experience instead with slavery and imperialism, Indian genocide, and Judge Lynch. Similarly, some contemporary European intellectuals, such as Jean-Paul Sartre, have come to regard "that super-European monstrosity, North America" as a bastard child or satanic mutation of degraded Europe.¹ Clearly, this era of discontent demands a more careful and sober analysis, both historical and comparative, of the dimensions, antecedents, and consequences of violence. The borrowing by historians of the insights and, to a lesser extent, the methods of the other social sciences has considerably enriched historical understanding in recent years. But American historians in their traditional intranational inquiries have generally reflected the powerful strain of parochialism and ethnocentrism that has suffused the national character. If the essence of social science is comparison, American historians and, to a lesser extent, behavioral scientists are only beginning systematically to explore the rich comparative dimension. This volume represents less a triumphal synthesis than, we hope, a promising step toward exploring that fruitful conjunction between the vertical dimension of historical inquiry and the horizontal dimension of comparative analysis.

The organization of this volume reflects the questions to be answered by historical and comparative inquiry. Few of these questions are answered in any definitive sense, but our contributors provide much evidence and partial answers for most of them. The first is a descriptive, historical question: What have been the patterns and extent of violence by private individuals and groups in the United States, and what, by comparison, have they been in Western Europe? The papers by Tilly and Richard Maxwell Brown in part I offer some general historical answers with special reference to collective violence. The appendix to part I reports a sample study of 150 years of violence as reported in the American press. Together these studies suggest two summary judgements: one, that group violence has been chronic and pervasive in the European and American past; and second, that both Europeans and Americans have a noteworthy capacity to forget or deny its commonality. The chapters of part V provide some of the meager information we have on historical trends in violent crime in the United States.

The second general question is an analytic one: What are the historical conditions that have contributed to different kinds of violence in the American past and present? The chapters in part II suggest the relevance of the immigrant experience, the frontier and vigilante traditions, and the portrayal of violence in American literature and folklore. Parts III through VI sketch the sources and character of specific kinds of protest and private violence: labor and working-class strife, racial conflict, individual aggression, and antiwar protest.

The third general question is the contemporary, descriptive one: How do group protest and violence in the United States compare with similar activities elsewhere in the world? Part VII provides some of the most systematic answers now available. These answers are sought not solely for the purpose of descriptive comparison but in an attempt to answer a fourth question: What are the general conditions of group violence? The quantitative comparisons in this part and the case studies in part VII provide evidence that makes it possible to identify some of the general political and social circumstances and patterns of change that are likely to lead to violence.

The final question is: What are the processes of violence, and what are some alternatives to it? The chapters in parts VIII and IX examine this question in some specific cases; it is a peripheral or central issue of many of the other chapters. Taken in its entirety, this report provides a wealth of examples of the conditions that give rise to violence and of the extent to which private violence, public force, concession, and nonviolent group responses to discontent can lead to the resolution of those conditions.

Another issue, the definitional one, must be dealt with as a prelude to description and analysis of violence. All of us—citizens, officials, and scholars—look at “violence” from perspectives colored by our beliefs and cultural experience. In common usage the term is pejorative. We use it as a label to categorize, and implicitly to condemn, acts of which we disapprove, whether or not all of them are violent or illegal. If we are sympathetic with the motives underlying collective violence, we are likely to call it “protest.” When violence is used by public individuals, such as police and soldiers, we typically refer to it as “legitimate force” and as such praise it. These are emotion-laden words whose customary uses are as likely to contribute to acrimonious debate as to understanding: “violence,” “force,” “protest,” “legality,” “legitimacy.” A clear understanding of the phenomena discussed in this report requires not that we abandon such terms or the perspectives that underlie them, but that we distinguish among them and say what we mean by them.

“Violence” is narrowly defined here as behavior designed to inflict physical injury to people or damage to property. Collectively, and in individually, we may regard specific acts of violence as good, bad, or neutral, depending on who engages in it and against whom. “Force” is a more general concept: we define it here as the actual or threatened use of violence to compel others to do what they might not otherwise do. Force, like violence, can be judged good or bad. Sixty years ago most Americans condemned workers’ resort to strikes and picketing to gain union recognition and wage increases, but praised the forceful efforts of employers and state militias to break the strikes. By these definitions, force and violence are closely linked concepts. Force necessarily involves the threat if not the actuality of violence; violence is forceful if it is used with the intent to change others’ actions. “Protest” does not have necessary implications of force or violence. We mean by protest the expression of dissatisfaction with other people’s actions. It can take individual or collective, verbal or physical, peaceful or violent forms. The forms of protest that most concern Americans are the collective and physical ones, but collective, public protest does not by definition include the use of force or violence, nor do public protestors in contemporary America frequently use them.

“Legality” and “legitimacy” are words that we use to pass judgement on the desirability of violence, force, and protest, as well as other acts. The

“legality” of acts is determined by formal procedures of community decision making. Acts are “legitimate,” in the sense meant here, if members of a community regard them as desirable or justifiable. We have laws that proscribe most uses of violence by private citizens, others that permit law officers to use forceful violence to deter private violence, and still others that regulate various kinds of protest. But the judgement that an act is legal or illegal is a formal one, made and enforced by a small segment of the community. In the perfect social order all acts judged legal would be regarded as legitimate by the community, all illegal acts would be illegitimate. No such clear-cut distinction holds in the United States so far as violence, force, and protest are concerned, nor has it ever. Our nation was founded in a revolutionary war that was illegal but widely regarded as legitimate. It survived a civil war whose competing causes most Northerners and most Southerners thought both legal and legitimate. Americans deplored the assassination of President John F. Kennedy, yet years earlier many had applauded the abortive attempt on the life of Adolph Hitler. Hundreds of vigilante movements grace the pages of American history: most of them entailed violence by private individuals that was technically illegal but popularly regarded as legitimate. On the other hand, such institutions and practices as de jure racial segregation and civil rights demonstrations have been technically legal in various regions and eras, but have been widely regarded as illegitimate.

The complexity of the American conflict between legitimacy and legality of actions is apparent in an analysis of the demonstrations and riots that accompanied the 1968 Democratic National Convention.² Some of the demonstrations were technically legal, others were not, by fiat of municipal authority. In other American cities all might have been approved, in some all might have been ruled illegal. Most demonstrators regarded their actions as legitimate, whatever their legality or their violence. Many Chicagoans, and perhaps a majority of Americans, had directly opposing perceptions: they apparently regarded the demonstrations as illegitimate, whatever their legality and whether or not they were violent. Some police actions in response to the demonstrations were technically legal, some not. The police and—according to opinion polls—the majority of Americans thought the police action in its entirety was legitimate, the demonstrators obviously did not.

These distinctions are not merely an exercise in semantics. They are intended to demonstrate that Americans historically have not agreed, and do not now agree, on the propriety of different kinds of force, violence, and protest. One group’s legitimate protest has been another group’s illegal violence throughout our history. This report is not designed to persuade the reader about the rightness of the views of any of these groups in conflict. It does try to provide a sense of understanding of three critical contemporary issues: how some of our differences of opinion over goals and means came into being, what some consequences of our failures to resolve them have been for civil peace, and what we and other peoples have done in the past to overcome such divisive disagreements. We are a diverse nation, linked together most fundamentally by our common desires for way of life both civil and satisfying. To attain them we must cooperate with one another, all of us, for violent antagonisms expressed violently destroy peace, and men, and ultimately community. One blunt sentiment of our rebellious forefathers, voiced by Benjamin Franklin, is as applicable to life in the United States today as it

was nearly two centuries ago: "We shall all hang together, or assuredly we shall all hang separately."

References

1. Preface to Frantz Fanon, *The Wretched of the Earth*, (New York: Grove Press, 1963), p.22.
2. See Daniel Walker, *Rights In Conflict*, a report submitted to the National Commission on the Causes and Prevention of Violence (Washington: The Commission, 1968).

ACKNOWLEDGMENTS

The editors want to thank the Commissioners and staff of the National Commission on the Causes and Prevention of Violence, first, for recognizing the importance of historical and comparative studies for public understanding of violence, second for their consistent support and counsel in the task of compiling this report. We are especially grateful to Profs. Morris Janowitz and Richard Wade of the University of Chicago, James Q. Wilson of Harvard, and Benjamin Quarles of Morgan State College, whose criticisms and suggestions as members of the Commission's Advisory Panel helped strengthen the final report—as did the guidance and advice of the Commission's Co-Directors of Research, Dr. James F. Short, Jr., and Dr. Marvin E. Wolfgang. Similarly, the initial strategic guidance of several colleagues not officially associated with the Commission greatly facilitated our task: Profs. David M. Potter, John Hope Franklin, Harry Eckstein, David Donald, Carl Degler, and Paul Bohannon.

Most of all we are indebted to our contributors, who promptly set aside their other obligations to communicate to the Commission and to Americans generally some of what has been learned in the last several generations of scholarship on violent conflict. They proved willing not only to summarize the knowledge of their special fields but to make available many new findings and interpretations, and to do so within severe time constraints. In addition to their contributions per se, the critical advice they provided one another and to us added immeasurably to the report. Of course, responsibility for the interpretations we have placed on their findings in the part introductions and conclusion is ours, not theirs.

Appreciation also is due to Prof. Sheldon Levy of Brandeis University for his permission to include in our report a revised version his statistical study by newspaper sample of the past 150 years of American violence, and to Prof. Michael Hudson of Brooklyn College for an unpublished background paper comparing the American incidence of violence with its frequency in other nations.

Some members of the Commission staff deserve special recognition: James Campbell for his sustained and infectious enthusiasm for our work, Ronald Wolk for his valiant efforts to make sense of our prose, and finally the Commission's administrative and clerical staff, under the energetic direction of William McDonald, especially Carol Voit, Susan Lipsitch, and Frances Adams. Lastly we are indebted to our wives, Ann Graham and Erika Gurr, for providing moral and clerical support far beyond the call of duty.

Hugh Davis Graham
Ted Robert Gurr
Codirectors, Task Force on
Historical and Comparative Perspectives on Violence in America

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Part I

HISTORICAL OVERVIEW OF VIOLENCE IN EUROPE AND AMERICA

Preliminary to any analysis of the role of violence in America, whether historical or comparative, is the task of surveying its historical occurrence. Although our primary concern is with the American experience, we have prefaced our survey of American violence with an overview of patterns in Western Europe. Since America's cultural antecedents are predominantly European, and since Europe has shared with the United States the experience of modern industrial transformation, much of our subsequent historical and comparative analysis contrasts the American tradition of violence to that of Europe.

In Chapter 1, Charles Tilly confronts the traditional view that the fundamentally transforming processes of industrialization and urbanization in western society have evolved through a standard life cycle: "an early stage consisting of chaotic responses to the displacements and disruptions caused by the initial development of urban industry, a middle stage consisting of the growth of a militant and often violent working class, [and] a late stage consisting of the peaceful integration of that working class into economic and political life." According to this conventional model, collective violence should decline as the modern nation-state matures; collective violence becomes increasingly anachronistic and abnormal.

On the contrary, Tilly's political analysis in chapter 1 reveals a commonality of collective protest and violence that suggests that it has historically functioned as an integral part of the political

process, and as such has been quite normal in most European societies. The American belief that it is abnormal, shared by many Europeans, is a consequence of selective historical recollection. Tilly's sociological and historical studies of collective violence in France, the most extensive and systematic such studies ever made, provide precise documentation of these assertions. They are substantiated by comparative evidence from other European nations.

The European evidence demonstrates that the growth of the nation-state and industrialization do not in the long run minimize collective violence but lead to changes in its form, and especially to its politicization. Preindustrial societies are characterized by such "primitive" collective violence as brawls and communal clashes, usually with diffuse and unpolitical objectives. As the scope and power of the European state expanded, "reactionary" disturbances began to supplant primitive violence: revolts against tax collectors and food riots pitted either communal groups or loosely organized common people against the representatives of government, in retaliation for their infringement on or failure to protect old life ways. The third form of collective violence, the "modern," has almost entirely supplanted reactionary violence in Europe, under the impetus of industrialization, urbanization, and the development of enduring economic and political associations. The demonstration and the violent strike are the clearest examples. They involve specialized associations with relatively well-defined objectives, organized for political or economic action. They are "modern" not only in their organizational complexity but because their participants are forward looking: they are striking for rights due them but not yet enjoyed.

The periods of transition from reactionary to modern collective violence are clearly discernible in the histories of most European nations. Industrialization and urbanization are linked with the transition, but only indirectly. In France, urbanization damped collective violence in the short run. As in the ghetto riots of the United States, it was the long-resident urban Frenchman who was most

likely to have both the sense of grievance and the associational means on the basis of which he forcefully demanded his rights. Other parallels between the American and European experience can be drawn. The most consequential point, however, is that collective violence in modern societies cannot be understood without reference to political life. Throughout Western history there has been a close connection between the basic political process and the predominant forms of conflict. The form and extent of collective violence reflect political conditions, and by inversion, political conditions influence and make possible the transformation of collective violence.

The forms, extent and transformations of American violence are described in chapter 2 by Richard Brown. But he correctly perceives that collective violence in America has been employed as a means to an end, and that a society that has successfully employed violence to attain such desirable goals as national independence, continental domain, manumission of slavery, domestic order, and international security will be reluctant categorically to condemn the instrument of their achievement. Accordingly, he has subdivided violence into the broad categories of "negative" and "positive" violence. Brown defines as negative those forms of violence which seem in no direct way to be connected with any socially or historically constructive development—i.e., criminal, feud, lynch-mob, racially and ethnically prejudicial violence, urban rioting, free-lance multiple murder, and political assassination. "Positive" violence would include police coercion, the Revolutionary, Civil, and Indian wars, vigilantism, agrarian uprisings, and labor strife. The loose categorical labels are not meant to imply, of course, that either group possessed a monopoly on good and evil. Brown's extensive documentation constitutes a uniquely comprehensive bibliographical guide to the historical literature on American violence. Although his essay is primarily descriptive, he has prepared in chapter 5 a theoretical analysis of the American vigilante tradition.

Finally, Sheldon Levy offers as an appendix to part I a statistical analysis of the past 150 years of

American violence by sampling from representative newspapers. Owing to the limitations of the sample, Levy's conclusions are cautious. His generalizations, however, largely substantiate Brown's more impressionistic judgment that while our contemporary period ranks high in violence, we have historically been a violence-prone people, and probably exceeded present levels of civic turmoil in the latter third of the 19th century. Levy's analysis constitutes a unique quantitative study against which we can test our traditional qualitative assessments.

Chapter 1

COLLECTIVE VIOLENCE IN EUROPEAN PERSPECTIVE

By Charles Tilly*

As comforting as it is for civilized people to think of barbarians as violent and of violence as barbarian, Western civilization and various forms of collective violence have always been close partners. We do not need a stifled universal instinct of aggression to account for outbreaks of violent conflicts in our past, or in our present. Nor need we go to the opposite extreme and search for pathological moments and sick men in order to explain collective acts of protest and destruction. Historically, collective violence has flowed regularly out of the central political processes of Western countries. Men seeking to seize, hold, or realign the levers of power have continually engaged in collective violence as part of their struggles. The oppressed have struck in the name of justice, the privileged in the name of order, those in between in the name of fear. Great shifts in the arrangements of power have ordinarily produced—and have often depended on—exceptional movements of collective violence.

*Charles Tilly is professor of sociology at the University of Toronto and, in 1968-69, a fellow of the Center for Advanced Study in the Behavioral Sciences at Stanford. His principle publications, in addition to a dozen articles, are *The Vendée* (Cambridge, Mass.: Harvard University Press, 1964) and, with James Rule, *Measuring Political Upheaval* (Princeton University: Center of International Studies, 1965). The research behind this essay is an examination of the evolution of collective violence in European countries, especially France, under the impact of the urbanization and industrialization of the 19th and 20th centuries. The Social Science Research Council, the National Science Foundation, and the Canada Council have generously supported different aspects of the investigation. Throughout the essay use is made of unpublished reports concerning various countries, prepared as part of the investigation by Lynn Hollen Lees, Edward Shorter, Louise Tilly, and Sandra Winston. Appreciation is due Muhammad Fiaz, Abdul Qaiyum Lodhi, and Ann Shorter for assistance with some of the research reported here. The essay incorporates material from two unpublished papers: "Urbanization and Protest in Western Europe" (presented to the American Political Science Association, Sept. 1968) and "Collective Violence in Nineteenth Century French Cities" (a lecture delivered at Reed College in February 1968). A revised version of the latter is scheduled for publication in a volume edited by John Rothney. James David Barber, Lewis Coser, Ted Robert Gurr, Ulf Himmelstrand, Albert Hirschman, Richard Lowenthal, Serge Moscovici, Albert J. Reiss, Jr., Edward Shorter, and Louise Tilly gave vigorous, helpful criticism of earlier drafts of this paper.

Yet the basic forms of collective violence vary according to who is involved and what is at issue. They have changed profoundly in Western countries over the last few centuries, and those countries have built big cities and modern industries. For these reasons, the character of collective violence at a given time is one of the best signs we have of what is going on in a country's political life. The nature of violence and the nature of the society are intimately related.

Collective violence is normal. That does not mean it is intrinsically desirable, or inevitable. For century after century, the inhabitants of southern Italy endured malaria as a normal fact of life; today, American city dwellers endure smog and nerve-rending traffic as normal facts of life; few people hail malaria, smog, or traffic jams. Europeans of other centuries often destroyed children they could not provide for. Now infanticide has become rare. Few of us mourn its passing. But the fact that infanticide persisted so long in the face of persuasive teachings and fearsome penalties tells us something about the poverty and population pressure under which people once lived in Western countries. It also may help us understand some apparently barbaric practices of people outside the West today. In a similar way, both the persistence of the phenomenon of collective violence and the changes in its form within European countries over the last few centuries have something to teach us about their political life, and even about contemporary forms of protest.

OURS IS VIOLENT HISTORY

Long before our own time, Europeans were airing and settling their grievances in violent ways. "To the historian's eyes," said Marc Bloch, the great historian of feudal Europe, "the agrarian rebellion is as inseparable from the seigniorial regime as the strike from the great capitalist enterprise."¹ The chief moments at which ordinary people appeared unmistakably on the European historical scene before the industrial age were moments of revolt: the Jacquerie of 1358, which lent its name to many later peasant rebellions; Wat Tyler's popular rebellion of 1381; the German peasant wars of 1525; the astonishing provincial insurrection against Henry VIII in 1536 and 1537, which came to be known as the Pilgrimage of Grace; the bloody revolt of the Don Cossacks in the 1660's. Much of the time the peasant suffered in silence. Now and then he found his tongue, and his voice was violent.

Collective violence as a voice is the metaphor that occurs to almost all historians of popular movements before our own time. In their discussion of the English agricultural laborer, J. L. and Barbara Hammond summed it up for all their colleagues:

The feelings of this sinking class, the anger, dismay, and despair with which it watched the going out of all of warm comfort and light of life, scarcely stir the surface of history. The upper classes have told us what the poor ought to have thought of these vicissitudes; religion, philosophy, and political economy were ready with alleviations and explanations which seemed singularly helpful and convincing to the rich. The voice of the poor themselves does not come to our ears. This great population seems to resemble nature, and to bear all the storms that beat upon it with a strange silence and resignation. But just as nature has her

own power of protest in some sudden upheaval, so this world of men and women—an underground world as we trace the distances that its voices have to travel to reach us—has a volcanic character of its own, and it is only by some volcanic surprise that it can speak the language of remonstrance or menace or prayer, or place on record its consciousness of wrong.²

And then the Hammonds proceed to read the rebellion of 1830 for signs of what was happening to the agrarian population of England.

Even with the growth of representative political institutions, or dining people continued to state their demands through violence. The French historian of England, Elie Halévy, stated the matter clearly:

Throughout the eighteenth century England, the sole European country where the reigning dynasty had been set up as the result of a successful rebellion, had been the home of insurrection. There had been an outbreak of anti-Jewish rioting in 1753, when the Government had decided to grant the right of naturalization to the Jews domiciled in England. The Cabinet had yielded and repealed the statute. . . . In 1768 there were riots against the Government. The popular hero Wilkes triumphed in the end over the opposition of court and Cabinet. In 1780 an anti-Catholic riot broke out; during four entire days the centre of London was given up to pillage. A government without a police force was powerless either to prevent these outrages or repress them promptly. The right to riot or, as it was termed by the lawyers, "the right of resistance," was an integral part of the national traditions.³

That "right of resistance" was, in fact, a part of the English legal tradition upon which the American colonists insisted in the very act of separating themselves from the mother country, and emphasized in their writings about the new state they were bringing into being.

Nor did collective violence fade out with the American Revolution, or the French Revolution, or the multiple revolutions of 1848, or the American Civil War. Western history since 1800 is violent history, full enough of revolutions, coups, and civil wars, but absolutely stuffed with conflict on a smaller scale.

The odd thing is how quickly we forget. When Lincoln Steffens visited London in 1910, he found distinguished Members of Parliament convinced that England was on the brink of revolution as a result of the angry strikes of the time. The strikes and the talk of revolution spread through Great Britain during the next few years. In prickly Ireland—still part of the United Kingdom, but barely—a real revolution was shaping up. Now we look back to England as a country that solved its internal problems peacefully.

During the American rail strike of 1911,

In New Orleans railroad workers stole company records, switched or destroyed identification cards on freight cars, and cut the air hoses of as many as fifteen to twenty cars a day. Mobs of varying size constantly bombarded nonstrikers with stones and gunfire. . . . In Illinois periodic incursions damaged or destroyed company property. On one occasion, strike sympathizers in Carbonate turned loose a switch engine, which rammed into a freight train on the main line. . . . Turbulence and bloodshed led to a complete breakdown of civil government in sections of

Mississippi. . . For two successive nights hordes swarmed through the streets of Central City, Kentucky. They set upon men in railroad cars and fired at employees lodged in temporary sleeping quarters. . . In the neighboring state of Tennessee the strike bred a rash of mobbings, stonings, gun battles, and killings.⁴

Following the sacred ritual of such conflicts, the governor of Mississippi declared martial law and blamed his State's troubles on "foreign agitators." Then it was the Americans' turn to speak of revolution. Only comfortable hindsight permits us to congratulate ourselves on our peaceful resolution of conflict.

Few Frenchmen recall that as recently as the end of 1947 revolutionary committees blew up trains and seized control of railroad stations, post offices, city halls, and other public buildings in a dozen major French cities, including Marseille, Grenoble, Nice, and St. Etienne. Then the newspapers proclaimed "revolution" in fear or jubilation. Now November and December of 1947 look like little more than an exceptional period of strike activity—so much so that French and American newspapers alike commonly treated the momentous but essentially nonviolent student protests of May 1968 as "the largest French movement of protest since the war." The collective memory machine has a tremendous capacity for destruction of the facts.

There are many reasons for historical forgetfulness, besides the simple desire to ignore unpleasant events. The record itself tends to cover the rebel's tracks. The most detailed and bulkiest historical records concerning collective violence come from the proceedings of courts, police departments, military units, or other agencies of government working to apprehend and punish their adversaries. The records therefore support the views of those who hold power. Protestors who escape arrest also escape history.

Yet the most important reason is probably that so long as historians concentrate on political history as seen from the top, the only protests which matter are those which produce some rearrangement of power. The Hammonds again make the essential point when discussing the rebellion of 1830:

This chapter of social history has been overshadowed by the riots that followed the rejection of the Reform Bill. Everyone knows about the destruction of the Mansion House at Bristol, and the burning of Nottingham Castle; few know of the destruction of the hated workhouses at Selborne and Headley. The riots at Nottingham and Bristol were a prelude to victory; they were the wild shout of power. If the rising of 1830 had succeeded, and won back for the labourer his lost livelihood, the day when the Headley workhouse was thrown down would be remembered by the poor as the day of the taking of the Bastille. But this rebellion failed, and the men who led that last struggle for the labourer passed into the forgetfulness of death and exile.⁵

This selective memory even operates at an international scale. Modern Spain and modern France have acquired reputations as violent nations, while Sweden and England pass for countries of domestic tranquility. Such differences are hard to measure objectively. But if numbers of participants or casualties or damage done are the standards, then the actual differences are

far smaller than the differences in reputation. One international estimate of "deaths from domestic group violence per million population" from 1950 through 1962 rates Sweden and England at 0, Spain at 0.2, and France at 0.3, as compared with 2 for Greece, 10 for Ethiopia, 49 for South Korea, or 1,335 for Hungary.⁶ Of course Spain and France acquired their disorderly reputations well before the 1950's. Yet during the very period of these statistics France experienced the great riots brought on by the Algerian war and the series of insurrections that brought down the Fourth Republic. Obviously the amount of bloodshed is not what matters most.

The day-by-day record of these countries over a longer period likewise reveals much more collective violence in Sweden or England than their peaceable reputations suggest. The large difference in notoriety most likely comes from the fact that in Spain and France the protestors sometimes succeeded in toppling the regime. There is a real difference, an important puzzle: How did the British political system survive protest and yet change in fundamental ways, while Spanish regimes snapped and crumbled? But the secret is by no means simply the contrast between anarchic peoples and law-abiding ones.

The record so far available suggests that the histories of collective violence as such in Western European countries over the modern period have had a good deal in common. There have been large differences in the ways the rulers of different states have responded to collective violence, or initiated it, and consequently in its impact on the structure of power. There have been fewer differences in the evolution of the basic forms and conditions of collective violence.

In these circumstances, it is tempting to turn away from reflections on national politics or national character toward ideas about the impact of industrialization. A number of theories proposed to account for various forms of protest in contemporary nations as well as in the Western historical experience suggest a standard cycle: a relatively integrated traditional society breaks up under the stress and movement of industrialization, the stress and movement stimulate a wide variety of violent reactions—at first chaotic, but gradually acquiring a measure of coherence. New means of control and ways of reintegrating the displaced segments of the population into orderly social life eventually develop, and finally a mature industrial society held together by widespread, generally pacific political participation emerges. In such a theory, the stimulus to collective violence comes largely from the anxieties men experience when established institutions fall apart.

Not only scholars hold such a theory. It is our principal folk theory of social change. It reappears almost every time ordinary Americans (and, for that matter, government commissions and well-informed journalists) discuss riots, or crime, or family disorganization. It encourages, for example, the general illusion that highly mobile people and recent migrants to the city have greater inclinations to rioting, crime, or family instability than the general population. It encourages the dubious notion that if poor nations only become rich fast enough they will also become politically stable. But the theory runs into trouble when it turns out that recent migrants are not more disorganized than the rest of the population, that murder is about as common (proportionately speaking) in the country as it is in the city, or that the world's wealthiest nations are quite capable of domestic turmoil.

POLITICS AND VIOLENCE

My own explorations of Western Europe, especially France, over the last few centuries suggest a more political interpretation of collective violence. Far from being mere side effects of urbanization, industrialization, and other large structural changes, violent protests seem to grow most directly from the struggle for established places in the structure of power. Even presumably nonpolitical forms of collective violence like the antitax revolt are normally directed against the authorities, accompanied by a critique of the authorities' failure to meet their responsibilities, and informed by a sense of justice denied to the participants in the protest. Furthermore, instead of constituting a sharp break from "normal" political life, violent protests tend to accompany, complement, and extend organized, peaceful attempts by the same people to accomplish their objectives.

Over the long run, the processes most regularly producing collective violence are those by which groups acquire or lose membership in the political community. The form and locus of collective violence therefore vary greatly depending on whether the major ongoing political change is a group's acquisition of the prerequisites of membership, its loss of those prerequisites, or a shift in the organization of the entire political system.

The impact of large structural changes such as urbanization, industrialization, and population growth, it seems to me, comes through their creation or destruction of groups contending for power and through their shaping of the available means of coercion. In the short run, the growth of large cities and rapid migration from rural to urban areas in Western Europe probably acted as a damper on violent protest, rather than a spur to it. That is so for two reasons:

- (1) The process withdrew discontented men from communities in which they already had the means for collective action and placed them in communities where they had neither the collective identity nor the means necessary to strike together.
- (2) It took considerable time and effort both for the individual migrant to assimilate to the large city, and thus to join the political strivings of his fellows, and for new forms of organization for collective action to grow up in the cities.

If so, the European experience resembles the American experience. In the United States, despite enduring myths to the contrary, poor, uprooted newcomers to big cities generally take a long time to get involved in anything—crime, delinquency, politics, associations, protest, rioting—requiring contacts and experiences outside a small world of friends and relatives. These things are at least as true of European cities.

In the long run, however, urbanization deeply shaped the conditions under which new groups fought for political membership, and urbanization's secondary effects in the countryside stirred a variety of protests. The move to the city helped transform the character of collective violence in at least three ways:

- (1) It grouped men in larger homogeneous blocs (especially via the factory and the working-class neighborhood) than ever before.

- (2) It facilitated the formation of special-interest associations (notably the union and the party) incorporating many people and capable of informing, mobilizing, and deploying them relatively fast and efficiently.

- (3) It massed the people posing the greatest threat to the authorities near the urban seats of power, and thus encouraged the authorities to adopt new strategies and tactics for controlling dissidence.

For the people who remained in the country, the rise of the cities meant increasingly insistent demands for crops and taxes to support the urban establishment, increasingly visible impact on individual farmers of tariff and pricing policies set in the cities, and increasingly efficient means of exacting obedience from the countryside. All of these, in their time, incited violent protests throughout Europe.

Of course, definitive evidence on such large and tangled questions is terribly hard to come by. Until very recent times few historians have taken the study of collective violence as such very seriously. As Antonio Gramsci, the Italian socialist philosopher-historian, put it:

This is the custom of our time: instead of studying the origins of a collective event, and the reasons for its spread . . . they isolate the protagonist and limit themselves to doing a biography of pathology, too often concerning themselves with unascertained motives, or interpreting them in the wrong way; for a social elite the features of subordinate groups always display something barbaric and pathological.⁷

Since World War II, however, a considerable number of French and English historians, and a much smaller number of Americans, have begun to study and write history "from below"—actually trying to trace the experiences and actions of large numbers of ordinary men from their own point of view. This approach has had a special impact on the study of protests and rebellions. As a result, we are beginning to get a richer, rearranged picture of the political life of plain people in France and England (and, to a lesser extent, other European countries) over the last few centuries.

The new variety of evidence makes it possible to identify some major shifts in the predominant forms of collective violence in those countries over the modern period. Without too much difficulty we can place the forms of collective violence which have prevailed during that long period in three broad categories: primitive, reactionary, and modern.⁸ The primitive varieties once predominated, until centralized states began dragging Europeans into political life on a larger than local scale. As Thorstein Veblen put it in his sardonic *Imperial Germany and the Industrial Revolution*,

. . . so soon as the king's dominions increased to such a size as to take him personally out of range of an effectual surveillance by neighborly sentiment . . . the crown would be able to use the loyalty of one neighborhood in enforcing exactions from another, and the royal power would then presently find no other obstacle to its continued growth than the limit placed upon it by the state of the industrial arts.⁹

In the process, the king's retinue produced the apparatus of the state, which then acquired momentum of its own. That transformation accelerated through much of Western Europe after 1600. Since then, the primitive forms

of collective violence have dwindled very slowly, but very steadily. Now they occur only rarely, only at the margins of organized politics.

The reactionary forms, by contrast, burgeoned as the national state began to grow. That was far from coincidence; they most often developed as part of the resistance of various communal groups to incorporation into the national state and the national economy. But the state won the contest; in most countries of Western Europe the reactionary forms of collective violence peaked and then faded away in their turn during the 19th century. They gave way to modern forms of collective violence, characterized by larger scale, more complex organization, and bids for changes in the operation or control of the state apparatus, rather than resistance to its demands. Although during very recent years we have seen what might be signs of another large shift in the form and locus of collective violence, for in the last century the modern forms have pushed all others aside.

PRIMITIVE COLLECTIVE VIOLENCE

Primitive varieties of collective violence include the feud, the brawl among members of rival guilds or communes, and the mutual attacks of hostile religious groups. (Banditry, as E. J. Hobsbawm has said, stands at the edge of this category by virtue of its frequent direction against the existing distribution of power and wealth, and its frequent origin in the state's creation of outlaws as part of the attempt to extend legal authority to formerly un-governed areas.) Primitive forms of collective violence share several features: small-scale, local scope, participation by members of communal groups as such, inexplicit and unpolitical objectives. Almost regardless of the questions at issue, for example, Frenchmen could count on a national political crisis to produce battles between Protestants and Catholics in Nîmes and Albi. Attacks on the persons and properties of Jews accompanied 18th-century rebellions in England and 19th-century rebellions in France. The vendetta and the bandit raid, too, took on a degree of political significance in times of national crisis.

The *rixes de compagnonnages*—the battle royal between members of rival craft corporations—often left blood in the streets. In 1830, a characteristic *rixes* in Bordeaux involved 300 artisans; two were reported dead, many were wounded, and the local inns were left a shambles. In 1835, the newspaper *Le Constitutionnel* carried the following story from Châlons-sur-Saône:

The *compagnons du Devoir*, called *Dévorans*, following an altercation on the previous day and a challenge by letter to fight the *compagnons de Liberté*, called *Gavots*, in the open country, attacked the mother house of the latter in the rue St. Antoine. Huge stones, big enough to kill an ox, were thrown through the windows.¹⁰

The very prevalence of such fracasas gave the inhabitants of 19th-century French cities a wide acquaintance with collective violence. In London, likewise:

It was usual for the boys of St. Anne's parish to fight those of St. Giles armed with sticks for "a week or two before the holidays." This fact survives, because in 1722 the captain of the boys of St. Giles, a chimney sweep aged twenty-one, was killed by another boy, aged sixteen.

Earlier still, "prentice riots were serious and frequent disturbances to the peace of London."¹¹

The prevalence of the *rixes* in Europe before modern times simply expressed the intense solidarity of each group of urban craftsmen, for (as has been said of German artisans) "Their group spirit turned against other groups and took an insult to an individual as an affront to the whole association."¹² Something like that solidarity lies close to the core of most of the primitive forms of collective violence.

This does not mean the fighting was always in rage and deadly earnest. Just as today's lumbermen or sailors on a weekend will now and then tear up a bar out of sheer boredom, frustration, or high spirits, the workmen of Berlin or Turin sometimes brawled for the fun of it. On such occasions, the traditional enmities provided no more than the pretext. In the European city of the preindustrial age, funerals, feasts, and fairs provided public occasions out of which flowed collective violence offering diversion to the young as well as expressing deeply rooted communal rivalries.

Students, and even schoolboys, displayed some of the same violent propensities. At the Jesuit college of La Flèche, during the carnival days of 1646, the boys declared they had been dishonored by the public flogging of some of their number, and staged an armed mutiny. "The rebels . . . stood in the avenues, armed with swords, sticks, blackjacks, and stones, driving back the pupils who came out when the bell rang to get to the classrooms."¹³ In England—

There was indiscipline and rebellion everywhere. At Winchester, in the late eighteenth century, the boys occupied the school for two days and hoisted the red flag. In 1818 two companies of troops with fixed bayonets had to be called in to suppress a rising of the pupils. At Rugby, the pupils set fire to their books and desks and withdrew to an island which had to be taken by assault by the army. There were similar incidents at Eton.¹⁴

Again, the intense solidarity of the students—a kind of brotherhood in league against their masters—facilitated their indignation and their common action.

A number of the other common primitive forms of collective violence had this curious combination of esprit de corps, recreation, and grim determination, a combination that the English somehow managed to transmute into the sporting spirit. The free-for-all among men from different towns (from which it is said, in fact, that various forms of football developed) has some of this character. So does the rag, charade, or charivari. Yet it would be quite wrong to consider the primitive varieties of collective violence as nothing but early versions of soccer. The deadly vendetta, the endemic banditry of the European highlands, the pervasive Sicilian scourge called Mafia, and the occasional millenarian movements that have racked southern Europe share many traits with the apparently trivial kinds of collective violence. What sets the primitive forms of violence off from the others is not a lack of seriousness, but their activation of local communal groups as such, and usually in opposition to other communal groups.

REACTIONARY COLLECTIVE VIOLENCE

Reactionary disturbances are also usually small in scale, but they pit either communal groups or loosely organized members of the general population against representatives of those who hold power, and tend to include a critique of the way power is being wielded. The forcible occupation of fields and forests by the landless, the revolt against the tax collector, the anticorruption rebellion, the food riot, and the attack on machines were Western Europe's most frequent forms of reactionary collective violence. The somewhat risky term "reactionary" applies to these forms of collective violence because their participants were commonly reacting to some change that they regarded as depriving them of rights they had once enjoyed; they were backward looking. They were not, however, simple flights from reality. On the contrary, they had a close connection with routine, peaceful political life.

For ordinary Europeans of a few centuries ago, the most persistent political issues were the demands of the nation-state and of the national economy. And the food riot, as unlikely as it seems, illustrates the pressing nature of these demands very well. Seemingly born of hunger and doomed to futility, the food riot actually expressed the indignation of men and women who felt they were being deprived of their rights and who, by rioting, were often able to restore a semblance of those rights—if only temporarily.

The Western European food riot had a classic form: seizure of grain being stored or transported in a town, demonstrations (and sometimes bodily harm) directed against those presumed to be profiteering through the shipment or hoarding of grain, and sale of the grain at a publicly proclaimed just price, the proceeds going to the owner of the grain. Such food riots occurred throughout the 18th century in England, and during the first third of the 19th century. They were, indeed, one of the chief components of England's large agrarian rebellion of 1816. A. J. Peacock describes the beginning of one of the principal incidents of that rebellion:

A crowd had started assembling in the market place at about nine o'clock that morning. About an hour later some women came along who announced that their men were following them but had stopped along the Theftord road to collect sticks. Eventually fifty or more, all armed, and led by William Peverett, a labourer, marched into the square carrying white and red flags. Willett, the butcher, who was amongst the crowd, told Peverett that the parish would let them have flour at 2s. 6d. if they would disperse, and asked for a deputation to go along with him to meet the magistrates. Helen Dyer, a married woman, had earlier told Willett that, although she could not read, she had a paper containing the crowd's demands, which she wanted shown to the magistrates. On it was written, "Bread or Blood in Brandon this day."¹⁵

Finally, after several days of milling, grumbling, stoning of windows, and pulling down of buildings, the magistrates—

guaranteed the price of flour at 2s. 6d. per stone, with an advance of wages to 2s. per head for a fortnight, and unless the millers reduce their prices by that time, the officers of the parish will purchase their grain

at the cheapest rate, and furnish the poor with provisions at prime cost.¹⁶

To modern eyes, the curious feature of this event is that the rioters did not loot, did not steal, but demanded to buy food at a price they could afford. Furthermore, it is clear that the crowd directed their anger at the authorities, expected them to act, and, indeed, bargained with them.

In fact, the food riot was an attempt to make the merchants and the municipal authorities meet their traditional responsibilities: holding grain within the town to meet local needs before permitting it to enter the national market, and assuring the town poor of a supply of grain at a price adjusted to the local level of wages. As great cities grew up in Western Europe during the 17th and 18th centuries, and national markets in grain developed to feed them, it became harder and less profitable for merchants and officials to give priority to local needs. And so men rioted to hold them to the bargain. The geography of the food riot (at least in France, where it has been best mapped) suggests as much: such riots occurred riot in the areas of greatest famine and poverty, but in the hinterlands of big cities and grain-shipping ports.

The case of Italy points up the importance of the control (as opposed to the sheer quantity) of the food supply.¹⁷ In England, the classic food riot virtually disappeared after 1830; in France, after 1848; in Italy, toward the end of the 19th century. The timing of that disappearance corresponds approximately to the pace of technical improvements in the production and distribution of grain. It also follows the destruction of traditional controls over the grain trade, but at a significant distance.

The bad harvests of 1853, for example, brought food riots through much of Western Europe. In the Italian peninsula, the riots of that year were concentrated in the prosperous north—Piedmont, Parma, Tuscany—although shortage was at least equally acute in the silent south. The northern authorities had generally adopted policies favoring free trade in grains; in the southern Kingdom of the Two Sicilies, paternalism reigned.

In 1859, however, the new, progressive King Francesco of the Two Sicilies began to liberalize the grain trade. In 1860 he faced widespread food riots of the south. At the time of the October 1860 plebiscite on the unification of Italy there were rebellions in the south, to the theme "The old king fed us." The old king was Francesco's father, who had maintained the traditional controls.

All this may appear unduly complicated for anything so simple as a food riot. That is the point: these recurrent, apparently spontaneous events rested on and grew from the local structure of politics, and the crises of local politics were responses to pressures from the center. Far from being a momentary, rural, local reaction to misery, the food riot recorded the urbanization and centralization of European nation-states.

The food riot had companions. The anticorruption rebellion, the resistance to the tax collector, the violent occupation of fields and forests, the breaking of reapers or power looms all had many of the same characteristics. Although they often appear in clusters, each of the events was more or less local and self-contained. Instead of pitting one communal group against another, they stood a significant segment of the population against the local elite or the representatives of the central power. ("When the French peasant paints the devil," said Karl Marx in 1850, "he paints him in the guise of the

tax collector.")¹⁸ The organization of the formations taking part was rudimentary. It was essentially the organization of everyday life: users of a common market, artisans of the same shop, a single commune's draft-age boys, and so on. Because of this tie with everyday groupings, those who took part often included women, children, and old people. The participants were either resisting some new demand (taxes, conscription) laid on them by outsiders, protesting against what they viewed as a deprivation of their traditional rights (the prohibition of gleaning in fields and forests, the introduction of machinery), or both. All of them, in one way or another, amounted to action against the forcible integration of local groupings into the national economy and the national state. I believe—but this is a hunch for which little evidence is yet available—that all the reactionary forms of collective violence will turn out to have had an extraordinary appeal for just those segments of the European population whose political and economic identities these changes were dissolving. The large numbers of rural artisans whose livelihoods disappeared with the expansion of urban industry during the 19th century are the most important case, but agricultural day laborers and petty nobles faced some of the same problems.

The rural unrest of England during the early-19th century falls into this general pattern. In addition to recurrent food riots, the English countryside produced movements of protest in 1816, 1822, 1830, 1834-35, and 1843-44, with the 1830 rebellion covering much of southeastern England. During the events of 1830, the village rebels concentrated on three sorts of action: (1) levying a once-traditional contribution of beer or money on the local rich; (2) imposing a wage agreement on the employers of day laborers; (3) destroying new farm machinery, especially threshers. For those who resisted, the crowds reserved personal attacks, the tearing down of buildings, and the burning of hayricks. During one of the larger outbreaks, in Wiltshire—

The mob destroyed various threshing machines of Mr. Bennet's farms, and refused to disperse; at last, after a good deal of sharp language from Mr. Bennett, they threw stones at him. At the same time a troop of yeomanry from Hindon came up and received orders to fire blank cartridges above the heads of the mob. This only produced laughter; the yeomanry then began to charge; the mob took shelter in the plantations round Pyt House and stoned the yeomanry, who replied by a fierce onslaught, shooting one man dead on the spot, wounding six by cutting off fingers and opening skulls, and taking a great number of prisoners.¹⁹

As hopeless as this sort of popular agitation may seem, it actually had a measure of success. As E. J. Hobsbawm states it, "the day-laborers succeeded to a large degree in destroying the machines and achieving wage raises and other improvements, and they held onto their gains for some years, mostly because the unexpected sight of their massive force . . . instilled a salutary fear in the rural gentry and farm owners."²⁰ Of course, this was only a delaying action; the reactionary forms of rural protest did not last much longer, mechanized farming did win out, and millions of agricultural workers eventually left the land. Nevertheless, in the context the actions of 1830 had a logic poorly conveyed by words like "riot" and "protest."

The same may be said of the handloom weavers, whose 19th-century rebellions stirred the countryside in most sections of Europe. What we loosely

call Luddism took the form of a well-concerted avenging action. Ned Ludd, the mythical enemy of shearing frames and power looms, who in 1811 and 1812 issued threats and manifestoes from his retreat in Sherwood Forest, had much in common with Captain Swing, the equally mythical leader in whose name the agrarian rebels of 1830 wrote their warnings. Here is a Luddite letter:

We will never lay down Arms (till) The House of Commons passes an Act to put down all Machinery hurtful to Commonality, and repeal that to hang Frame Breakers. But We. We petition no more—that won't do—fighting must.

Signed by the General of the Army of Redressers
Ned Ludd Clerk

Redressers for ever Amen.²¹

The Army of Redressers, they called themselves. Their pseudonym epitomizes the defensive, indignant, focused, rule-bound character of their rebellion. "Luddism," says E. P. Thompson, "must be seen as arising at the crisis-point in the abrogation of paternalist legislation, and in the imposition of the political economy of *laissez faire* upon, and against the will and conscience of, the working people."²² Far from reacting in aimless confusion, the Luddites, and most of the European machine breakers, knew what they were doing. While the food riot and machine breaking were quite distinct in form and content, they shared the same sort of crude rationality.

Much of the popular protest that took place during the Italian Risorgimento has this reactionary character. During the 1850's there were scattered strikes in the industrial centers and a few revolts of fairly modern variety in cities like Milan, Livorno, and Genoa. But most of the disturbances took the familiar form of the food riot, or consisted of *occupazioni delle terre*—mass squatting on lands formerly held in common as a means of demanding their distribution in compensation for lost rights in the commons. Even as Giribaldi marched up the peninsula on his way to unifying Italy, Sicilians were attacking tax collectors and occupying the commons. At times, villagers in the south shouted "Down with the Constitution," "Down with the Nation," "Long live the King"—a set of cries which recalls the much older motif of French tax rebellions, "Vive le roy et sans gabelle."

By this time a rather different (and, to us, more familiar) kind of collective violence had been taking shape in the cities of Italy, as it had been in most cities of Europe. There, political clubs, secret societies, and workers' organizations were organizing collective action through strikes, demonstrations, banquets, meetings, and military coups. The most economically advanced people of the countryside were also being drawn into these newer forms of action. Although the new political and economic forms were not intrinsically violent in themselves, they became increasingly important contexts for collective violence.

When and how fast this happened varied from country to country. But it happened almost everywhere. The numerous disturbances that occurred in France at the middle of the 19th century were mixed in character. The great bulk of them fit the standard reactionary models: tax rebellions, food riots, machine breaking, and so on. The 1848 Revolution notwithstanding, strikes, demonstrations, and revolutionary movements produced only a small share

of the collective violence. The violent disturbances of the 1930's, by contrast, grew almost entirely out of organized strikes and demonstrations; with the important exception of the Resistance during the Second World War, the 1940's and 1950's brought little change in this respect. Between the 1840's and the 1940's, transformation of the character of collective violence took place. Even in the mid-19th century, a growing minority of disturbances involved more complex and durable organization, more explicit and far-reaching objectives, a forward-looking perspective. After 1848, these very rapidly became the prevailing characteristics of collective violence.

In the process, solid citizens and national leaders developed an acute fear of the masses and organized a whole set of new means for maintaining public order. The elite feared the ordinary people of country and city alike, although they concentrated their efforts at crowd control in the cities where they themselves lived. This was true in England. Looking back from 1862, Benjamin Disraeli wrote:

Then arose Luddite mobs, meal mobs, farm riots, riots everywhere; Captain Swing and his rickburners, Peterloo "massacres," Bristol conflagrations, and all the ugly sights and rumours which made young lads, thirty or forty years ago, believe (and not so wrongly) that "the masses were their natural enemies, and they might have to fight, any year, or any day, for the safety of their property and the honour of their sisters."²³

Englishmen and other Europeans of the time developed a set of beliefs that is still widespread today, essentially equating the "working classes" with the "dangerous classes" and arguing that misery, crime, personal disorganization, and rebellion sprang from approximately the same causes and occurred in approximately the same segments of the population. The causes were the breakdown of traditional social arrangements and the demoralizing overpopulation of the great cities.

A unique essay contest run by King Maximilian of Bavaria in 1848 produced hundreds of fearful statements from middle-class Germans concerning the rise of overpopulation, mechanization, and immorality.²⁴ It matters little that many of the analyses (for example, those attributing the growth of the urban population to the increase in illegitimacy) were wildly mistaken. The fear was there. And in France:

On bourgeois opinion of the time, we can take the work of Balzac as the most remarkable piece of evidence, above all because it bears the marks of these two facts: on the one hand, the blending of the working classes and the dangerous classes, the proletariat and the underworld, misery and crime; on the other hand, the division between two categories of the population, that daily settlement of differences of which criminality is an expression, and that sporadic settlement of differences of which riots and revolution are the expression.²⁵

In response, some Frenchmen, Germans, and Englishmen organized inquiries into poverty; others organized police forces.

For several centuries before this time, the central task of the European police had been control of the grain trade, markets, and, by extension, public assemblies. The notion of a professional organization devoted mainly to the

detection and apprehension of criminals took hold in the 19th century. But before that professionalism developed, the European States were expanding and reorganizing their police forces very largely as a means of dealing with the new threats from "the masses." The new police began to replace both the army and those older repressive forces which had been fairly well matched to the primitive and reactionary forms of collective violence: the local militias, part-time constabularies, the personal employees of justices of the peace. Sir Robert Peel's organization of the London metropolitan police in 1829 (which immortalized him by transferring his nickname "Bobby" to the police officers themselves) had the well-recognized dual purpose of putting aside thugs and putting down rebellions. It is even clearer that the establishment of a nationwide provincial police by the Rural Police Act of 1839 "was precipitated by the Chartist disturbances of that year and, in particular, by the desire to relieve the military of a pressure which was in the highest degree inconvenient and injurious."²⁶

European police forces of the period acquired great political importance, not only as agents of crowd control but also as the organizers of political espionage via networks of spies and informers. Their reorganization throughout Europe in the early-19th century marked a victory of the national over the local, a nationalization of repressive forces. As Allan Silver says, "The police penetration of civil society . . . 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 throughout daily life."²⁷ Although the new police forces by no means succeeded in eliminating collective or individual violence from everyday life, they did speed the decline of the older forms of protest. By matching more complex and specialized organization of repression to the more complex and specialized organization of the newer forms of protest, they probably even earned some of their reputation for staving off revolution.

MODERN COLLECTIVE VIOLENCE

The modern varieties of political disturbance (to use another tendentious term) involve specialized associations with relatively well-defined objectives, organized for political or economic action. Such disturbances can easily reach a large scale. Even more clearly than in the case of reactionary collective violence, they have a tendency to develop from collective actions that offer a show of force but are not intrinsically violent. The demonstration and the violent strike are the two clearest examples, but the coup and most forms of guerrilla also qualify. These forms deserve to be called "modern" not only because of their organizational complexity but also because the participants commonly regard themselves as striking for rights due them, but not yet enjoyed. They are, that is, forward looking.

In England, the modern varieties of collective violence came into their own fairly early. Joseph Hamburger, whose general purpose is to refute the notion that England came close to revolution before the 1832 Reform Bill, nevertheless describes some good-sized disturbances in 1831:

There were also disturbances in London during the days immediately after the Lords' rejection of the Bill. They mainly occurred in connection with a procession that was organized, with Place's help, by two

London Radicals, Bowyer and Powell. Organized by parishes, people were to march to the palace and present an address in support of the Bill to the King. When it took place on October 12, 300,000 persons were said to have taken part. The Home Secretary informed the deputations that the King could not receive their petitions, but they could present them through County Members. Hume received some of them in St. James Square and later left them at the palace. The procession then marched past the palace as a demonstration of its size and resolution. It consisted of "shopkeepers and superior artisans"; nevertheless, during the day there were attacks on some Tory peers as well as the usual broken windows.²⁸

The violence in this case obviously was minor, but the order and size of the demonstration impressive. Much more so than in the case of reactionary disturbances, the extent of violence in this sort of event depends heavily on the reactions of the demonstrators' opponents.

During the widespread Chartist agitation of the following two decades the standard routine involved a fire-eating speech by a Chartist leader, followed by a procession through the streets, whose members spewed threats and displayed weapons. The threats, however, rarely came to anything except when the marchers confronted the Queen's soldiers. While once in a great while a member of the crowd fired at the troops, their usual tactic was to stone them:

At Preston, during the Plug-Plot disturbances, a mob which had laboured the soldiers with stones stood its ground for a while when the order to fire was given and several of its members were struck, but the shooting of a ringleader, who had stepped out in front of the mob to encourage his followers to continue the assault, put a damper on the proceedings, and caused the crowd to disperse.²⁹

The British army and police soon developed effective, and largely nonviolent, methods of crowd control.

Despite the development of effective policing, England still witnessed much collective violence later in the century. There was a wave of "riots" in London in 1866, another in 1886 and 1887; most of these events consisted of demonstrations that got out of hand. But the real resurgence of this form of violence came early in the 20th century, as the movements for temperance and (more importantly) for woman's suffrage began to mount demonstrations in the course of which the women showed unwonted determination:

... they smashed windows, fired pillar-boxes, slashed pictures, threw things at M.P.'s, and even burned down churches and houses; in reply they were treated with great roughness by policemen and worse by crowds. They were kicked and beaten; their hair was pulled and their clothes half-torn off; hats/pins were pushed into them; they were knocked down and trampled upon.³⁰

It was about this time that Lincoln Steffens heard English leaders talking about the possibility of revolution. For three different movements were swelling and coalescing in the years just before World War I: the demand for

woman's suffrage, huge (and sometimes insurrectionary) strikes, and opposition to war. A famous leaflet of the time communicates some of what was happening:

You are Workingmen's Sons.
When we go on Strike to better Our lot which is the lot also of Your Fathers, Mothers, Brothers and Sisters, *You* are called upon by your Officers to *Murder Us*.
Don't do it . . .
Don't you know that when you are out of the colours, and become a "Civv" again, that You, like Us, may be on strike, and You, like Us, be liable to be Murdered by other soldiers.
Boys, Don't Do It.
"Thou shalt not kill," says the Book.
Don't forget that!
It does not say, 'unless you have a uniform on.'
No! *Murder is Murder*.
Think things out and refuse any longer to Murder Your Kindred.
Help Us to win back Britain for the British and the World for the Workers.³¹

Some of these movements (like the drive for woman's suffrage) succeeded; some (like the various demands of organized labor) met a mixture of success and failure; and some (like pacifism) failed utterly. England survived. But the essential point is that the characteristic forms of collective violence accompanying those movements differed fundamentally from those which had prevailed a century before.

The rise of the strike as a context for collective violence followed a similar rhythm. Although European states often reimposed one restriction or another, most of them legalized the strike sometime during the 19th century: England in 1824, Saxony in 1861, France in 1864, Belgium in 1866, Prussia in 1869, Austria in 1870, the Netherlands in 1872. That did not, however, make all subsequent strikes peaceful. Occasionally the violence began when the workers themselves attacked a factory, mine, or manager's home. Sometimes the workers demonstrated, and the demonstration turned violent. More often the violence grew from a confrontation between strikers assembled at a workplace and troops, police, or strikebreakers sent in to thwart or control them.

In France, occasional strikes broke out in the biggest cities as early as the 16th century. In the first half of the 19th century, several rounds of strikes—notably those of Lyon in 1831 and 1834—bubbled up into bloodily repressed insurrections. But the first sets of strikes approaching a national scale came at the end of the Second Empire, in 1869 and 1870. A major strike movement swept the textile and metalworking plants of Alsace in July 1870, with some 20,000 workers out in the vicinity of Mulhouse. Then:

Peaceful parades took possession of the streets. First the carpenters: the evening of 4 July, 400 to 500 men "walked through the city singing, in an orderly fashion." And for three days the processions continued across the city, in groups, men, women, children, marching "in a fairly disciplined way."³²

Then the demonstrations grew. In a number of towns the strikers kept the nonstrikers out by force. Eventually the troops came in, and the minor violence ended. Total: a few injuries, a little property damage, perhaps 70 arrests.

Not all strikes were so peaceful, however. During the same period, a number of mining strikes involved pitched battles between troops and demonstrators. In the course of a strike of 15,000 miners around St. Etienne in June 1869, the troops killed 13 and wounded another nine members of a crowd which attacked them; this encounter went down in history as "the massacre of La Ricamarie." At Aubin (Aveyron), later in the year, the troops shot 30 to 40 strikers trying to break into a metalworking plant, and managed to kill 14 of them on the spot. The point is not so much that people sometimes died in the course of these conflicts as that both the strikes involving trivial damage and those involving loss of life took essentially the same form.

The tremendous Paris Commune of 1871 broke the continuity of modern collective violence to some extent, for its organization greatly resembled that of earlier Parisian rebellions, and its leitmotifs—local control, communal autonomy, equalization of advantages—were contrary to the prevailing nationalization of political conflict and the formation of special-interest associations. But the break occurred as the Prussians marched through northern France, as the government fled, as the rest of the nation, in effect, seceded from Paris. The break was short. With Paris tamed and the National Government reinstalled, Frenchmen returned quickly to the modern forms of violent conflict.

Later on strikes grew in amplitude and frequency. As they spread, they became increasingly common contexts for collective violence, even though a decreasing proportion of all strikes were violent. After 1890, a number of strikes took on an insurrectionary character, with both the doctrine and the practice of the general strike growing in importance. (It was at just this time that Georges Sorel, in his famous *Reflections on Violence*, placed the "myth of the general strike" at the center of revolutionary action.) And the character of strike activity continued to change as the structure of labor unions, the structure of industry, and the relations of labor management and government all evolved. France's peak years for strike activity—1906, 1919-20, 1936, 1947—have all been years of great social conflict in other regards as well. Each of those crises marked a new stage in the scale and sophistication of conflict.

THE TRANSITION TO MODERN COLLECTIVE VIOLENCE

Unlike the food riot or the *occupazione*, all this is terribly familiar stuff to the 20th-century reader. In it he can see the collective violence of his own era. The only reason for reviewing it is to notice the deep differences in character among the primitive, reactionary, and modern forms. They lend importance to the fact that so many Western countries shifted from one type to another rapidly and decisively.

The nature, timing, and causes of these shifts from one major type of collective violence to another are complicated, controversial, and variable from one country to another. They are just as complicated, controversial, and variable, in fact, as the political histories of European nations. The transformations of collective violence depended on transformations of nonviolent

political life. Rather different political systems emerged in different corners of Europe: communist, socialist, liberal-democratic, corporatist. Each had a somewhat different experience with collective violence. Yet everywhere two things happened and profoundly affected the character of violent protest.

The first was the victory of the national state over rival powers in towns, provinces, and estates; politics was nationalized. The second was the proliferation and rise to political prominence of complex special-purpose associations—like parties, firms, unions, clubs, and criminal syndicates. The two trends generally reinforced each other. In some countries, however, the state gained power faster and earlier than the organizational changes occurred; Russia and France are cases in point. In others, the organizational revolution came much closer to the nationalization of politics; Germany and Italy fit that pattern. In either case, the times of overlap of the two trends produced the most dramatic changes in the character of collective violence.

Some of the contrast appears in crude tabulations of disturbances occurring in France during the three decades from 1830 to 1860 and three later decades between 1930 and 1960.³³ This fairly representative set of disturbances includes 1,393 events, involving 3,250 formations (distinct groups taking part in the collective violence). The distribution over time is as follows:

Period	Number of disturbances	Number of formations	Formations per disturbance	Estimated total of participants (in thousands)
1830-39	259	565	2.2	293
1840-49	292	736	2.5	511
1850-60	114	258	2.3	106
1930-39	333	808	2.4	737
1940-49	93	246	2.6	223
1950-60	302	637	2.1	664

The figures show that France by no means became a peaceable nation as urbanization and industrialization transformed her between 1830 and 1960. The two decades from 1850 to 1860 and from 1940 to 1950 produced the fewest disturbances; what actually happened is that during two extremely repressive regimes (following Louis Napoleon's 1851 coup and during the German occupation and Vichy government of the 1940's) there was almost no open large-scale violence. The large numbers for the 1930's include the huge sitdown strikes of 1936 and 1937. Even without them the depressed thirties would look like troubled times. So would the prosperous fifties. In boom and bust, Frenchmen continue to fight.

We can look at the distribution of formations taking part in the disturbances in the table at the top of Page 24. The figures show a decided decline in the participation of the ordinary, mixed crowd without any well-defined political or economic identity, and a compensating rise in the participation of crowds labeled as supporters of particular creeds and programs. We find no marked change in the involvement of repressive forces in collective violence, but see an important shift of the task of repression from military forces to police. "Natural" groups like users of the same market (who were typical

Type of formation	1830-39	1840-49	1850-60	1930-39	1940-49	1950-60
Simple crowd . . .	16.5	17.2	8.9	1.5	3.3	1.5
Ideological crowd, activists	17.5	10.4	32.3	48.3	21.5	35.2
Military	20.5	16.2	15.2	3.0	8.5	1.9
Police	10.9	16.9	24.5	24.6	26.4	31.8
Public officials	3.5	6.0	4.3	1.0	3.7	1.5
Occupational group Users of same market, fields, woods or water	17.0	17.3	4.7	14.6	24.4	17.7
Others	2.5	4.4	1.9	.7	.0	.0
	11.7	11.7	8.2	6.3	12.2	10.5
Total	100.1	100.1	100.0	100.0	100.0	100.1

participants in food riots, invasions of fields, and other small reactionary disturbances) disappeared completely over the 130-year span.

Altogether, the figures show the rise of specialization and organization in collective violence. Just as industry shifted its weight from the small shop to the large factory and population rushed from little town to big city, collective violence moved from the normal congregations of communal groups within which people used to live most of their lives toward the deliberate confrontations of special-purpose associations. Collective violence, like so many other features of social life, changed from a communal basis to an associational one.

As one consequence the average size of incidents went up. Here are some measures of magnitude for the 1,393 disturbances in the sample:

	1830-39	1840-49	1850-60	1930-39	1940-49	1950-60
Mean number participating	1,130	1,750	925	2,215	2,405	2,200
Mean man-days expended	1,785	3,295	1,525	2,240	2,415	2,200
Man-days per participant . .	1.6	1.9	1.6	1.0	1.0	1.0
Percent lasting more than 1 day	18	18	25	4	4	5
Mean killed and wounded . .	25	22	30	19	34	23
Mean arrests	20	53	327	24	22	43

The figures describe the average disturbance, of course, not the total amount of violence in a decade. They show a distinct rise in the average number of people taking part in a disturbance, despite a strong tendency for disturbances to narrow down to a single day. As the burden of repression shifted from the army to the police, interestingly enough, the use of widespread arrests declined while the number of people hurt stayed about the same. Relative to the number of participants, that meant some decline in the average demonstrator's chance of being killed or wounded. The main message, once again, is that, although the predominant forms of collective violence changed in fundamental ways, collective violence persisted as France became an advanced industrial nation.

The 20th-century figures from France include almost no primitive violence. By the beginning of the century the primitive forms had been fading slowly

through most of Western Europe for three centuries or more. In some countries, however, the transition from predominantly reactionary to predominantly modern forms of collective violence occurred with striking rapidity. In England, the reactionary forms were already well on their way to oblivion by the time of the last great agrarian rising, in 1830, although they had prevailed 30 years before. In Germany, demonstrations and strikes seem to have established themselves as the usual settings for collective violence during the two decades after the Revolution of 1848.

The situation was a bit more complicated in Italy, because of the deep division between north and south. The transition to modern forms of collective violence appears to have been close to completion in the north at unification. By the time of Milan's infamous *fatti di Maggio* of 1898, in which at least two policemen and 80 demonstrators died, the newer organizational forms unquestionably dominated the scene. In the south, mixed forms of the food riot and tax rebellion still occurred at the end of the century. Within 10 years, however, even in rural areas the agricultural strike and the organized partisan meeting or demonstration had become the most regular sources of violence on the larger scale.

Spain, as usual, is the significant exception: while the country as a whole displays the long-run drift from primitive to reactionary to modern forms of collective violence, it also displays a marvelous array of regressions, mixtures, and hesitations. Surely, the country's erratic industrialization, uncertain, fluctuating unification, and exceptional military involvement in politics lie behind its differentiation from the rest of Western Europe in this respect. Spain, as Gerald Brenan says,

... is the land of the *patria chica*. Every village, every town is the centre of an intense social and political life. As in classical times, a man's allegiance is first of all to his native place, or to his family or social group in it, and only secondly to his country and government. In what one may call its normal condition Spain is a collection of small, mutually hostile, or indifferent republics held together in a loose federation. . . . Instead of a slow building-up of forces such as one sees in other European nations, there has been an alternation between the petty quarrels of tribal life and great upsurges of energy that come, economically speaking, from nowhere.³⁴

Thus Spain becomes the exception that tests the rule. For the rule says the shift from predominantly reactionary to predominantly modern forms of collective violence accompanies the more-or-less durable victory of the national state and the national economy over the particularisms of the past. In Spain, that victory was not durable, and the forms of violence wavered.

The precise timing and extent of the shift from reactionary to modern forms of collective violence in these countries remains to be established. For France, it is fairly clear that the shift was barely started by 1840, but close to complete by 1860. Furthermore, France experienced great, and nearly simultaneous, outbreaks of both forms of collective violence in the years from 1846 through 1851. The well-known events we customarily lump together as the Revolution of 1848 and the less-known but enormous insurrection of 1851 stand out both for their magnitude and for their mixture of reactionary and modern disturbances, but they came in the company of such

notable outbreaks as the widespread food riots of 1846-47, the Forty-Five Centime Revolt of 1848-49, and the unsuccessful coup of 1849.

If this account of the transition from reactionary to modern collective violence in Western Europe is correct, it has some intriguing features. First, the timing of the transition corresponds roughly to the timing of industrialization and urbanization—England early, Italy late, and so on. Furthermore, the most rapid phase of the transition seems to occur together with a great acceleration of industrial and urban growth, early in the process: England at the beginning of the century, France of the 1850's, Germany of the 1850's and 1870's, Italy of the 1890's.

Second, there is some connection between the timing of the transition and the overall level of collective violence in a country. Over the last 150 years, if we think in terms of the frequency and scale of disturbances rather than the turnover of regimes, we can probably place Spain ahead of France, France ahead of Italy, Italy ahead of Germany, and Germany ahead of England. France is in the wrong position, and the contrast much less than the differences in the countries' reputations for stability or instability, but there is some tendency for the latecomers (or noncomers) to experience greater violence. If we took into account challenges to national integration posed by such peoples as the Catalans, and differences in the apparatus of repression, the connection would very likely appear even closer.

The information we have on hand, then, suggests that the processes of urbanization and industrialization themselves transform the character of collective violence. But how? We have a conventional notion concerning the life cycle of protest during the course of industrialization and urbanization: an early stage consisting of chaotic responses to the displacements and disruptions caused by the initial development of urban industry, a middle stage consisting of the growth of a militant and often violent working class, a late stage consisting of the peaceful integration of that working class into economic and political life. This scheme has many faults, as we have seen. Certainly we must correct and expand it to take account both of other groups than industrial workers and of the connections between industrialization and urbanization as such and changes in the political system as such. For the information concerning the character of collective violence we have already reviewed raises grave doubts whether the underlying process producing and transforming protest was one of disintegration followed by reintegration, and whether the earlier forms of protest were so chaotic as the scheme implies.

The experience of France challenges the plausible presumption that rapid urbanization produces disruptions of social life that in turn generate protest. There is, if anything, a negative correlation over time and space between the pace of urban growth and the intensity of collective violence. The extreme example is the contrast between the 1840's, with slow urban growth plus enormous violence, and the decade after 1851, with very fast growth and extensive peace. Cities like St. Etienne or Roubaix that received and formed large numbers of new industrial workers tended to remain quiet while centers of the old traditional crafts, like Lyon and Rouen, raged with rebellion. When we can identify the participants in political disturbances, they tend to grossly underrepresent newcomers to the city and draw especially from the "little people" most firmly integrated into the local political life of the city's working-class neighborhoods. The geography of the disturbances

itself suggests as much. It was not the urban neighborhoods of extreme deprivation, crime, or vice, George Rude reports, "not the newly settled towns or quarters that proved the most fertile breeding-ground for social and political protest, but the old areas of settlement with established customs, such as Westminster, the City of London, Old Paris, Rouen, or Lyons."³⁵ The information available points to a slow, collective process of organization and political education—what we may loosely call a development of class consciousness—within the city rather than a process of disruption leading directly to personal malaise and protest.

As a consequence of this process, the great new cities eventually became the principal settings of collective violence in France. Furthermore, collective violence moved to the city faster than the population did. Even at the beginning of the 19th century, the towns and cities of France produced a disproportionate share of the nation's collective violence. Yet tax rebellions, food riots, and movements against conscription did occur with fair regularity in France's small towns and villages. After these forms of disturbance disappeared, the countryside remained virtually silent for decades. When rural collective violence renewed, it was in the highly organized form of farmers' strikes and marches on Government buildings. This sequence of events was, to some extent, a result of urbanization.

Early in the 19th century, the expansion of cities incited frequent rural protests—obviously in the case of the food riot, more subtly in the case of other forms of collective violence. We have some reason to believe that groups of people who were still solidly established within rural communities, but were losing their livelihoods through the concentration of property and the urbanization of industry, regularly spearheaded such protests. The most important group was probably the workers in cottage industry. Their numbers declined catastrophically as various industries—especially textiles—moved to the city during the first half of the century. Large numbers of them hung on in the countryside, doing what weaving, spinning, or forging they could, seeking out livings as handymen, day laborers, and farmhands, and railing against their fate. Within their communities they were able to act collectively against power looms, farm machines, tax collectors, and presumed profiteers.

Slowly before midcentury, rapidly thereafter, the increasing desperation of the French countryside and the expanding opportunities for work in the new industrial cities drew such men away from their rural communities into town. That move cut them off from the personal, day-to-day contacts that had given them the incentive and the means for collective action against their enemies. It rearranged their immediate interests, placed them in vast, unfamiliar communities, and gave them relatively weak and unreliable relations with those who shared common interests with them.

The initial fragmentation of the work force into small groups of diverse origins, the slow development of mutual awareness and confidence, the lack of organizational experience among the new workers, and the obstacles thrown up by employers and governments all combined to make the development of the means and the will for collective action a faltering, time-consuming process. Collective violence did not begin in earnest until the new industrial workers began forming or joining associations—trade unions, mutual-aid societies, political clubs, conspiratorial groups—devoted to the collective pursuit of their interests. In this sense, the short-run effect of the

urbanization of the French labor force was actually to damp collective violence. Its long-run effect, however, was to promote new forms of collective action that frequently led to violent conflicts, and thus to change the form of collective violence itself.

This happened in part through the grouping together of large numbers of men sharing a common fate in factories, urban working-class neighborhoods, and construction gangs. Something like the class-conscious proletariat of which Marx wrote began to form in the industrial cities. This new scale of congregation combined with new, pressing grievances, improving communication, the diffusion of new organizational models from Government and industry, and grudging concessions by the authorities to the right of association. The combination facilitated the formation of special-interest associations. At first workers experimented with cramped, antique, exclusive associations resembling (or even continuing) the old guilds; gradually they formed mutual-aid societies, labor exchanges, unions, and national and international federations.

The new associations further extended the scale and flexibility of communication among workers; they made it possible to inform, mobilize, and deploy large numbers of men fast and efficiently in strikes, demonstrations, and other common action. These potentially rebellious populations and their demanding associations proliferated in the big cities, in the shadows of regional and national capitals. They therefore posed a greater (or at least more visible) threat to the authorities than had their smalltown predecessors. The authorities responded to the threat by organizing police forces, crowd-control tactics, and commissions of inquiry. The associations, in their turn, achieved greater sophistication and control in their show of strength. The process took time—perhaps a generation for any particular group of workers. In that longer run the urbanization of the labor force produced a whole new style of collective violence.

The experience of the industrial workers has one more important lesson for us. In both reactionary and modern forms of collective violence, men commonly express their feeling that they have been unjustly denied their rights. Reactionary disturbances, however, center on rights once enjoyed but now threatened, while modern disturbances center on rights not yet enjoyed but now within reach. The reactionary forms are especially the work of groups of men who are losing their collective positions within the system of power, while the modern forms attract groups of men who are striving to acquire or enhance such positions. The reactionary forms, finally, challenge the basic claims of a national state and a national economy, while the modern forms rest on the assumption that the state and the economy have a durable existence—if not necessarily under present management. In modern disturbances, men contend over the control and organization of the State and the economy.

What links these features together historically? The coordinate construction of the nation-state and the national economy simultaneously weakened local systems of power, with the rights and positions which depended on them, and established new, much larger arenas in which to contend for power. In Western European countries, as locally based groups of men definitively lost their struggle against the claims of the central power, reactionary disturbances dwindled and modern disturbances swelled. The rapid transition

from one to the other occurred where and when the central power was able to improve rapidly or expand its enforcement of its claims. Accelerating urbanization and industrialization facilitated such an expansion by providing superior means of communication and control to the agents of the central power, by drawing men more fully into national markets, and by spreading awareness of, and involvement in, national politics. In the process, special-purpose associations like parties and labor unions grew more and more important as the vehicles in the struggle for power, whether violent or nonviolent. Thus urbanization and industrialization affected the character and the incidence of collective violence profoundly, but indirectly.

THE LOGIC OF COLLECTIVE VIOLENCE

Before rushing to apply this analysis of European collective violence to current American experience, we should pause to notice how much of it is a historical analysis—helpful in sorting out the past and identifying the context of the present, but not in predicting the future. Categories like primitive, reactionary, and modern have more kinship with timebound terms like Renaissance, Liberalism, or Neolithic than with more timeless concepts like urban, clan, or wealth. I would not argue for a moment that forward-looking protests are necessarily larger in scale than backward-looking ones, although that has been the usual experience of Western countries for several centuries. For those were centuries of growth and centralization, in which to look backward meant to look toward the smaller scale. As a general statement, the analysis is too one dimensional.

To take the problem out of time, we must deal with at least two dimensions. One is the organizational basis of routine political life. To simplify the problem, we might distinguish between politics based on small-scale, local, traditional groupings (communal politics) and politics based on large-scale organizations formed to serve one well-defined interest (associational politics). Then we could say that both the primitive and the reactionary forms of collective violence spring from communal bases, although under differing circumstances, while the modern forms of collective violence develop from an associational base. In the primitive and reactionary cases, the links among those who join together in collective action—whether violent or not—come from traditional, localized, inherited, slow-changing memberships. The rhythm of collective violence therefore follows the rhythm of congregation and dispersion of existing communal groups; market days, holidays, harvest days produce more than their share of violence. In the purely modern case, on the other hand, deliberately created formal organizations provide the crucial links. The organizations help shape the aspirations and grievances of their members, define their enemies, determine the occasions on which they will assemble and the occasions on which they will confront their antagonists, and thus the occasions on which violence can occur. The communal/associational distinction is one of the hoariest in the study of social life, and it turns out to apply to such apparently antisocial behavior as violence.

We have to consider another dimension: the relationship of the groups involved to the existing structure of power. Again simplifying radically, we might imagine a division among groups unrepresented in the existing structure of power, groups in the process of acquiring positions in that structure, groups holding defined positions in that structure, and groups in the process of losing

defined positions. Then it would be accurate to say that, on the whole, primitive disturbances involve groups holding defined positions in a (certain kind of) structure of power, whereas reactionary disturbances involve groups losing such positions, and modern disturbances involve groups acquiring them.

Strictly speaking, these are not types of violence. The distinctions do not apply to acts of violence, or even to the collective actions characteristically producing violence. They sort out groups of people into differing political situations. Their relevance to violence as such rests on a simple argument: a population's organization and political situation strongly affect its form of collective action, and the form of collective action stringently limits the possibilities of violence. Thus each type of group takes part in a significantly different variety of collective violence.

That clarification gives us the means of putting the two dimensions together. We discover that there are some other possible types not discussed so far:

	Relation to Structure of Power		
	Acquiring position	Maintaining position	Losing position
Organizational base:			
Communal	(?)	Primitive	Reactionary
Associational . . .	Modern	(?)	(?)

It is not so hard to fill in two of the blanks. There are really two varieties of modern collective violence; a frenzied variety on the part of people like the suffragettes who are trying to storm the system, and a more controlled but massive show of strength by groups like parties already established in the system. Violent movements of protest like Poujadism, on the other hand, resemble those I have called reactionary except that they have an associational base. This suggests placing them in the lower right-hand corner: the characteristic collective violence of groups losing position in a system built on an associational basis.

As for acquiring position in a communal system, commonsense says it cannot be done. But we might throw commonsense aside and speculate that the millenarian, transcendental, and fanatical movements that rack backward areas from time to time provide men with the means of acquiring totally new identities through religious conversion. This would lead us to expect these other-worldly protests to turn into modern protests as the organizational basis shifts from communal to associational. Some features of millenarian movements in such European areas as Andalusia and southern Italy lend this speculation a snippet of plausibility, but it is still only a speculation.

We have filled in the boxes. The table now looks like this:

	Relation to Structure of Power		
	Acquiring position	Maintaining position	Losing position
Organizational basis:			
Communal	Other worldly?	Primitive	Reactionary
Associational . . .	Offensive	Interest-group	Defensive

The boxes are not airtight. We can easily locate groups standing halfway between the communal and associational forms of organization, or just barely maintaining their political positions. Organized criminals come to mind as an example of the first; languishing protest parties as an example of the second. The point of the scheme is to suggest that groups' usual collective actions, and therefore their usual forms of collective violence, will also fall halfway between those of their neighbors in the table.

All this box filling would be no more than a scholastic exercise if it were not possible to draw some interesting hypotheses from the discussion. The first is that, regardless of their organizational basis, groups acquiring position are likely to define their problem as the achieving of rights due them on general ground but so far denied, groups losing position to define their problem as the retention of specific rights of which they are being deprived, and groups maintaining position to pay less attention to rights and justice. Second, the actions of those acquiring or losing position are likely to be more violent than those maintaining position. Third, a larger proportion of collective actions on a communal basis results in violence, because the associational form gives the group a surer control over its own actions, and thus permits shows of force without damage or bloodshed. While historically the shift from communal to associational bases for collective violence did not, by any means, stop the fighting, it did bring into being a number of alternative non-violent mechanisms for the regulation of conflicts: the strike, the parliament, the political campaign.

So when does this line of reasoning lead us to expect that collective violence will be widespread? It suggests that over the very long run the transformation of a population, a movement, or a society from a communal to an associational basis of organization diminishes its overall level of violence, but only over the very long run. If we were to consider external war as well as internal civil disorders, even that timid inference would look dubious. The scheme implies much more definitely that collective violence clusters in those historical moments when the structure of power itself is changing decisively—because there are many new contenders for power, because several old groups of power holders are losing their grips, or because the locus of power is shifting from community to nation, from nation to international bloc, or in some other drastic way. Violence flows from politics, and more precisely from political change.

The extent of violence depends on politics in the short run as well. Violence is not a solo performance, but an interaction. It is an interaction that political authorities everywhere seek to monopolize, control, or at least contain. Nowadays almost all collective violence on a significant scale involves the political authorities and their professional representatives: policemen, soldiers, and others. This happens, first, because the authorities make it their business to intervene and thus maintain their monopoly on the use of force; second, because so much collective violence begins with a direct (but not necessarily violent) challenge to the authorities themselves.

As odd as it may seem, the authorities have far greater control over the short-run extent and timing of collective violence, especially damage to persons rather than property, than their challengers do. This is true for several reasons. The authorities usually have the technological and organizational advantage in the effective use of force, which gives them a fairly great choice

among tactics of prevention, containment, and retaliation. The limits of that discretion are more likely to be political and moral—Can we afford to show weakness? Could we fire on women and children?—than technical. If the criterion of success is simply the minimization of violence, repression often works. In recent European experience few countries have been freer of civil disorder than Spain, a normally turbulent nation, when it was under the tight dictatorships of Primo de Rivera and Franco. In the heydays of the German and Italian Fascists, virtually the only violence to occur was at the hands of Government employees.

The authorities also have some choice of whether, and with how much muscle, to answer political challenges and illegal actions that are not intrinsically violent: banned assemblies, threats of vengeance, wildcat strikes. A large proportion of the European disturbances we have been surveying turned violent at exactly the moment when the authorities intervened to stop an illegal but nonviolent action. This is typical of violent strikes and demonstrations. Furthermore, the great bulk of the killing and wounding in those same disturbances was done by troops or police rather than by insurgents or demonstrators. The demonstrators, on the other hand, did the bulk of the damage to property. If we sweep away the confusion brought on by words like "riot," "mob," or "violence," a little reflection will make it clear that this division of labor between maimers and smashers follows logically from the very nature of encounters between police and their antagonists.

All this means that over the short run the extent, location, and timing of collective violence depend heavily on the way the authorities and their agents handle the challenges offered to them. Over a longer run, however, the kinds of challenges they face and the strength of those challenges depend rather little on their tactics of crowd control and a great deal on the way the entire political system apportions power and responds to grievances.

Discussions of these matters easily drift into praise and blame, justification and condemnation, fixing of responsibility for violence. If, when, where, and by whom violence should be permitted are inescapably difficult questions of moral and political philosophy. My review of European historical experience has not resolved them. Its purpose was the more modest one of sketching social processes lying behind the actual occurrence of collective violence in Western countries as they have existed over the last century or so. Yet the fact that the analytic and historical questions bring us so close to political philosophy underlines my main conclusions: collective violence is part and parcel of the Western political process, and major changes in its character result from major changes in the political system.

If that is the case, very recent changes in the character and locus of violent protest bear careful watching. Through much of Europe, students have reached a level of activism and anger never before equaled; the French events of May 1968 were only the most spectacular episode of a long series. Separatist movements long thought dead, ludicrous, or at least under control—Welsh, Scottish, Breton, Basque, Slovak, Flemish—have sprung up with energy. Demands for autonomy, cohesion, insulation from state control, which virtually disappeared from European political debate a half-century ago, now appear to be growing rapidly. Of course it is possible that the widespread emergence of autonomist themes in collective violence is a coincidence, a

passing fancy, or simply my misreading of the character of the new movements. If none of these is the case, we might consider the possibility that they record a transfer of power away from the national State, perhaps in part because its own weight keeps it from dealing with the most burning aspirations of its own citizens, and in part because power is devolving to international blocs of states. Then we might be witnessing a transformation comparable in scope to the 19th-century shift from reactionary to modern forms of collective violence. These are speculations, but they, too, emphasize the political significance of violence.

I must leave it to the well-informed reader to apply this analysis of European experience to the civil disorders of contemporary America. Naturally, analogies immediately come to mind. Recent studies of ghetto riots have been producing a picture of the average rioter that much resembles what we know of many 19th-century urban disturbances: the predominance of young males, overrepresentation of longtime residents rather than recent migrants, the relative absence of criminals, and so on. But why search for easy analogies? The chief lesson of the European experience is not that riots are all the same. Far from it!

What we have seen, instead, is a close connection between the basic political process and the predominant forms of conflict, both violent and nonviolent. That makes it hard to accept a recent characterization of American ghetto riots as "mainly for fun and profit."³⁶ It raises doubts about attempts to reduce current student rebellions to one more expression of adolescent anxiety. It makes one wonder whether the recent revival of violent and nonviolent separatist movements in such different Western countries as Belgium, Canada, Spain, France, and Great Britain indicates some larger change in international politics. For the basic conclusion is simple and powerful. Collective violence belongs to political life, and changes in its form tell us that something important is happening to the political system itself.

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Chapter 2

HISTORICAL PATTERNS OF VIOLENCE IN AMERICA

By Richard Maxwell Brown*

American violence, historically, seems to fall into two major divisions. The first is negative violence: violence that seems to be in no direct way connected with any socially or historically constructive development. Varieties of negative violence are criminal violence, feuds, lynching, the violence of prejudice (racial, ethnic, and religious violence), urban riots, freelance multiple murder, and assassination.

Negative violence by no means exhausts the range of American violence. There has been a vast amount connected with some of the most important events of American history—events that are considered constructive, positive, and, indeed, among the noblest chapters in our national history. Thus the Revolutionary War—both in its origins and its progress—was shot through with domestic violence. The Civil War, by which the slave eventually gained his freedom and the union of the nation was assured, engendered vast waves of violence. The very land we occupy was gained over the centuries in a continuing war with the Indians. Vigilante violence was used to establish order and stability on the frontier. Agrarian uprisings occurred again and again to ease the plight of the farmer and yeoman. Labor violence was part and parcel of the industrial workers' struggle to gain recognition and a decent life. Police violence has always been invoked to protect society against the criminal and disorderly. Again and again violence has been used as a means to ends that have been widely accepted and applauded. Positive violence is a broad term that relates violence to the popular and constructive movements just mentioned.

NEGATIVE VIOLENCE

Criminal Violence

The salient facts, chronologically arranged, are: (1) Organized interstate gangs of criminals are an old story, going well back into the 18th century.

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(2) Before the Civil War, the most prevalent type of criminal activity—especially in frontier areas—was horse theft and the counterfeiting of the myriad number of private banknotes then in circulation. (3) After the Civil War a new era of crime began with the popularization of train robbery by the Reno brothers of Indiana and bank robbery by the James-Younger gang of Missouri. (4) The modern era of big-city organized crime with its police and political connections began to emerge in the early 20th century.

America has long been ambiguous about the criminal. Official condemnation of the outlaw has been matched by social adulation. The ambiguity is not restricted to America, for the British historian, E. J. Hobsbawm, has shown the existence in European history of the "social bandit."¹ By social bandit, Hobsbawm means largely what we have come to denote by the Robin Hood symbol, i.e., the outlaw whom society views as its hero rather than its enemy, an outlook which reflects widespread social alienation.

There have indeed been American social bandits. Jesse and Frank James gained a strong popular following in mid-America after the Civil War. To the many Southern sympathizers in Missouri the James brothers, who were former Confederate guerrillas, could do no wrong, and to many Grange-minded farmers the Jameses' repeated robberies of banks and railroads were no more than these unpopular economic institutions deserved.² Other social bandits have been Billy the Kid (idolized by the poor Mexican herdsmen and villagers of the Southwest),³ Pretty Boy Floyd (onetime Public Enemy No. 1 of the 1930's who retained the admiration of the sharecroppers of eastern Oklahoma from which stock he sprang),⁴ and John Dillinger, the premier bank robber of the depression era. Modeling himself on an earlier social bandit, Jesse James, John Dillinger by freehanded generosity cultivated the Robin Hood image while robbing a series of Midwestern banks.⁵ The rural-smalltown era of American crime came largely to an end with the demise of John Dillinger, Pretty Boy Floyd, Clyde Barrow and Bonnie Parker, and the other "public enemies" of the 1930's. With them the American tradition of the social bandit died.

While the tradition of the rural American social bandit was waxing and waning, urban crime was increasing in importance. The first urban criminal gangs arose in New York and other cities in the pre-Civil War decades, but these gangs were limited in significance and restricted to ethnic "slum" neighborhoods such as Five Points and the Bowery in New York City.⁶ Murder, mayhem, and gang vendettas were a feature of the proliferation of these gangs. Meanwhile, in the early decades of the 20th century the present pattern of centralized, city-wide criminal operations under the control of a single "syndicate" or "organization" began to take shape in New York under Arnold Rothstein.⁷ Converging with this trend was, apparently, the Mafia tradition of criminal organization which Sicilian immigrants seem to have brought into East Coast port cities in the decades around 1900.⁸ During the 1920's and 1930's the two trends merged into the predominant pattern of centralized operations under Mafia control which the Kefauver crime investigation highlighted in 1951.⁹ Systematic killing to settle internal feuds and the use of investment capital (gained from illicit activities), threats, and extortion to infiltrate the world of legitimate business have been characteristic of contemporary urban organized crime.¹⁰

Feud Violence

One classic phase of negative American violence has been the family feud. This phenomenon has been generally associated with the "hillbilly" of the southern Appalachians, and, of the two great geographic locales of the family feud, one has surely been the Southern mountains. Less generally recognized has been the prevalence of the family feud in Texas and the Southwest at the same time that murderous feuds were splotching the Southern highlands with blood.

The family blood feud is virtually nonexistent in this country before the Civil War. The feud appears on the scene quite dramatically in the decades following the war. The era between the Civil War and World War I is the great era of the Southern mountain feud in Kentucky, West Virginia, and Virginia. This is the period that produced the Hatfield-McCoy feud (1873-88) of the Kentucky-West Virginia border,¹¹ the Martin-Tolliver (1884-87) and Hargis-Cockrell (1902-03) feuds of eastern Kentucky,¹² and the Allen family outburst at Hillsville in the Virginia Blue Ridge in 1912.¹³

The evidence is convincing that Southern mountain feuding was triggered by the animosities generated by the Civil War. The mountains were divided country where Confederate and Union sympathizers fought in rival armies and slew each other in marauding guerrilla bands. After the war old hatreds did not die out but, fueled anew by political partisanship and moonshine whisky in a region bedeviled by isolation, poverty, and minimal education, flamed up as never before. The formal law barely operated; its power was manipulated for selfish purposes by close knit political and family factions. Because regular law and order was such a frail reed, families and individuals came increasingly to depend upon their own strong arms. Each feuding family for the sake of self-defense developed its own clan leader: a man who best combined in the highest quotients the qualities of physical strength, bravery, wealth, and family leadership. Such men were "Devil Anse" Hatfield and Judge James Hargis. In the absence of an effective system of law and order, these men functioned as family "enforcers" around whom the feuding families rallied for protection.¹⁴

The great feuds of Texas and the Southwest were strikingly similar to those of the southern Appalachians, were about as well known in their own day, and had similar origins. As in the Appalachians, the main era of Texas feuds was between the Civil War and World War I. The Texas feuds took place principally in the central portion of the State which, like the Southern mountains, was a region of conflicting Civil War loyalties and mordant Reconstruction hatreds. The war-spawned turbulence of Central Texas was heightened by a combination of other factors: extremely rapid development of the cattle industry with its byproducts of frantic competition, rustling, and various disorders; the fact that the western margins of the Central Texas region were seared repeatedly by one of the cruelest of all American Indian wars, that of the Comanches and Kiowas with the white settlers; and, finally, by the ethnic hostility between antislavery, pro-Union German settlers and native Southern inhabitants. The result was a series of fatal feuds that were every bit as terrible as their Appalachian counterparts.¹⁵ Not even the Hatfield-McCoy feud exceeded for length, casualties, and bitterness the great Sutton-Taylor feud (1869-99) of DeWitt and Gonzales Counties, Texas.¹⁶ Among the major feuds

of Central Texas were the Horrell-Higgins feud of Lampasas County (1876-77), the Jaybird-Woodpecker feud of Fort Bend County (1888-90), and the Stafford-Townsend-Reese-Hope feuds of Colorado County (1890 to 1906).¹⁷

In New Mexico Territory the family and factional feud was built into the political system.¹⁸ New Mexico before World War I was probably the only American State where assassination became a routine political tactic.¹⁹ The most deadly of all American feuds was fought in neighboring Arizona from 1886 to 1892. This was the "Pleasant Valley War" between the Graham and Tewksbury families, a conflict that was exacerbated by the Grahams being cattle men and the Tewksburys being sheep men. The bitter feud was fought, like the title phrase of Zane Grey's novel of the vendetta, "to the last man." Only with the lone survivor of the two families did it come to an end.²⁰

Lynch-Mob Violence

Lynch law has been defined as "the practice or custom by which persons are punished for real or alleged crimes without due process of law."²¹ The first organized movement of lynch law in America occurred in the South Carolina back country, 1767-69.²² It appeared again in the Virginia Piedmont during the latter years of the Revolutionary War near the present city of Lynchburg. The Virginia movement was initiated by Colonel Charles Lynch (from whom lynch law gained its name) and was employed against Tory miscreants.²³ Well into the 19th century lynch law meant merely the infliction of corporal punishment—usually 39 or more lashes well laid on with hickory withes, whips, or any readily available frontier instrument. By the middle of the 19th century, lynch law had, however, come to be synonymous, mainly, with hanging or killing by illegal group action. Organized movements of lynch law are treated below under the heading of "Vigilante violence." By the term "lynch-mob" is meant an unorganized, spontaneous, ephemeral mob which comes together briefly to do its fatal work and then breaks up. The more regular vigilante (or "regulator") movements engaged in a systematic usurpation of the functions of law and order.

Lynch-mob violence (in contrast to vigilante violence) was often resorted to in trans-Appalachian frontier areas before the Civil War, but it became even more common after the Civil War. In the postwar period (down to World War I) lynch-mob violence was employed frequently in all sections of the country and against whites as well as blacks, but in this period it became preeminently the fate of Southern Negroes. From 1882 to 1903 the staggering total of 1,985 Negroes were killed by Southern lynch mobs.²⁴ Supposedly the lynch-mob hanging (or, too often, the ghastly penalty of burning alive) was saved for the Negro murderer or rapist, but the statistics show that Negroes were frequently lynched for lesser crimes or in cases where there was no offense at all or the mere suspicion of one.²⁵ Lynch-mob violence became an integral part of the post-Reconstruction system of white supremacy.²⁶

Although predominant in the South, lynch-mob violence was far from being restricted to that section. In the West the ephemeral "necktie party" was often foregathered for the summary disposal of thief, rapist, rustler, murderer, or all-around desperado. Frenzied mobs similarly worked their will in the North and East where (as in the West) villainous white men were the usual victims.²⁷

The Violence of Racial, Ethnic, and Religious Prejudice

Lynch-mob activity by no means exhausts the violence involving whites and blacks. Racial conflict between Caucasians and Negroes is one of the most persistent factors in American violence, extending far back into the 18th century. The first slave uprising occurred in New York City in 1712 and was put down with great ruthlessness. In 1739 there was the Stono Rebellion in South Carolina, and in 1741 New York City was again wracked with fears (apparently justified) of a slave conspiracy. The result was that New York white men went on an hysterical rampage in which scores of Negroes were burned, hanged, or expelled.²⁸ There were a host of plots or uprisings in the 19th century: among the largest were the abortive Gabriel Prosser (Richmond, 1800)²⁹ and Denmark Vesey (Charleston, 1822)³⁰ plots. Southside Virginia was in 1831 the scene of the greatest of all American slave rebellions: that of Nat Turner in Southampton County,³¹ the subject of William Styron's recent controversial novel, *The Confessions of Nat Turner*.³² Although there was much restiveness and runaway activity on the part of American slaves, rebellion was not a major response to the slave system. Even Nat Turner's rebellion was quickly suppressed and was of little consequence compared to the great maroon enclaves and republics which rebelling and runaway slaves established in South America and the Caribbean. The American slave more typically resisted the system by passive resistance, by running away, and by making countless small, unorganized attacks on individual families, masters, or overseers.³³

With the end of slavery and its conjoined slave patrols and black codes, the white men of the South developed a special organization for dealing with the Negro: the Ku Klux Klan. The latter has been one of the most consistent features in the last hundred years of American violence. There have been three Ku Klux Klans: the first Ku Klux Klan of Reconstruction times, the second Ku Klux Klan of the 1920's, and the third, current, Ku Klux Klans of the 1950's and 1960's. The first Ku Klux Klan was employed to intimidate the Radical Republicans of the Reconstruction Era and, by violence and threats, to force the freedman to accept the renewed rule of Southern whites.³⁴ The second Ku Klux Klan differed significantly from both its predecessor and successor. Although the second Ku Klux Klan was founded in Atlanta in 1915, its greatest growth and strength actually took place beyond the borders of the old Confederacy. During the early 1920's it became a truly national organization. For a time it enjoyed great strength in the Southwest, West, North, and East. The strongest State Klan was in Indiana, and such wholly un-Southern States as Oregon and Colorado felt its vigor. The second Ku Klux Klan surely belongs to the violent history of America, but, unlike either the first or the third Klans, the Negro was only a secondary target for it. Although denunciation of Catholics and Jews ranked 1-2 in the rhetoric of the second Klan, recent students of the movement have shown that Klan violence—whippings, torture, and murder—were directed less against Catholics, Jews, and Negroes than against ne'er-do-wells and the allegedly immoral of the very same background as the Klansmen: white, Anglo-Saxon, Protestant. The Klan thus attacked Americans of similar background and extraction who refused to conform to the Bible Belt morality that was the deepest passion of the Klan movement of the 1920's.³⁵ The Ku Klux Klan

resurgence of the last 10 years has been largely restricted to the South; it is only too well known for acts of violence against the civil rights movement and desegregation.

Paralleling the Ku Klux Klan have been a host of other movements of racial, ethnic, and religious malice. Before the Civil War the northeastern United States was lacerated by convent burnings and anti-Catholic riots.³⁶ This "Protestant Crusade" eventually bred the political Know Nothing movement. Anti-Chinese agitation that often burst into violence became a familiar feature of California and the West as the 19th century wore on.³⁷ In 1891, 11 Italian immigrants were the victims of a murderous mob in New Orleans.³⁸ The fear and loathing of Catholics (especially Irish and Italians) that often took a violent form was organized in the nonviolent but bigoted American Protective Association (APA) of 1887.³⁹ Labor clashes of the late-19th century and early-20th century were often in reality ethnic clashes with native old-stock Americans ranged on one side as owners, foremen, and skilled workers against growing numbers of unskilled immigrants—chiefly Jews, Slavs, Italians, and others from Southern and Eastern Europe.⁴⁰

Urban Riots

A number of examples have already exposed urban riots as one of the most tenacious strands in the long history of American violence. The situation seems at its worst today with the country widely believed to be on the verge of some sort of urban apocalypse, but the fact is that our cities have been in a state of more or less continuous turmoil since the colonial period.⁴¹ As early as the latter part of the 17th century the nuclei of the organized North End and South End "mobs" that dominated Boston in the 18th century had already formed. Maritime riots occurred in Boston during the middle-18th century and were general in the colonies in the 1760's.⁴² Leading colonial cities of the Revolutionary Era—Charleston, New York, Boston, and Newport, Rhode Island—were all flayed by the Liberty Boy troubles which embodied an alliance of unskilled maritime workers, skilled artisans, and middle-class business and professional men in riotous dissent against toughening British colonial policy as exemplified by the Stamp Act and Townshend Acts.⁴³

Economic and political conditions brought more urban turmoil in the post-Revolutionary period of the 1780's and 1790's, and by the mid-19th century, with industrial and urban expansion occurring by leaps and bounds, the cities of America found themselves in the grips of a new era of violence. The pattern of the urban immigrant slum as a matrix of poverty, vice, crime, and violence was set by Five Points in lower Manhattan before the Civil War.⁴⁴ Ulcerating slums along the lines of Five Points and severe ethnic and religious strife stemming from the confrontation between burgeoning immigrant groups and the native American element made the 1830's, 1840's, and 1850's a period of sustained urban rioting, particularly in the great cities of the Northeast. It may have been the era of the greatest urban violence that American has ever experienced. During this period at least 35 major riots occurred in the four cities of Baltimore, Philadelphia, New York, and Boston. Baltimore had 12,⁴⁵ Philadelphia had 11,⁴⁶ New York had 8,⁴⁷ and Boston

had 4.48 (The violence also extended into the growing cities of the Midwest and the lower Mississippi Valley; Cincinnati had four major riots during this period.)⁴⁹ Among the most important types of riots were labor riots,⁵⁰ election riots,⁵¹ antiabolitionist riots,⁵² anti-Negro riots,⁵³ anti-Catholic riots,⁵⁴ and riots of various sorts involving the turbulent volunteer firemen's units.⁵⁵ Except for Civil War draft riots, the urban violence subsided in the 1860's and 1870's until the year of 1877 produced a tremendous nationwide railroad strike that began along the Baltimore Ohio Railroad and spread to the Far West. Pathological rioting blistered Baltimore and great stretches of Pittsburgh were left in smoking ruins.⁵⁶ (The similarity of what befell Baltimore and Pittsburgh in 1877 and Los Angeles, Chicago, Newark, Detroit, Washington, and other cities in 1965-68 is striking.) Many other cities suffered less seriously.

The forces of law and order responded strongly to the 19th century urban violence. The modern urban police system was created in reaction to the riots of the 1830's, 1840's, and 1850's, and the present National Guard system was developed in response to the uprisings of 1877.⁵⁷ To deal with urban tumult vigilantism was also used frequently in the 19th century. The greatest of all American vigilante movements occurred in the newly settled (by Americans) but thoroughly urban and up-to-date San Francisco of 1856; other 19th-century urban vigilante movements occurred in Los Angeles, New Orleans, San Antonio, St. Louis, Cincinnati, Rochester, and Natchez.⁵⁸

The modern era of the urban race riot was inaugurated around the turn of our present century. From 1900 to 1949 there were 33 major interracial disturbances in the United States. During this half century the peak period of violence was from 1915 to 1919 when 22 of the 33 disturbances occurred. (The 1915-19 period of racial disorder was thus comparable to the period from 1964 to the present.) Major riots occurred in Atlanta (1906), Springfield, Ill. (1908), East St. Louis (1917), Chicago, (1919), Harlem (1935 and 1943), and Detroit (1943). With the exception of the Harlem riots, whites emerged as the main aggressors in these riots and the bulk of the casualties befell Negroes.⁵⁹ Not until the summer of 1964 with the Harlem and Rochester riots and Los Angeles' Watts riot of 1965 did the pattern decisively reverse itself to the present mode of Negro initiative.⁶⁰ Since 1964 black rioting has concentrated on property destruction rather than the taking of white lives; this is a new pattern, although it was foreshadowed in the Harlem riots of 1935 and 1943, and as early as 1947, Ralph Ellison brilliantly caught the mood of the property-destruction riot in his novel, *Invisible Man*.⁶¹

Freelance Multiple Murder

By this term I refer to the murder of many persons by one or two individuals unconnected with any larger organization. (Thus the Chicago St. Valentine's Day massacre of 1929 and the Kansas City Union Station "massacre" of 1933 are both ruled out of consideration here as being the result of large-scale, organized, underworld criminal activity.) It was the summer of 1966 that made Americans wonder whether the freelance multiple murder was becoming the characteristic American crime, for in the space of a few weeks two shocking multiple murders occurred. First, in Chicago, Richard F. Speck

murdered, one-by-one, eight student nurses.⁶² Then, less than a month later, Charles Whitman ascended to the top of the tower of the University of Texas library in Austin and left tower and campus strewn with 13 dead or dying and 31 wounded as a result of his unerring marksmanship.⁶³ The utter horror of these two killing rampages attracted worldwide attention, but not a year goes by without the disclosure of one or more multiple murderers. Speck, the hapless product of a blighted personal background, saw himself as "Born to Raise Hell." Whitman came from an upright and respectable middle-class background that was allegedly, on closer examination, a veritable witches cauldron of tensions and hatreds.

Neither Speck nor Whitman was normal in the usual sense of the word, and the freelance multiple murderer is often a fit subject for the abnormal psychologist. (Recently it has been suggested that male killers such as Speck arise from a genetic deficiency involving a chromosomal variation.)⁶⁴ But some observers have wondered whether the anxieties and neuroses of contemporary life in America have not led to a rise in the abnormal behavior exemplified by multiple (or "mass") murder. Crime statistics are not sufficiently available to answer the question, but there have been many examples of freelance multiple murderers in American history. The annals of crime in the United States abound with them. Among the earliest were the brutal Harpe brothers, Micajah (Big Harpe) and Wiley (Little Harpe), who in 1798-99 accounted for anywhere from about 20 to 38 victims in the frontier States of Kentucky and Tennessee. Dashing babies' brains against tree trunks in sudden frenzies was a practice that they may have learned from Indians. Finally, in August 1798, a party of Kentucky settlers ended the career of Micajah. Wiley escaped but was captured, tried, and hanged in Mississippi in 1804. So feared and hated were the Harpes that following death the head of each was cut off and displayed as a trophy of triumphant pioneer justice.⁶⁵

Numerous freelance multiple murderers crop up in the 19th century. Among them was the evil Bender family of southeastern Kansas. The Benders from 1871 to 1873 did away with at least 12 unwary travelers who had the bad judgment to choose the Bender roadside house for a meal or lodging. Eventually the Benders were detected but seem to have escaped into anonymity one jump ahead of a posse.⁶⁶ Another mass murderer was H. H. Holmes (the *alias* of Hermann Webster Mudgett) of Englewood, Ill. (near Chicago), who confessed to killing 27 people from about 1890 to 1894, many of whom he lured to their death in his bizarre castlelike house while they were attending the Chicago World's Fair in the summer of 1893.⁶⁷ While example after example can be named, such questions as the actual number of multiple murders and their relationship to social conditions still await the serious study of the historian.⁶⁸

Political Assassination

Quantitatively, assassination does not bulk large in the history of American violence, but at the highest level of our political system—the Presidency—it has had a heavy impact. In a 100-year span (1865 to 1965) four Presidents (Lincoln, Garfield, McKinley, and Kennedy) fell to assassins's bullets, and others were the intended objects of assassination. One of the victims, Lincoln, was

the target of an assassination conspiracy. The other three victims—Garfield, McKinley, and Kennedy—were the prey of freelance assassins in varying states of mental instability. Charles Guiteau, the slayer of Garfield, was a disappointed officeseeker, but mental derangement seems to have been at the bottom of his action.⁶⁹ Both Leon Czolgosz, the killer of McKinley, and Lee Harvey Oswald, Kennedy's assassin, appear to have had strong ideological commitments. Czolgosz was an anarchist, and Oswald was a self-styled Marxist. Both, however, were independent operatives. Czolgosz was rejected by the organized anarchist movement of his day; nor was Oswald a member of the Communist organization in America or of any of the American Marxist splinter groups. Czolgosz seems to have been in the incipient stages of insanity.⁷⁰ Evidence amassed by the Warren Commission strongly suggests that Oswald was psychotic, but the Commission itself cautiously refrained from reaching that conclusion.⁷¹

Although the mortality rate of American Presidents in the last century has been a high one at the hands of assassins, some comfort can be taken in the fact that assassination has not become a part of the American political system as has happened elsewhere in the world, the Middle East, for example. None of the major political parties has resorted—even indirectly—to assassination. Notable, also, is the immunity which other high political officials—the Vice President, the Supreme Court Justices, Cabinet officers, and leading Senators⁷² and Congressmen—have enjoyed from assassination.

Despite some prominent cases, assassinations at the State and local level have, on the whole, been few and far between with the exception of New Mexico Territory (discussed below). During the often chaotic Reconstruction period in the South there was once cause celebre: John W. Stephens, a native white Southerner and a rising Radical Republican politician of Caswell County, N. C., was in 1870 the victim of an assassination plot by a local faction of his Klan-oriented Conservative political opponents. Stephens' killers certainly wanted him out of the way because of his political effectiveness, but the killing itself seems to have been more the result of the terrorist impulse of the Ku Klux Klan movement than of any attempt to raise assassination to the level of a systematic political weapon.⁷³ Apparently similar to the assassination of Stephens was the killing, by "parties unknown," of John M. Clayton, Republican congressional candidate in Arkansas. Although defeated in the fall 1888 election, Clayton was contesting the result when he was killed in January 1889, while visiting Plummerville, Ark.⁷⁴

One of the most famous political assassinations in American history took place at the State level, the fatal wounding of nationally prominent Senator Huey P. Long of Louisiana on September 8, 1935. Long's assassin seems (like the Presidential assassins) not to have been part of a political plot but to have been motivated by personal emotion and grievance, with political resentment of the "Kingfish" being distinctly secondary.⁷⁵ An earlier famous (but now forgotten) assassination of a leading State figure did stem from a context of a political conflict. This was the fatal wounding of the Governor-elect of Kentucky, William Goebel, at Frankfort on January 30, 1900.⁷⁶ Goebel was the charismatic leader of the Democratic Party in Kentucky who had been waging a hot battle against the Republicans and the railroad interests of his State. Goebel's assassination occurred during an infusion into Frankfort of

thousands of anti-Goebel Republicans from the hotblooded mountain region of eastern Kentucky. Fatal feuds had often been linked with local political rivalries in the Kentucky mountains in previous decades (see the section above on "Feud Violence"), and it is not surprising that Goebel's assassins seem to have sprung from that background.⁷⁷

Apparently the only place in America where assassination became an integral part of the political system was New Mexico Territory from the end of the Civil War down to about 1900. Many assassinations occurred, among the most prominent being that of Col. Albert J. Fountain, a leading Republican of southern New Mexico, in 1896.⁷⁸ Other leading New Mexican politicians narrowly missed being killed, and many New Mexicans were convinced that the two chieftains of the Republican and Democratic Parties, respectively, had been involved in assassination plots. Thomas B. Catron, the autocratic Republican boss, was thought by many to have been a party to one of the notable assassinations of the era; Catron himself seems to have been the target of an unsuccessful assassination attempt.⁷⁹ The recent biographer of Colonel Fountain has brought forth strong evidence to support his charge that Albert Bacon Fall, the incisive Democratic leader,⁸⁰ was guilty of leading complicity in the plot against Fountain.⁸¹ The most important point is that virtually all political factions in New Mexico accepted and used assassination as a way of eliminating troublesome opponents.⁸²

The frightening phenomenon of assassination in territorial New Mexico still awaits searching study by the historian. In the absence of such a study it is hard to say just why assassination became such a prominent political feature in New Mexico alone. The territory was indeed a violent one at the time; it was scarred by a savage Indian war (with the Apaches), numerous vigilante movements and lynch mobs, a host of criminal outlaws (Billy the Kid, Clay Allison, and others), and mordant local conflicts such as the Lincoln County war and the Maxwell Land Grant troubles. Such a high level of violence might well have had the effect of skewing the political system in the direction of assassination as a tactic, although this did not happen in neighboring Texas, which at the time was every bit as violent as New Mexico. Nor does the large Latin element of the population seem to have imputed a fatal measure of volatility to the political climate of New Mexico Territory, for native Anglo-American politicians such as Catron (from Missouri) and Fall (from Kentucky) were leaders in a political system that was characterized, often, by assassination.

A third explanation of political assassination in New Mexico is suggested by social scientists who have recently posited a "contagion phenomenon" in regard to "highly publicized and dramatic acts of deviant behavior" such as prison riots, bomb scares, slum uprisings, mass murder, and psychopathic sexual acts.⁸³ Beginning with the first assassination in New Mexico (that of the Territorial chief justice, John P. Slough, in 1867), it is possible that something like a "contagion phenomenon" set in to perpetuate assassination until it became a part of the political system itself. After 1900 the level of general turbulence in New Mexico life subsided. It may have been no coincidence that the politics of assassination faded, too. Students of the "contagion phenomenon" have seen it as a short-run phenomenon characterized by an accelerating pace followed by an abrupt end which might, in long-run terms, be analogous to New Mexico's experience.

The tragic history of assassination in New Mexico Territory may be an ill portent for our own era. It is conceivable that the wave of assassinations in recent years which cut down John F. Kennedy, Robert F. Kennedy, Martin Luther King, Jr., Medgar Evers, and Malcolm X is a contemporary example of the "contagion phenomenon." The danger is not to be found in the "contagion phenomenon" alone but in the grim possibility that, as happened in New Mexico, assassination might become a persistent feature of the public behavior of our people.

POSITIVE VIOLENCE

Police Violence

The law enforcement system in colonial America was quite simple, consisting mainly of sheriffs for the counties and constables for the cities and towns. With the tremendous expansion of population and territory in the 19th century, the system took on much greater complexity. Added to the county sheriffs and local constables were municipal police systems, State police (including such special and elite forces as the Rangers of Texas⁸⁴ and Arizona), and Federal marshals and Treasury agents. The most important development of the century was the development of the modern urban police system in the midcentury years from 1844 to 1877. The new system was a direct response to the great urban riots of the 1830's, 1840's, and 1850's. The antiquated watch-and-ward system (daytime constables and nighttime watchmen) was simply inadequate to cope with the large-scale rioting and increasing urban disorder. The reform in the police system came first in New York, Philadelphia, Boston, and other cities which had acute problems of criminal violence and rioting.⁸⁵ Thus the riot era of the 1830-50's produced the present urban police system. Perhaps the riots of the 1960's will similarly spur the "professionalization" of the police—a major reform that is being widely called for at the present.

Scarcely less important than the development of the urban police system was the creation of the National Guard to replace the obsolete State militia system that dated back to the 18th century. The rapid development of the National Guard system in the 1880's was largely a response to the great urban labor riots of 1877. The National Guard was established first and most rapidly in the leading industrial States of the North that were highly vulnerable to labor unrest: Massachusetts, Connecticut, New York, Pennsylvania, Ohio, and Illinois. By 1892, the system was complete throughout the Nation.⁸⁶ Officered primarily by business and professional men and sometimes the recipients of large subsidies from wealthy industrialists,⁸⁷ National Guard contingents were often called out to suppress labor violence from the late-19th century down to the time of World War II.

In the latter half of the 19th century there also grew up a sort of parapolic system with the founding of numerous private detective agencies (headed by the famed Pinkerton National Detective Agency)⁸⁸ and the burgeoning of thousands of local antihorse-thief associations or detecting societies which often were authorized by State laws and invested with limited law enforcement powers.⁸⁹ After the Civil War, industrial corporations frequently set

up their own police forces. Most notable in this category were the private coal and iron police which the State of Pennsylvania authorized to deal with labor unrest in mines and mills.⁹⁰ It was during the 19th century, as well, that the science of crime detection was inaugurated.⁹¹

Undue violence in the course of enforcing the law has long been a matter of concern. In an earlier generation the public worried about the employment of the "third degree" to obtain criminal confessions.⁹² In our own time the concern is with "police brutality," chiefly against Negroes. Related to the use of violence by police in the prosecution of their regular duties has been the large measure of violence associated with the incarceration of the convicted in jails and prisons. For over a century and a half we have gone through bursts of prison reform only to have the system as a whole lapse back into (if indeed it ever really transcended) its normal characteristics of brutality and sadism. As time has passed many of the most well-meaning reforms (such as the early-19th-century system of solitary confinement) have proved to be ill conceived.⁹³ Even as our knowledge and expertise have increased, prison reform has foundered again and again on the rock of inadequate financial support from an uncaring society.

Revolutionary Violence

Our nation was conceived and born in violence—in the violence of the Sons of Liberty and the patriots of the American port cities of the 1760's and 1770's. Such an event was the Boston Massacre of 1770 in which five defiant Americans were killed. British officers and troops had been goaded by patriotic roughnecks into perpetrating the so-called massacre. The whole episode stemmed naturally from the century-long heritage of organized mob violence in Boston. The same thing was true of the Boston Tea Party wherein the anciently organized South End Mob of Boston was enlisted in the tea-dumping work. During the long years of resistance to British policy in the 1760's and 1770's the North End and South End Mobs under the leadership of Samuel Swift and Ebenezer MacKintosh has been more or less at the beck and call of Samuel Adams, the mastermind of patriot agitation, and the middle-class patriots who made up the "Loyal Nine."⁹⁴

With the decision in 1774 to resist the British by military means, the second round of Revolutionary violence began. The main goal of Revolutionary violence in the transitional period from 1774 to 1777 was to intimidate the Tories who existed in fairly large numbers in the seaport cities and hinterland. The countrywide Continental Association of 1774 was drawn up to cause an interruption of all trade between the Colonies and the mother country, but a related purpose was to ferret out Tories, expose them to public contumely and intimidation, and bring them to heel or to silence.⁹⁵ Where exposure in the newspapers was not enough, strong-arm tactics were used against the Tories. The old American custom of tarring and feathering was mainly a product of the patriotic campaign to root out Toryism.⁹⁶

Aside from the regular clash of the Continental and British armies, the third and final phase of Revolutionary violence was the guerrilla strife that occurred all the way from the Hudson to the Savannah. Wherever strong British occupying forces were to be found—as in New York City, Philadelphia,

and Charleston—in opposition to an American-dominated hinterland, the result was the polarization of the population and the outbreak of savage guerrilla strife, desperate hit-and-run forays, and the thrust and counter-thrust of pillage and mayhem. Thus the lower Hudson valley of New York was the theatre of rival bushwhacking parties of Whigs and Tories. The Hackensack Valley of North Jersey, opposite the British bastion on Manhattan Island, was a sort of no man's land across which bands of Whigs and Tories fought and ravaged.⁹⁷ South Jersey's bleak and trackless pine barrens furnished ideal cover for the "land pirates" of both Whig and Tory persuasion spewed up by the British and American competition for the allegiance of New Jersey and the Philadelphia area.⁹⁸

South Carolina emerged as the great battlefield of the war after 1780. North Carolina and Georgia suffered at the same time from the scourge of guerrilla strife, but their casualties were light compared to the dreadful cut-and-thrust of the Whig and Tory forces in the Palmetto State where Andrew Pickens, Thomas Sumter, and Francis Marion led Whig partisan bands in their own particular sectors of the back country. Negro slaves were stolen back and forth, and baleful figures like the half-crazed Tory leader, Bloody Bill Cunningham, emerged from the shadows to wreak special brands of murder and massacre. Neither side showed the other any mercy. Prisoners were tortured and hanged.⁹⁹ Virginia felt the destruction of Benedict Arnold's vengeful campaign (1781) but experienced nothing like the suffering of South Carolina. Still it was characteristic of the rising passions of the time that strife among Whigs and Tories in Virginia's Piedmont, as noted earlier, gave rise to an early manifestation of lynch law.

Two things stand out about the Revolution. The first, of course, is that it was successful and immediately became enshrined in our tradition and history. The second is that the meanest and most squalid sort of violence was from the very beginning to the very last put to the service of Revolutionary ideals and objectives. The operational philosophy that the end justifies the means became the keynote of Revolutionary violence. Thus given sanctification by the Revolution, Americans have never been loathe to employ the most unremitting violence in the interest of any cause deemed to be a good one.

Civil War Violence

Violence was interwoven with the creation of the American nation. By the same token, it became the ineradicable handmaiden of its salvation in the era of Civil War and Reconstruction. The Civil War era was not only one of pervasive violence in its own right but had an almost incalculable effect on the following decades. The latter part of the 19th century was one of the most violent periods of American history—an era of Ku Kluxers, lynch mobs, White Caps, Bald Knobbers, night riders, feudists, and outlaws. The major part of this violence is traceable to the Civil War.

The years of prelude to the Civil War were years of mounting violence in both North and South. Feeling against the Fugitive Slave Law in the North gave rise to vigilance committees concerned with protecting runaway slaves

and to increasingly fervent abolitionism. Below the Mason-Dixon Line abolitionists had long since ceased to exist in anything but the hallucinations of slaveholders and Southern nationalists. But from these delusions were formed vigilante movements to deal with the nonexistent abolitionists. Violence of the most tangible sort was far from absent. Bleeding Kansas was truly just that as marauding bands of slaveholder and antislaveholder sympathizers surged through the unhappy territory.

In the East, John Brown's raid on Harpers Ferry sent a tremor of fear through those who genuinely wished to forestall a bloody civil war. For the more sanguinary in the North, John Brown was an inspiration for holy war against slavery; to the warminded in the South the John Brown raid was seen as proof that the South could never rest easy in a Union that included free States and harbored abolitionists. The nation sensed that it was on the verge of a grand Armageddon.¹⁰⁰ The general nervousness came to a height in the South in the summer of 1860 as that section gloomily awaited the almost certain election of Lincoln. Forebodings never far from the surface suddenly blazed to the top in the Great Fear that swept across the South in the summer of 1860. From the Rio Grande to the Atlantic were exposed plot after plot by secret abolitionists and unionists for the raising up of slaves in bloody rebellion.¹⁰¹ At this distance it seems that the fears of slave uprisings were groundless, but portions of the South were in the grips of a hysteria that was real enough. Vigilante groups and self-styled committees of safety blazed up.¹⁰² The Great Fear of the South in the summer of 1860 seems to have been as baseless in fact as the remarkably similar Great Fear that swept the French peasantry in the first year of the French Revolution.¹⁰³ Both Great Fear and *grande peur* revealed the profound anxieties which lacerated the white Southerners and the French peasants in the summers of 1860 and 1789, respectively.

In symbolic terms, the Great Fear on the eve of the Civil War was altogether fitting as a prelude to the decade and more of violence and mischief that would follow. The struggle between the Northern and Southern armies still stands as the most massive military bloodletting in American history, but almost forgotten is the irregular underwar of violence and guerrilla strife that paralleled the regular military action. In numerous localities throughout the North, resistance to the military draft was continuous and violent. The apogee of resistance to the draft occurred with the massive riots of 1863 in New York City when the city was given over to three days of virtually uncontrolled rioting.¹⁰⁴ Related troubles occurred throughout the war years in southern Indiana, southern Illinois, and southern Iowa where widespread Copperhead feeling caused large-scale disaffection, antidraft riots, and guerrilla fighting between Union soldiers and Union deserters and other Copperhead sympathizers.¹⁰⁵ The guerrilla war that took place along the Kansas-Missouri border has seldom been equaled for unmitigated savagery. Jim Lane and his fearsome Kansas Jayhawkers traded brutal blows with the Confederate guerrillas of Missouri headed by the band of William Quantrell that included Frank and Jesse James and the Younger boys.¹⁰⁶ Kentucky, too, was the scene of frequent ambushes and affrays.¹⁰⁷

The Confederate South was bedeviled by pockets of resistance to official policy. The mountain regions of north Arkansas, north Alabama, and eastern

Tennessee had important centers of Unionist sentiment that never became reconciled to the war effort.¹⁰⁸ Even Mississippi contained one county (Jones) that was perforated with disloyalty to the Confederate cause¹⁰⁹—as did Alabama (Winston). The frontier areas of northern and central Texas were liberally dotted with Unionist sympathizers and antislavery Germans. At best the German-Americans never gave more than grudging support to the War and sometimes resorted to sabotage. The result was brutal retaliation by the "heel-flies" (Confederate home guards) who were often quite careless of whom they injured.¹¹⁰

Perhaps no event in American history bred more violence than the Civil War. Racial strife and Ku Klux Klan activity became routine in the old Confederate states. Regulator troubles broke out in central Kentucky and the Blue Grass region. Outlaw and vigilante activity flamed in Texas, Kansas, and Missouri. Outbreaks of feuding scorched the southern Appalachians and Texas. As late as the closing years of the century white capping, bald knobbing, and night riding, while spurred by particular social and economic causes, remained as legacies of the violent emotions and methods fired by the Civil War.¹¹¹

Indian Wars

Unquestionably the longest and most remorseless war in American history was the one between whites and Indians that began in Tidewater, Virginia, in 1607 and continued with only temporary truces for nearly 300 years down to the final massacre at Wounded Knee, South Dakota in 1890. The implacable hostility that came to rule white-Indian relations was by no means inevitable. The small Indian population that existed in the continental United States allowed plenty of room for the expansion of white settlement. The economic resources of the white settlers were such that the Indians could have been easily and fairly reimbursed for the land needed for occupation by the whites. In fact, a model of peaceful white-Indian relations was developed in 17th-century New England by John Eliot, Roger Williams, and other Puritan statesmen. The same was true in 18th-century Pennsylvania where William Penn's humane and equitable policy toward the Indians brought that colony decades of white-Indian amity.¹¹² Racial prejudice and greed in the mass of New England whites finally reaped the whirlwind in King Philip's War of 1675-76, which shattered the peaceful New England model.¹¹³ Much later the same sort of thing happened in Pennsylvania in 1763 when Pontiac's Rebellion (preceded by increasing tensions) ended the era of amicable white-Indian relations in the Keystone colony.

Other Indian wars proliferated during the 17th and 18th centuries, nor did the pace of the conflict slacken in the 19th century. It is possible that no other factor has exercised a more brutalizing influence on the American character than the Indian wars. The struggles with the Indians have sometimes been represented as being "just" wars in the interest of promoting superior Western civilization at the expense of the crude stone-age culture of the Indians. The recent ethnohistorical approach to the interpretation of white-Indian relations has given us a more balanced understanding of the relative merits of white and Indian civilizations. The norms of Indian warfare were, however, at a more

barbaric level than those of Western Europe. Among the Indians of Eastern America torture was an accepted and customary part of warmaking.¹¹⁴ In their violent encounters with Indians, the white settlers brought themselves down to the barbaric level of Indian warfare. Scalping was adopted by white men,¹¹⁵ and down to the very last battle at Wounded Knee lifting the hair of an Indian opponent was the usual practice among experienced white fighters. Broken treaties, unkept promises, and the slaughter of defenseless women and children all, along with the un-European atrocity of taking scalps, continued to characterize the white American's mode of dealing with the Indians. The effect on our national character has not been a healthy one; it has done much to shape our proclivity to violence.

Vigilante Violence

The first large-scale American vigilante movement (and probably the first of any size) occurred in the South Carolina back country in the late 1760's.¹¹⁶ The phenomenon of vigilantism seems to be native to the American soil. The British Isles—especially Scotland and Ireland—were violent enough in the 17th and 18th centuries, but vigilantism was unknown in the British Isles; taking the law into one's own hands (the classic definition of vigilantism) was repugnant to ancient British legal tradition. Vigilantism arose as a response to a typical American problem: the absence of effective law and order in a frontier region. It was a problem that occurred again and again beyond the Appalachian Mountains. It stimulated the formation of hundreds of frontier vigilante movements.

The first phase of American vigilantism happened mainly before the Civil War and dealt largely with the threat of frontier horse thieves and counterfeits. Virtually every State or territory west of the Appalachians possessed one or more well-organized, relentless vigilante movements. We have tended to think of the vigilante movement as being typical of the Western plains and mountains, but in actuality there was much vigilantism east of the Missouri and Mississippi Rivers. The main thrust of vigilantism was to reestablish in each newly settled frontier area the community structure of the old settled areas along with the values of property, law, and order. Vigilante movements were characteristically in the control of the frontier elite and represented their social values and preferences. This was true of the first vigilante movement in South Carolina, 1767-69 (who were known as "Regulators"—the original but now obsolete term for vigilantes) and it was also true of the greatest of all American vigilante movements, that of San Francisco in 1856. The San Francisco vigilance committee of 1856 was dominated lock, stock, and barrel by the leading merchants of the city who organized to stamp out alleged crime and political corruption.¹¹⁷

Although the typical vigilante movements were dominated by social conservatives who desired to establish order and stability in newly settled areas, there were disconcertingly numerous departures from the norm. Many vigilante movements led not to order but to increasing disorder and anarchy. In such cases vigilantism left things in a worse condition than had been true before. Frequently the strife between vigilantes and their opponents (exacerbated by individual, family, and political hatreds) became so bitter and

untrammelled that order could be restored only by the Governor calling out the militia. Such was the case when the Bald Knobbers of the Missouri Ozarks rose in 1885-86 to curb the evils of theft, liquor, gambling, and prostitution in Taney and Christian Counties. Intervention by outside authorities was finally needed.¹¹⁸

The elite nature of 19th-century vigilantism is revealed by the prominent men who belonged to vigilante movements. Included in a "Who's Who of American Vigilantism" would be U.S. Senators and Congressmen, Governors, judges, wealthy capitalists, generals, lawyers, and even clergymen. Even Presidents of the United States have not been immune to the vigilante infection. While serving in the Presidency, Andrew Jackson once approved the resort of Iowa pioneers to vigilante methods pending the clarification of their territorial status.¹¹⁹ As a young cattle rancher in North Dakota, Theodore Roosevelt begged to be admitted to a vigilante band that was being formed to deal with rustlers and horse thieves. The cattlemen rebuffed the impetuous young Harvard blueblood but went on with their vigilante movement.¹²⁰ Today among educated men of standing vigilantism is viewed with disapproval, but it was not always so in the 19th century. In those days leading men were often prominent members of vigilante movements and proud of it.

America changed from the basically rural nation it had been in the antebellum era to an urban, industrial nation after the Civil War. The institution of vigilantism changed to match the altering character of the nation. From a generally narrow concern with the classic frontier problems of horse thieves and counterfeiters, vigilantism broadened its scope to include a variety of targets connected with the tensions of the new America: Catholics, Jews, Negroes, immigrants, laboring men and labor leaders, political radicals, advocates of civil liberties, and nonconformists in general. Neovigilantism flourished as a symptom of the growing pains of post-Civil War industrial America but utterly failed as a solution to the complex social problems of the era.¹²¹

The post-Civil War era also saw the climax of two movements with strong affinities to vigilantism. One was the antihorse thief association movement which had its greatest growth in the rural Midwest and Southwest after the Civil War, although its roots were to be found in the northeastern United States as early as the 1790's. The antihorse thief society pattern involved State charter of local associations which were often vested with constabulary power. By 1900 the antihorse thief association movement numbered hundreds of thousands of members in its belt of greatest strength, which stretched from the Great Lakes to the Rio Grande. Forming a flexible and inexpensive (the members shared costs whenever they arose) supplement to immobile, expensive, and inefficient local law enforcement, the antihorse thief association afforded the farmer insurance against the threat of horse and other types of theft. With the rapid development of the automobile around the time of World War I the antihorse thief association movement lost its *raison d'être*.¹²²

Quite different in character was the White Cap¹²³ movement. White Caps first appeared in southern Indiana in 1888,¹²⁴ but in short order the phenomenon had spread to the four corners of the nation. The White Cap move-

ment copied the vigilante movements of the late-18th and early-19th centuries in its preference for flogging as a mode of punishment. White Capping varied greatly from locality to locality and region to region. In North Texas the White Caps were anti-Negro;¹²⁵ in South Texas they were anti-Mexican;¹²⁶ and in northern New Mexico the White Caps were a movement of poor Mexican herders and ranchers against land-enclosing rich Mexicans and Americans.¹²⁷

In general, however, White Capping was most prevalent as a sort of spontaneous movement for the moral regulation of the poor whites and ne'er-do-wells of the rural American countryside. Thus drunken, shiftless, and wife-beating whites who often abused their families were typical targets of White Cap violence.¹²⁸ Loose women frequently became the victims of White Caps.¹²⁹ Vigilantism going back to the South Carolina Regulators of 1767-69 had often been concerned with the moral regulation of incorrigible whites, and hence White Capping was in part a throwback to the early era of frontier vigilantism. At the same time, White Capping seems to have been an important link between the first and second Ku Klux Klans. White Cap methods in regard to punishment and costume seem to have been influenced by the first Klan, while White Cap attacks on immoral and shiftless whites foreshadowed the main thrust of the second Klan of the 1920's. Chronologically, the White Cap movement formed a neat link between the first and second Klans. White Capping began in the 1880's about two decades after the first Klan, and by the turn of the century it had become such a generic term for local American violence that Booth Tarkington made White Cap violence the pivot of his popular novel, *The Gentleman from Indiana* (1899).¹³⁰ At the time of World War I, White Capping was fading from view; shortly thereafter the second Ku Klux Klan rose to take its place.

Agrarian Uprisings

The tree of liberty from time immemorial in America has been nurtured by a series of movements in behalf of the ever-suffering farmer or yeoman. Often these movements—generally considered to be liberal in their political character—have been formed for the purposes of redressing the economic grievances of the farmer; at times they have been land reform movements. The dissident-farmer movements have been deemed among the most heroic of all American movements of political insurgence; they have been the especial favorites of historians who with love and sympathy have chronicled their ups and downs. There have been a host of these agrarian uprisings, and they have been equally prevalent in both the colonial and national periods of our history. The initial agrarian uprising was that behind Nathaniel Bacon in late-17th-century Virginia¹³¹ followed by the New Jersey land rioters of the 18th century.¹³² Similarly, in the 1760's were the Paxton Boys movement of Pennsylvania,¹³³ the North Carolina Regulators (not a vigilante movement but one for reform of local government),¹³⁴ and the New York antirent movement (which stretched on into the 19th century).¹³⁵ With the gaining of independence there appeared Shays' Rebellion in Massachusetts (1786-87),¹³⁶ the Whiskey Rebellion in western Pennsylvania (1794),¹³⁷ and Fries' Rebellion in eastern Pennsylvania (1798-99).¹³⁸ Farther west—in the Mississippi Valley before the Civil War—there appeared the Claim Clubs to defend the land occupancy of squatters.¹³⁹

After the Civil War a plethora of economic problems for the farmer gave rise to the Grangers, the Greenbackers, the Farmers' Alliance (which originally began in central Texas as a quasi-vigilante movement),¹⁴⁰ and the Populist Party.¹⁴¹ About the same time there appeared a land-reform movement in California against the monopoly landholding of the Southern Pacific Railroad,¹⁴² and in New Mexico there appeared the previously mentioned White Cap movement of poor Mexicans against the land-enclosing tactics of well-to-do Mexicans and Americans. Western Kentucky and the Ohio-Mississippi Valley area, generally, were the scene of a tobacco farmers' cooperative movement in the early 1900's to end the control of the American Tobacco Co. and foreign companies over the marketing system.¹⁴³ Farmers became increasingly attracted to the Socialist Party, and the nonindustrial State of Oklahoma soon led the nation in Socialist Party members. Connected with the rise of socialism among Oklahoma farmers was the appearance there during World War I of the Working Class Union which developed into a pacifist, antidraft movement of sharecroppers and small farmers.¹⁴⁴ In the upper Great Plains there rose in North Dakota in 1915 the radical Nonpartisan League which enacted many reforms in that State and inspired similar progressive farm movements in other States of the Northwest.¹⁴⁵ The farm bloc emerged in Congress in the 1920's to promote legislation for easing the agricultural depression. When conditions worsened in the 1930's, the Farmers' Holiday Association was formed in the Midwest to lead farmer strikes and boycotts against the economic system.¹⁴⁶ In our own 1960's the National Farmers' Organization has adopted similar tactics.

The insurgent farmer movements have thus formed one of the longest and most enduring chronicles in the history of American reform but one that has been blighted again and again with violence. Nathaniel Bacon's movement became a full-fledged rebellion that resulted in the burning of Jamestown. The New Jersey land rioters used violence to press their claims against the Jersey land companies. The New York antirent movement frequently used force against the dominant landlords. The North Carolina Regulators rioted against the courthouse rings that ground them under the burden of heavy taxes and rapacious fees. The Paxton Boys of Pennsylvania followed their massacre of Indians with a march on Philadelphia. The followers of Daniel Shays in Massachusetts broke up court sessions in order to forestall land foreclosures. The farmers of Pennsylvania rose in rebellion against taxes on liquor and land in the Whiskey and Fries uprisings. The Western Claims Clubs (which, paradoxically, were sometimes dominated by land speculators pursuing their own interests) used intimidation to protect "squatters' rights." The land reform movement in California spawned a night-rider league in Tulare County, 1878-80, to resist railroad land agents. The tobacco farmer cooperative movement in Kentucky did not succeed in breaking monopoly domination of the marketing system until it utilized a "Night Rider" organization that raided several western Kentucky towns, destroyed tobacco warehouses, and abused noncooperating farmers. The New Mexican White Caps employed a reign of terror to fight the land-enclosure movement. The Working Class Union of Oklahoma spawned the Green Corn Rebellion; the "rebels" contemplated only a peaceful march on Washington but did arm themselves and committed a few acts of violence before being rooted out of the hills and breaks along the South Canadian River by sheriffs and posses.

The Farmers' Holiday Association dumped milk cans, blocked roads, and roughed up opponents. Farmer grievances have been serious. Repeatedly farmers used higher law—the need to right insufferable wrongs, the very justification of the American Revolution—to justify the use of violence in uprising after uprising.

Labor Violence

The labor movement in American history has been bathed in the same sort of glorification that has annointed the agrarian uprisings. Most would agree that by raising the health and living standard of the working man the American labor movement has been a significant factor in advancing the social well-being of the nation. But the labor movement reveals the same mixture of glorious ends with inglorious means—violence—that has characterized the agrarian movement. (Ironically, the white “backlash” against black uprisings in the cities of today has been strongest in the rural countryside and the “blue collar” metropolitan wards, i.e., among the inheritors of the violent agrarian and labor movements.)

A rudimentary labor movement was to be found in the port cities of the colonial period. While there was no organization of laborers as such, sailors, longshoremen, and other workers of the maritime industry occasionally rioted—stirred up by impressment gangs and sporadic economic stringency.¹⁴⁷ The unskilled workers and skilled artisans who contributed the force to the violent Liberty Boy movement of the 1760's were made especially restless and turbulent by the economic depression that followed the end of the Great War for the Empire.¹⁴⁸

It is with the coming of the Industrial Revolution to America in the 19th century that the labor movement really gets underway, particularly as a concomitant of the tremendous growth of American industry after the Civil War. Various labor organizations mushroomed: the Knights of Labor, American Railway Union, American Federation of Labor, Western Federation of Miners (WFM), and the Industrial Workers of the World (IWW). All made the strike a major weapon, and in case after case violence broke out in accompaniment of the strike. The blame was certainly not on the side of labor alone. The unyielding attitude of capitalists in regard to wages, hours, working conditions, and the desire to unionize led to the calling of strikes. Violent attempts of capital to suppress unions and break up strikes frequently incited the workers to violence. But laborers, too, were often more than ready to resort to violence, as many of the great upheavals after the Civil War indicate. The great railroad strike of 1877 triggered massive riots that in Pittsburgh reached the level of insurrection. About the same time the decade-long Molly Maguire¹⁴⁹ troubles in the hard coal field of eastern Pennsylvania came to a climax. The Molly Maguires were a secret organization of Irish miners who fought their employers with assassination and mayhem.¹⁵⁰ Such events as the Haymarket Riot in Chicago (1886),¹⁵¹ the Homestead strike (1892),¹⁵² the Coeur d'Alene, Idaho, silver mining troubles (1892ff), and the 1910 dynamiting of the Los Angeles *Times* building (by the McNamara brothers of the supposedly conservative American Federation of Labor)¹⁵³ led Louis Adamic correctly to label the late-19th-early-20th-century period as the era of dynamite in American labor relations.

The Western mining State of Colorado affords a paradigm of the dynamite era of labor violence. From 1884 to 1914, Colorado had its own “Thirty Years War” of strikes and violence which typified the economic, class, and ethnic tensions of the period.¹⁵⁴ Colorado's 30-year period of acute labor violence came to a climax with what may have been the most violent upheaval in American labor history: the coal miners' strike against the Colorado Fuel & Iron Co., 1913-14. During the first 5 weeks of the strike (which took place in southern Colorado) there were 38 armed skirmishes in which 18 persons were killed. The final horror took place on April 20, 1914, at Ludlow, Colorado. A 15-hour battle between strikers and militiamen ended in the burning of the strikers' tent city during which 2 mothers and 11 children suffocated to death in the “Black Hole of Ludlow.” Following this tragedy, maddened miners erupted in a 10-day rebellion which brought “anarchy and unrestrained class warfare” to a 250-mile area of southern Colorado before the entrance of Federal troops ended the violence.¹⁵⁵ The Ludlow conflict was in truth an actualization of the apocalyptic visions of class warfare of Jack London (in *The Iron Heel*)¹⁵⁶ and other writers of the period.

The last great spasm of violence in the history of American labor came in the 1930's with the sitdown strike movement which accompanied the successful drive to unionize the automobile and other great mass-production industries.

CONCLUSION

What is to be made of this survey of violence in American history? The first and most obvious conclusion is that there has been a huge amount of it. It is not merely that violence has been mixed with the negative features of our history such as criminal activity, lynch mobs, and family feuds. On the contrary, violence has formed a seamless web with some of the noblest and most constructive chapters of American history: the birth of the nation (Revolutionary violence), the freeing of the slaves and the preservation of the Union (Civil War violence), the occupation of the land (Indian wars), the stabilization of frontier society (vigilante violence), the elevation of the farmer and the laborer (agrarian and labor violence), and the preservation of law and order (police violence). The patriot, the humanitarian, the nationalist, the pioneer, the landholder, the farmer, and the laborer (and the capitalist) have used violence as the means to a higher end.

All too often unyielding and unsympathetic established political and economic power has incited violence by its refusal to heed and redress just grievances. Thus Governor Berkeley of Virginia ignored the pleas of Virginia planters and the result was Bacon's Rebellion. Thus the British government in 1774-76 remained adamant in the face of patriot pleas, and the result was the American Revolution. Thus the tobacco trust scoffed at the grievances of farmers, and the result was the Kentucky Night Rider movement. Thus American capitalists ground workers into the dust, and the result was the violent labor movement. The possessors of power and wealth have been prone to refuse to share their attributes until it has been too late. Arrogance is indeed a quality that comes to unchecked power more readily than sympathy and forbearance.

By the same token, once can argue that the aggrieved in American history have been too quick to revolt, too hastily violent. We have resorted so often to violence that we have long since become a "trigger happy" people. Violence is ostensibly rejected by us as a part of the American value system, but so great has been our involvement with both negative and positive violence over the long sweep of our history that violence has truly become a part of our unacknowledged (or underground) value structure.

Two major problems remain if we as Americans are ever to break our bondage to violence. One is the problem of self-knowledge: We must recognize that, despite our pious official disclaimers, we have always operated with a heavy dependence upon violence in even our highest and most idealistic endeavors. We must take stock of what we have done rather than what we have said. When that is done, the realization that we have been an incorrigibly violent people is overwhelming. We must realize that violence has not been the action only of the roughnecks and racists among us but has been the tactic of the most upright and respected of our people. Having gained this self-knowledge, the next problem becomes the ridding of violence, once and for all, from the real (but unacknowledged) American value system. Only then will we begin to solve our social, economic, and political problems by social, economic, and political means rather than evading them by resort to the dangerous and degrading use of violence.

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26. In addition to Cutler, *Lynch-Law*, see Walter White, *Rope & Faggot: A Biography of Judge Lynch* (New York and London: Alfred A. Knopf, 1929), and Arthur F. Raper, *The Tragedy of Lynching* (Chapel Hill, N.C.: University of North Carolina Press, 1938).
27. Cutler, *Lynch-Law*, pp. 180-181 and *passim*. A total of 3,337 Americans were lynched from 1882 to 1903. Of the victims, 1,169 were whites, 2,060 were Negroes, and 108 were of other races.
28. Winthrop D. Jordan, *White Over Black: American Attitudes Toward the Negro, 1550-1812* (Chapel Hill, N.C.: University of North Carolina Press, 1968), pp. 115-120. Jordan's massive study is essential for understanding the major cause of American racial violence; i.e., white prejudice against the Negro.
29. Herbert Aptheker, *American Negro Slave Revolts* (New York: Columbia University Press, 1943), pp. 219-227. Aptheker's book is the most complete treatment of the subject, although some scholars feel that he has exaggerated the degree of violent rebellion by slaves. An able recent treatment is M[artin] D. DeB. Kilson, "Towards Freedom: An Analysis of Slave Revolts in the United States," *Phylon*, vol. XXV (1964), pp. 175-187.
30. *Ibid.*
31. William S. Drewry, *The Southampton Insurrection* (Washington, D.C.: Neale Co., 1900). See also Herbert Aptheker, *Nat Turner's Slave Rebellion* (New York: Humanities Press, 1966), which reprints Turner's own "confession," pp. 127-151.
32. William Styron, *The Confessions of Nat Turner* (New York: Random House, 1967). For a critique of Styron's novel, see John H. Clark, ed., *William Styron's Nat Turner: Ten Black Writers Respond* (Boston, Mass.: Beacon paperback, 1968).
33. Kenneth M. Stampp, *The Peculiar Institution: Slavery in the Ante-Bellum South* (New York: Alfred A. Knopf, 1956), ch. III. Two recent statements on what has become a very controversial subject are Eugene D. Genovese, "Rebelliousness and Docility in the Negro Slave: A Critique of the Elkins Thesis," *Civil War History*, vol. XIII (1967), pp. 293-314, and George M. Fredrickson and Christopher Lasch, "Resistance to Slavery," *ibid.*, pp. 315-329.
34. Stanley F. Horn, *Invisible Empire: The Story of the Ku Klux Klan, 1866-1871* (Boston, Mass.: Houghton Mifflin, 1939).

35. Two outstanding recent studies of the second Ku Klux Klan are David M. Chalmers, *Hooded Americanism: The First Century of the Ku Klux Klan, 1865-1965* (Garden City, N.Y.: Doubleday, 1965), and Charles C. Alexander, *The Ku Klux Klan in the Southwest* (Lexington, Ky.: University of Kentucky Press, 1965).
36. Ray A. Billington, *The Protestant Crusade, 1800-1860: A Study of the Origins of American Nativism* (New York: Macmillan, 1938).
37. See, for example, Robert E. Wynne, "Reaction to the Chinese in the Pacific Northwest and British Columbia: 1850 to 1910" (unpublished Ph. D. dissertation, University of Washington, 1964).
38. John E. Cox, "The New Orleans Mafia Incident," *Louisiana Historical Quarterly*, vol. XX (1937), pp. 1067-1110, and John S. Kendall, "Who Killa De Chief," *ibid.*, vol. XXII (1939), pp. 492-530. The lynching of the Italians (which brought a threat of an Italo-American war) was the result of a vigilante action. Although there had been a recent criminal incident (the murder of the police chief) which to some seemed to justify vigilante action, the lynching was not merely a simple case of vigilante action. Ethnic prejudice against the Italians (who were allegedly members of a local Mafia organization) was crucial.
39. Donald L. Kinzer, *An Episode in Anti-Catholicism: The American Protective Association* (Seattle, Wash.: University of Washington Press, 1964).
40. See, for example, David Brody, *Steelworkers in America: The Nonunion Era* (Cambridge, Mass.: Harvard University Press, 1960).
41. Two important comparative studies of violence in 18th-century America and England are Lloyd I. Rudolph, "The Eighteenth Century Mob in America and Europe," *American Quarterly*, vol. XI (1959), pp. 447-469, and William Anderson Smith, "Anglo-Colonial Society and the Mob, 1740-1775" (unpublished Ph. D. dissertation, Claremont Graduate School, 1965). Another important study is Pauline Mater, "Popular Uprisings and Civil Authority in Eighteenth-Century America," *William and Mary Quarterly*, 3d series (forthcoming).
42. Jesse Lemisch, "Jack Tar in the Streets: Merchant Seamen in the Politics of Revolutionary America," *William and Mary Quarterly*, 3d series, vol. XXV (1968), pp. 387-393.
43. See, for example, Richard Walsh, *Charleston's Sons of Liberty: A Study of the Artisans, 1763-1789* (Columbia, S.C.: University of South Carolina Press, 1959), pp. 3-55, and R. S. Longley, "Mob Activities in Revolutionary Massachusetts," *New England Quarterly*, vol. VI (1933), pp. 108-111.
44. Asbury, *The Gangs of New York*, pp. 1-45.
45. J[ohn] Thomas Scharf, *The Chronicles of Baltimore . . .* (Baltimore, Md.: Turnbull Bros., 1874), pp. 468-469, 476-479, 523, 528, 548-552, 555, 565, 570-574. The 12 riots were: (1) 1834-political riot, (2) 1835-bank riot, (3) 1847-firmen's riots, (4) 1848-election riots, (5) 1855-firmen's riot, (6) 1856-club riot, (7-8) 1856-two election riots, (9) 1857-labor riot, (10) 1858-anti-German riot, (11) 1858-election riot, and (12) 1859-election riot. In addition, Baltimore had three riots in 1861-62; they arose from Civil War tensions. *Ibid.*, pp. 588-594 ff, 622-624, 627.
46. Ellis P. Oberholtzer, *Philadelphia: A History of the City* (4 vols., Philadelphia et al.: S. J. Clarke, 1912), vol. II, 283, 285-289, 291, 293-296, John Thomas Scharf and Thompson Westcott, *History of Philadelphia, 1609-1884* (3 vols., Philadelphia: L. H. Everts, 1884), vol. III, p. 2184. The 11 riots were: (1) 1834-anti-Negro riot, (2) 1834-election riot, (3) 1835-anti-Negro riot, (4) 1838-Penn Hall (antiabolitionist) riot, (5) 1838-anti-Negro riot, (6) 1840-antirailroad riot, (7) 1842-anti-Negro riot, (8) 1843-labor (weavers' strike) riot, (9) 1844-anti-Irish Catholic riot, May, (10) anti-Irish Catholic riot, July, (11) 1849-California House (election and anti-Negro) riot. Scharf and Westcott are the source for the 1840 antirailroad riot; Oberholtzer is the source for all the other riots. In addition, there were riots in 1828 (a weavers' riot involving Irish vs. anti-Irish conflict) and 1871 (anti-Negro riot). Oberholtzer, *Philadelphia*, vol. II, p. 291, Joseph Jackson, *Encyclopedia of Philadelphia* (4 vols., Harrisburg, Pa.: National Historical Association, 1931-33), vol. I, p. 87. Sam Bass Warner, Jr., *The Private City: Philadelphia in Three Periods of Its Growth* (Philadelphia, Pa.: University of Pennsylvania

- Press, 1968), pp. 125-157, interprets the Philadelphia riots of the 1830's and 1840's as exemplifying "the interaction of most of the important elements of the big-city era: industrialization, immigration, mixed patterns of settlement, changing styles of leadership, weakness of municipal institutions, and shifting orientations of politics."
47. J[oe] T. Headley, *The Great Riots of New York, 1712 to 1783 . . .* (New York: E. B. Trent, 1873), pp. 66-135. The eight riots were: (1) 1834-election riots, (2) 1834-antiabolitionist riots, (3) 1835-antiabolitionist riots, (4) 1835-labor (stone cutters') riot, (5) 1837-food (flour) riot, (6) 1849-Astor Place (theatrical factions) riots, (7) 1857-police (Mayor's police vs. Metropolitan police) riot, (8) 1857-Dead-Rabbits' riot (gang conflict). In addition to these riots and the great draft riots of 1863 there were two "Orange" riots (Irish Catholics vs. Irish Protestants) in 1870-71. On the Orange riots, see Headley, *Great Riots of New York*, ch. XXI.
48. Roger Lane, *Policing the City: Boston, 1822-1885* (Cambridge, Mass.: Harvard University Press, 1967), pp. 26-33. George A. Ketcham, "Municipal Police Reform: A Comparative Study of Law Enforcement in Cincinnati, Chicago, New Orleans, New York and St. Louis, 1844-1877" (unpublished Ph. D. Dissertation, University of Missouri, 1967), p. 54. The four riots were: (1) 1834-anti-Catholic (Charlestown convent burning) riot, (2) 1835-antiabolitionist ("Broadcloth Mob") assault on William Lloyd Garrison riot, (3) 1837-Broad Street riot, (4) 1843-anti-Negro riot. Boston also had draft riots in 1861 and 1863. Lane, *Policing the City*, pp. 118-134.
49. Ketcham, "Municipal Police Reform," pp. 50, 53, 153. The four riots were: (1) 1836-pro-slavery riot in April, (2) 1836-pro-slavery riot in July, (3) 1842-bank riots, (4) 1853-Bedini (nativist vs. Catholic) riots.
50. Labor riots occurred in New York, 1835; Philadelphia, 1843; and Baltimore, 1857.
51. There were election riots in Baltimore in 1848, 1856 (2), 1858, and 1859, in Philadelphia, 1834, 1849, and in New York, 1834.
52. There were antiabolitionist riots in New York, 1834, 1835; Boston, 1835; Cincinnati, 1836; and Philadelphia, 1838.
53. Anti-Negro riots occurred in Philadelphia in 1834, 1835, 1838, 1842, and 1849, and in Boston in 1843. New York's great draft riots of 1863 featured much anti-Negro violence.
54. Anti-Catholic riots occurred in Philadelphia in 1844 (two) and in Boston in 1834. Anti-Catholic feeling was basic to Cincinnati's Bedini riot of 1853.
55. See, for example, Andrew H. Neilly, "The Violent Volunteers: A History of the Volunteer Fire Department of Philadelphia, 1736-1871" (unpublished Ph. D. dissertation, University of Pennsylvania, 1959).
56. On the events of 1877, see one of the most important works on the history of American violence: Robert V. Bruce, *1877: Year of Violence* (Indianapolis and New York: Bobbs-Merrill, 1959).
57. See the section below on "Police Violence."
58. See my paper in this volume on "The American Vigilante Tradition."
59. The basic work on race riots in the first half of the 20th-century is Allen D. Grimshaw, "A Study in Social Violence: Urban Race Riots in the United States" (unpublished Ph. D. dissertation, University of Pennsylvania, 1959). A seminal treatment is Arthur I. Waskow, *From Race Riot to Sit-In, 1919 and the 1960's: A Study in the Connections between Conflict and Violence* (Garden City, N.Y.: Doubleday, 1966). Two important case studies are Elliot M. Rudwick, *Race Riot at East St. Louis: July 2, 1917* (Carbondale, Ill.: Southern Illinois University Press, 1964), and Robert Shogan and Tom Craig, *The Detroit Race Riot: A Study in Violence* (Philadelphia and New York: Chilton Books, 1964) which covers the 1943 riot.
60. Of the enormous literature on riots since 1964, the most important work is the monumental *Report of the National Advisory Commission on Civil Disorders* (New York: Bantam Books paperback, 1968). A useful brief survey is Joseph Boskin, "A History of Urban Conflicts in the Twentieth Century" in Audrey Rawitscher, comp., *Riots in the City: An Addendum to the McCone Commission*

- Report (Los Angeles, Calif.: National Association of Social Workers, Los Angeles Area Chapter, [1967]), pp. 1-24. See also the paper in this volume by Elliot M. Rudwick and August Meier, "Black Violence in the Twentieth Century: A Study in Rhetoric and Retaliation."
61. Ralph Ellison, *Invisible Man* (New York: Random House, 1952), ch. 25.
 62. Jack Altman and Marvin C. Ziporyn, *Born to Raise Hell* (New York: Grove Press, 1967).
 63. *Time*, Aug. 12, 1966, p. 19 ff. This was, apparently, the greatest singlehanded mass-murder in American history. The night before Whitman had killed his wife and his mother.
 64. *New York Times*, Apr. 21, 1968, I, p. 1, c. 3-6 ff.
 65. Otto A. Rothert, *The Outlaws of Cave-In-Rock* (Cleveland, Ohio: Arthur H. Clark, 1924), pp. 55-156, 241-266. See also Coates, *Outlaw Years*.
 66. John T. James, *The Benders of Kansas* (Wichita, Kans.: Kan-Okla Publishing Co., 1913).
 67. Colin Wilson and Patricia Pitman, *Encyclopedia of Murder* (New York: G. P. Putnam's Sons, 1962), pp. 286-289.
 68. In this direction a pioneering treatment is the paper in this volume by Sheldon Hackney. Indispensable to any study of murder in American history is Thomas M. McDade, *The Annals of Murder: A Bibliography of Books and Pamphlets on American Murders from Colonial Times to 1900* (Norman, Okla.: University of Oklahoma Press [1961]), whose 1,126 bibliographical entries are heavily annotated. A relevant literary study is David B. Davis, *Homicide in American Fiction, 1798-1860: A Study in Social Values* (Ithaca, N.Y.: Cornell University Press, 1957).
 69. Charles E. Rosenberg, *The Trial of the Assassin Guiteau* (Chicago: University of Chicago Press, 1968).
 70. Walter Channing, "The Mental Status of Czolgosz, the Assassin of President McKinley," *American Journal of Insanity*, vol. XLIX (1902-03), pp. 233-278.
 71. *Report of the Warren Commission on the Assassination of President Kennedy* (New York: Bantam Books paperback, 1964), pp. 350-399, 596-659.
 72. Two notable exceptions are, of course, the late Senators Huey P. Long and Robert F. Kennedy.
 73. Luther M. Carlton, "The Assassination of John Walter Stephens," Historical Society of Trinity College [Duke University], *Historical Papers*, 2d series (1898), pp. 1-12. Albion W. Tourgée incorporated Stephens' assassination into his best-selling novel, *A Fool's Errand* (New York: Fords, Howard & Hulbert, 1879).
 74. Daniel W. Crofts, "The Blair Bill and the Elections Bill: The Congressional Aftermath to Reconstruction" (unpublished Ph. D. dissertation, Yale University, 1968), pp. 244-245.
 75. T. Harry Williams, "Louisiana Mystery—An Essay Review," *Louisiana History*, vol. VI (1965), pp. 287-291. Hermann B. Deutsch, *The Huey Long Murder Case* (Garden City, N.Y.: Doubleday, 1963). David Zinman, *The Day Huey Long Was Shot* (New York: Ivan Obolensky, 1963), holds that Long was accidentally shot by a stray bullet from a bodyguard.
 76. Goebel's election as Governor was vociferously contested by Republicans who claimed that their candidate had really been elected.
 77. Thomas D. Clark, "The People, William Goebel, and the Kentucky Railroads," *Journal of Southern History*, vol. V (1939), pp. 34-48.
 78. Fountain and his young son disappeared and were never found. Contemporaries—and later historians—felt that Fountain had been assassinated.
 79. Howard R. Lamar, *The Far Southwest, 1846-1912: A Territorial History* (New Haven, Conn.: Yale University Press, 1966), pp. 192-195.
 80. In the 1890's, Fall was still a Democrat. He did not switch to the Republican Party until after the turn of the century. Today Fall is chiefly remembered for his connection with the unsavory Teapot Dome oil reserve affair as Harding's Secretary of the Interior.
 81. Arrel M. Gibson in *The Life and Death of Colonel Albert Jennings Fountain* (Norman, Okla.: University of Oklahoma Press [1965] has branded Fall as the leading plotter against Fountain. See also the milder but excellent treatment by C[harles]

- L. Sonnichsen in *Tularosas: Last of the Frontier West* (New York: Devin-Adair, 1960).
82. Two leading authorities attest assassination as political weapon in territorial New Mexico: Lamar, *Far Southwest*, pp. 192-195, and Warren A. Beck, *New Mexico: A History of Four Centuries* (Norman, Okla.: University of Oklahoma Press [1962]), p. 173.
 83. See statements by Joseph Satten, Amitai Etzioni, and other social scientists reported in the *New York Times*, June 9, 1968, vol. I, p. 64, c. 1-3.
 84. Walter Prescott Webb, *The Texas Rangers* (Boston, Mass.: Houghton Mifflin, 1935).
 85. George A. Ketcham, "Municipal Police Reform: A Comparative Study of Law Enforcement in Cincinnati, Chicago, New Orleans, New York, and St. Louis, 1844-1877" (unpublished Ph. D. dissertation, University of Missouri, 1967). Roger Lane, *Policing the City: Boston, 1822-1855* (Cambridge, Mass.: Harvard University Press, 1967).
 86. Martha Derthick, *The National Guard in Politics* (Cambridge, Mass.: Harvard University Press, 1965), pp. 16-17.
 87. *Ibid.*
 88. James D. Horan, *The Pinkertons: The Detective Dynasty That Made History* (New York: Crown, 1968).
 89. See, for example, Anthony S. Nicolosi, "The Rise and Fall of the New Jersey Vigilant Societies," *New Jersey History*, vol. LXXXVI (1968), pp. 29-32, and Hugh C. Gresham, *The Story of Major David McKee, Founder of the Anti-Horse Thief Association* (Cheney, Kans.: Hugh C. Gresham, 1937). See also my brief account of the AHTA movement in this volume in my paper, "The American Vigilante Tradition."
 90. J[eremiah] P. Shaloo, *Private Police: With Special Reference to Pennsylvania* (Philadelphia: American Academy of Political and Social Science, 1933), pp. 58-134.
 91. Jürgen Thorwald, *The Century of the Detective*, transl. Richard and Clara Winston (New York: Harcourt, Brace, 1965).
 92. On the "third degree" problem, see the study by the Wickersham Commission: National Commission on Law Observance and Enforcement, *Report on Lawlessness in Law Enforcement* (Washington: U.S. Government Printing Office, 1931), pp. 13-261.
 93. The huge literature on jails and prisons has been dominated by the work of criminologists, penologists, and sociologists; see, for example, Paul W. Tappan, *Crime, Justice and Correction* (New York: McGraw-Hill, 1960). Two older historical studies are Harry E. Barnes, *The Story of Punishment* (Boston: Stratford, 1930), and Blake McKelvey, *American Prisons* (Chicago: University of Chicago Press, 1936). An able recent work is W. David Lewis, *From Newgate to Dannemora: The Rise of the Penitentiary, 1796-1848* (Ithaca, N.Y.: Cornell University Press, 1965).
 94. G. P. Anderson, "Ebenezer Mackintosh: Stamp Act Rioter and Patriot," *Colonial Society of Massachusetts, Publications*, vol. XXVI (1924-26), pp. 15-64. On the background of Boston mob violence, see Smith, "Anglo-Colonial Society and the Mob," pp. 88-89, 108, 118, 157-159, 180-199, 208-222.
 95. See, for example, Ivor Noël Hume, 1775: *Another Part of the Field* (New York: Alfred A. Knopf, 1966), pp. 32-34, 125-130, 284-288.
 96. Cutler, *Lynch-Law*, p. 61 ff.
 97. Adrian C. Leiby, *The Revolutionary War in the Hackensack Valley* (New Brunswick, N.J.: Rutgers University Press, 1962).
 98. Miles R. Feinstein, "The Origins of the Pineys of New Jersey," (unpublished B. A. thesis, Rutgers University, 1963), pp. 56-73.
 99. Edward B. McCrady, *The History of South Carolina in the Revolution, 1780-1783* (New York: Macmillan, 1902). See also Richard Maxwell Brown, "Back Country Violence (1760-85) and Its Significance for South Carolina History," in Robert M. Calhoun, ed., *Loyalists in the American Revolution: Central Participants or Marginal Victims?* (Holt, Rinehart & Winston, forthcoming).

100. See, for example, Francis Grierson, *Valley of the Shadows*, Bernard De Voto, ed. (New York: Harper Torchbooks paperback, 1966).
101. Allan Nevins, *The Emergence of Lincoln*, Vol. II, *Prologue to Civil War, 1859-1861* (New York: Charles Scribner's Sons, 1950), pp. 306-308.
102. See, for example, the hysteria which swept Texas in 1860 as described in Frank H. Smyrl, "Unionism, Abolitionism, and Vigilantism in Texas, 1856-1865" (unpublished M. A. thesis, University of Texas, 1961), pp. 49-74.
103. Crane Brinton, *A Decade of Revolution: 1789-1799* (New York: Harper Torchbooks paperback, 1963), pp. 35-37. The standard work on the subject is Georges Lefebvre, *La Grande Peur de 1789* (Paris: A. Colin, 1932).
104. James McCague, *The Second Rebellion: The Story of the New York City Draft Riots of 1863* (New York: Dial, 1968).
105. Frank L. Klement, *The Copperheads in the Middle West* (Chicago: University of Chicago Press, 1960).
106. Richard S. Brownless, *Gray Ghosts of the Confederacy: Guerrilla Warfare in the West, 1861-1865* (Baton Rouge, La.: Louisiana State University Press, 1958).
107. E[llis] Merton Coulter, *The Civil War and Readjustment in Kentucky* (Chapel Hill, N.C.: University of North Carolina Press, 1926).
108. Georgia Lee Tatum, *Disloyalty in the Confederacy* (Chapel Hill, N.C.: University of North Carolina Press, 1934), pp. 36-44, 54-72, 143-155.
109. This was Jones County. Tatum, *Disloyalty in the Confederacy*, pp. 97-98.
110. *Ibid.*, pp. 44-53. See also Smyrl, "Unionism, Abolitionism, and Vigilantism."
111. See the following sections of this paper on vigilante and agrarian violence.
112. Douglas E. Leach, *The Northern Colonial Frontier, 1607-1763* (New York et al.: Holt, Rinehart & Winston, [1966]). See also Alden T. Vaughan, *New England Frontier: Puritans and Indians, 1620-1675* (Boston and Toronto: Little, Brown [1965]).
113. Douglas E. Leach, *Flintlock and Tomahawk: New England in King Philip's War* (New York: W. W. Norton paperback, 1966).
114. Leach, *Northern Colonial Frontier*, pp. 12-13.
115. *Ibid.*, p. 112. William T. Hagan, *American Indians* (Chicago: University of Chicago Press, 1961), is a general history in which the major Indian wars are duly treated.
116. Brown, *South Carolina Regulators*. For a fuller treatment of vigilantism, see my paper in this volume on "The American Vigilante Tradition." Vigilantism is also treated in the paper in this volume by Joe B. Frantz, "The Frontier Tradition: An Invitation to Violence."
117. Richard Maxwell Brown, "Pivot of American Vigilantism: The San Francisco Vigilance Committee of 1856" in John A. Carroll, ed., *Reflections of Western Historians* (Tucson, Ariz.: University of Arizona Press, 1969).
118. Lucile Morris, *Bald Knobbers* (Caldwell, Idaho: Caxton Printers, 1939).
119. Eliphaz Price, "The Trial and Execution of Patrick O'Conner," *Palimpsest*, vol. 1 (1920), pp. 86-97.
120. Granville Stuart, *Forty Years on the Frontier*, Paul C. Phillips, ed., (2 vols., Cleveland, Ohio: Arthur H. Clark, 1925); vol. II, pp. 196-197.
121. A well selected collection of documents that includes material on neo-vigilantism is John W. Caughey, ed., *Their Majesties the Mob* (Chicago: University of Chicago Press, 1960).
122. See the section on the antihorse thief association movement in "The American Vigilante Tradition."
123. White Caps: "A voluntary group formed ostensibly for punishing offenders not adequately dealt with by law." Mathews, *A Dictionary of Americanisms*, p. 1865.
124. White Capping seems to have begun in Crawford County, Ind., in 1888. Within the year it spread to Ohio. *Biographical and Historical Souvenir for the Counties of Clark, Crawford, Harrison, Floyd, Jefferson, Jennings, Scott and Washington: Indiana* (Chicago: John M. Graham & Co., 1889), p. 35. *Ohio State Journal* (Columbus), Nov. 26, 29, Dec. 1, 3, 5-7, 10, 12, 21, 1888.
125. Samuel L. Evans, "Texas Agriculture, 1880-1930" (unpublished Ph. D. dissertation, University of Texas, 1960), pp. 320-321. *Texas Farm and Ranch* (Dallas), Oct. 1, 8, 1898.

126. Sheriff A. M. Avant, Atascosa County, Sept. 20, 1898, to Governor C. A. Culberson in Letters to Governor C. A. Culberson (manuscripts in Texas State Archives, Austin).
127. "The 'White Caps,' 1890-1893" (file of manuscripts and clippings in the L. Bradford Prince papers in the New Mexico State Records Center, Santa Fe). See especially the August 12, 1890, memorandum of Governor Prince to John W. Noble, U.S. Secretary of the Interior.
128. For example, Robert E. Cunningham, *Trial by Mob* (Stillwater, Okla.: Redlands Press, 1957), pp. 12-13.
129. For example, [the]red W. Crozier, *The White-Caps: A History of the Organization in Sevier County* (Knoxville, Tenn.: Beam, Warters & Gaut, 1899), pp. 10-11, 87 ff., 180 ff.
130. Booth Tarkington, *The Gentleman from Indiana* (New York: Doubleday & McClure, 1899).
131. Wilcomb E. Washburn, *The Governor and the Rebel: A History of Bacon's Rebellion in Virginia* (Chapel Hill, N.C.: University of North Carolina Press, 1957). Thomas J. Wertenbaker, *Torchbearer of the Revolution: The Story of Bacon's Rebellion and Its Leader* (Princeton, N.J.: Princeton University Press, 1940).
132. Gary S. Horowitz, "New Jersey Land Riots, 1745-1755" (unpublished Ph. D. dissertation, Ohio State University, 1966).
133. Brooke Hindle, "The March of the Paxton Boys," *William and Mary Quarterly*, 3d series, vol. III (1946), pp. 461-486.
134. John S. Bassett, "The Regulators of North Carolina (1765-1771)," American Historical Association, *Annual Report for the year 1894*, pp. 141-212. Marvin L. M. Kay, "The Institutional Background to the Regulation in Colonial North Carolina" (unpublished Ph. D. dissertation, University of Minnesota, 1962).
135. Irving Mark, *Agrarian Conflicts in Colonial New York, 1711-1775* (New York: Columbia University Press, 1940). David M. Ellis, *Landlords and Farmers in the Hudson-Mohawk Region, 1790-1850* (Ithaca, N.Y.: Cornell University Press, 1946). See also Sung Bok Kim, "The Manor of Cortlandt and Its Tenants: New York, 1697-1783" (unpublished Ph. D. dissertation, Michigan State University, 1966).
136. Marion L. Starkey, *A Little Rebellion* (New York: Alfred A. Knopf, 1955). Robert A. Feer, "Shays' Rebellion" (unpublished Ph. D. dissertation, Harvard University, 1958).
137. Leland D. Baldwin, *Whiskey Rebels* (Pittsburgh, Pa.: University of Press, 1939).
138. William W. H. Davis, *The Fries Rebellion, 1798-1799* . . . (Doylestown, Pa.: Doylestown Publishing Co., 1899).
139. Allan G. Bogue, "The Iowa Claim Clubs: Symbol and Substance," *Mississippi Valley Historical Review*, vol. XLV (1958), pp. 231-253.
140. Robert Lee Hunt, *A History of Farmer Movements in the Southwest: 1873-1925* (n.p., n.d.), pp. 28-29.
141. Although its interpretation has come under heavy attack in the last 15 years, the most complete account of the Populist movement remains John D. Hicks, *The Populist Revolt* (Minneapolis, Minn.: University of Minnesota Press, 1931).
142. James L. Brown, *The Mussel Slough Tragedy* (n.p., 1958), deals with the settlers' land league in the Hanford vicinity and its right riding activities which came to a climax in the Mussel Slough gun battle, an episode which Frank Norris used as the basis of his novel, *The Octopus: A Story of California* (New York: Doubleday, Page, 1901).
143. James O. Nall, *The Tobacco Night Riders of Kentucky and Tennessee, 1905-1909* (Louisville, Ky.: Standard Press, 1939). See also Robert Penn Warren's brilliant novel, *Night Rider* (Boston: Houghton Mifflin, 1939).
144. John Womack, Jr., "Oklahoma's Green Corn Rebellion" (unpublished A.B. thesis, Harvard College, 1959).
145. Robert L. Morlan, *Political Prairie Fire: The Nonpartisan League, 1915-1922* (Minneapolis, Minn.: University of Minnesota Press, 1955).
146. John L. Shover, *Cornbelt Rebellion: The Farmers' Holiday Association* (Urbana, Ill.: University of Illinois Press, 1965).
147. Lemisch, "Jack Tar in the Streets," pp. 381-400.

148. Smith, "Anglo-Colonial Society and the Mob," pp. 175-179.
149. "Molly Maguire" was an anti-British persona in Irish folklore whom the Irish miners of Pennsylvania adopted as a symbol of their resistance to the authority of the mine owners and bosses.
150. Wayne G. Broehl, Jr., *The Molly Maguires* (Cambridge, Mass.: Harvard University Press, 1964), is an outstanding study which treats in depth the sometimes present and usually overlooked European roots of American violence.
151. Henry David, *The History of the Haymarket Affair* (New York: Farrar & Rinehart, 1936).
152. Leon Wolff, *Lockout . . .* (New York: Harper & Row, 1965).
153. Louis Adamic, *Dynamite: The Story of Class Violence in America* (revised edition, New York: Viking, 1934), pp. 179-253. Another old but still useful work is Samuel Yellen, *American Labor Struggles* (New York: Harcourt, Brace, 1936). An excellent recent study is Graham Adams, Jr., *Age of Industrial Violence, 1910-1915: The Activities and Findings of the United States Commission on Industrial Relations* (New York: Columbia University Press, 1966). A searching study is the paper in this volume by Philip Taft and Philip Ross, "American Labor Violence: Its Causes, Character, and Outcome."
154. George S. McGovern, "The Colorado Coal Strike, 1913-1914" (unpublished Ph. D. dissertation, Northwestern University, 1953), pp. 81-111.
155. *Ibid.*, pp. 151-307.
156. Jack London, *The Iron Heel* (New York: Macmillan, 1907).

Appendix

A 150-YEAR STUDY OF POLITICAL VIOLENCE IN THE UNITED STATES

By Sheldon G. Levy*

Political violence in the United States is not new. Attacks on groups and upon individuals to change perceived wrongs have been recurrent throughout American history. But the general impression seems to be that the United States is currently in one of its more violent periods, if not its most violent. Racial conflict, protests over the Vietnam war, student unrest on campuses, and spiraling crime rates are cited as the basis for the popular judgment that this period is, in fact, one of our most violent.

An attempt to obtain objective information about the historical levels of political violence in the United States is the basis for discussion in this appendix. The presentation will be brief. An expanded version may be found elsewhere.¹

The data are based on quantitative analyses of the coding of politically violent events as obtained from a sample of newspapers. The fact that only newspapers were used and the material only represents a sample of the available data means that the results may not be fully generalizable. In addition, of course, great changes in the means and speed of communication, in the role of newspapers as a news medium, and in the population, size, and other varying characteristics of this country qualify the interpretations that may be made. Nevertheless, 6,000 issues were sampled, spanning the years 1819-1968, and each issue was completely read. All politically violent events that were found in the almost 100,000 pages were coded.

SAMPLING PROCEDURE

Two sources were used during the 150-year period. From 1819 through 1850, the *Washington National Intelligencer* was used as the source. Issues

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were selected by choosing randomly a date in the month and then picking all issues in that month that fell on exactly the same day of the week as the date that was selected. For the next month, a new date within the month was selected as the starting point.

From 1851 to 1968, the *New York Times* was used as the source. From 1851 through 1899, the sampling procedure was the same as that described above. After 1899, only two issues per month were selected. The issues to be read were determined by first picking a random date in the first week of the month and then selecting that issue as well as the issue that fell exactly 2 weeks later.

DEFINITION OF POLITICAL VIOLENCE

Politically violent events were defined as those involving an attack on an official or group of officials for any reason or an attack on an individual or group of individuals for political or social reasons. Thus, an attack on a Congressman would be considered a politically violent event even though the reason for the attack may have been purely personal. Labor violence was coded as well as incidents arising out of other economic, racial, religious, or political antagonisms. Labor strikes were coded if they occurred before such forms of bargaining were legal. Criminal acts including gang warfare were not coded unless the acts were committed against noncriminals for political reasons or upon officials. The Civil War also was not coded.

THE INDEX OF POLITICAL VIOLENCE

Measuring political violence can be done in any one of several ways. These range from the number of events alone, to the number of people who died. This study utilized three such indices. One was the number of events, another was the number of deaths, and a third was the number who were injured. These indices are not interchangeable so that judgments about the amount of political violence depend on the particular index that is used. Interpretations that are based on a composite evaluation of the indices obviously require a subjective weighting of them separately, unless, of course, each provides the same information. Results will be presented for all three of the indices.

In addition to the absolute values across time, two separate controls were utilized. The first was an adjustment of the indices based on newspaper size and the second was based on population.

The adjustment for population indicates that the most recent period of American history is as violent as any previous periods, perhaps slightly more so. However, the control for the size of the newspaper does not confirm this finding. On this basis, the most recent period is far less violent than many previous ones have been. In fact, the control for the number of pages indicates that the post-Civil War period had the greatest amount of political violence. This violence peaked around the year 1885. There was then a rather constant decline until the end of the Second World War.

The population adjustment confirms this result except that the whole period from about 1835 to 1900 had peaks of political violence followed by decreases in the amount of violence.

Trends Across Time: Deaths. Another index of political violence that was used was the number of people who were killed in politically violent events.

In order to obtain greater stability of the results, the data were collapsed into five 30-year intervals. Table 1 presents the total number of deaths on the part of both the attackers and the targets for each of the 30 year periods. Because the few large events in which more than 50 individuals were killed greatly affects the results, two totals have been presented. One is for all events in which not more than 50 people were killed. The other total is for all events including the large ones. It should be noted that about four out of the five deaths reported were among the targets. These results are presented in Table 1.

RESULTS

Examination of Trends Across Time: Number of Events

Figure 2-1 presents the results of the newspaper analysis of politically violent events across time. The results are presented for 10-year periods. The frequencies after 1899 have been multiplied by 2.2 to adjust for the use of a sample of only two issues per month after that year.

Three curves are given. The first presents the actual frequencies, weighted by 2.2 from 1900. The second represents the ratio of the weighted frequencies to the population of the country in that period. Finally, the third represents the ratio of the weighted frequencies to the number of pages of newspaper that were examined for the period.

The results for the three curves are consistent. The absolute number of politically violent events has been rising throughout American history with the exception of three periods. One was in the decade prior to the turn of the century. The second was prior to and following the First World War. This was followed by a sharp rise during the Depression period, but there was then another drop shortly before through shortly after the Second World War. On the basis of the absolute number of events that have occurred, the most recent years have witnessed the greatest amount of political violence in American history.

However, there has been a steady and rapid rise in both the population of the United States and the size of newspapers. The increase in population makes homogeneous interpretations more difficult, and the increased reporting that has occurred, influenced by the increased speed of communication, should result in a greater number of events being reported in the newspapers. Of course, transportation and communications improvements have resulted in

Table 2-1.—Weighted frequencies of deaths among attackers and targets for both individuals and groups

Interval	Individuals	50 or fewer	Row total	50+	Grand total
1819-1848	5	22	27	0	27
1849-1878	17	55	72	300	372
1879-1908	65.4	224.8	290.2	150	440.2
1909-1938	41.8	138.6	180.4	0	180.4
1939-1968	44	46.2	90.2	0	90.2

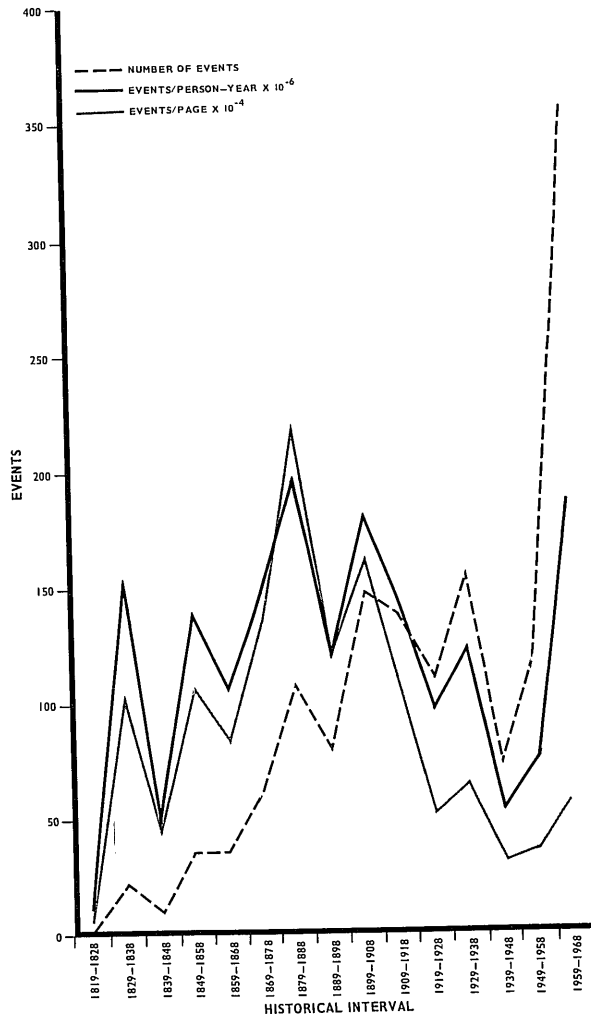


Figure 2-1.—Number of politically violent events, 10 year periods.

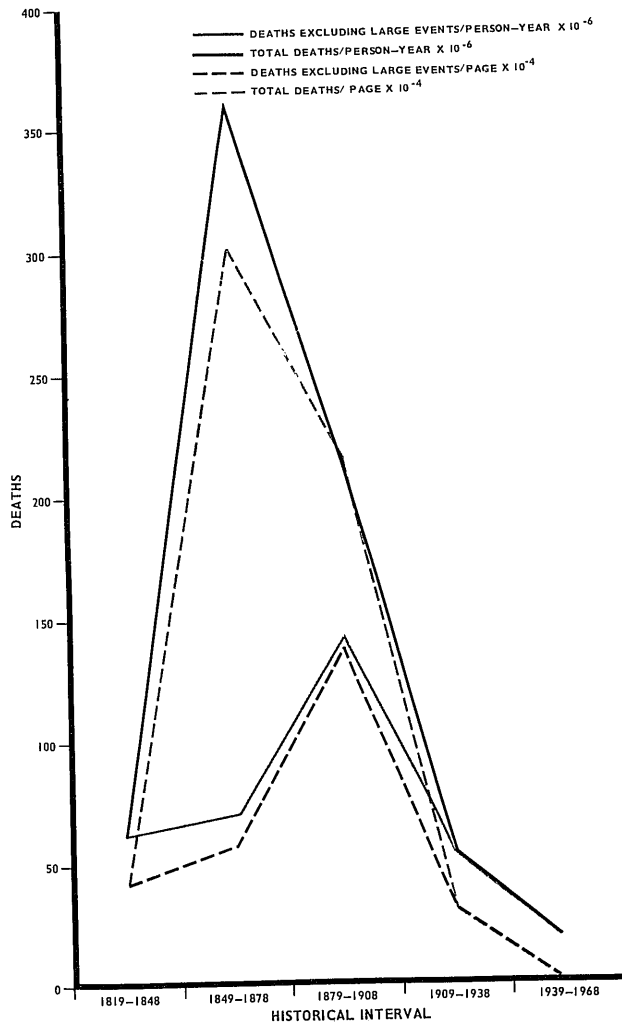


Figure 2-2.—Deaths through time adjusted for population and newspaper size.

a more homogeneous population than would have been expected based on considerations of numbers alone. In any event, it is quite important to adjust the actual frequencies by the size of the population and by the size of the newspaper. (The size of the newspaper is, of course, only a rough index of the increase in reporting. A more refined index would be the column-inches devoted to news.)

Several conclusions are apparent from table 2-1. The first is that for no category, i.e., individuals, 50 or fewer, and 50+, has the last 30 years been the most violent in the United States. In fact, even without adjustments for population and for the amount of reporting, the number of deaths is far below that which has occurred in several other periods. *If adjustment is made for population, the ratio of target deaths to total population is lower during the last 30 years than for any prior 30-year period since 1819, and this holds for all three size categories.* (Of course, since several periods had 0 deaths in the largest size category, the lowest ratio occurs in each period for which this is true.)

The pre- and post-Civil War periods appear to have been quite violent ones. However, the judgment of the pre-Civil War period is greatly influenced by a single reported event in the sample in which an estimated 300 deaths occurred. Were it not for this event, the post-Civil War period would be the predominantly violent one. This judgment is consistent with historical analyses, such as those by Brown and by Taft and Ross in this volume, that have examined the post-Reconstruction period and the early labor violence. The relatively lower internal political violence of the present period is repeatedly confirmed, when violence is indicated by the number of people killed.

Figure 2-2 graphically presents these results over time for political deaths. Adjustments have been made for population and for newspaper size. Further, the deaths have been divided into two categories. One is of all political deaths that were recorded except those cases in which more than 50 people were killed. The other includes the large events. For the adjustment for newspapers, the denominator consists of the number of pages that were examined during the 30-year interval. For the adjustment for population, the denominator is based on the number of people in the country for each year during the 30-year period. These population figures were then summed for each of the 30-year periods. The result is called the number of person-years.

It is apparent from the figure that in every case in which an adjustment has been made, the latest interval has had the smallest ratio. The only inconsistency between the results based on deaths and those based on total deaths results from the comparison of the Civil War era and the post-Reconstruction period. This point has been discussed previously.

Table 2-2.—Weighted frequencies of injuries to both targets and attackers over time

Interval	Individuals	50 or fewer	Total	50+	Grand total
1819-1848	2	40	42	300	342
1849-1878	13	59	72	375	457
1879-1908	38.4	335.2	373.6	150	523.6
1909-1938	33	453.6	486.6	7,315	7,801.6
1939-1968	19.8	825.4	845.2	5,665	6,510.2

Trends Across Time: Injury

The results for injuries are presented in table 2-2. The findings indicate a pattern different than that discussed above: Whereas deaths have decreased in absolute numbers since the turn of the century, reported injuries have greatly increased.

If population adjustments are made, the results indicate that the last three periods are more violent than the first two, and the Civil War era and the latest one are the most violent. If the large incidents are included, however, and adjustments for population are made, then the World War I-Depression era is the most violent, and the latest period is next most violent. In fact, in this case, the post-Reconstruction era is the least violent, the Civil War era (excluding the Civil War itself) is the next least violent, and the pre-Civil War period is fairly violent, but much less so than the last two periods. Examination of just the absolute number of injuries shows that the last two periods have been extremely violent.

The results for injuries are presented graphically in figure 2-3. Denominator adjustments are the same as those that were given for figure 2. The chart indicates discrepancies between both the total injuries and the injuries obtained by excluding the largest events. It also indicates some slight discrepancy between the adjustment for population and the adjustment for newspaper pages when injuries excluding the largest events are considered.

The differences between the two totals for injuries have been discussed. In the case of population and newspaper adjustment for the smaller total, the injury ratio for the latest period is almost as high as it was for the post-Reconstruction period. The newspaper-page adjustment, however, results in a ratio for this period that is comparable in size to all other historical periods that were examined except for the post-Reconstruction period, when the ratio was more than twice as large as during any other period.

A major qualification of these findings is that there probably has been a tendency for injuries to be reported more often in the recent periods than in the 19th century, when violent events were reported in less detail, and for less serious injuries to be reported. Whether these trends do account for some or all the increase would require a much more detailed study than this.

MOTIVATION FOR VIOLENCE

The last section that will be analyzed will present the information on the reasons or motivation for the attacks over time. The data will be presented twice. First, the results for broad groups will be presented, and then the particular categories within the groups that contributed the most to the trend will be given. The advantage of this particular set of data is that it allows an objective collection to be matched against historical judgment. If the data do not accord well with history, the sample itself would be suspect, either because it was inadequate or because the newspaper sources were an insufficient basis upon which to make judgments about the history of violence in the United States.

The information that was collected accords well with prior historical analysis. Table 2-3 gives the numbers of events, weighted after 1899, in which different broad categories of motives were apparent.

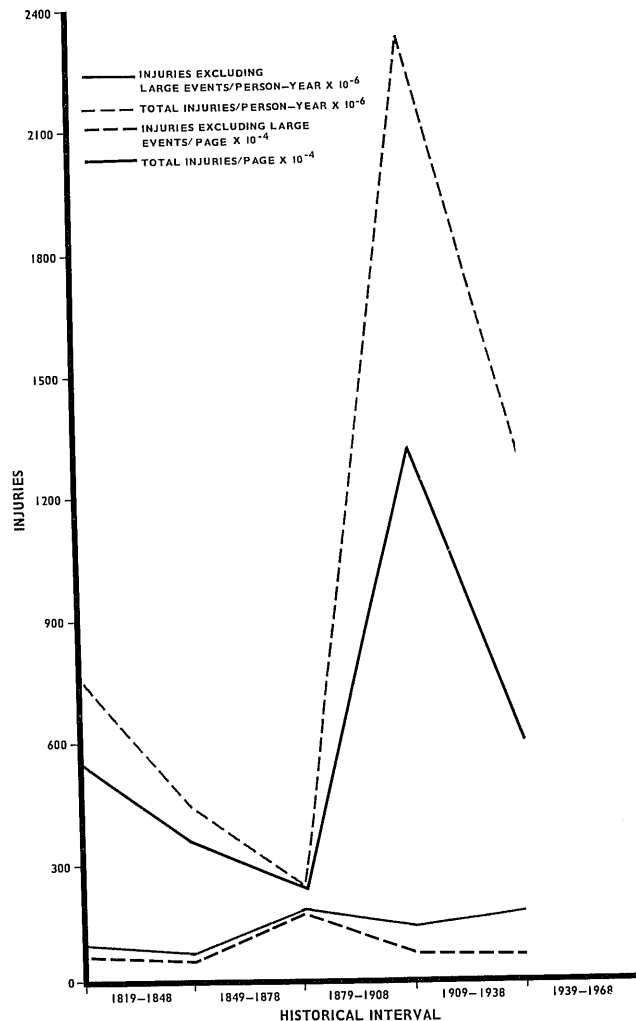


Figure 2-3.—Injuries through time adjusted for population and newspaper size.

Table 2-3.—Weighted frequencies of reasons for politically violent events over time

Interval	Personal gain	Action against authority	Foreign affairs protest	To change official leadership	Protests based on group antagonisms	Reaction of official groups	Total
1819-1848	6	0	0	0	16	0	22
1849-1878	27	11	0	0	60	2	100
1879-1908	89.7	18.4	0	3.2	178	12.4	301.7
1909-1938	50.6	77	6.6	6.6	191.4	33	365.2
1939-1968	61.6	123.2	39.6	2.2	235.4	4.4	466.4
Total	234.9	229.6	46.2	12	680.8	51.8	1,255.3

Several trends appear in the data. In the first column, "Personal gain" rises rapidly as a reason for attack and then, after the turn of the century, falls quite rapidly. This drop may well account for the smaller number of deaths in recent years. In contrast, column 2, "Action against authority," shows a sharp rise within the last two 30-year periods. "Foreign affairs protests," which are presented in column 3, appear to be a phenomenon almost unique to the contemporary United States. Almost all of the incidents appear in the last 30-year period and no events appear within the first three periods. It thus would appear that personal motivations for politically violent events have been replaced by more deep-seated controversies over the role of the Government.

Column 4 indicates that there have been very few attempts to change official leadership through politically violent events, which may be a positive sign that the elective procedures in this country are held to be appropriate ways for obtaining changes in the leadership.

Although table 3 indicates that there has been a steady increase in protests based on group antagonisms, the sharpest rise and the highest proportional ratios were in the 19th century. There is an exceptionally high point, relative to population, in the post-Reconstruction era.

Finally, a very important finding emerges when the political violence that is based on the reactions of official groups is considered. The result is a sharp decrease in the number of events that occurred because of the reaction of official groups. In fact, the last 30 years is almost as low as any previous period. The period in which this type of reaction was greatest was in the World War I and Depression era—the era of the Red scare and the bonus army—and, in fact, this period accounts for almost two-thirds of the incidents that were recorded.

The general impression is that protests currently are truly political—that is, they involve protests because of actions that authorities have taken or group antagonisms or, in the latest period, foreign affairs protests. Attempts to change official leadership have always been low. Official reactions as a basis for political violence only occurred frequently in the 1879-1938 period, and personal gain as a motivation, although fairly high, has been decreasing relative to population since the post-Reconstruction era.

To provide greater insight into the particular motives within the broad categories that have contributed to political violence, table 2-4 is presented.

Table 2-4.—Weighted frequencies of specific reasons for politically violent events over time

Interval	Personal gain				Action against authority				Foreign affairs protest		To change official leadership	Protests based on group antagonisms						Reaction of official groups
	1	2	3	4	5	6	15	16	23	25	31	40	41	42	43	44	45	50
1819-1848.	1	2	3.4	0	0	0	0	0	0	0	0	2.0	1.0	9.0	1.0	1.0	0	0
1849-1878.	4.0	11.0	27.0	0	4.0	1.0	2.0	1.0	0	0	0	3.0	14.0	23.0	11.0	3.0	2.0	0
1879-1908.	3.7	41.0	42.4	3.2	2.0	2.0	7.0	4.2	0	0	3.2	3.0	69.4	68.8	20.0	9.6	1.0	2.0
1909-1938.	8.8	17.4	19.8	4.4	8.8	8.8	15.7	17.6	0	6.6	6.6	4.4	103.04	37.4	26.1	12.2	6.6	17.6
1939-1968.	13.2	6.6	6.6	35.2	13.2	57.2	15.4	13.2	28.6	9.0	2.2	8.8	55.0	116.6	15.4	13.2	11.0	2.2

Code

1. Economic gain.
2. Personal revenge.
3. Political disagreement.
4. To gain political advantage.
5. To obtain a political goal.
6. Response to social conditions.

15. Protest police action.
16. Protest action of local officials.
23. Protest current involvement in war.
25. To protest Government action in foreign affairs.
31. To effect change in political personnel.
40. Religious antagonism.

41. Labor antagonism.
42. Racial antagonism.
43. Political antagonism.
44. Differences in social viewpoints.
45. Internal group antagonisms.
50. To maintain official authority by police.

Table 2-4 shows some interesting changes within broad categories. For example, although there has been a decline in the general category of personal gain, there are countertrends within subcategories. Personal revenge and political disagreements were the major reasons in the post-Reconstruction era, whereas most of the incidents within the latest 30-year period have been to gain political advantage. In the "Action against authority" category, the changes result from the striking increase in the number of events that are a response to social conditions. Similarly, the increase in the "Foreign affairs" category arises from the contemporary protests over current involvement in the war.

The examination of the group antagonisms results is quite informative. There have been relatively few politically violent events owing to religious antagonisms. Similarly, relatively few incidents have been reported that deal with differences in social viewpoints or internal group antagonisms. Further, while there have been a greater number of events based on political antagonisms, this is not a major category, and the number has been decreasing.

Almost all of the events that have occurred because of group antagonisms have occurred either because of labor relations or racial animosity. The level for labor increases sharply in the post-Reconstruction era, reaches a peak during the World War I-Depression era, and then drops sharply in the most recent period. Relative to population in fact, the number of politically violent events based on labor antagonisms is less during this most recent period than for any but the pre-Civil War period. On the other hand, racial violence is highest in the latest period, although relative to population, it was highest in the post-Reconstruction era. In fact, there appears to have been a diversion from racial antagonisms to those of labor during the World War I-Depression period. During this period, if population is considered, the number of events prompted by racial antagonisms was lower than at any other period that has been studied.

GENERAL SUMMARY

This study has attempted to examine the levels and changes in the levels of violence in this country from the year 1819 to the present time. The study was based on a sampling of newspaper issues from two sources. The *Washington National Intelligencer* was used from 1819 to 1850. Then *The New York Times* became the source, and it was used from 1851 to the present. The study, therefore, commends itself because the data were obtained in a way that makes them representative of a long period of American history. However, several limitations must be placed on the interpretations of the material. The first is that the information was obtained from a sample. At no time in the 150-year period did the sample include more than an issue per week. Further, at no time did the sample include more than one newspaper. Consequently, there are time restrictions, geographical restrictions, and restrictions in reportorial and editorial viewpoints.

Further, the period of time studied saw vast changes within this country. Not only has the population increased greatly, but land area, industrialization, and a whole host of other conditions that inventive social scientists have labeled have changed. Perhaps the most important of the changes that affect interpretations of the material in this study has been the change in communications. It is quite reasonable to suppose that newspapers report more than they did previously, and do it sooner.

Consequently, the absolute figures that have been presented must be viewed carefully. Of course, the changes that have occurred generally lead to expectations of more internal violence. Thus, decreases in recent periods in the actual frequency would be even more noticeable if adjustments were made for the changes. However, increases are difficult to interpret. Some adjustment ought to be made so that the present period can be compared to previous ones. The primary adjustment that has been used is that for population. Basically, the question that is asked when population adjustments are made is, What are the chances that an individual will be killed or injured because of internal political violence? Of course, this answer would be greatly affected by other factors such as the amount of news reported in an issue of a paper. Consequently, the number of pages examined was taken as a general index of the amount of reporting. However, and this fact must be emphasized, not only have adjustments for other changes not been made, but the compound influence of these variables has also not been considered.

Allowing for the limitations of the sample considered above, this study leads to the following conclusions:

1. The number of violent events has increased greatly in recent years. However, adjustments for both newspaper size and population indicate that this period of history has not witnessed more internal political violence than previous periods.
2. The number of deaths as a result of political violence is far less in the most recent period than it has been in others. Part of the explanation may lie in the decrease in personal gain as a motivation for politically violent events.
3. The number of injuries as a result of political violence is quite large during the last 30-year period. However, absolutely and in proportion to population they are less numerous than those which occurred in the World War I-Depression period (1909-38). Allowance also should be made for the probability that modern newspaper reporting maximizes the number of injuries recorded. The best judgment must still be that the present period is no more violent than some previous ones have been.
4. The reasons for the political violence show important changes. Although there has been a decrease in the number of events inspired by desire for personal gain, the number of such events to gain political advantage is greatest within the current period. The present period has been the only one in which substantial protests over current involvement in war have occurred, and the number of these is quite large.

Group antagonisms have been the basis for many politically violent events. Labor and racial antagonisms have dominated the picture. The post-Reconstruction era and the present period have witnessed large amounts of racial strife. The period between these two (World War I-Depression) saw the height of labor violence.

Some reasons for politically violent events important in other nations have been almost completely absent in American history. Political violence to change official leadership has been rare. So has that based on religious antagonisms. Attempts by official authority to maintain control as a basis for an event has been quite low except for the period in which the greatest amount of labor violence occurred (1909-38). There were also a number of

incidents reported in the 1879-1908 interval, but these constitute a very small portion of the number of events reported in that period (about 4 percent).

The picture, thus, is one of violence throughout American history, but not necessarily increasing amounts of it, with changing reasons for its occurrence, although racial violence has been consistently high for the 150-year period (except for the heyday of labor violence during the 1909-38 period). The problem of violence in America is not new. By its very persistence it is a more serious problem for our society than it would be were it new, for its roots run very deep.

Reference

1. Report of the Task Force on Assassination and Political Violence to the National Commission on the Causes and Prevention of Violence.

Part II

IMMIGRANT SOCIETIES
AND THE FRONTIER
TRADITION

In the introduction to his Pulitzer Prize-winning book on American immigrants, *The Uprooted*, Oscar Handlin writes: "Once I thought to write a history of the immigrants in America. Then I discovered that the immigrants *were* American history."¹ While technically correct, such a broad assertion tends to magnify both the uniqueness of the American experience and perhaps also the cultural impact of the latter-day mass of immigrants whose travail Handlin was recapturing. The vast overseas migration of the 17th, 18th, and 19th centuries was an international phenomenon of unprecedented magnitude, which in addition to the United States created immigrant societies in Canada, Latin America, South Africa, and Australasia. These emergent societies have shared the common experiences of frontier expansion and the necessities of dealing with native populations, relaxing or severing colonial bonds, and forging a cohesive and distinct if hybrid culture. A comparison of their similarities is necessary in order to balance the ethnocentricity that has characterized too much of American introspection.

But such a comparison, while properly emphasizing the degree to which the Statue of Liberty was not the only beacon tempting men to uproot themselves in search of a better life, also reveals important dissimilarities. Chief among them is the remarkable extent of ethnic diversity that has characterized the American experiment in cultural assimilation. Most other immigrant societies have tended to draw disproportionately from only a few favored

ethnic stocks. The British have been predominant in Australia and New Zealand. Together with the French, they have dominated Canada; with the Dutch, South Africa. In a century of immigration, Argentina received 40 percent of its newcomers from Italy and another 27 percent from Spain. Italians and Spaniards, together with a large Portuguese contingent, constituted 76 percent of Brazil's immigration. Contrast this to the United States, which during the period 1820 to 1945 recruited the following ethnically diverse proportions: the British Isles, 33 percent; German, 16 percent; Austria-Hungary, 13 percent; Italy, 12 percent; Russia and Poland, 10 percent; Scandinavia, 6 percent; and in addition we of course received myriad smaller injections of ethnic pluralism.²

Indeed, it is probable that this very ethnic diversity and the protracted and diffuse nature of its infusion combined to limit its impact in America. John Higham, historian of American nativism, argues that we must exclude the founders of a society from the category of immigrant because as original settlers they (in the American case, the English—who in 1790 comprised approximately 60 percent of the white population) firmly established "the polity, the language, the pattern of work and settlement, and many of the mental habits to which the immigrants would have to adjust."³ Given this preemption of the levers of power by the dominant Anglo-Americans, subsequent immigrant groups have been cast into fierce competition with one another in their collective quest for economic security and for acceptance as legitimate Americans. This scramble for material advantage and for status has produced violent confrontations, both between the newcomers and the often nativist Anglo-American establishment, and between the economically competing and status-conscious ethnic minorities themselves. The search for respectability has reinforced that exaggerated sense of "Americanism" which has been so deeply enshrined in the mythology of the revolutionary new nation. The stakes were high, and the quest was often explosive.

The American character, then, was forged through an extraordinary 300-year process of settlement during which the Indians were driven back, the Eng-

lish, Spanish, and French were driven off, the Africans were involuntarily driven over, the Mexicans involuntarily annexed, and the immigrant minorities were thrust irrevocably into a vibrant competition both with a raw physical environment and with one another. That Americans often resorted to violence under such trying circumstances is no surprise. But more important today is the question of the pervasiveness of the legacy of nativism, vigilantism, and ethnic aggression that was an inevitable byproduct of the interaction of immigrant and open continent. How deeply has the immigrant and frontier experience embedded a proclivity for violence in our national character, and how does a comparison with similar societies enlighten our experience?

In comparing in chapter 3 the cultural evolutions of the immigrant societies of Latin America, the United States, Canada, South Africa, and Australasia, Louis Hartz speaks of them as "fragment cultures" in which migrating European populations imposed their cultural values upon their new overseas societies. All have shared certain fundamental problems, such as the relationship with the mother country and with the native non-Western population, and all have experienced a tightening consensus through the shrinking of their social world. But crucial in determining their sharply varying forms of adjustment has been, first, the nature of their imported values—i.e., whether they were primarily feudal, as in the case of Spanish migrations, or liberal-enlightenments, as in the English. The second major determinant has been the mixture of the cultural fragmentation. In some a single fragment has been predominant, as in the case of the English in Australia and New Zealand or the Spanish in much of Latin America. In others, the fragmentation has been dual, as with the English and French in Canada and the English and Dutch in South Africa. In the latter case, both cultural fragments have inherited the values of bourgeois liberalism, whereas in Canada the two fragments have not only differed ethnically, but also their values have derived from conflicting traditions. Finally, there is the unprecedentedly fragmented United States, wherein the bourgeois-liberal ethnic, in combination with ethnic pluralism, has produced in the cult of "American-

ism" a nationalistic impulse toward an iron conformity that has nurtured a particularly virulent strain of vigilantism.

While all of the fragment cultures created by the great international migration encountered frontier conditions which reacted upon the transplanted culture, in none was the admixture of imported values, frontier environment, and time so uniquely structured to maximize the impact of the frontier as in the United States. The essential ingredients were relatively modern liberal-capitalist values and a sufficient expanse of accessible and desirable land which would allow the frontier encounter to be repeated and prolonged.⁴

In Latin America, both the feudal values of Spain and Portugal and the difficult topography combined to blunt the frontier experience. Similarly, in Canada, the settlers of the Saint Lawrence River Valley carried prerevolutionary French cultural luggage, and the inhospitable Laurentian Shield deflected pioneers southward into the United States; when railroads opened the Canadian prairie provinces to British settlement in the late 19th century, the frontiersmen came directly from the more traditional east and the process of settlement was not nearly as prolonged as was the American experience. Siberia was settled by Czarist peasants. In Australia, pioneers pushed through the gaps in the Great Dividing Range only to discover the vast arid expanse of the outback. But in the United States an interminable stream of relatively propertyless individuals, armed with bourgeois-liberal values and a powerful acquisitive instinct, marched 3,000 miles to the Pacific in an epic migration lasting 2½ centuries.

The unique American character forged in the process, as Frederick Jackson Turner and his disciples have explained, was characterized by an intense individualism and an almost fanatical equalitarianism. This "new man" was democratic, optimistic, mobile, nationalistic, and hospitable to change. But he was also criminally wasteful, and at the core of his individualism was a materialistic philosophy which enshrined property rights and held them to be largely immune from governmental or public control. Hence, his equalitarianism was

flawed by an inconsistency which held that such barriers to his acquisition as red Indians and Mexicans were exempt from the democratic embrace, and horse thieves were exempt from due process. In chapter 4, Joe B. Frantz recaptures through lively—and often deadly—anecdote the tone of a uniquely prolonged saga in which the pitting of man against nature and his fellowman constituted "an invitation to violence." Although the American frontier has been officially closed for over two-thirds of a century, its impact on our national character has been deep and abiding.

The deeply rooted tradition of vigilantism that was nurtured for so long by the American frontier experience has never comported well with the official commitment of the revolutionary young republic to a quest for "ordered liberty" through due process of law. Furthermore, this American quest for ordered liberty has itself been an ambivalent one. Our dual commitment to liberty and equality—a commitment symbolized by the Declaration of Independence and the Constitution—has always embodied a fundamental conflict, for liberty and equality are often contradictory goals. Born in rebellion against traditionally constituted authority, the new Republic's noble task of constructing "a government of law, not men" has always been complicated by the unalterable reality that men must fashion, interpret, and enforce their laws.

That the origins of the venerable American vigilante tradition can be traced to the Revolutionary era is both symbolic and instructive. An authority on the South Carolina Regulators of 1767-96, Richard Brown observes in chapter 5 that the new spirit of populist vigilance, which was muted in our earlier environment of colonial deference, was logically nurtured by the democratic ethos of the Revolution. But because vigilantism constitutes at best extralegal enforcement of community mores, its proponents have perforce constructed a defensive rationale based upon the "higher law" doctrine of the rights of revolution, self-preservation, and sovereignty.

The American vigilante tradition has been linked in the popular mind with the frontier, and it is true

that the frontier's characteristic lack of effective agencies of law enforcement clearly invited and to a degree legitimized vigilante justice. Implicit in this view is the assumption that vigilantism should subside with the disappearance of the frontier. But Brown points out that as a flexible human institution, vigilantism was easily adapted to respond to the demands of an urban and industrial America. Symptomatic of this transition to a modern "neovigilantism" was the greatest of all vigilante movements: the San Francisco Vigilance Committee of 1856. Neovigilantism may be distinguished from the older frontier model not only by its urban environment but also, revealingly, by its victims. Whereas the old vigilantism sought to chastise mainly horse thieves, counterfeiterers, outlaws, and bad men, the victims of neovigilantism have characteristically been ethnic, racial, and religious minorities, union organizers, and political radicals. Modern vigilance groups have frequently been supported by prestigious community leaders, often with the tacit support of the police. The tenacity of this American tradition, together with its institutional flexibility, suggest that its resurgence in our troubled times remains a distinct and sobering possibility.

Finally, students of national character rightly assume that a close scrutiny of the folk lore and creative literature of a culture will isolate certain fundamental themes and images that are far more revealing of its cultural values than are opinion polls or official rhetoric. If one pursues the theme of violence in the American folk and literary tradition, one will find it in abundance. Yet it is striking how America's historians, unlike her literary giants, have been so long insensitive to the white man's explosive encounter with Indian and African. The remarkably tenacious appeal of the Leather-stocking saga and the wild western surely reflect an abiding romantic fascination with our violence-prone frontier origins. Yet so rich is the lode of American literature that, like the Bible, one can "prove" almost any hypothesis by citing it. Are we a people peculiarly and morbidly fascinated by violence? In support of this contention, one might cite the savage humor and the bloodthirsty tall tale of

frontier folklore, or the searing urban and industrial chaos and class animosity reflected in the utopian novels of Ignatius Donnelly and Jack London, the fascination with war of Stephen Crane, Ernest Hemingway, and John Dos Passos, and especially the racial agony mirrored in Mark Twain, Herman Melville, and Richard Wright. The trouble with citing these persistent themes as conclusive testimony to the sickness of American society has been, as Kenneth Lynn observes in chapter 6, that "they tend to extrapolate violent incidents in American writing out of their literary context, without regard to the curse-lifting effect of self-parody and other forms of humor, or to the ways in which fictional conventions and authorial prejudice affect representatives of reality, or to the dreams of peace which render ambivalent even the most violent of our writer's nightmares."

The unmatched ethnic diversity of American immigration and the protracted American encounter with the frontier larged a national character that mirrored that contradictions between the American creed and American practice that Gunnar Myrdal has labeled "the American Dilemma." That contemporary urban industrial America continues to reflect ethnic animosities and a vigilante impulse is testimony to the persistent virulence of our ethnic pluralism and our frontier legacy.

References

1. Oscar Handlin, *The Uprooted* (New York: Grossett & Dunlap, 1951), p. 3.
2. These European figures of course omit original Indian inhabitants, African, Oriental, and Spanish-surname Americans. For an illuminating comparative discussion of immigration, see John Higham, "Immigration," in C. Vann Woodward (ed.), *The Comparative Approach to American History* (New York: Basic Books, 1968), pp. 91-105.
3. *Ibid.*, p. 93.
4. For a comparative analysis of frontier settlement, see Ray Allen Billington, "Frontiers," in C. Vann Woodward (ed.), *The Comparative Approach to American History*, pp. 75-90.

Chapter 3

A COMPARATIVE STUDY OF FRAGMENT CULTURES

By Louis Hartz*

The paradox of the fragment¹ cultures in respect to violence and legality is that they heighten consensus by shrinking the European social universe but at the same time discover new sources of conflict which Europe does not have. Some of these sources are inherent in the process of fragmentation itself, as with colonial revolution, but mainly they are to be found in the encounter of the fragment with new groups, Western and non-Western, as its history proceeds. In the end, to deal with these, the fragment is faced with the problem of transcending the new morality which it has established.

It is not hard to see how the migration of a group from Europe heightens social consensus. The group does not have to deal with other groups possessing different values. Thus the French Canadian corporate community does not have to deal with the Enlightenment, and the American middle class does not have to deal with the institutions of the feudal order. Indeed the new intensity of shared values is matched precisely by an escape from Europe's social revolution and all of the violence it contains. The guillotine is missing in the fragment cultures. To be sure, there will be some disorder in the process of forging the new society and the shrunken consensus it contains, as with "frontier lawlessness" or ethnic strife, but these matters can be fairly well contained. It is in the nature of the migration culture that it leads to a new sense of social peace based upon a new sense of community. And when these emotions are fortified by the spirit of a new nationalism, as they almost always are, the moral world of the fragment is secured in an unusually powerful way.

Technically the violence involved in the colonial Revolution should have all of the transience of a frontier situation, since it is more or less an instrument for completing fragmentation. And indeed in a liberal culture like that of the United States, or even in a case like India where a native liberal elite revolts, the Revolution has the effect of clarifying the situation. But this need not always be so, especially in the feudal cultures where the imperial order may itself represent a vital part of the domestic legitimacy system of the fragment. Latin America is a case in point. The national revolutions

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there, by abolishing a Spanish monarchy on which the spirit of authority depended, opened up a vacuum into which the military entered.

One would not suppose that the clash of one European settlement with another would have the same temporary character as the clash of migrants with a mother country, since this is a matter not of separation but of permanent connection. Moreover the very fact that each of the fragments is building its new and shrunken sense of community, fortified by nationalism, exacerbates the matter of the relationship. Indeed if we wish to measure what the fragment has avoided in the way of Europe's social revolution we can look at a country like Canada, where bourgeois and feudal cultures confront one another, but as "nations" rather than classes. This means, to be sure, a situation potentially much more explosive than the European, but this very fact drives from the outset toward some Federal solution which would be unthinkable within England or France themselves insofar as the relations of classes are concerned. We are, of course, reminded here that in the inter-fragment confrontation the distance of the social values the fragments enshrine from one another is important. But we must not make too much of this. For the South African case shows us that where the fragments are really quite similar in social and national substance, Holland and England being parts of a North European cultural complex, extraneous factors such as race can enter into the relationship of the fragments and literally explode it.

Actually, for all of the tension between the English and the Dutch which resulted from the racial issue in South Africa, the underlying fact about the attitude of the fragment toward the non-European is that he is outside a consensus of values, European in character, which despite their limited social circumference all of the fragments share. And under these circumstances, a common European violence in relation to the non-European is almost inevitable. The aborigine, at whatever stage of culture, is the first to encounter it. Whether he is simply exterminated, or shoved off into reservations, or incorporated along Latin American lines into the fragment system, force becomes inevitable. Nor is this wholly a transient frontier matter, even in countries like Australia where the simple method of extermination was widely used. Aboriginal groups survive, creating issues of conscience and of policy alike. And of course in the Latin American situation, where the aboriginal elements become vital parts of the culture, their existence helps to define the very categories of social strife.

The same principle of violence holds even when the non-European is imported, as is the case with the African slave in all parts of the fragment world save Africa itself. Indeed the process of importation yields a major and peculiar form of violence in its own right, since there are the horrors involved in the voyage from Africa, a kind of "forced fragmentation" which matches, curiously, the more spontaneous movements on the part of the European population themselves. We must not forget, however, that the European fragment values themselves seek to absorb slavery into their own definitions of legitimacy, and this profoundly conditions the nature of the force associated with it. Feudal fragments such as those of Brazil instinctively seek to legitimize slavery along hierarchical lines, whereas bourgeois fragments like that of the United States oscillate between "property" and "personality" as categories for the African. This oscillation, needless to say, has revolutionary implications, both for the European and the African in the United States, as the Civil War and its aftermath fully reveal.

The effort to "abolish" or "digest" the Indian and the African obviously has limits as a technique for cultural relatedness. It cannot easily be applied to the world at large which is descending on the fragments in the 20th century as it is upon all nations. Ironically, this experience brings the fragment into contact with the very revolutionary process it escaped at the time of migration, for the European revolution has been transferred, albeit in changed fashion, to large areas of the globe. That transfer is, to be sure, a phase of the European cultural fragmentation itself, which the new societies share, and there is a common theoretical bond here between the United States, India, and even Japan. But the differences are also immense, since the Enlightenment fragments of Europe in these instances usually work within the context of the most powerful traditionalisms. It is at this point, where 1789 returns, as it were, that the European settlement cultures face most vividly the challenge of transcending their perspectives. Whether they can meet this challenge, without descending into irrational violence at home and abroad, is still an open question. Perhaps a consolation is to be found in their record of Federal invention, not merely in two fragment cultures like the Canadian but within single fragment societies like the United States. Certainly, for nations born of the drive of European groups to live separately, the fragment cultures have shown a remarkable concern with the institutional technique of "living together."

MIGRATION AND CONSENSUS

Let us look more closely at the process by which the fragments create a special sense of community out of their own contracted social substance. The fact that this process can override frontier disorders of a domestic kind is testimony to its force. But it will always be in contrast to the European social revolutions that the fragments escape, in contrast to their barricades and their civil wars, that the new spirit of consensus will be centrally measured. This is not merely a matter of escaping the old regime, or as in the feudal cases of French Canada and Latin America escaping the Enlightenment itself. Flight from the immediate enemy is, to be sure, a critical matter. But when the pilgrims leave, they leave not merely an opposing group; they leave a total historical process whose interactions generate constantly new results. Thus the integrity of the new fragment consensus is protected, by virtue of the same stroke of movement, from the enemies of the future as well as the past.

The threat of socialism illustrates this process almost everywhere. Since that subversive movement requires a mixture and a confrontation of both feudal and bourgeois elements, neither the feudal nor the bourgeois fragments can produce it; Marx is missing both in French and English Canada, despite the strain of the CCF, although he blossoms in France and England themselves where the fragments of North America interact on a class basis and keep the social revolution moving. This is a hidden source of unity within Canada as it is between Canada and the United States, for surely it would be a matter of concern throughout North America if any area within it produced something like a Bolshevik Revolution. The problem of Castro in a later and different context may give us a hint of this. To be sure, Western Europe does not itself produce many victorious revolutionary socialisms, but the Marxian force is a factor there, continuing the 1789 which most of the fragment cul-

tures escaped. Historically, if the world of Boston and the world of Quebec are both to exist, even Harold Laski has to be excluded from their borders.

This is not to deny that labor violence can take place in the fragment cultures, as a Molly Maguire movement will show. But it is to deny that this violence will symbolize a major trend of proletarian revolution. Historically, the working class is typified by the AFL in the United States and English Canada and by Catholic syndicates in French Canada. Nor does the Australian case, where a series of major strikes in the 1890's led to the victory of the Labor Party, really disprove our point. For the fragment root of the culture of Australia was proletarian, even to some extent Chartist, so that socialism was an inherent outcome of its history—as, let us say, Jacksonian democracy was an inherent outcome of the bourgeois culture of the United States. In this sense the upheavals at the turn of the century in Australia have something in common with Dorr's Rebellion in Rhode Island, manifestations in line with the fragment ethic, helping it forward, rather than challenging it in a subversive way. The Australian experience shows us that the process of European settlement can embrace more in the way of ideology than conservatism or liberalism, but it does not disprove the proposition that all settlements, in their own ideological terms, escape social revolution and go forward to a new experience of moral consensus.

That consensus is bound to be fortified by nationalism, because it is the only substitute the fragmented European has for the European national identity he has lost. How else can the migrant Puritan regain a sense of national wholeness than by calling the Puritan ethic itself the American way of life? This process varies in intensity from fragment to fragment depending on the clarity of the ideological substance, and the relationship to the European homeland. But it is to be found everywhere, even in English Canada where the ambiguities of the fragment identification are legendary. Of course, where it appears in extreme form, it produces itself a moral vigilantism which borders on the violent. "Americanism" in McCarthyite form or French Canadianism in Duplessis form can be terrifying things. But it is interesting that these are always "law and order" movements, and the label is not wholly meaningless. While there is a sad paradox in men being harried by movements boasting lawfulness, the fact is that such patriotic crusades do express, in pathological form, the normal spirit of legalism in the fragment world. That spirit rests on the new and contracted consensus arising out of migration. If an excess of national emotion sends militants off in the pursuit of subversive phantoms, then the legalism of the fragment has, in some sense, no right to complain. Here is a curious case of "law and order" against itself.

We must not overlook the role of fragment nationalism in containing the tensions implicit in new immigration, for by converting the fragment ethic into a source of national identity it permits the immigrant to "belong" simply by subscribing to it. To be sure, ethnic struggles are historic in the United States despite "Americanization." In other fragment cultures, where the blossoming of fragment nationalism has been inhibited, the "melting pot" has worked even less effectively. Indeed it might even be argued, insofar as strife is concerned, that in societies like English Canada or Latin America where ethnic separatism tends to persist, violence is itself minimized, since the homogenizing moral force which would hurl groups into contact with one another is limited. Canada is interesting on this count because there is a tend-

ency for the newcomers of recent times, taking their cue from the Federal relationship of French and English, to rationalize explicitly the maintenance of their own identity. But after all of this has been said, and the complexities of the matter noted, it remains a fact that the conversion of the fragment ethic into a national code always contributes something to immigrant belonging. And the reason is that national membership is transmuted thereby from something inscrutable and unattainable into something doctrinal and embraceable. You cannot become an Englishman by subscribing to Magna Carta, but you can make at least some progress toward becoming an Australian by subscribing to the open egalitarianism of the national legend.

Politics betrays the new consensus, indeed rests upon it. When one says that the fragment cultures escape social revolution, one automatically says many things about their political systems. Their political struggles are usually not ideological, save in the sense that the national ideology is occasionally brought into play against subversives. It is illuminating to see how this principle works out in Australia, where even the socialism of the Labor Party relaxes into a pragmatism nourished by the general egalitarian consensus. What this often means, indeed, as once again the Australian experience illustrates, is a positive distrust of the intellectual, the ideologizer. This will be accentuated in fragment cultures of an intrinsically democratic type, for there the death of ideology coincides with an exaltation of the popular mind. In a relatively stratified bourgeois fragment such as the English Canadian there is a bit more place for the intellectual elite, and in the feudal fragments, leaving aside the habit of clerical leadership, there is a larger place as well. Given the torn fabric of Latin America, which was penetrated by French thought in the 18th century, we actually begin to get something like an "intelligentsia"—a phenomenon rare indeed in the new society.

All of this is merely to return us to the special spirit of legalism injected into the fragment world by the tighter moral consensus which, as against Europe, it contains. Pragmatism is close to legalism, since it flourishes on the basis of a moral settlement which adjudication also requires. *Inter arma leges silent*. Nor does one need to concentrate on the courts alone here, for the spirit to which I am referring can have its incarnation in religion and in clerical establishments, also, as in the case both of French Canada and Latin America. What is at issue is a sense of the presence of objective norms nourished by the fact that the competition of norms has been narrowed and even eliminated through the process of flight from Europe. Surely it is clear enough that this emotion conquers the initial spirit of chaos in the new society, even in an instance like the American where the saloon and the badman are parts of the national legend. Of course the frontier outlaw in the United States is himself a kind of heroic individualist, far more in tune with the bourgeois ethos than a Bolshevik revolutionist, which is one of the reasons why the legend can nurture him. But even if we account him a deviant, his meaning lies in his transience. The roads are inevitably paved in the western town and the chamber of commerce takes over.

Indeed it is in the United States, with all of its Jesse James tradition, that the peculiar legalism of the fragment culture appears most vividly. The lucidity of the Puritan consensus creates the basis for nothing less than the remarkable power of judicial review of the Supreme Court, a power resting on the notion that there is enough moral agreement in the political world to permit

the adjudication of even its largest questions. Surely nothing reveals more clearly the escape of the fragment from the revolutionary ideological turmoil of Europe than the presence of that power. The very notion of "sovereignty," that ally of all revolutionary enterprises, has to be missing where the higher law is so liberally applied. But if this is the case, if the Supreme Court is a projection of the fragment consensus, the question will always exist as to how far it can control that consensus when, for reasons of patriotism or cultural anxiety, the consensus gets out of hand. Can "law and order" really be protected against itself?

LEGITIMACY AND COLONIAL REVOLT

There will always be a question as to whether the colonial revolutions in the fragment world are not themselves "social revolutions," enactments of a peculiar 1789. But even though we face up to every social aspect of these upheavals, we have to insist that this is not the case. The colonial revolt is tied in with migration, the very process of social escape. And if the violence it engenders can cut in various directions, either the continuing turmoil of Latin America, for example, or the relative peace of the United States, it remains a fact that neither result can be understood apart from the exigencies of the imperial experience.

I have said that in the Latin American case the removal of the Spanish king through imperial revolt impaired the legitimacy structure of the fragment itself. Since efforts to produce New World monarchies failed, save in the case of Brazil where in fact it was a migrant Portuguese monarchy itself which served the purpose, the gap was soon filled by the legendary caudillo. There is no doubt that the feudal fragment has a peculiar vulnerability here, because of its authority needs. Of course these can be met inside the fragment itself, as they were for the most part in French Canada which was able, out of its own elite, to manufacture a fairly stable system, despite the reliance on Paris. However, it is worth noting that the French Canadian order was not put to the Latin American test on this count. French rule was abolished not by revolution but by external conquest, and the British supplied by their imperial authority much of the direction that they had destroyed on the French side. Nor, in terms of power itself, was the shift from the French to the British on this count as significant as might seem. The French Catholic ethos was in fact prenatal, rationalizing authority per se, and it made an accommodation to the conquerors doctrinally possible. French Canada in this connection has not been forced to "stand on its own feet" as a feudal fragment as Latin America has.

Ideally, of course, even in the feudal case, colonial revolt should enhance the integrity of the fragment ethic by completing the escape from European enemies. It is merely a sign that there has not been a full social migration when imperial institutions serve domestic needs. In the case of the American Revolution we have an illustration of this fulfilling aspect of colonial revolt, and nothing brings out more vividly the contrast with Latin America than the issue of monarchy itself. By the time of the Revolution the British monarchy, for all of the reluctance of the colonists to break with it, had ceased to be a major factor in the legitimacy system of the American colonies. Due in part to imperial neglect, and in part to the growth of self-governing institutions, the American system was practically complete in its own terms. Paine cele-

brated American reality in *Common Sense*. That pamphlet was later translated in Latin America, but in a context of course entirely distinctive. Which reminds us, in addition to the differences in the monarchical question, of the differences in the whole doctrinal setting of revolution. In the United States the liberalism of revolutionary doctrine carried forward the intrinsic liberalism of the culture, whereas in Latin America it contradicted not only the initial feudal ethos but also the drive of the creole revolutionary leaders themselves who remained elitist. It clarified the fragment spirit here, confused it there.

All of this, of course, is why the transition to republican government was easy in the United States, lacking further violence, Napoleonic coups, palace revolts. In the Latin American case the failure to develop domestic monarchs continued the legitimacy gap, but in the United States, had such an effort been successful, it would have impaired the evolving spirit of legitimacy itself. This, undoubtedly, despite all of the rumors at the time, is why no serious attempt at a "restoration" did take place. Certainly, under these circumstances, there was no need either for a military substitute for the monarchical figure, and once again despite rumors and a plot or two, this was why a caudillo dictatorship did not develop. The "critical period" of American history was, in fact, a period in which the American fragment was moving toward larger constitutional stability, a wider articulation of its own original meaning. The Constitutional Convention of 1787 was a climax to this process, even if most of the men attending it seem to have been so worried that they did not understand the fact. The fundamental law these men forged, which could have gone the way of French or Latin American constitutions, has lasted down to the present day.

So here was a case, yearned for but never achieved in the theories of great social revolution, where violence was a "transitional" stage toward a purer legality. Surely in other fragment situations where the break with the mother country was not decisive there have been tensions and ambiguities which in the United States were resolved once and for all in the 18th century. Surely, too, as both Canada and Australia well illustrate, the persistence of the imperial connection qualifies and inhibits the full conversion of the fragment essence into a new nationalism, a new "way of life." In these terms one can repeat the proposition that the Latin American outcome is the "pathology" of the fragment revolutionary process, a situation traceable to the intrusion of extraneous imperial connections into the domestic heart of the fragment. And in these terms also one can say again that the process is to be associated not with the Jacobins of Europe but with the Mayflower voyage and the Pizarro trip.

FRAGMENT COMPETITION: FEDERALISM

The more one explores the nature of the fragment ethic and its expanding consensus, the more obvious it is that when fragments confront one another the possibilities are explosive. We are in fact dealing with emergent "nations," compounded out of the class substances of Europe, armed with nationalisms more sensitive than those of Europe because more ideological, more doctrinal. French Canada, put alongside the Protestantism of the English, is loaded with the latent dynamite of the holy war. When one adds to the situation the pos-

sibility of clashes over other issues, such as the racial issue of South Africa, one has a potential for struggle exceeding in significance any involved in the relationship to the mother country. No wonder that, in order to contain it, there has to be the most delicate kind of Federal diplomacy.

Nor must we assume that, as European class ethics confront one another, the rivalry of the European nationalisms themselves is entirely forgotten. Certainly the struggles that are possible over language are as intense as any in the interfragment relationship. To be sure, devotion to language can reflect attachment merely to a neutral carrier of culture, rather than to the nationalism of Europe, and it would be a mistake to exaggerate its importance in European terms. All of the fragment languages vary from those of the mother countries, reflecting indeed the very simplifying processes by which the fragment itself becomes a distinctive nation. No one would seriously say that Afrikaans, the most dramatic of the linguistic variations, elicits the ardor of its support in South Africa because of the memory of Holland. But after this has been conceded, and the central importance of the fragment culture itself is stressed, the European sentiment cannot be wholly excluded. The fragment cultures, for all of their distinctive nationalist claims, have a manner of giving themselves away on this score, as, for example, when they always seem to prefer immigrants from the country of their own origin.

There can be little doubt that interfragment competition, in its own way, enhances the process by which the fragment converts its culture into nationalism. Without the English Canadian, would the French Canadian define his personality so vividly in nonbourgeois terms? To be sure, the normal nationalizing processes would be at work, as against France itself, and the articulation of the Canadian soul in terms of the rejection of Voltaire and Robespierre would go forward. But the challenge of British merchants in the 18th-century exacerbates, clearly, the conservative tendency which begins with the migration from France in the 17th. Nor does the peculiar "prenational" character of the feudal ethos to which I have referred in the French Canadian case, which in fact assists the reception of British authority, alter this fact. The submission to British monarchy as a formal authority affair is one thing, the preservation of French Canadian cultural integrity can be another. The two can exist within that ethos. But even here we must not overstate the case. There was resistance to the British, as with Papineau and the Rebellion of 1837. Nor does the fact that this resistance also took place in the English sector itself, as part of the drive for representative government, alter the point. What can be a democratic struggle in English Canada, as Papineau himself tends to reveal, can be a nationalist struggle in French.

Of course substantive alliances can be forged across the lines of the fragment, and these can betray numerous facets of the interfragment situation. In Canada the fact that French "reform" forces were interested in the preservation of Catholic corporate culture made a link with the English radicals difficult, though the elites of seigneurial and clerical power often got together rather handily with the Family Compact forces of English conservatism. Indeed the latter relationship, understandable in light of the stratified nature of the English bourgeois fragment, was probably more solid than anything worked out between the fragments in South Africa after the conquest, even though there the cultural similarities were greater than in the Canadian case. The problem of the African instantly exploded the situation within the context

of a common Protestant, North European background. And yet one cannot help noting that the gradual surrender of the English to the Dutch in the racial area, after the Boer War and into the present period, meant that that area itself could yield a substantive bond. Cultural surrender is always a possibility, though least likely in the case of the "first" fragment, i.e., the Dutch or the French, since the sense of fragment nationhood goes back farther in these cases.

Given the limits to the substantive synthesis of the fragments, federalism emerges automatically as a method for containing their relationship, a concession to the fact that we have left the class world of Europe and entered upon "international relations." This federalism, needless to say, must be distinguished from that in single fragment cultures such as the United States and Australia where size, settlement, and diversity of a different kind lead to decentralized structures. Federalism in the latter instances is far more "successful," since it is underwritten by the fragment consensus itself: when the consensus is impaired, as in the case of the South and the Civil War in the United States, it encounters troubles that approximate the interfragment type. But for all such troubles, there is no doubt that the efforts at authentic cultural federalism in the fragment world represent one of its greatest achievements. Where in general that world has narrowed the horizon of men, here is an instance in which it has broadened it also. Where the legalism of that world has tended to rest on the most explicit cultural agreements, here is a case where a legalism has arisen resting on the ethos of cultural diversity itself.

And yet is it really true to say that in the interfragment situation the moral consensus is fully missing? All of the fragments involved in Canada and South Africa are European. That is no minor matter, especially in societies which know also the North American Indian and the African. The truth is, the cultural federalism of the fragment experience, if it is not underwritten by the unity of a single fragment ethos, is underwritten by the common norms of the European experience. That may be why it is possible at all. When we move to the non-European, coming out of alien and simpler societies, violence begins to flourish on a grand scale.

THE IMPACT OF ABORIGINAL CULTURES

Technically it is not true to say that legalism breaks down completely when the non-European is involved, since in and through the treatment of the aborigine there are manifestations of fragment morality, as when the Spanish Catholic ethos protects the native or even the American bourgeois ethos speaks of an "Indian treaty." But given the threat of the stone age aborigine both to the explicit class morality of the fragment and to its implicit Europeanism, there are bound to be limits to the application of such norms. The fragment exterminates the aborigine, closes him off into separate areas, or absorbs him into its own social order on a certain level. And in all of these cases it uses force in full measure.

It vividly reveals the European edge of the moral conscience of the fragment that, when it comes to extermination, even fragments drenched in the Enlightenment ethic engage in the practice happily. Indeed, it is interesting to note that the brutal record established by the Australians in this respect coincided with a culture of the socially "radical" type. In Tasmania

the aboriginal element was wiped out completely. Of course the Enlightenment morality, and above all its Puritan progenitor, has an exclusivity about it both in terms of the "democracy" and in terms of the "damned" which can lead to quite unexpected brutalities. The record here, in contrast to that of the feudal cultures, may have some of the distinctive quality it has in the realm of African slavery. Of course there is always the final pang of conscience in the Enlightenment cases, stemming from the retrospective inclusion of the aborigine into the Lockean community, which produces legislative results.

The method of isolating the aborigine is closely tied in with the violence of the "Indian war" itself, since as a result of that war he is driven off into separate territories. The social principle, moreover, is practically the same in both cases: protection of the morality of the fragment by a kind of Hebraic nonintercourse with the alien culture. When the idea is implemented by a conscious "reservation" policy, the culture of the European fragment has usually triumphed so fully in the land that the desperate fears which inspired the separatist drive in the first place are usually forgotten. Latin America represents, to be sure, a special problem here, because the presence of isolated Indian tribes, in the context of a culture which has incorporated the Indian, can involve a serious issue for the integrity of the State system itself. The Indian question in Mexico or Peru casts a curious light on fragment "separatism."

But we must not assume, of course, that the Latin American approach to the Indian was lacking in violence. Indeed the same type of extermination crusades which prevailed elsewhere are to be found in both the Spanish and the Portuguese cases where Indian tribes, as in Brazil or Chile, were unwilling to cooperate in terms of cultural incorporation. And incorporation itself was a violent process, involving a social upheaval for the Aztec and the Inca more drastic than anything to be found in the revolutions of Europe. Granted that there were reciprocities in these cultures on which the Iberians could rely, as in the systems of authority, religion, and production, still these were far from the social unities which linked all classes within the more advanced European order. Latin America, though feudal in substance, arises out of a great "social revolution," if we wish to use the term in this connection.

Of course, like all great enterprises of social renovation, this one was not wholly successful, remarkable as many of its achievements were. Nor was this entirely because certain aboriginal groups could not be absorbed into the Iberian system, or even because aboriginal practice, as in religion and elsewhere, persisted in sublimated form despite Europeanization and Christianization. It was also because the Indian groups that were absorbed, and hence made to serve as feudal substitutes, were left with racial scars that disturbed the organic life of the Iberian order. If racial issues are more "social" in Latin America than elsewhere, it is probably true to say, without being deliberately paradoxical, that social issues are on the whole more racial. Certainly the tensions that arose historically on this score were very great, and in any assessment of the impairment of the feudal consensus in Latin America, they must be included in the record no less than the institutional ruptures arising from the breakdown of the imperial order. The Spaniards showed an absorptive genius here that the British did not—for whatever reason, feudal values, Iberian history, or the accidents of Indian culture—but they

paid the price of a basic continuing problem for it. They have been denied the luxury of resolving the Indian problem by intermittent episodes of retrospective guilt.

One thing, in any case, is clear. Whether the European fragment destroys, isolates, or incorporates the aborigine, the record is vivid with bloodshed. Here is the ironic compensation it experiences for leaving its enemies in Europe behind, that it encounters even stranger antagonists abroad. This encounter brings out all of the hidden values it shared with others in the old country, its basic Europeanism, and doing so, unleashes a violent energy that transcends even that which produced the guillotines of the Old World. But insofar as the aboriginal victims of that violence are concerned, they are met by the fragment in the course of its travels, almost as a matter of happenstance. What of the non-European whom the fragment deliberately imports, the African slave?

SLAVERY AND ITS AFTERMATH

The African, of course, is open to all of the violence reserved for the non-European, but being imported as a slave, he will not in the nature of things, save possibly in South Africa, experience extermination or isolation. He will enter the fragment community on some incorporative basis, and this means that fragment legality will instantly encounter a problem with him. On the basis of the aboriginal experience in Latin America, one can predict the outcome here, an effort as in Brazil to bring the Negro like the Indian into the Iberian feudal system. But in the North American case, where the Indian has not been absorbed and where above all the Enlightenment norm prevails, the African produces a novel issue. It is one of the most complex issues in the entire pattern of fragment legality.

It is easy to forget the violence involved in the initial acquisition of the slave. In part, this is because the European is ordinarily not responsible for his capture, that work being done in Africa itself; there are no "Indian wars," save possibly again in South Africa, designed to obtain the slave. To be sure, the European enters the process at the point of migration from Africa, and he presides over what is probably the most brutal episode in the entire early process, the slave passage, but this is not easy to remember for another reason. Voyages in their nature are forgotten, since the children of the men who take them never relive the experience. In this sense, the fragmented African is like the fragmented European, the product of an act neither can recall, which reminds us of a most significant matter: that master and slave encountered each other in the Western Hemisphere when both were in the process of movement, both in the process of leaving an "old world" behind. True enough, the Mayflower voyage is celebrated, the passage of the slave repressed, but not all of the energy of all the patriotic societies in the Hemisphere have been able to intrude the initial European voyage into its active life. Who really cares about a trip from England to Plymouth, however "important," which not even the tourist agencies advertise?

Memory does begin, however, at the point of landing, for here the pattern of fragment life itself takes shape. And whether one views the matter from the standpoint of the European or the African, violence is at its heart. To

be sure, because the experience of slavery was present in Africa itself, albeit in a manner quite different from that which came to prevail in the New World, there was a receptivity to it on the part of the African which did not exist, say, among Indian tribes like the Iroquois. It is a legendary fact that the African was imported in precisely those areas of the New World where the aboriginal population would not serve the labor purpose. But this does not alter the fact of force which pervaded the slave relationship. It was there, implicit or explicit, from the instant of purchase to the instant of death.

Of course, this is precisely where the morality of the fragments themselves appear, for the way in which a culture distributes the legitimate use of force is the clue to its ethical life. Feudal Iberia mitigated force theoretically in the slave relationship by feudalizing and Christianizing it, whatever the actual brutality of the system was. But the liberal spirit of the North Americans, being classless, actually precluded this. Human beings being equal; the slave must be somehow inhuman, a true object of property in the Lockean sense, and this produced a theoretical indifference to the force exerted against him. Of course slave codes existed limiting the power of the master, but they had a doctrinal incongruity in the liberal system which, ironically, they lacked in the feudal. And yet there was the inevitable other side of the coin. Accept the humanity of the slave in the liberal scheme, and you must instantly give him all of the rights accorded his master. He moves, without a theoretical moment of waiting, from bottom to top. That was the curiously revolutionary oscillation contained, insofar as the African was concerned, by the Declaration of Independence.

However complex the cause of the American Civil War, that oscillation was reflected in it. The radicalism of the liberal ethic, hidden beneath Supreme Court legalism in a fragment context, exploded in the bloodiest episode the fragment had seen. The Court could not prevent this, as its ultimate failure in the Dred Scott Case showed, for what was at stake was the meaning of the very consensus on which its power rested. And yet the clash here took place, for all of the activity of the Negro, mainly within the European population; the violence of the slave relationship, because it could not be digested by the fragment morality, was transferred to a struggle among the masters themselves. That struggle ended with the emancipation of the African, the termination of legalized force against him, but it did not bring him fully into the Lockean community. Despite the fixed and continuing radicalism of the liberal demand, and even despite Reconstruction Amendments which were written into the fundamental law itself, an ambiguous situation was the result.

That situation, however, was as unstable as the initial situation out of which the war had come. Given social change and the world impact in the 20th century, the radicalism of Jefferson would reassert itself, this time with the African himself as the most militant carrier of it. The violence of slavery, exploding within the European fragment in the 19th century, is turned by the Negro against the fragment in the 20th. However, the rioting in the streets was preceded by the desegregation decisions of the Supreme Court, which reminds us that the Negro is still working with the moral materials of the fragment establishment. To be sure, there is a Black Power, black separatist overtone to the Negro battle, which holds out the thought

of a two-fragment federalism of the Canadian type or a kind of reverse bantustanism of the South African sort. But so far this has not crucially challenged the Jeffersonian base of the civil rights movement which binds the Negro to the European fragment itself, gives him allies within it and a weapon vastly more powerful than any he can find in another formula. In a fairly pure liberal fragment culture like the American, when you have the Declaration of Independence on your side you come close to having all that there is.

THE AMERICAN PARADOX

Certainly the most effective method for dealing with Negro violence in the United States is to bring the Negro finally fully into the Lockean world, to make him a complete part of consensus and legality. And yet this brings us to a paradox found everywhere in the fragment world, that while the most immediate resources for healing fragment wounds lie in the fragment ethic itself, the impact of a unifying globe requires also that that ethic be transcended. In the American case it has been proven that a blind Wilsonian pursuit of the Declaration of Independence is not the best method for handling world reality. On the other hand, insofar as the Negro is concerned, there is this consolation, which reminds us of the peculiar relationship a liberal fragment has to the forces at work on the international scene today. The American Lockean drive to include the Negro coincides with a world movement also designed to establish his equality, and it is even a fact that African nationalism has itself entered as an influence into the civil rights movement. To be sure, there is a difference between social revolution in Africa or Asia and final purification of an absolute liberal ethos derived from the Mayflower. The difference is at the heart of the matter. But we are still dealing with types of "equality," and there ought to be possible an accommodation between them.

Surely when we look at the feudal fragments, with their traditionalized elitist instincts, we see the meaning of this point. The racial hierarchies of Latin America, granted that they are "feudalized," do not fall under the impact of an American civil rights impatience. Of course feudalism itself elicits a deep current of social change, and in this sense Latin America is closer than other fragment cultures to the "underdeveloped" world, as is French Canada. But it is the historic power of the fragment which resists this change. We must not forget that in the international sphere the feudal cultures of both North and South America have also been able to yield quite a considerable worship of Salazar, Franco, and even Hitler.

It will always be ironic that, as they confront the revolutionary world of the 20th century, the settlement cultures I have discussed here confront products of the European cultural fragmentation itself, sharing basic aspects of their own experience. Whether in Africa or China, it is the migration of European ideas which has disturbed the globe. But despite all the connections here, even that in the case of the American Negro, the "return to revolution" on the part of the fragments poses the most serious problems of understanding for them. Even the very Enlightenment ethos that most of them have can, in this context, be a special source of bitterness and violence.

It is doubtful whether men fight more fiercely over the acceptance of the idea of "equality" than over the method of its application.

But one thing is certain. The world will never be reduced through violence by the settlement cultures to the limits of their own ethical outlook. To be sure, it is remarkable how "successful" violence was in this connection in the past, as with mother countries, Indians, Africans. Indeed, given this record, it is perhaps not surprising that the instinct of blind ferocity keeps asserting itself. But sooner or later all of the fragments will have to discover that if the Chinese cannot be deserted as Europe was deserted neither can they be eliminated like the Iroquois.

An intensified Federal outlook, greater than any generated within or among the fragments in the past, is inevitably needed. But if this takes place, what will the fragment have lost? It will have lost some of the cozy warmth of its own shrunken consensus, some of the high righteousness of its own sense of "law and order." Surely the world offers compensations for this. What the fragment nations have missed is the experience of cultural diversity, and this is precisely what a Federal perspective on Africa and Asia can yield. In our century the settlement cultures have been entrapped by the world they tried to escape. But if they have the courage to accept that world, they will discover a reward even greater than any they found in Kansas or Quebec.

Reference

1. I use the term "fragment" here to describe societies arising from the movement of European population, the principle being that the settlers represent a part of the total culture of Europe. Theoretically, the cultural fragmentation of Europe also includes narrower European imperial settlements and the carrying forward of European ideas by native groups as in India or Japan. I shall refer occasionally here to the latter cases, but mainly I shall be concerned with the fragment experience as it applies to societies based significantly on European population, specifically the United States, Latin America, Canada, South Africa, and Australia. For the general theoretical background I am using, see my discussion in chs. 1-3 of *The Founding of New Societies* (New York: Harcourt, Brace & World, 1964).

Chapter 4

THE FRONTIER TRADITION: AN INVITATION TO VIOLENCE

By Joe B. Frantz*

On September 26, 1872, three mounted men rode up to the gate of the Kansas City fair, which was enjoying a huge crowd of perhaps 10,000 people. The bandits shot at the ticket seller, hit a small girl in the leg, and made off for the woods with something less than a thousand dollars. It was highhanded, and it endangered the lives of a whole host of holiday-minded people for comparatively little reward.

What makes the robbery and the violence notable is not the crime itself but the way it was reported in the *Kansas City Times* by one John N. Edwards. In his front-page story he branded the robbery "so diabolically daring and so utterly in contempt of fear that we are bound to admire it and revere its perpetrators."

Two days later the outlaws were being compared by the *Times* with the knights of King Arthur's Round Table:

It was as though three bandits had come to us from storied Odenwald, with the halo of medieval chivalry upon their garments and shown us how the things were done that poets sing of. Nowhere else in the United States or in the civilized world, probably, could this thing have been done.¹

Quite likely this deed was perpetrated by the James brothers: Jesse and Frank, and a confederate. The details really do not matter. What pertains is the attitude of the innocent toward the uncertainly identified guilty. The act had been perpetrated by violent, lawless men. If the *Times* is any indication, a respectable section of the people approved of their action. No one, of course, thought to ask the little girl with the shattered leg how she felt about such courage. Nearly 17 months later, Edwards was quoted in the *St. Louis Dispatch* as preferring the Western highwayman to the Eastern, for "he has more qualities that attract admiration and win respect; . . . This comes from locality . . . which breeds strong, hardy men—men who risk much, who have friends in high places, and who go riding over the land, taking all chances that come in the way." The purpose here is not to belabor one reasonably anonymous news-

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paperman of nearly a century ago, but merely to point up a fact—and a problem—of the American frontier.

The frontier placed a premium on independent action and individual reliance. The whole history of the American frontier is a narrative of taking what was there to be taken. The timid never gathered the riches, the polite nearly never. The men who first carved the wilderness into land claims and town lots were the men who moved in the face of dangers, gathering as they progressed. The emphasis naturally came to be placed on gathering and not on procedures. Great tales of gigantic attainments abound in this frontier story; equally adventurous tales of creative plundering mark the march from Jamestown to the Pacific. It was a period peopled by giants, towers of audacity with insatiable appetites. The heroes are not the men of moderate attitudes, not the town planners and commercial builders, not the farmers nor the ministers nor the teachers. The heroes of the period, handed along to us with all the luster of a golden baton, are the mighty runners from Mt. Olympus who ran without looking back, without concern about social values or anywhere they might be going except onward.

We revere these heroes because they were men of vast imagination and daring. We also have inherited their blindness and their excesses.

Just by being here, the frontier promised the spice of danger. And danger, to paraphrase Samuel Johnson, carries its own dignity. Danger therefore was the negotiable coin of the American frontier, and the man who captured his share of danger was a man of riches, beholden only to himself.

To live with danger means to be dependent to a considerable degree on one's own resources, and those resources in turn must be many and varied. Courage and self-reliance, while not exclusive with the frontiersman, take on an enlarged dimension because so many instances of their use can be recalled. Whereas the town neighbor or the corporate manager may need a type of moral courage that exceeds the physical in its wear and tear on the human soul, such downtown courage is hardly recountable and seldom even identifiable. But when the frontiersman has faced down an adversary, he usually has a fixed moment in his life when he can regale an audience or when others can recall admiringly his dauntlessness. Even a foolhardy adventure brings applause. To the human actor no reward is more desirable.

The fact that back East, which meant from ten miles behind the cutting edge of civilization all the way to the more sophisticated capitals of Europe, men were daily facing monumental problems of planning, and sometimes even of surviving, meant nothing to the frontiersman. Nothing in the frontiersman's way of life gave him any sympathy for the man who made his decisions on paper or in the vacuum of an office or stall. Decision was made on the spot, face to face. The questions were simple; the solutions, equally simple. Today that heritage of the frontier continues in more remote areas. The subtleties of law and order escape the isolated mountain man, for instance, whether he be in Wyoming or in eastern Kentucky. If a man does wrong, you chastise him. Chastisement can take any form that you think is necessary to hold him in line. One of the acceptable forms is murder, which means that lesser violence visited upon the offending person is even more acceptable. Such behavior has the advantage of being swift and certain, without the agony of deciding what is comparatively just and without the expense of trials and jails and sociologists and welfare workers.

Of course, one reason that this simplistic attitude toward settlement of problems prevailed on the frontier was a physical one of lack of jails. Where do you put a man when you possibly have no place to put yourself? To be neat and economical, you must put him away. This may mean tying him to a tree and leaving him to starve or be stung to death; if he has been real mean, you might like to wrap him in rawhide and then let the sun shrink the rawhide slowly around him until he is gradually strangled. Or you might find it more economical to find a convenient tree with a branch a sufficient height off the ground. The scarcity of jails then, either nonexistent or inadequate, often left the frontiersman with little choice, insofar as he was concerned, except to hang, lynch, or ignore the offender.²

What do you do with a man whose crime may not really warrant execution? Either you execute him anyway, stifling your doubts, or you let him go. If you let him go, as happened frequently, then you may have set a killer at large to roam. In Arkansas in the generation during which Judge Isaac C. Parker ran his notorious Federal court, more than 13,000 cases were docketed, of which 9,500 were either convicted by jury trial or entered pleas of guilty. During a 25-year period at Fort Smith, 344 persons were tried for offenses punishable by death, 174 were convicted, and 168 were sentenced to hang. Actually 88 of these were hanged, and six others died either in prison or while attempting to escape.

By current standards the hangings themselves would have been invitations to violence. One contemporary of the judge tells of the hanging of John Childers, a halfblood Cherokee Indian charged with killing a peddler for his horse. A thunderstorm had come up, and a bolt of lightning struck nearby just as the death trap was sprung. "A moment later the ghastly work was done, the cloud had vanished and all that was mortal of John Childers hung limp and quivering," the reporter writes. "The entire proceeding, the grim service of the law, . . . filled the spectators with awe."

Standing next to Judge Parker in local fame was George Maledon, a smallish Bavarian celebrated as "the prince of hangmen" for having executed more than 60 criminals and shooting two to death during 22 years prior to 1894. Twice he executed six men at one time and on three other occasions he hanged five together. People discussed his record with all the enthusiastic calm of a present-day discussion of Willie Mays' possibilities for overtaking the home-run record of Babe Ruth. As for Maledon, when he was once asked by a lady whether he had qualms of conscience, he replied in his soft way, "No, I have never hanged a man who came back to have the job done over." This same reporter describes Judge Parker as "gentle, kind, familiar and easily approached."³

The truth is, the lawman was as closely associated with violence as the outlaw. The greatest gunfighters frequently played both sides of the law, shooting equally well. Bill Hickok comes down as a great lawman in Kansas. He also shared a good many of the qualities of a mad dog. Hickok first came to public notoriety near Rock Creek, Nebr., where from behind a curtain in the Russell, Majors, and Waddell station he put a single rifle bullet through the heart of one David McCandles, who had come with a hired hand and his 12-year-old son to protest nonpayment of a debt. Hickok was acquitted on a plea of self-defense. For this dubious bit of law tending, Hickok became a national hero, although it took a half-dozen years for his notoriety to become nationwide. He filled in that time by doing creditable work for the Union Army, and pur-

suing a postwar career as a gambler in Missouri and Kansas. This stretch of social service was punctuated by a town square gun duel which left Hickok standing and his adversary forever departed.

In his long hair and deerskin suit, Hickok could have joined any police confrontation in Chicago or Berkeley a century later. Nonetheless he became a deputy U.S. marshal out of Fort Riley, and helped rescue 34 men besieged by redskins 50 miles south of Denver. With this background he was elected sheriff of Ellis County, Kans., in August 1869. He killed only two men, which is not meant as an apologia, for he was credited with many more. His fame as a stanchion of the law brought him to Abilene as city marshal in the spring of 1871. Whereas his successor, the revered Tom Smith, had operated from the mayor's office, Hickok utilized the Alamo Saloon, where he could fill in his time playing poker and drinking the whiskey for which he also had a storied appetite. He ran a tight, two-fisted town, especially aimed at keeping undisciplined Texas cowboys in hand. When 6 months later he killed Phil Coe, as well as (by mistake) his own policeman, he was soon sent packing by the town. Naturally enough, he left this life as the result of a shot in the back while playing poker in a Black Hills gambling joint.⁴ This violent man is the hero who is supposed to have quelled violence on the frontier and to have brought the blessings of organized law and order to our Western civilization. But he was ever ready to kill, on either side of the law.

One writer, detailing the lives of the bad men of the West, has put together an appendix consisting of the bad men and another one of the peace officers. Among the bad men he lists are Judge Roy Bean, who dispensed the "Law West of the Pecos."⁵ Hickok is also listed with the bad men. Ben Thompson shot up Kansas and almost crossed with Hickok, and wound up as a city marshall of Austin, Tex. Bill Longley was a deputy sheriff and one of the more notorious killers in the business. Doc Holliday was a lawman in both Kansas and Arizona under Wyatt Earp. And Arizona remains split to this day whether Earp belongs with the bad men or the good. Certainly the frontier story is replete with men of peace who were equally men of violence.

Undoubtedly a lot of the violence spawned on the frontier emanated from the restlessness engendered by successive wars. The American Revolution, the War of 1812, the Mexican War, and the Civil War all disgorged some men who had tasted action and could not return to the discipline of the settled world. Consequently they stayed on the frontier, where their training and penchant for direct action held some value. Undoubtedly this was more true of the survivors of Civil War action than of any of the other major wars. The men who fought in the Western areas of the Civil War, both North and South, enjoyed more than a little activity as guerrillas. But what does a guerrilla do when he has no more excuse for hit-and-run tactics? Either he settles down on a Missouri farm or he continues to hit and run against targets of his own devising. The most notorious of such men would have to be the James brothers, though their company is entirely too large. The Jameses could rob and kill almost with impunity if they selected their targets well. Since the James boys had been on the Southern side, they were cheered by their Southern fellows, embittered by the outcome of the war, who felt a bit of reflected glory in the harassment of the cold-blooded Yankees. Reputedly, Ben Thompson tried to get John Wesley Hardin to kill Wild Bill Hickok because Hickok shot only Southern boys. For once Hardin, the most prolific killer of them all, turned down an opportunity

to notch his gun again. Had he shot the Yankee Hickok, he might have become a true Southern hero instead of just another killer—well, not just another killer—who needed to be put away. All across the West the antagonisms of the late conflict continued, and were justified really in the name of the war. It did not matter that you killed, so much as whom you killed.

Running parallel with this tendency for a strong individual to range himself actively on one side or the other of the law is the tendency throughout history of men and groups to take the law into their own hands, sometimes with reasonably lofty motives. As John Walton Caughey has written, "to gang up and discipline an alleged wrongdoer is an ancient and deep-seated impulse."⁶ Whether such impulses run counter to a belief in the orderly pursuit of government is not debatable here. The fact is that throughout history societies, both frontier and long fixed, have moved through phases of private settlement of what should be public disputes. The operation of the Ku Klux Klan in a settled South with its centuries-old civilization is a case in point. Vigilantism is a disease or a manifestation of a society that feels a portion of its people are out of joint and must be put back in place whether the niceties of legal procedure are observed or not. That the end justifies the means is the authorizing cliché.

Not unmixed with vigilantism is frequently a fair share of racism, which has its own curious history on the American frontier. In some ways the frontier was the freest of places, in which a man was judged on the quality of his work and his possession of such abstractions as honesty, bravery, and shrewdness. The Chinese merchant, the Negro cowboy, the Indian rider—all were admired because of what they could do within the frontier community and not because of their pigmentation. On the other hand, the only good Indian was a dead Indian, "shines" could seldom rise above the worker level, and "coolies" were something to take potshots at without fear of retribution, either civic or conscience. Just as lynching a Negro in parts of the South was no crime, so shooting an Indian or beating an Oriental or a Mexican was equally acceptable. Like all societies, the frontier had its built-in contradictions.

In Kansas cowtowns, shooting Texas cowboys was a defensible act per se; popular agreement in that area was that although there might here and there be a decent cowboy, nonetheless most cowboys were sinister characters who were likely to ruin your daughter or your town. In other words, cowboys and Texans were in the same class as snakes—the garter snake can be a friendly reptile in your garden, but stomp him anyway in case he grows into a dangerous rattler.

But then, cowboys, whether Texan or Montanan, had a notoriously brazen unconcern toward nesters and grangers as Wyoming's Johnson County war will attest. How could the cattleman believe in legal law enforcement if, as one stockman put it, no jury of "Methodist, Grangers and Anti-Stock" would convict the most blatant cattle thief? A. S. Mercer, who felt that cattlemen were a menace to his Wyoming, nonetheless concluded that "as a matter of fact, less stealing and less lawlessness [occur] on the plains of the West than in any other part of the world."⁷ Backing himself, Mercer quotes the Federal census report of 1890, which points out that the Northeastern states, "which are supposed to be most civilized," had 1,600 criminals to the million people while Wyoming ran 25 per cent less, or 1,200 to the million. However, the real cattleman dislike was for the sheepherder, who was lower than a nester, rustler, or even a cowboy who had married a squaw. As one Scotsman who emigrated opined,

when he brought his flock down from the hills in Scotland, people would exclaim, "here comes the noble shepherd and his flock." Out west, however, they said "here comes that damned sheepherder and his bunch of woolies!"⁸

Certainly the cowboy treatment of the sheepman showed something less than the normal extension of dignity due a fellowman. Cattlemen tried intimidation, and if that failed, they tried violence. If mere violence were not enough, next came murder, either for the sheepman or his flocks. As public sympathy was generally with the cattlemen, the sheepman had no recourse at law if his herder were killed or his sheep driven off the range. As a general rule, as in most vigilante situations, the cowboy always tried to outnumber his sheepherding adversary by five or ten to one, preferably all on horseback to the one herder on foot.

Nowhere was the sense of vigilante violence more noticeable than in the cattleman-sheepman feud. It was vigilantism, for the cowman looked on the sheepman's mere presence as immoral and illegal, an intrusion on his frontier life as he knew it. Along the upper reaches of Wyoming's Green River, for instance, a masked group, organized by the cattlemen, attacked four sheep camps simultaneously. The group blindfolded the herders, tied them to trees, and spent the remainder of the night clubbing to death 8,000 head of sheep. From wholesale dispatch of sheep to wholesale dispatch of men is really but a short, sanguine jump.

The Graham-Tewksbury quarrel furnishes another example. The Grahams and the Tewksburys had hated each other in Texas, and when both families moved to Arizona, the hatred moved in the wagons with them. Originally both Grahams and Tewksburys ran cattle, but in Arizona the Tewksburys turned to sheep after awhile. The usual charges of range violation, and the natural animosity for Tewksburys by Grahams, and vice versa, led to occasional potshooting that was looked upon by all but the participants as good clean fun.

Open conflict erupted when eight cowboys rode into the Tonto Basin of central Arizona, not really suspecting danger. But the Tewksbury brothers with five cronies were holed up in the basin, and in 10 seconds three cowboys were dead and two others wounded. Within a month, the cowboys had besieged the Tewksbury ranch headquarters, killing John Tewksbury. Retaliation followed retaliation. Within 5 years, all peaceable ranchers had been driven from the country, and 26 cattlemen and six sheepmen had been killed. None of this was considered murder, but simply an intermittent pitched battle to see who would prevail. And not at all incidentally, the Graham-Tewksbury feud provided the plot of one of Zane Grey's most widely accepted eye-popping novels, *To The Last Man*, read by youth and adult, western housewife and New York dentist alike.

The coming of barbed wire into the cattle country led to another outburst of vigilantism. Violence alone was insufficient against barbed wire because it was an inanimate object that did not directly pit man against man. Like the men it fenced in and fenced out, barbed wire was savage, unrefined, cruel, and hard. And in a sense, like the men whose ranges it controlled, it helped make the Great Plains finally fit for settlement.

As fence-cutting skirmishes broke out from Texas all the way north to Montana, people were killed, property destroyed, business crippled, and otherwise peaceful citizens alienated from one another. Men cut fences because their cattle were thirsty and their tanks were enclosed, or because they desired

the good grass now out of bounds, or because the large ranching syndicates had fenced in whole counties. The XIT Ranch in Texas enclosed within wire grasslands approximately the size of the State of Connecticut. To fence in the XIT required 6,000 miles of single-strand wire. The Spur Ranch, also in Texas, erected a drift fence in 1884-85 that strung out for 57 miles, while an old Two Circle Bar cowboy told of seeing 10 wagonloads of barbed wire in the middle 1880's in transit from Colorado City, Tex. to the Matador Ranch. Again, men gunned down fence builders, violated enclosed land, and otherwise took the law into their own hands in resisting the coming of a new order. But legality eventually prevailed, and many men who had fought the new orderliness came to embrace it.

In effect, vigilantism was nothing more than lynching. Despite the fact that the South has been internationally damned for its lynching proclivities, it must share some of the tradition with other parts of the world, most notably with the frontier. Nowhere was lynch justice more swift, certain, or flourishing than on the frontier. Human life simply was not as valuable on the frontier as property. Taking a human life was almost as casual as our killing 50,000 people a year now by automobile murder. The fact that Colt's revolver and the repeating rifle were present and the courtroom was frequently absent undoubtedly aided such an attitude. Mitigating or extenuating circumstances for the transgressor were virtually unknown. Either he done it or he didn't.

Granville Stuart, the leading Montana vigilante, tells the story of a Billy Downs who was suspected of selling whiskey to Indians, stealing horses, and killing cattle. One July 4 the vigilantes ordered Downs and another man, an unsavory character known as California Ed, from Downs' house. Both men pleaded guilty to stealing horses from Indians, which was hardly a crime, but denied ever stealing from white men. On the other hand investigation showed their pen with 26 horses with white men's brands, none of the brands their own. A fresh bale of hides bore the brand of the Fergus Stock Co. The two men were carried out to a nearby grove and hanged.⁹

Cattle Kate, otherwise known as Ella Watson and mentioned in Owen Wister's *The Virginian*, and her companion Jim Averill were accused of branding mavericks. In the summer of 1889 they swung from a pine.¹⁰ In Las Vegas, N. Mex., the following warning was posted in 1880:

To murderers, confidence men, thieves:

The citizens of Las Vegas are tired of robbery, murder, and other crimes that have made this town a byword in every civilized community. They have resolved to put a stop to crime even if in obtaining that end they have to forget the law, and resort to a speedier justice than it will afford. All such characters are, therefore, notified that they must either leave this town or conform themselves to the requirement of law, or they will be summarily dealt with. The flow of blood MUST and SHALL be stopped in this community, and good citizens of both the old and new towns have determined to stop it if they have to HANG by the strong arm of FORCE every violator of law in this country.

Vigilantes¹¹

Not too far away, in Socorro, N. Mex., the vigilantes hanged a Mexican monte dealer because they were incensed at his two employers, despite the fact

that those employers were paying the vigilantes \$12 a day to keep their monte tables open.¹²

In effect, the Western frontier developed too swiftly for the courts of justice to keep up with the progression of people. Therefore the six-gun or rope seemed superior to judicial procedure. In 1877, for instance, Texas alone had 5,000 men on its wanted list.¹³ And Theodore Roosevelt pointed out, "the fact of such scoundrels being able to ply their trade with impunity for any length of time can only be understood if the absolute wildness of our land is taken into account." Roosevelt tells how in 1888 "notorious bullies and murderers have been taken out and hung, while the bands of horse thieves have been regularly hunted down and destroyed in pitched fights by parties of armed cowboys."¹⁴ Small wonder that foppish Bat Masterson was once fined \$8 for shooting a citizen through the lung. After all, the man had deserved it.

In Denver, according to one visitor from England, "murder is a comparatively slight offense," a sign of being fashionable.

Until two or three years ago, assassination—incidental not deliberate assassination—was a crime of every day . . . Unless a ruffian is known to have killed half-a-dozen people, and to have got, as it were, murder on the brain, he is almost safe from trouble in these western plains. A notorious murderer lived near Central City; it was known that he had shot six or seven men; but no one thought of interfering with him on account of his crimes . . .

The truth is that vigilantism, or "group action in lieu of regular justice," as Caughey calls it, reflects the thinking of a substantial body of local sentiment. The community sits in judgment. It condones because it believes. However, a vital difference exists between vigilantism of the frontier and the vigilantism of the latter 20th century. The pioneer was beyond the reach of regular justice; he had to fill the vacuum. Sometimes he filled it with grave concern for the decencies of human relations. More often he moved in a state of emotion, even as modern society would like to have done following the deaths of the two Kennedys, when the identities of the assassins were suspected.

In his penetrating study of vigilantism, Caughey points out the John Snyder-James Reed dispute arising out of the frustrations of the Donner party in 1846. A month behind schedule, nerves frayed, the members of the Donner party were at each other's throats. When Snyder whipped Reed's team, Reed naturally objected. So Snyder brought his heavy whip down on Reed. To quote Caughey, "Reed drew his knife, Mrs. Reed rushed in between the two men and was struck by the whip, and then Reed, half-blinded in his own blood, plunged the knife into his antagonist. Immediately he was contrite as a man could be; he took the boards from his wagon to make the rude coffin in which Snyder was buried."¹⁵

What to do? The party was well beyond the reach of U.S. law, in the upper remoteness of Mexican territory, and totally out of touch with any legal jurisdiction. The members held a trial of some sort, Reed pled defense of his wife, and the evidence indicated unpremeditated and justifiable homicide. But his companions saw the action in another light, did not like to hang or shoot Reed, and so banished him emptyhanded from the train. Undoubtedly it would have been a slow death sentence, except that his daughter slipped him a gun and

ammunition in the night and he made it to California safely, later to participate in the rescue of what was left of that unfortunate party.

Caughey also mentions a rare acquittal. In this instance, in the Green River country of Wyoming, a man named Williams shot and killed a teamster who had repeatedly threatened his life. Williams offered to stand trial, but the group was not disposed to try him, believing that he had acted in self-defense. But when another man, apparently without provocation, killed one of his mates, a volunteer posse went after the malefactor, could not locate him, and brought Williams back to the Green River ferry to stand trial. Since it was the 4th of July, a festive crowd was on hand, court was convened, Williams challenged its jurisdiction, and an argument ensued which led to a riotous melee. The fact that it was the Fourth of July and that some of the Spirit of Independence was liquid undoubtedly contributed to the scuffle. The trial was not resumed, Williams felt that his presence was "wholly irrelevant" to the current circumstances, and he withdrew. The court was never adjourned, for it didn't seem necessary.

Far to the south, at the same time in Arizona, two young Arkansans quarreled, fought, and were pulled apart, whereupon one of them whipped out a knife and killed his assailant. The company promptly chose a judge and jury, found the knife-wielder guilty, and the next morning had the whole company vote on the verdict. A firing squad was chosen by lot, six men were given rifles with blank loads, and six had powder and ball. When they buried the man, they posted a brief statement over the grave of what had happened. As Caughey concludes:

Months out of the trail, these emigrants certainly were beyond the reach of regular courts. There even was question what government had jurisdiction. If society was to do anything about crime on the trail, it would have to be through improvised group action. In their minds the forty-niners asserted this same justification—that they had left regular justice a couple of thousand miles behind and that it had to be the vigilante response or none at all. Other parts of the frontier could also assert that they were remote or cut off from established courts.¹⁶

The difficulty with frontier vigilantism is that it has no stopping place. Men accustomed to taking law into their hands continue to take law into their hands even after regular judicial processes are constituted. They continue to take the law into their hands right into these days of the 1960's. They do not approve of a man or a situation, and they cannot wait for the regular processes to assist their realizations. They might not know a frontier if they saw one, and they certainly are not aware of the extension of the frontier spirit down to themselves. But they do know that they must get rid of the offending member or section of civilization. So they burn down a ghetto, they loot and pillage, they bury three civil rights workers beneath a dam, or they shoot a man in a caravan in Dallas or on a motel balcony in Memphis. True, to them the law and the other civilized processes may be available, but like the frontiersman they cannot wait. But whereas some frontiersmen had an excuse, these people merely operate in a spirit which does violence even to the memory of the frontier.

So much of vigilantism of the frontier had no place at all in a legally constituted society. The vigilantes of San Francisco in the 1850's were operating after legal redress had been properly constituted. The Mexican, Juanita, "a

very comely, quiet, gentle creature apparently, [who] behaved herself with a great deal of propriety," was visited in Downieville on the night of July 4, 1851, by a Joseph Cannon. When he literally fell through the door, Juanita sprang out of bed and stabbed the drunken intruder. She was seized, the cry went out that she had stabbed a popular citizen, a court was formed in the Downieville plaza, and a jury of 12 men was selected from the crowd that gathered.

Towards night they found the women guilty and sentenced her to be hung at sundown . . . they gave her half an hour to get ready to die. She was finally taken down to the bridge, about four feet high from the bridge, and a rope put up over the crossbeam, with a noose attached to the end of it . . . this woman walked up the ladder, unsupported, and stood on the scantling, under the rope, with the hungriest, craziest, wildest mob standing around that ever I saw anywhere.

The women adjusted the rope around her own neck, pulling out her braid of hair, and at the firing of a pistol, two men with hatchets, at each end, cut the rope which held the scantling, and down everything went, women and all. The mob then turned upon Dr. Aiken, who was still a resident of that city, because he had tried to defend the woman; and they drove the gambler with whom the woman was living out of town, and also some other friends of the woman, showing from first to last the utter irresponsibility of mobs.

The hanging of the woman was murder. No jury in the world, on any principle of self-defense or protection of life and property, would ever have convicted the woman . . . there was considerable ill feeling toward Mexican gamblers and women generally, and there was no other way but to hang her. During the trial of the woman, ropes had to be brought into requisition to keep the mob back; they would once in a while make a rush for her, and the conductors of the prosecution would have to appeal to them, calling on them to remember their wives, mothers and daughters, to give this woman a fair trial; and in that way they were kept quiet until this woman was executed.¹⁷

The execution of Sheriff Henry Plummer in Montana ranks equally as a miscarriage of justice. Montana was sufficiently settled, as was Downieville, for men to have recourse to law. They did not choose to follow the slow process of judicial weighing of evidence but preferred to move with frontier dispatch. Undoubtedly Henry Plummer, sheriff at Lewiston, was the principal in a gang of road agents. Undoubtedly Plummer's agents had a hundred murders in their archives. How many assaults and robberies they had committed is impossible to determine. Certainly the vigilantes had provocation for forming. Certainly too the vigilantes had reason to believe that Plummer et al. were guilty beyond reasonable doubt. "Every good citizen in Alder Gulch" joined the vigilante organization, fearing that the Plummer gang might take alarm and disperse, not to be rounded up again.

Accordingly, four Virginia City vigilantes arrived at Bannack to order the immediate execution of Plummer and his confederates. Shortly Bannack had a branch organization of the Virginia City vigilantes. Off the Bannack vigilantes went, finding one of the confederates in a cabin and the other at a gaming table in a saloon. Plummer was found "at his cabin, in the act of washing

his face . . . he was marched to a point, where . . . he joined Stinson and Ray, and thence the three were conducted under a formidable escort to the gallows." Plummer himself had erected the gallows the previous season.

Terrible must have been its appearance as it loomed up in the bright starlight, the only object visible to the gaze of the guilty men, on that long waste of ghastly snow. A negro boy came up to the gallows with rope before the arrival of the cavalcade. All the way, Ray and Stinson filled the air with curses. Plummer, on the contrary, first begged for his life, and, finding that unavailing, resorted to argument . . .

"It is useless," said one of the Vigilantes, "for you to beg for your life; that affair is settled, and cannot be altered. You are to be hanged. You cannot feel harder about it than I do; but I cannot help it if I would."

Plummer asked for time to pray. "Certainly," replied the Vigilante, "but say your prayers up there," at the same time pointing to the cross-beam of the gallows-frame.

Regardless of whether they deserved to die, and the evidence indicates that they did, the three men had been executed without trial. They had been executed because the vigilantes of Virginia City had sent word to Bannack to seize them and execute them. To Montanans the presence of judicial procedures was not pertinent.¹⁸

Some excuse might be made for Montana being a truly crude frontier. Texas cannot hide behind such a claim. An independent republic in 1836, a State in 1845, by comparison with the remainder of the western frontier it enjoyed a relatively sophisticated political society. And yet in the 1850's in Brownsville the Abbe' Domenech witnessed still another example of vigilante action. During a fandango a half-drunk North American killed a Mexican by stabbing him in the abdomen. As he fled for the sanctuary of Mexico across the river, the American was captured. On the next morning a trumpet summoned the people to pronounce sentence. A future sheriff took over, and without commentary called for "those who vote for his death step this way. Let the rest remain as they are." It was as casual as a New England town meeting voting an ordinance. The crowd shouted and to a man moved forward.

The action had been so precipitate that the gallows wasn't even ready, but a post was found outside a church. The future sheriff, inexperienced at this sort of thing, did not make a good gallows, so that the culprit was constrained to say to him, "Let me do it. You don't know your business." The prisoner seized the rope, tied the knot, and put it around his neck. After a short speech regarding the evilness of drunkenness, "which made a deep impression on the crowd," he hung from the post outside the church. Texas was a formal State in the United States of America, Brownsville was an old city that had gone through the war with Mexico, Texas had almost all the judicial procedures it has today, and the mob hanged a man for murder, even though the Mexican he had wounded did not actually die until the day after the hanging. A few years later a visitor to Texas was to observe: "in this lawless region men were seldom convicted of homicide, and never punished . . . if you want distinction in this country, kill somebody!"¹⁹

Kansas, of course, had been reasonably civilized since the latter 1850's. Perhaps some sympathy could be extracted for its problems with Texas cowhands,

suddenly released from discipline like sailors in a foreign liberty port, but what do you do about a situation like the following?

The year is 1884. Caldwell, Kans., is undergoing a "moral spasm." Mayor Albert M. Colson and the council stand "for pure and simple good order." The town has a strong Women's Christian Temperance Union. Through the winter and spring of 1885 the movement for prohibition of liquor gathers strength, including the support of a Quaker-run newspaper, the Caldwell *Free Press*. Shortly after two whisky peddlers were arrested, the house of the *Free Press* editor turned to the ground. Then in November 1885, the county attorney caused the arrest of a "blind tiger" operator. As he was being marched to the railroad depot, an armed mob besieged the two men escorting him in the baggage room of the train station. The new mayor, George Reilly, intervened and locked the prisoner in the city jail. But the mob reformed and turned the prisoner loose. The sheriff then arrested 18 Caldwellites.

Threats followed, one on top of the other. Finally on December 8, at 1 o'clock in the morning, a group of men posing as law officers awakened one of the whisky peddlers and marched him off into the night. His body was found at dawn, "dangling stiffly from a crossbeam in the pelting sleet that prefaced the winter's first snow. A note protruding from one pocket—addressed 'To House Burners' and signed 'Vigilance Committee'"—advised the other peddler as well as six other whisky sellers to feel themselves warned. The mistress of the hanged man said she recognized two members of the lynching party, but when she was brought into court, she refused to confirm the identification, apparently having been threatened by the forces of law and order. As a grandson of the editor said years later, "Sentiment by the abiding element began to get so strong that someone had to be hung." The town leaders of Caldwell itself formed a 130-strong Law and Order League. Although some more deliberate citizens condemned such voluntary association, an assembly of perhaps 400 Caldwellites at the local opera house not only endorsed the Law and Order League's aim of enforcement of all laws in the statute books, but collected a private reward to help them in their work. These latter developments are a long generation removed from the frontier, but not from the frontier tradition.²⁰

Forming a vigilance committee in Kansas carried no sinister implications within a community. Thus the editor of Topeka *Commonwealth* wrote routinely in the summer of 1875: "A vigilance committee has been organized at Dodge City, and it would not be surprising if some of the telegraph poles were found ornamented some of these days."²¹

Actually the idea of the vigilance committee goes back to puritan forefathers, whether it is their pointing out witches at Salem or their branding an "A" on a young girl's flesh. Back in 1830 in Illinois a mining rush wrapped around the unexciting metal of lead, ran the town of Galena, Illinois, into the usual welter of saloons, gambling halls, and disregard for law and order. Local citizens formed a vigilance committee. In effect the good moral people who violated the rights of the Mormons at Nauvoo were a self-constituted vigilance group. Iowa, never prominently associated with violence, had its own lead and land rush in the 1840's, and again the law-respecting farmers formed vigilance committees to rid Dubuque of its raffish lead-mining element and Keokuk of its "coarse and ferocious water men."

When in 1862 a gold strike along the Colorado River followed on the heels of a strike on the lower Gila, Tucson became a community cluttered with cut-throats. The moral people felt that these outlaws must surely have been spawned by the vigilance committees in San Francisco, who in ridding their town of a worthless element had sent it instead packing into the future Territory of Arizona.

Undoubtedly the most effective of the vigilance committees, insofar as numbers of hanged victims is concerned, belongs to the Black Hills of South Dakota during the middle and latter 1870's. Deadwood was wide open, which meant that it was wide open for ruffraff and equally wide open for vigilantes. It was just a case of who could take over.

The truth is, every frontier State went through its period of lawlessness and its corresponding period of mobocracy designed to bring the lawless element under control. Further, the reformers did not cease imposing their personal ideas of reform with the coming of judicial processes. The truth is also that a century later, with or without our frontier background as justification, groups of citizens still make charges outside the law, and some even insist on enforcing those charges. A proper frontier tradition is great and effective, a true heritage for a people who must have heroes to point directions. But a frontier heritage misstated and misapplied is a disservice to the true cause of heritage and a negation of the freedom for which many frontiersmen gave their lives.

Invariably we return to a continuing, fundamental problem of race hatred. Nowadays it is dramatized as between black and white. Once it was between red and white. The hatred may not have been endemic, but the incursions of the white men on the Indian land drove the red man again and again to desperate, savage, and invariably futile war. The missionary loved the red man, from the days of the Spaniard clustered around the Texas and California missions down to the Quakers preaching brotherly love during the Indian massacres of President Grant's days. The fur trader also found the Indian a friend, and particularly found great comfort in the Indian woman. The Indian accepted both occupational groups.

But the one man who could neither assimilate the Indian nor be accepted by his red brother was the farmer. As the farmer moved westward, cutting back the forests, muddying up the streams, and beating back the game, the Indian's enmity toward him grew deadly. As for the frontiersmen, the Indian ranked somewhere below the dog. Certainly the Indian was well below the Negro slave, for the latter had function and utility. How do you handle an element for which there is no positive use? You exterminate it, especially if in your eyes it has murderous propensities. And so the inevitable, as virtually all the world knows, happened. The conflict between the two races, in the words of Ralph Gabriel, "like a forest fire, burned its way westward across the continent."²² The noble savage was not noble at all in the sight of his adversary but a beast who bashed babies' heads up against trees and tore skin bit by bit from women's bodies. Each atrocity on either side evoked an equal retaliation. The list is long and painful, and no credit to either side.

From the standpoint of 20th century society, however, the white-Indian conflict for 300 years has important implications. For one thing, during the periodic lapses into peace which the young American nation enjoyed, these vacations from war did not by any means allow only for dull consolidation of the nation's politics and economics; instead they offered prime time for violent in-

ternal action. Almost always an Indian war was going on somewhere. On some wing of the frontier the white man was being menaced by the Indian, or he was menacing the Indian. He was running the Indian out of the woods, he was running him off the grasslands, he was running him across the desert and over the mountains to the west. With an insatiable earth hunger he was destroying the Indians' hunting grounds, until eventually he destroyed the game itself. This is not to discount those sincere Americans who had an interest in Indian culture and a desire for the two races to live side by side, but merely to point out that if any young man, full of the rising sap of the springtime of life, wanted to flex his muscles and pick a fight, he could find some Indian to fight against. The fact that the frontier also attracted the rootless and the drifters, and that these were often desperate men, added to the conflict and the inability to maintain peaceful Indian relations.

A mere listing of the battles with Indians would cover hundreds of pages in 6-point type. Take the Pequot War, King Philip's War, the French and Indian War, the Natchez War, the Fox War, Pontiac's Rebellion, Lord Dunmore's War, the problems of George Rogers Clark and at a later day William Henry Harrison, the Creek War, the Blackhawk War (which enlisted the attention of young frontiersman Abraham Lincoln), the Seminole War, all the raids by the Comanches and Apaches and Kiowas against the Texans and all the raids by the Texans against the Comanches, the Apaches, and the Kiowas, the Cheyenne-Arapaho War, the Sioux War, the Washita War, the Red River War, and the Ghost Dance Wars—these go on and on, seemingly without end. Where do you want to fight? When do you want to fight?

And if you get home from a war or a skirmish, you have instant hero status if you have halfway behaved yourself. There is a premium on killing Indians, a premium whose dividends continue through life. Men who came in after the end of Indian wars falsely delegated themselves as Indian fighters as they grew older and no one could prove them wrong. Often, criminal acts against other white men could be forgiven because a man had distinguished himself in combat against the Indians. Thus the retreating Indians constituted a kind of omnipresent safety valve for those people who liked to dance with danger, vitalize themselves with violence, and renew themselves with revenge.

Actually, although the only good Indian might be a dead one, there were two types of Indian. There were the peaceful ones, like California's 150,000 "Digger" Indians, a tranquil people who lived off the product of the land. There were also the warrior Indians, like the Sioux and the Apache. The white frontiersman generally looked on both with suspicion and distaste. California's miners murdered the Diggers as though they were endangered by them. On the other hand, murdering the warrior Indian was often a question of killing before you got killed, which simplified the problem. Skilled horsemen, these Indians, largely from the Great Plains, hit and ran with tactics that would have brought admiration from such mounted generals as Phil Sheridan, Jeb Stuart, or Erwin Rommel. Theirs was lightning warfare, and at full run they could loose twenty arrows while their longer-shooting foes were trying to reload. The wars themselves are reasonably straightforward, and could perhaps be condoned as inexorable conflicts. But the individual atrocities have no justification, even though at the time the perpetrators were often saluted as heroes. This latter statement holds true for both sides.

Nowhere has a lust for blood been more deeply etched than in the infamous Sand Creek massacre. Shortly after sundown on November 28, 1864, Col. J. M. Chivington and his men left Fort Lyon, Colo., to surround the followers of Chief Black Kettle. At dawn Chivington's militia charged through the camp of 500 peaceful Indians, despite Black Kettle's raising an American and then a white flag. Not just warriors were killed. Women and children were dragged out, shot, knifed, scalped, clubbed, mutilated, their brains knocked out, bosoms ripped open. Four hundred and fifty Indians in varying stages of insensate slaughter lay about the campground. There is no defense whatsoever for the action. It was bloodier than Chicago or Detroit or Harlem ever thought of being. Chivington and his cohorts were widely hailed as heroes by many of their fellow Americans.

Perfidy was not all on one side. During the summer of 1866, troops working on the Powder River road were constantly harassed by Indian attack. In a complete, efficient, and economical performance the Sioux killed every straggler, raided every wagon train bringing in supplies, and attacked every wood-cutting party. Finally in December, when a wood train was assaulted, Capt. W. J. Fetterman led a party to its relief. The Indians ambushed him, and left all 82 members of his party to rot on the field of battle. What Sitting Bull's detachment did to reckless and feckless Colonel George A. Custer at the Little Big Horn is known to everyone who ever looked at the Old Anheuser-Busch calendar or a Remington painting. Two hundred and sixty-five men were completely wiped out by 2,500 Sioux.²³

Finally in the 1880's Geronimo, a "thin-lipped, square-cut, hard-eyed, savagely cruel hater of all white men" began his personal last frontier. In one 6-month period, Geronimo's raiders officially killed 85 soldiers, settlers, and reservation Indians in American territory, plus an uncounted number below the Mexican border. A superb strategist, Geronimo lost only six warriors during this period. Official United States decided that such activity could not be tolerated and sent 25 detachments under Gen. Nelson A. Miles after the ragged Apache. Desperate, Geronimo turned to needless terror, killing, among others, between 500 and 600 Sonorans during his campaign to escape capture. But time and space ran out on him, and he was caught and put aside.²⁴

Of course, the classic account of racial arrogance, or disdain, belongs to Judge Roy Bean, who ranks with Billy the Kid as the most overrated, overblown character along the entire frontier. When a man was hauled before him for murdering a Chinese laborer along the Southern Pacific tracks building beyond the Pecos, Judge Bean freed the accused man, asserting that nowhere in his law book could he find a rule against killing a Chinese.

Sometimes it was not racial arrogance at all, but a simple antagonism to people with different outlooks. Thus Joseph Smith, Brigham Young, and other Mormons ran into the inflammatory and adamant opposition of local people, whether they lived in northeastern Ohio, Missouri, Illinois, or Utah. The Gentiles, believing presumably in all the Christian precepts, including love thy neighbor, did not love anyone whose faith was so far from theirs. It was difficult enough for a Campbellite on the frontier to accept a Baptist or one of John Knox's followers; Catholic and Jews were barely tolerable; the Mormon, a latecomer to the world of organized religion, was downright intolerable. His position was made less tenable by the fact that he tended to prosper, which induced Gentile grumbling that Mormons must be in league with the devil. And

then one night at Carthage, Missouri, a properly organized area, a mob broke into the jail where Joseph Smith and his brother had been lodged for protection, and slaughtered the two Mormon leaders. Back east across the river, angry Gentiles served notice that the Mormons could leave or else.

Harassed even after they established their cooperative society in the midst of the individualistic West, the Mormons felt threatened as their first decade in the Territory of Utah came to a close. The result was another verse in that old chapter on retaliation. In September 1857, 140 emigrants were passing through southern Utah on their way to California. Although most were sincere, pious farmers intent on a new life in California, there were a few hotspurs among the group. On September 7 the caravan was attacked by Indians, with seven white men killed. To relieve the ensuing siege, one Missourian in the party slipped out to seek assistance. A fanatical Mormon, perhaps mistaking his intention, killed him.

Fearful that this murder would bring Federal retaliation, the Mormon's neighbors hastened to cover the evidence. Accordingly, they sent word to the train that the Indians had been pacified and that the party could proceed across the territory. As the emigrants filed out of their siege site, they were shot down one by one. Altogether 120 persons were murdered, with 17 children only being spared. The years since have brought an understanding of the tensions under which the Mormons perpetrated this massacre at Mountain Meadows, but for purposes here the fact remains that feared violence was anticipated by pre-emptory violence.

The war with Mexico undoubtedly has some roots in racial arrogance on both sides. In fact, the whole severance of Texas from Mexico was brought about by men from the United States lately come to that vast area, and impatient with Mexican law and administration. Because the Mexicans felt that the Anglos represented a materialistic and restless culture, they were equally intolerant of their Anglo neighbors. To them, explaining the loss of Texas in the Texan revolution was no problem. After all, Texas had won only one battle during the entire altercation; it just happened to be the last one at San Jacinto. Mexico's army was experienced, and one Mexican soldier was certainly worth an indeterminate number of *yanqui* soldiers any day. War feeling in Mexico was as high and as bloodthirsty as it was in the States.

The ensuing overwhelming defeat of the Mexican forces and the wholesale dissection of Mexican territory into the giant maw of the North Americans only exacerbated distrust between the two nations. For the next 40 years Mexicans raided north of the Rio Grande. The Texans called them bandits. In pursuit of the Mexicans, Texans ranged south of the Rio Grande, where the Mexicans called them bandits. Both sides were right, and both were equally wrong. Again, as with the Indians, the killing of one race by another was perfectly justified back home. The Texas Rangers, a law enforcement group, raided Mexicans along with Indians as natural enemies, and seldom gave any Mexican, whether a national of the United States or of Mexico, the benefit of the doubt.

Nor did the Rangers respect boundaries. In the best frontier tradition they pursued the enemy to his ultimate lair. There is the famous instance—famous at least to Texans—of Capt. L. H. McNelly, a 130-pound consumptive who was a living definition of deathless courage, chasing onto the Mexican side of the Rio Grande in the face of an overwhelming number of enemies, all pledged to his

swift undoing. From the American bank of the river a sergeant in the U.S. Army sent Captain McNelly a note that the Secretary of War was ordering him back on the American side lest an international incident be provoked. McNelly's reply was terse and understandable, and must have caused some feeling when it was relayed to Washington. Simply and explicitly he told the Secretary of War to go to hell, this was his fight.

If during this essay it seems as if the frontier heritage is predominantly negative and directed toward violence, such a conclusion is misleading. The purpose here has been to examine a facet of the frontier heritage, that surface which not only condoned but actually encouraged the idea and practice of violence but which undoubtedly plays a role in shaping 20th-century American attitudes. The examination could go into as much detail as the danger, the frontier heritage established the idea of the individual's arming himself. This activity is almost unique with the United States frontier. Instead of a central army to which men could go to gather their arms, each man bore his own. He thus had it always at the ready. When danger arose, he could get together with another man, and another and another, until an armed mob was on its way. It might be a mob in the best possible sense, or it might be an extra legal group which felt that its private preserves and attitudes were threatened. But it was always a mob.

The prevalence of arms over the fireplace of every frontier cabin or stacked by the sod-house door endures in the defense which groups like the National Rifle Association membership carry on today against attempts to register arms and control the sale of guns and ammunition. A man had to have a gun, not solely for game to feed his family but because he had to be ready to defend. This heritage continues. As of this writing, it still prevails in most parts of the Nation. Almost no other country permits such widespread individual ownership, but the United States through its frontier experience has historical justification. In pioneer days a frontier boy came of age when his father presented him his own gun as surely as a town boy came of age by putting on long pants or his sister became a woman by putting up her hair. In many areas of the United States in A.D. 1969 a boy still becomes a man, usually on his birthday or at Christmas, when his father gives him a gun. A generally accepted age is twelve, although it may come even a half-dozen years sooner. The gun may be nothing more than a target weapon, but the boy is shown how to use it and how to take care of it, and he is a gun owner and user, probably for the next 60 years of his expected life on this earth. Whether he shoots sparrows out of the eaves of the house, quail and deer in season, or his fellowman with or without provocation remains for his personal history to unfold. The fact is that in his gun ownership he is following a tradition that goes back to John Smith and Jamestown and has persisted ever since.

And yet, as every schoolboy knows, the frontier has given us other traits which also mark us and often improve us. The frontier made us materialistic, because we needed things to survive. The frontier, by the very act of its being there for the taking and taming, gave us an optimistic belief in progress which again has marked the nation for greatness. The frontier fostered individualism as in no other region of the world. It gave us mobility; a man could move up and down the social, economic, and political scale without regard to what he had been before. The frontiersman could remold institutions to make them work. The frontiersman did not necessarily believe in individual freedom, ex-

cept for himself, for he turned to his constituted government for every kind of help, particularly economic. The frontier also made him physically mobile long before the mechanics of transportation made such mobility easy. The frontier made him generous, even prodigal and extravagant, particularly where national resources were concerned. The frontier undoubtedly made the American nationalistic.

Thus we see a blending of a man's qualities that is both good and bad. If the good could somehow be retained, while those qualities which have outlived their usefulness could be eschewed or dismissed forever, the human material which constitutes this nation could develop in the direction of an improved society. To argue which facets of the frontier experience have outlived their utility can be argued interminably, but certainly the wistful look backwards which Americans, informed and uninformed, cast toward the violence associated with the frontier has no place in a nation whose frontier has worn away. The time for everyone, from scenario writers to political breast beaters to economic and social individualists, to proclaim the virtues of the frontiersman and his reliance on simple solutions and direct action does not befit a nation whose problems are corporate, community, and complex.

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Chapter 5

THE AMERICAN VIGILANTE TRADITION

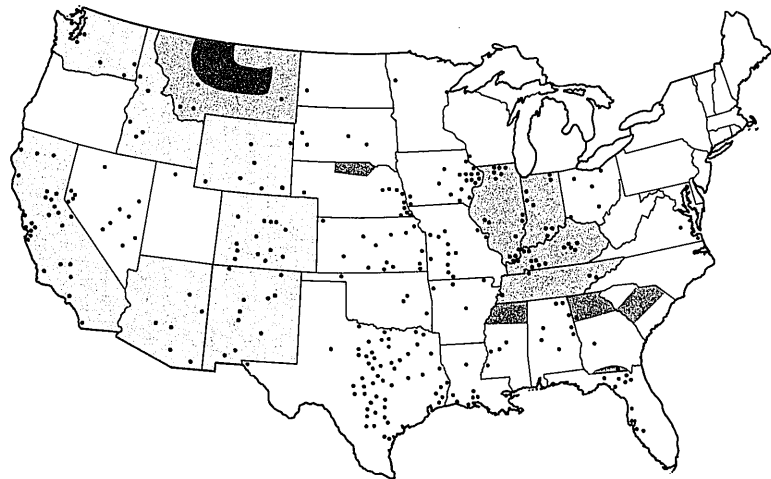
By Richard Maxwell Brown

The vigilante tradition, in the classic sense, refers to organized, extralegal movements which take the law into their own hands.* The first vigilante movement in American history occurred in 1767. From then until about 1900, vigilante activity was an almost constant factor in American life. Far from being a phenomenon only of the far western frontier, there was much vigilantism in the Eastern half of the United States (Table 5-1). Although the first vigilante movement occurred in Piedmont, S.C., in 1767-69, most of the Atlantic Seaboard States were without significant vigilante activity. But beyond the Appalachians there were few states that did not have vigilante movements. There may have been as many as 500 movements, but at the present only 326 are known.¹

American vigilantism is indigenous. There were "regulators" in early-18th-century London who formed a short-lived official supplement to London's regular system of law enforcement,² but there was no connection between London's legal regulators and South Carolina's back country "Regulators" of 1767 who constituted America's first vigilante movement. From time to time in European history there appeared movements or institutions (such as the *Vehmgericht* of Germany and *Halifax law* of the British Isles)³ which bear resemblances to American vigilantism, but these phenomena did not give rise to a vigilante tradition either on the Continent or in the British Isles. European expansion in other areas of the world has, similarly, failed to produce anything like the American vigilante tradition. Perhaps the closest thing to it was the *commando* system (against marauding *kaffirs*) of the Boer settlers in South Africa; the *commandos*, however, were more like the Indian-fighting rangers of the American frontier than the vigilantes.⁴

Vigilantism arose as a response to a typical American problem: the absence of effective law and order in a frontier region. It was a problem that occurred again and again beyond the Appalachian Mountains. It stimulated the formation of hundreds of frontier vigilante movements.⁵ On the frontier the normal foundations of a stable, orderly society—churches, schools, cohe-

*Grateful acknowledgment is made for research assistance on American vigilantism provided by the American Council of Learned Societies, the Newberry Library, the Huntington Library, the Rutgers Research Council, and the Harvard University Center for the Study of the History of Liberty in America.



KEY: • VIGILANTE MOVEMENT.
 [Cross-hatched box] VIGILANTE MOVEMENT EXTENDED
 OVER A WIDE AREA.

[Stippled box] GENERAL VIGILANTE ACTIVITY.
 [White box] INSTANT VIGILANTISM.

Figure 5-1.—Vigilantism in the United States

sive community life—were either absent or present only in rough, immature forms. The regular, legal system of law enforcement often proved to be woefully inadequate for the needs of the settlers.

Fundamentally, the pioneers took the law into their own hands for the purpose of establishing order and stability in newly settled areas. In the older settled areas the prime values of person and property were dominant and secure, but the move to the frontier meant that it was necessary to start all over. Upright and ambitious frontiersmen wished to reestablish the values of a property holder's society. The hurtful presence of outlaws and marginal types in a context of weak and ineffectual law enforcement created the spectre and, often, the fact of social chaos. The solution hit upon was vigilantism. A vigilante roundup of ne'er-do-wells and outlaws followed by the flogging, expulsion, or killing of them not only solved the problem of disorder but had crucial symbolic value as well. Vigilante action was a clear warning to disorderly inhabitants that the newness of settlement would provide no opportunity for eroding the established values of civilization. Vigilantism was a violent sanctification of the deeply cherished values of life and property.

Because the main thrust of vigilantism was to reestablish in each newly settled area the conservative values of life, property, and law and order, vigilante movements were usually led by the frontier elite. This was true of the greatest American vigilante movement—the San Francisco Vigilance Committee of 1856—which was dominated lock, stock, and barrel by the leading merchants of the city. Again and again it was the most eminent local community leaders who headed vigilante movements.

"Vigilance Committee" or "Committee of Vigilance" was the common name of the organization, but originally—and far into the 19th century—vigilantes were known by the now obsolete term of "regulators." Variant names for vigilante groups were "slickers," "stranglers," "committees of safety," and, in central Texas, simply, "mobs." (In this study "vigilante" will be used as a generic term to cover all phases of the general phenomenon of vigilantism.) The duration of vigilante movements varied greatly, but movements which lasted as long as a year were long lived. More commonly they finished their business in a period of months or weeks. Vigilante movements (as distinguished from ephemeral lynch mobs) are thus identifiable by the two main characteristics of (1) regular (though illegal) organization and (2) existence for a definite (though possibly short) period of time.

COLONIAL ORIGINS: THE SOUTH CAROLINA REGULATORS, 1767-69

The first American vigilante movement—the South Carolina Regulators, 1767-69—did not occur until 160 years after the first permanent English settlement at Jamestown. The reason for the late appearance of the phenomenon was the slow pace of frontier expansion. It was well into the 18th century before the settlement of the Piedmont began on a large scale, and at the time of the Revolution the settlement of the Piedmont was just coming to a close. Thus frontier expansion proceeded at a snail's pace in the colonial period, and it was possible to provide adequate systems of law enforcement for the slowly proliferating pioneer communities. The one exception to this pattern of orderly frontier expansion occurred in the South Carolina Piedmont in the 1760's.

Table 5-1.—Leading Vigilante Movements^a

1. 1767-69—South Carolina back country—R	41. 1864-66—Washington, Walla Walla—VC
2. 1816-17—Illinois (general)—R	42. 1864-68, 1872—Colorado, Pueblo—VC
3. 1820-30's—Indiana (general)—R	43. 1864-85—Montana, Helena—VC
4. 1821-30—Illinois, Morgan and Scott Counties—R	44. 1865—Idaho, Idaho City—VC
5. 1830's—Georgia (northern)—S	45. 1865-66—Mississippi (northeast)—R
6. 1830's—Mississippi (northern)—S	46. 1866—Idaho, Boise—VC
7. 1830-35—Alabama, Madison and Jackson Counties—S	47. 1866—Missouri, Greene County—R
8. 1835—Mississippi, Madison and Hinds Counties—R, O	48. 1866-71—Kentucky, Marion and other Counties—R
9. 1835—Mississippi, Vicksburg—VC	49. 1867—Missouri, Warrensburg and Johnson Counties—VC
10. 1839—Arkansas, Cane Hill, Washington County—O	50. 1867-68—Florida, Leon County—R
11. 1840—Iowa, Bellevue—R	51. 1867-68—Indiana, Seymour—VC
12. 1840-44—Texas, Shelby County—R	52. 1868—Wyoming, Laramie—VC
13. 1841—Illinois (northern)—R	53. 1868-69—Wyoming, Cheyenne and Laramie Counties—VC
14. 1842—Missouri, Benton and Hickory Counties—S	54. 1868-70—Florida, Columbia County—R
15. 1845—Kentucky, Christian and other Counties—R	55. 1868-70—Florida, Madison and other Counties—R
16. 1846-49—Illinois (southern)—R	56. 1869-70—Georgia (southern)—R
17. 1846-50—Kentucky, Paducah—R	57. 1870-71—Kansas, Butler County—V
18. 1849—California, San Francisco—R	58. 1871-82—New Mexico, Albuquerque—V
19. 1849—California, San Francisco—O	59. 1872—Louisiana, Atlanta, Montgomery and Winnfield—V
20. 1851—California, San Francisco—VC	60. 1872-73—Louisiana, Vermillion Parish—V
21. 1851-53—California, Sacramento—VC	61. 1872-86—Texas, Comanche County—V
22. 1851-53—California, Santa Cruz—VC	62. 1875—Texas, Mason County—O
23. 1852-58—California, Los Angeles—VC	63. 1875-81—Nebraska, Sidney—V
24. 1853-55—California, Jackson—V	64. 1876-77—California, Bakersfield—V
25. 1856—California, San Francisco—VC	65. 1876-83—Texas, McDade, Bastrop County—VC
26. 1856—Texas, Orange and other Counties—R	66. 1877-78—South Dakota, Rapid City—V
27. 1857—Iowa, Iron Hill, Jackson County—VC	68. 1877-79—South Dakota, northern Black Hills—V
28. 1857—Iowa, Scott, Cedar and Clinton Counties—V	69. 1880-82—New Mexico, Las Vegas—V
29. 1857-65—Texas, San Antonio—VC	70. 1880-84—New Mexico, Socorro—V
30. 1858—Indiana, LaGrange and Noble Counties—R	71. 1880-96—Texas, San Saba County—O
31. 1859—Louisiana, Atakapas county—VC	72. 1882—Washington, Seattle—VC
32. 1859-61—Colorado, Denver—V	73. 1883-84—Nebraska, Niobrara county—V
33. 1861-83, 1893-94—Texas, Coryell County—V	74. 1883-84—Florida, Sarasota—V
34. 1862-64, 1871—Idaho, Lewiston—VC	75. 1884—Montana (northern and eastern)—V
35. 1862-84—Montana (general)—V	76. 1884—Ohio, Cincinnati—V
36. 1863—California, Los Angeles—V	77. 1885-87—Missouri, Taney and Christian Counties—O
37. 1863-64—Montana, Banack and Virginia City V	78. 1888—Oklahoma, Creek Nation—VC
38. 1863-98—Colorado and other States—Rocky Mountain Detective Association	79. 1891—Louisiana, New Orleans—V
39. 1864—Nevada, Aurora—O	80. 1892—Wyoming, Johnson County—R
40. 1864, 1874—Idaho, Payette Valley—C	81. 1892-97—Tennessee, Sevier County—O

^aLarge movements or increments of particular importance. Listed in chronological order. (Based upon Appendix.)

R — Regulators.

V — Vigilantes.

S — Slickers.

VC — Vigilance Committee.

O — Other.

Newly settled and recently devastated by the Cherokee Indian War, the disorder in the South Carolina back country of the 1760's was typical of later American frontier areas. During the Cherokee War so many habitations were burned, so many homes were broken up, and so many individuals were killed that the orphaned and homeless became a problem. Many drifted into outlaw bands formed by war veterans who were too restless or brutalized to settle down to peaceful pursuits. Outlaws, runaway slaves, and mulattoes formed their own communities where they enjoyed their booty. South Carolina way stations in an intercolonial network of horse thieves were established. "Crackers" and other frontier lower class people aided and abetted the outlaws. By 1766 and 1767 the back country was in the grip of a "crime wave," and the outlaws were almost supreme. They abducted young girls to be their paramours in the outlaw villages. They robbed and tortured plantation masters and raped their wives and daughters.

Lacking local courts and sheriffs to enforce law, respectable settlers of average or affluent means organized as "Regulators" in late 1767. A 2-year vigilante campaign was successful. Subscribing to articles to end the problem of crime and disorder, the Regulators attacked and broke up the outlaw gangs. The idle and immoral were rounded up by the Regulators, given trials, and flogged. If thought hopelessly incorrigible, the miscreants were driven from the area: those the Regulators deemed reclaimable were subjected to a system of forced labor on back-country plantations.

The South Carolina Regulator movement was constructive in that it did rid the back country of pervasive crime. Order and stability were at last established after many years of social chaos. But the Regulators were vindictive, and there was a streak of sadism in their punishments. The increasingly arbitrary, extreme, and brutal Regulators bred an opposition movement of "Moderators." Brought to a standstill by the equally violent Moderators and appeased by the Provincial government's provision for district courts and sheriffs, the Regulators disbanded in 1769.⁶

An American tradition had begun, for, as the pioneers moved across the Appalachian Mountains, the regulator-vigilante impulse followed the sweep of settlement toward the Pacific. The model for dealing with frontier disorder provided by the South Carolina Regulators was utilized over and over by American settlers.

EASTERN VIGILANTISM

Geographically, American vigilantism divides into Eastern and Western halves. Eastern and Western vigilantism are similarly distinct in regard to chronology. Eastern vigilantism mainly came to an end in the 1860's while Western vigilantism began in the 1850's. Eastern vigilantism was largely a feature of the first half of the 19th century and Western vigilantism of the second. Eastern vigilantism fell between the Appalachian Mountains⁷ and the 96th meridian, while Western vigilantism stretched from the 96th meridian to the Pacific.⁸ The humid Mississippi Valley, Great Lakes, and Gulf Coast regions furnished the main scenes of Eastern vigilantism; Western vigilantism took in the arid and semiarid Great Plains and the Rocky Mountains and the Pacific coast. Eastern vigilantism was a response, chiefly, to frontier horsethieves, counterfeiters, and ne'er-do-well white people. West of the 96th meridian the

vigilantes were concerned largely with disorder in mining camps, cattle towns, and the open ranges.

In early-19th-century America, horsethieves and counterfeits seemed to go together always, and when they did a vigilante movement was not far behind. The vulnerability of the settler to horse theft needs no comment, but counterfeiting as a frontier evil is a bit less familiar. The money problem made itself felt at the national level in the Age of Jackson in a number of famous issues such as the Bank War, but it was no less a problem in the backwoods and border country. Not only did the frontier suffer from a money shortage which counterfeits as well as wildcat bankers tried to fill, but the frontier felt the lack of money especially in regard to the purchase of Federal public land. Added to the lively demand for cash at the land office was the chaotic condition of the paper money system. The lack of an effective system of Federal paper money and the plethora of private bank notes meant that never before or since in our history was counterfeiting easier.⁹

Counterfeiting and horse stealing were linked. Horsethieves commonly organized into gangs, stealing horses in one area and disposing of them hundreds of miles away—preferably across state lines.¹⁰ For obvious reasons, counterfeiting operations were best carried on in the same way, and it was simple to combine the two occupations. The link between counterfeiting and horse theft had an effect on the geographical distribution of regulator and vigilante movements. The latter tended to be found in wilderness areas, close to State lines, or near Indian borders—all were places favored by horsethieves and counterfeits.

From the 1790's well into the 19th century, vigilante activity was generally local in Kentucky, Tennessee, Indiana, and Illinois.¹¹ Thereafter there were four major peaks or waves of vigilantism. They occurred in the early 1830's, the early 1840's, the late 1850's, and the late 1860's. The first wave was from 1830 to 1835, and it took place mainly in the lower Southern States of Alabama and Mississippi where Captain Slick's bands operated against horsethieves and counterfeits¹² and vigilantes attacked gamblers and the alleged Murrell conspiracy.¹³ The second wave took place in the early 1840's and included the Bellevue vigilante war in Iowa,¹⁴ the East Texas Regulator-Moderator conflict,¹⁵ the Northern and Southern Illinois Regulators,¹⁶ and the Slicker War of the Missouri Ozarks.¹⁷ The vigilante wave of the early 1840's may have been a response to a shift in outlaw elements (caused by the 1830-35 vigilante campaign) from the Lower Mississippi River region of Alabama, Mississippi, Arkansas, and Louisiana to the Upper Mississippi area (northern Illinois, Eastern Iowa, and the Missouri Ozarks) and to the trans-Mississippi Southwest (East Texas).

The third peak of vigilantism was from 1857 to 1859 and featured the Iron Hills and other vigilante movements of Iowa,¹⁸ the Northern Indiana Regulators,¹⁹ the San Antonio²⁰ and New Orleans²¹ vigilantes, and the *Comite de Vigilance* of southwest Louisiana.²² The movements of the late 1850's may have been inspired by the San Francisco Vigilance Committee of 1856²³ which was well publicized throughout the nation. The fourth and final wave of vigilantism occurred in the immediate post-Civil War period (1866-71) with major movements erupting in Missouri,²⁴ Kentucky,²⁵ Indiana,²⁶ and Florida²⁷ as a reaction to postwar lawlessness.

Western Vigilantism

The nature of western natural resources determined the types of frontier disorder which gave rise to vigilantism. Repeated strikes of precious and valuable metals in the Sierras and Rockies set off mining rushes that brought miners and others into raw new camps and towns by the thousands. In such places the law was often absent or ineffectual, with vigilantism the result. The other great natural resource of the West was the grassy rangeland of the Great Plains and mountain plateaus. The open-range system afforded an irresistible attraction to cattle- and horsethieves who, in turn, invited vigilante retaliation.

Beginning with the first significant outbreak of vigilantism in the gold-rush metropolis of San Francisco in 1849 and continuing for 53 years down to 1902 there were at least 210 vigilante movements in the West. No vigilante movements in American history were better organized or more powerful than the San Francisco vigilance committees of 1851 and 1856. The San Francisco movements had an immense impact on American vigilantism in general and upon California vigilantism in particular. During the 1850's, the San Francisco committees were copied all over the State in the new mining towns (Sacramento, Jackson, etc.) and in the old Spanish cities (Los Angeles, Monterey, etc.). Of California's 43 vigilante movements, 27 occurred in the 1850's.²⁸

Montana was a most significant vigilante State. It had two of the most important movements in the history of the institution: the influential Bannack and Virginia City movement of 1863-65 (which gave the term "vigilante" to American English)²⁹ and the 1884 movement in northern and eastern Montana, which Granville Stuart led against horse and cattle thieves in a human roundup that claimed 35 victims and was the deadliest of all American vigilante movements.³⁰ In addition, Montana, from the 1860's to the 1880's, was in the grips of a Territory-wide vigilante movement with headquarters, apparently, in the territorial capital, Helena.³¹

Texas had 52 vigilante movements—more than any other State. There were two important antebellum movements (Shelby County in East Texas, 1840-44; San Antonio, 1857 ff.), but the majority (at least 27) occurred in violence-torn central Texas in the post-Civil War period from 1865 to 1890.³² There were dozens and dozens of vigilante movements in most of the other Western States; only Oregon and Utah did not have significant vigilante activity. Colorado's 16 movements were headed by the Denver vigilantes of 1859-61.³³ New Mexico had three potent vigilante movements in Albuquerque (1871-82),³⁴ Las Vegas (1880-82),³⁵ and Socorro (1880-84).³⁶ The Butler County vigilantes who enlisted almost 800 members and claimed eight victims formed the most notable of Kansas' 19 movements.³⁷ Wyoming vigilantism began with two lethal movements in the wild railroad boomtowns of Cheyenne and Laramie (1868-69)³⁸ and came to a climax with vigilantism's most famous failure, the cattlemen's Regulator movement which precipitated the Johnson County War of 1862.³⁹

* * *

For purposes of analysis, the 116 Eastern vigilante movements and the 210 Western vigilante movements have been divided into the categories of large (L)—a large movement or one of particular significance; medium (M)—a

Table 5-2.—Eastern and Western Vigilante Movements

State	Eastern Vigilantism				Total Number of Killed Victims	State	Western Vigilantism				Total Number of Killed Victims
	Movements						Movements				
	Large	Medium	Small	Total			Large	Medium	Small	Total	
Alabama	1	5	0	6	0	Arizona	0	3	3	6	11
Arkansas	1	0	3	4	4	California	10	23	10	43	101
Florida	4	1	1	6	7	Colorado	3	4	9	16	23
Georgia	2	1	1	4	6	Idaho	4	1	0	5	35
Illinois	4	4	2	10	30	Kansas	1	5	13	19	18
Indiana	3	2	6	11	15	Montana	4	2	0	6	101
Iowa	3	13	9	25	27	Nebraska	2	8	6	16	20
Kentucky	3	4	4	11	10	Nevada	1	2	10	13	7
Louisiana	4	0	3	7	35	New Mexico	3	3	5	11	17
Minnesota	0	0	2	2	1	North Dakota	0	1	0	1	0
Mississippi	4	0	1	5	21	Oklahoma	1	1	2	4	2
Missouri	4	1	7	12	21	South Dakota	2	1	1	4	10
Ohio	1	2	2	5	0	Texas	9	15	28	52	140
South Carolina	1	0	0	1	16	Utah	0	0	1	1	0
Tennessee	1	0	3	4	9	Washington	2	1	3	6	11
Virginia	0	2	0	2	0	Wyoming	3	2	2	7	31
Wisconsin	0	0	1	1	0						
TOTAL*	36	35	45	116	202	TOTAL*	45	72	93	210	527
						Plus Eastern States	36	35	45	116	202
						GRAND TOTAL*	81	107	138	326	729

*Based upon App.

movement of medium size or significance; and small (S)—a small movement or one for which there is insufficient information to otherwise categorize. All of the 326 American vigilante movements are listed alphabetically by state in appendix I. Table 5-2, which compares Eastern and Western vigilante movements, reveals that there were about twice as many vigilante movements in the West as in the East. (Here the figures probably understate the ubiquity of Eastern vigilantism; regulator activity was general in the early years of settlement in Kentucky, Tennessee, Indiana, and Illinois, but record of only a few of these movements has survived.) The ratio of large, medium, and small movements in the West was about 1:2:2; in the East it was approximately 1:1:1. Of the 729 known victims killed by vigilantes about 5/7 were claimed by Western vigilantes.

There were 81 large movements; they extended, chronologically, from 1767 to 1897. (See the listing in table 5-1.) Fifty-nine of the 81 large movements were clustered in the period from 1850 to 1889; 49 occurred in the midcentury decades from 1850 to 1879 when the nation was wracked by Civil War violence in the East and the tensions of rapid frontier settlement in the West. (See table 5-3b.) About 3/5 (190) of all vigilante movements took place after 1860, but, here again, it must be noted that the lack of specific information on many Kentucky, Tennessee, Indiana, and Illinois movements leads to an understatement of pre-1860 vigilante movements; 180 of the 190 movements were concentrated in the three decades from 1861 to 1890. (See table 5-3a.) By the same token, about 5/7 (511) of all the killed victims of vigilantism perished after 1860. (See table 5-6d.)

Behind the statistics lies the impact of vigilantism on the American consciousness. The original South Carolina Regulator movement of 1767-69 with its success in achieving order in the back country recommended itself to the pioneers who crossed the Appalachians and populated the Mississippi Valley. The regulator method was, hence, applauded as a tool for establishing frontier social stability until, in the 1840's, three anarchic movements in southern Illinois, the Missouri Ozarks, and east Texas gave the institution an increasingly bad name. Soon thereafter, in 1851 and 1856, the restrained but deadly San

Table 5-3a.—All Movements by Chronological Periods^a

Period	Number of Movements
1767-1849	65
1850-60	57
1861-90	180
1891-1910	10
Overlapped 2 Periods	14
TOTAL	326

^aBased upon app. I.

Summary

Movements through 1860	122
Movements, 1861 and after	190
Overlapped the periods	14
TOTAL	326

Table 5-3b.—All Movements by Chronological Periods^a

Period	Number of Movements
1767-1829	4
1830-39	6
1840-49	9
1850-59	13
1860-69	24
1870-79	12
1880-89	10
1890-1900	3
TOTAL	81

^aBased upon app. I.

Summary

Movements through 1859	32
Movements, 1860 and after	49
TOTAL	81

Francisco vigilance committees restored to vigilantism an enormous prestige which it retained through the remainder of the century. Countless vigilante movements from coast to coast molded themselves upon the San Francisco vigilance committees. One of these was the vigilante movement of the gold camps of Bannack and Virginia City, Montana (1863-65), which in turn had something of the same effect on American attitudes as the earlier South Carolina and San Francisco movements. Thomas Dimsdale's classic book, *The Vigilantes of Montana* (1866), not only spread the fame of the Montana movement but was a veritable textbook on the vigilante method.

Significant vigilante activity did not always take the shape of a formally organized movement with officers, trials, etc. By the latter half of the 19th-century the ritual-like action of organizing a vigilante movement had been carried out so many times on so many frontiers that to many settlers it often seemed an unnecessary delay to swift lynch-law justice. A local consensus in favor of immediate vigilante action without any of the traditional formalities produced *instant vigilantism*. Instant vigilantism was more prevalent in the West than the East. Many of the "one-shot" vigilante actions in Western states were the result of the impulse for instant vigilantism. Thus instant vigilantism existed side by side with more formally organized vigilantism. Instant vigilantism meant that the public mind had long since been made receptive to vigilante action when general conditions or a particular crime seemed to warrant it. The ritual process of organization had been gone through so many times, the rationale of vigilantism was so well understood, and the course of action so obvious on the basis of past precedents that the settlers readily proceeded to the lynching.

Instant vigilantism seems to have occurred in all Western states but Oregon and Utah. Instant vigilantism was particularly effective in California. In the Golden State, regular vigilante action took 101 lives,⁴⁰ but the toll of instant vigilantism from 1851 to 1878 was almost as great in amounting to 79.⁴¹ On a lesser scale the same thing occurred in other Western states where time and again precipitate lynchings were justified by the vigilante tradition.

COMMUNITY RECONSTRUCTION AND VIGILANTISM

New settlers ordinarily desire new opportunities but not social innovation. Their man desire is to re-create the life they left behind them by re-constructing the communities from which they came. This is no great problem for entire communities that migrate en masse. There have been many examples of the latter. The Pilgrim settlers of Plymouth, Massachusetts, and the Mormon migrants to Great Salt Lake, Utah, are notable cases of "colonized" new communities.

More common have been the "cumulative" communities of inhabitants thrown together helter-skelter by the migration process.⁴² The migrants to San Francisco, California, in 1849 and after furnish an example of the cumulative new community. The San Franciscans came from all over and were an immensely diverse lot. The only thing that united them, initially, was their desire to profit from the California Gold Rush.

Basic to the reconstruction of the community is the reestablishment of the old community structure and its values. To the extent that both are achieved, an orderly and stable new community life will be achieved. Although American frontiersmen of the 19th century came to their new localities from all points of the compass and were usually unknown and unrelated to each other, most came from essentially similar communities. The typical American community of the 18th and 19th centuries possessed a social structure of three levels:⁴³

- (1) The upper level consisted of the leading men and their families. Included were the well-to-do businessmen, the most eminent professional men, the affluent farmers and planters, and the prominent men of whatever occupation. This was the local elite, and in it were concentrated the community leaders.
- (2) The middle level included the men of average means: farmers, craftsmen, tradesmen, and the less eminent lawyers, teachers, and other professionals. The industrious, honest middle level formed the core of the community. In this sector resided the legendary but real American yeoman.
- (3) The lower level included the honest poor and also those who were either marginal to or alienated from the remainder of the community. In but not really of the community (and spurned by it) were the ne'er-do-well, shiftless poor whites. They constituted a true *lower people*; they were viewed with contempt and loathing by the members of the upper and middle levels who could not abide their slatternly way of life, their spiritless lack of ambition, their often immoral conduct, and their disorganized family life.⁴⁴

The lower people were not outlaws but often tended to lawlessness and identified more with the outlaw element than the law-abiding members of the community. The outlaw element lived on the fringes of the community. In some cases they sprang from the lower people but were often men of good background who chose the outlaw life or drifted into it. They were alienated from the values of the community, although some occasionally joined respectable community life as reformed men.

A community has behavioral boundaries just as it has geographic boundaries. When a new community establishes its geographic boundaries it must also establish its behavioral boundaries. The latter represent the positive, mutual values of the community.⁴⁵ The values which supported the three-level

community and the basis upon which it rested were the linked ideals of life and property. The American community of the 18th and 19th centuries was primarily a property-holder's community, and property was viewed as the very basis of life itself.

The vigilante leaders were drawn from the upper level of the community. The middle level supplied the rank-and-file. The lower people and outlaws represented the main threat to the reconstruction of the community and were the main targets of the vigilantes.

In the cumulative new communities of frontier America, the lower people and outlaws met the representatives of the middle and upper levels in social conflict. The outlaws and lower people wished to burst their lower level bounds and "take over" the new communities. In sociological terms the outlaws and lower people constituted a "contraculture."⁴⁶ They rejected the respectable values of life and property and wished to upset the social structure in which the upper and middle level men were dominant. The lack of social bonds in the new settlements was their opportunity. On the other hand, the men of upper level background or aspirations were determined to reestablish the community structure in which they were dominant. In this they had the support of the middle level inhabitants, and with it they mounted vigilante campaigns to quell the insurgent outlaws and lower people.⁴⁷

The danger of a takeover of newly settled areas by the alienated, outcast elements of society was a real threat. Whether or not the alleged Murrell conspiracy of the lower Mississippi Valley in the 1830's actually represented a concerted plot of white outlaws to raise a gigantic slave rebellion in the interest of an "underworld" dominion of the region, the phenomenon revealed the sensitivity of lawful society to large numbers, aggressiveness, and alienation of the outlaws of the region. In southern Illinois in the 1840's the "Flathead" element of horsethieves, counterfeiters, brigands, slave stealers, and Ohio River-bottom dwellers triggered a violent "Regulator" reaction.⁴⁸ In east Texas in the late 1830's a similar combine of horsethieves, counterfeiters, slave stealers, and "land pirates" incited a Regulator countermovement.⁴⁹ By 1841 a group of outlaw gangs had virtually taken over the Rock River counties of northern Illinois until challenged by a Regulator movement in that year.⁵⁰ Much earlier, in South Carolina in the middle 1760's a disorderly mixture of demoralized Indian war veterans, "straggling" refugee whites, "crackers," mulattoes, and outlaw horsethieves and counterfeiters well-nigh ruled the back country until honest men reacted in the Regulator movement.⁵¹ West of the Mississippi and Missouri in the raw, new mining camps, cattle towns, railheads, and open ranges, the same threat emanated from the professional "bad men" and outlaw gangs, the "black leg" element, and the always troublesome "rustlers" and horsethieves. These and other challenges were thus met head on by the vigilantes.

The masonic lodge was often found in frontier communities, and the relationship between Freemasonry and vigilantism was frequently an intimate one. Typical was the situation in Bannack, Nevada City, and Virginia City, Montana, rough, new mining camps in 1863-64. There the leading members of the potent vigilante movement of the winter of 1863-64 seem to have initially formed a bond as a result of their common membership in the masonic lodge.⁵² The like happened elsewhere. The same impulse—desire to participate in the upper level dominance of the community—often caused the same

person to join the masonic lodge (usually an elite local organization) and enlist in a vigilante movement. In Montana, Texas, and elsewhere, Freemasonry was often the shadowy background for the organization of a local vigilante movement.⁵³

Sometimes the members of the upper level did not wait for an overt crime outbreak but formed a vigilante organization as a preventive measure and to cement the three-level community structure. Thus Thomas G. Wildman of Denver, Colo., wrote back East on September 8, 1859:

There is to be a Vigilance Committee organized in the town this evening. All of the leading men of the town has signed the Constitution, and its object is a good one. . . . It is thought that stabbing and drunkenness will be rampant here this winter, and we think that the rowdies and gamblers will be more careful when they find out that we are organized and that all the first men of the town are determined to punish crime.⁵⁴

To the men of Butler County, Kansas, in 1870-71, vigilante action was the cornerstone of community construction. After killing eight men they justified their action by declaring, "it has become a question whether honest men of the country shall leave, or this gang." Invoking "self preservation" as "the first law of nature," they asserted that "however much we deplore the further use of violence in order to secure life and property, . . . we shall not hesitate to do justice to the guilty if it is necessary."⁵⁵

James Hall described the challenge which outlaws and lower people presented in the early years of Midwest settlement:

We had whole settlements of counterfeiters, or horse thieves, with their sympathisers—where rogues could change names, or pass from house to house, so skillfully as to elude detection—and where if detected, the whole population were ready to rise to the rescue. There were other settlements of sturdy honest fellows, the regular backwoods men in which rogues were not tolerated. There was therefore a continual struggle between these parties—the honest people trying to expel the others by the terrors of the law, and when that mode failed, forming *regulating* companies, and driving them out by force.⁵⁶

An example of the problem was the bandit and "blackleg" community of the tamarack thickets and swamps of Noble County in northern Indiana. William Latta, William D. Hill, and George T. Ulmer were the pioneer founders and leaders of this illicit community which thrived for 25 years. The banditti and their blackleg allies were sworn to uphold each other. They robbed, murdered, stole, gambled, burned buildings, and made and sold counterfeit money. They exerted a pernicious influence on the sons and daughters of their respectable neighbors, leading hundreds of young men and women into lives of crime, debauchery, and prostitution.⁵⁷ Finally, in 1858, 2,000 Regulators rose and scattered the blacklegs and outlaws once and for all.

The loathing of upper level men for the lower element—the contraculture—of the frontier was stated with feeling by Thomas Dimsdale, who cried that "for the low, brutal, cruel, lazy, ignorant, insolent, sensual and blasphemous miscreants that infest the frontier we entertain but one sentiment—aversion—deep, strong, and unchangeable."⁵⁸ At times the deep aversion expressed it-

self in gruesome ways. Such an incident occurred in Rawlins, Wyoming, in 1881 where Dr. John E. Osborne (a future Governor of Wyoming) attended the hanging of the brutal Western outlaw, Big Nose George Parrott (or Parrotti). The next day Dr. Osborne "skinned 'Big Nose' George and cut away the top of the skull, in order to remove the brain. The skin was tanned and made into a medical instrument bag, razor strops, a pair of lady's shoes, and a tobacco pouch. The shoes were displayed in the Rawlins National Bank for years," and, in effect, constituted an upper level trophy in honor of the community values of life and property held by such men as Dr. Osborne.⁵⁹

Vigilante Characteristics

Vigilante movements varied in size from the smallest of 12 to 15 members (the Pierre, South Dakota, vigilance committee) to the 6,000 to 8,000 who belonged to the San Francisco vigilance committee of 1856. (For the 10 largest movements, see table 5-5.) Of the 326 documented vigilante movements, information has survived on the number of members in 50 of them (see table 5-4). There were 13 movements of small size, ranging from 12 to 99 members. At the other extreme there were nine movements ranging from 700 to 8,000 members. Predominant were the 28 movements which ranged in size from 100 to 599 members. Thus the typical vigilante movement was one of from one hundred to several hundred members. Considering that the majority of American vigilante movements took place in new frontier localities of small population, the typical participation of from 100 to a few hundred members underscores the extent to which the community as a whole participated in them.

The characteristic vigilante movement was organized in command or military fashion and usually had a constitution, articles, or a manifesto to which

Table 5-4.—Vigilante Membership by Type of Movement^a

Number of Members Per Movement	Movement			Total
	Large	Medium	Small	
12-99	4	5	4	13
100-199	3	4	—	7
200-299	6	2	—	8
300-399	2	1	—	3
400-499	5	0	—	5
500-599	4	1	—	5
600-699	0	—	—	0
700-799	2	—	—	2
800-899	0	—	—	0
800-999	2	—	—	2
1,000-4,999	3	—	—	3
5,000-8,000	2	—	—	2
Total	33	13	4	50

^aBased upon App.

Table 5-5.—The 10 Largest Vigilante Movements^a

Rank	Movement	Members
1.	San Francisco Vigilance Committee, 1856	6,000-8,000
2.	South Carolina Regulators, 1767-69	5,000-6,000
3.	Vigilance Committees of Attakapas country, Louisiana, 1859	4,000
4.	Northern Indiana Regulators, 1858	2,000
5.	Northern Illinois Regulators, 1841	1,000
6. (tie)	Idaho City (Idaho) Vigilance Committee, 1865	900
6. (tie)	Bald Knobbers of Christian and Taney Counties, Mo., 1885-87	900
8.	Butler County (Kans.) Vigilantes, 1879-71	798
9.	Denver (Colo.) Vigilantes, 1859-61	700 ^b
10.	Slickers of Madison and Jackson Counties, Ala., 1830-35	500-600

^aBased upon app.

^bActually 600-800 members, but ranked on basis of 700 members.

the members would subscribe. Outlaws or other malefactors taken up by vigilantes were given formal (though illegal) trials in which the accused had counsel or an opportunity to defend himself. An example of a vigilante trial is found in the northern Illinois Regulator movement of 1841. Two accused horse thieves and murderers were tried by 120 Regulators in the presence of a crowd of 500 or more. A leading Regulator served as judge. The defendants were given a chance to challenge objectionable men among the Regulators, and, as a result, the number of Regulators taking part in the trial was cut by nine men. Two lawyers were provided—one to represent the accused, and one to represent the "people." Witnesses were sworn, an arraignment was made, and the trial proceeded. In summation, the prosecuting attorney urged immediate execution of the prisoners. The crowd voted unanimously for the fatal sentence, and, after an hour allotted to the two men for prayer, they were put to death.⁶⁰ The accused were almost never acquitted, but the vigilantes' attention to the spirit of law and order caused them to provide, by their lights, a fair but speedy trial.

The punishments of whipping and expulsion were common in the early decades of vigilantism, but, as time passed, killing—usually by means of hanging—became the customary punishment. Through 1849 there are only 88 documented fatal victims of vigilante action (see table 5-6*d*). In the next decade 105 persons were killed by vigilantes, and it was at about this time—the 1850's—that the transition in the meaning of the term "lynching" from whipping to killing was occurring. The killing character of vigilantism, made firm in the 1850's, was accentuated during the remainder of the century; from 1860 to 1909 vigilantes took at least 511 lives (see table 5-6*d*).

Of 326 known vigilante movements, 141 (43 percent) killed 729 victims. Of the movements by category (i.e., large, medium, or small), the large movements were, as might be expected, the most deadly, the medium movements less so, and the small movements hardly so at all. (See tables 5-6*a*, 5-6*b*, and 5-6*c*.) Of the 81 large movements, 59 (73 percent) took a total of 544 lives (76 percent of all vigilante killings) with an average of 9.2 lives per movement.

Table 5-6a.—Number of Victims Killed by Type of Movement^a

Number of Victims Killed	L Movements		M Movements		S Movements		All Movements	
	Number of Movements	Total Killed	Number of Movements	Total Killed	Number of Movements	Total Killed	Number of Movements	Total Killed
1	4	4	20	20	13	13	37	37
2	4	8	13	26	6	12	25	46
3	6	18	15	45	—	—	21	63
4	6	24	9	36	—	—	15	60
5	4	20	3	15	—	—	7	35
6	5	30	3	18	—	—	8	48
7	3	21	—	—	—	—	3	21
8	2	16	—	—	—	—	2	16
9	2	18	—	—	—	—	2	18
10	6	60	—	—	—	—	6	60
11-19	10	138	—	—	—	—	10	138
20-29	4	91	—	—	—	—	4	91
30-35	3	96	—	—	—	—	3	96
Total	59	544	63	160	19	25	141	729

^aBased upon app.Table 5-6b.—Average Number of Killed Victims Per Type of Movement^a

Type of Movement	Number of Movements	Number of Killed Victims	Average Number Killed
L	59	544	9.2
M	63	160	2.5
S	19	25	1.3
All	141	729	5.2

^aBased upon table 5-6a.Table 5-6c.—Comparison of Movements With and Without Killed Victims^a

Type of Movement	Movements With Killed Victims	Movements Without Killed Victims	Total Number of Movements
L	59	22	81
M	63	44	107
S	19	119	138
All	141	185	326

^aBased upon app.Table 5-6d.—Number of Known Victims Killed by Chronological Periods^a

Period	Number of Killed Victims	Period	Number of Killed Victims
1760-69	16	1880-89	107
1770-79	0	1890-99	25
1780-89	0	1900-1909	1
1790-99	0		
1800-1809	0	Total	644
1810-19	0		
1820-29	3	Overlapped 2 or more periods	84b
1830-39	5	Year or decade unknown	1
1840-49	64		
1850-59	119		
1860-69	179	Grand Total	729
1870-79	125		

^aBased upon app.

	Killed
b1859-1860's	10
1860-1870's	10
1860-1890's	9
1870-1880's	30
1880-1890's	25
Total	84

Summary

Killed through 1859	207
Killed, 1860 and after	511
Killed in 1850-60's plus 1, year or decade unknown	11
Total	729

Of the 107 medium movements, a substantial majority, 63 (59 percent) were fatal in effect; they took 156 lives with an average of 2.5 per movement. There were 138 small vigilante movements in all; only 19 of these killed victims: 13 took single lives while six claimed double victims. Thus the overwhelming number of deaths attributed to vigilantism, 704 (or 97 percent of the total of 729) were exacted by 122 large and medium movements which, however, amounted to only 37 percent of all 326 vigilante movements. (See tables 5-6b and 5-6c.)

The tendency among the 141 vigilante movements taking lives was to stop after claiming four or fewer victims. (See table 5-6a.) Thus 98 movements (or 70 percent of the 141 movements) inflicted from one to four deaths. Only 17 of the 141 movements (12 percent) took more than 10 lives. The most lethal movement was that in Montana in 1884 led by Granville Stuart against the horse and cattle thieves of the eastern and northern part of the territory; its toll was 35 persons. (See table 5-6e.)⁶¹

Although the trend was for the large movements to kill the most victims (see table 5-6a), it was not always necessary for a powerful movement to take a large number of lives. Often a vigilante movement could achieve its aims by

Table 5-6c.—The 11 Deadliest Vigilante Movements^a

Rank	Movement	Number of Victims Killed
1.	Vigilantes of Northern and Eastern Montana, 1884.	35
2.	Lewiston (Idaho) Vigilance Committee, 1862-64, 1871	31
3.	Vigilantes of Bannack and Virginia City, Mont., 1863-65	30
4.b	Montana's territory-wide vigilante movement, ca. 1862-84	25
4.b	San Saba County (Tex.) Mob, 1880-1896	25
6.	Regulators and Committees of Safety of Madison and Hinds Counties (Miss.), 1835	21
7.	Southern Illinois Regulators, 1846-49	20
8.	Shackelford County (Tex.) Vigilance Committee, 1876-78	19
9.	San Antonio (Tex.) Vigilance Committee, 1857-65	17
10.b	South Carolina Regulators, 1767-69	16
10.b	Cheyenne (city) and Laramie County (Wyo.) Vigilance Committee, 1868-69	16

^aBased upon app.

bTie.

taking only one or a few lives. The greatest of all vigilante movements (San Francisco, 1856) killed only four men. Two other significant movements—the northern Illinois Regulators of 1841 and the northern Indiana Regulators of 1858—executed only two men and one man, respectively. The fearful example of one or two hangings (frequently in conjunction with the expulsion of lesser culprits) was on many occasions enough to bring about the vigilante goals of community reconstruction and stability,

Vigilante leaders wished to reestablish the three-level community structure (in which they would be dominant) and the values of life and property that supported it. Specifically, they wished to check disorder and crime, but in some situations the threat of the latter was mild. In such cases their desire to use vigilantism underscored their basic, implicit goals of implanting community structure and values.

All this they wished to achieve as cheaply as possible. They were the typical frontier entrepreneurs. Their enterprise in commerce or land was often speculative, and they frequently skated on economic thin ice. The delicate balance of their own personal finances could be easily upset; hence, they had a lively awareness of the cost of public service and a yen to keep them down lest, as substantial taxpayers, their own circumstances suffer. No better resolution of the conflicting goals of public order and personal wealth could be found than vigilantism which provided a maximum of the former at minimum cost to the ambitious and well-to-do.

The typical vigilante leaders were ambitious young men from the old settled areas of the East. They wished to establish themselves in the upper level of the new community, a status they had held or aspired to in the place of their origin. Two notable but representative examples of aggressive young vigilante leaders were William Tell Coleman and Wilbur Fisk Sanders.

Coleman was head of the San Francisco vigilance committee of 1856 and was 32 years old at the time. His father had been a Kentucky lawyer and legislator but died a bankrupt when the son was only 9 years old. The future vigilante, deprived of educational opportunity, spent his early years moving restlessly about the Midwest (Illinois, Missouri, and Wisconsin) in a fruitless quest to regain the upper level status of his father. Arriving overland in California in 1849 at the age of 25, Coleman embarked on a career which, by 1856, found him to be one of San Francisco's most successful importers.⁶² His participation as a vigilante leader was, in effect, an action to cement his position in the upper level of the new city and to consolidate the three-level system there.

Wilbur Fisk Sanders was the courageous and incisive prosecuting attorney of the vigilantes at Virginia City, Montana, in 1864. Like Coleman, Sanders came from an upper level background but had not yet made firm his own position in that status. He was 29 years old when he served as a vigilante and had not long before accompanied his uncle, Sidney Edgerton (who had been appointed Territorial Chief Justice by Lincoln), from Ohio to Montana. Sanders' vigilante service did much to establish the three-level system in chaotic early Montana, and it was the beginning of one of the most spectacular careers in the Territory. Sanders went on to become one of the leading lawyers and top Republican politicians in Montana. He founded the Montana Bar Association and in 1889 was elected one of Montana's first two U.S. Senators.⁶³

THE PROBLEM OF FRONTIER LAW ENFORCEMENT AND JUSTICE

In frontier areas, law and order was often a tenuous thing. Outlaws—singly or in gangs—headed for the new areas and took every advantage they could of the social disorganization stemming from the newness of settlement and the weakness of the traditional institutions of state, society, and church.

Law enforcement was frequently inadequate. Throughout most of the 19th century (and not just on the frontier) it was pinned down to the immediate vicinity of county seat, town, or township.⁶⁴ Localities lacked the economic resources to support constables, policemen, and sheriffs in long journeys of pursuit after lawbreakers. A really large expenditure of funds for the pursuit, capture, jailing, trial, and conviction of culprits could easily bankrupt the typical frontier county or town.

There was also the handicap of poor transportation. The mobility of sheriffs and others was only as rapid and flexible as their horses afforded them. A fugitive, having gained any sort of lead, was difficult to catch. The development of the railroad was a help but was not without its disadvantages. The officer was bound to the fixed route of the railroad. There were large gaps, also, between the railroad lines—gaps into which the fugitives unerringly made. In the hinterland stretches unserved by the railroads, the authorities were forced to make their way over poor roads and disappearing trails.

Linked with inadequate law enforcement was an uneven judicial system. Through fear, friendliness, or corruption, juries often failed to convict the criminal.⁶⁵ Lack of jails (in the early days) or their flimsy condition made it nearly impossible to prevent those in custody from escaping.⁶⁶ The system

presented numerous opportunities for manipulation by outlaws who could often command some measure of local support. Whenever possible outlaws would obtain false witnesses in their behalf, pack juries, bribe officials, and, in extreme cases, intimidate the entire system: judges, juries, and law enforcement officials.⁶⁷ Such deficiencies in the judicial system were the source of repeated complaints by frontiersmen. They made the familiar point that the American system of administering justice favored the accused rather than society. The guilty, then charged, utilized every loophole for the evasion of punishment. Compounding the problem was the genuinely heavy financial burden involved in maintaining an adequate "police establishment" and judicial system in a sparsely settled and economically underdeveloped frontier area.⁶⁸

For many a frontiersman, vigilantism was the solution to these problems. W. N. Byers, and old Denver, Colorado, vigilante of 1860 reminisced:

We never hanged on circumstantial evidence. I have known a great many such executions, but I don't believe one of them was ever unjust. But when they were proved guilty, they were always hanged. There was no getting out it. *No, there were no appeals in those days; no writs of errors; no attorneys' fees; no pardon in six months. Punishment was swift, sure and certain.*⁶⁹

THE IDEOLOGY OF VIGILANTISM

Vigilantism could never have become the powerful force in 19th-century America that it did become without having gripped the minds and emotions of Americans. This it did through a system of ideas and beliefs that emerged as the ideology of vigilantism. There were many elements in it.

1. The 19th-century doctrine of "Vigilance" suffused America in a way that had not been the case before nor since. To be vigilant in regard to all manner of things was an idea that increasingly commanded Americans as the decades passed. The doctrine of vigilance provided a powerful intellectual foundation for the burgeoning of vigilante movements, and, in turn, vigilante movements reinforced the doctrine of vigilance.

Vigilance committees were formed early for a host of things having nothing to do with the problem of frontier disorder. In 1813-14 the leading men of Richmond, Virginia, (headed by Chief Justice John Marshall) organized a Committee of Vigilance whose purpose was home-guard defense against a possible British attack during the War of 1812.⁷⁰ The attack never came, but the idea of vigilance did not die. In 1817 when Pensacola, Fla. (at that time still under Spanish rule but soon to become American), was threatened by a ship of Mexican filibusters, the citizens established a "Committee of Vigilance" for home defense which, however, like that of Richmond was never put to the test.⁷¹ American settlers in Texas on the eve of the Texan Revolution founded Committees of Vigilance in Nacagdoches and other localities in 1835-36 by way of preparing for the looming hostilities with the Mexican mother country.⁷²

The doctrine of vigilance had thus been utilized in regard to the early-19th-century crises of war and expansion; so, too, was it put to the service of sectional interests as the North and South moved toward confrontation in Civil War. Possibly the first "vigilance committee" involved in the sectional issue

was that of the Ohio county of Meigs which lay across the Ohio River from western Virginia. In 1824 Meigs County men organized a vigilance committee to prevent Virginians from pursuing fugitive slaves into their locality.⁷³ As early as 1838, Philadelphia and New York had vigilance committees to aid fugitive slaves. In the 1850's Northern vigilance committees of this sort became increasingly common as they proliferated in response to the Fugitive Slave Act in Boston, Syracuse, Springfield, and smaller cities.⁷⁴ The South, conversely, fostered the founding of antiabolitionist vigilance committees as early as 1835 in Fairfax County, Va. Such committees spread through the South in the 1840's and 1850's.⁷⁵ By that time in Dixie abolitionists constituted an illusory threat at best. But the antiabolitionist vigilance committees probably helped increase the sectional solidarity of the South.

The doctrine of vigilance was not restricted to the great issues of war and sectional controversy but impinged upon the prosaic world of commerce. Thus, in a presage of the modern Better Business Bureau, the Merchant's Vigilance Association of New York City was organized in 1845 "to investigate and expose abuses in trade" and "to prevent frauds."⁷⁶ In time, the doctrine of vigilance merged with the earlier regulator tradition (that went back to the South Carolina back country) and the result, by the 1840's and 1850's was the "vigilance committee" dedicated to the eradication of frontier crime and turbulence.

2. The philosophy of vigilantism.—While the doctrine of vigilance was the background for the organizing of many vigilante movements, the vigilantes, knowing full well that their actions were illegal, felt obliged to legitimize their violence by fashioning a *philosophy of vigilantism*. The philosophy of vigilantism had three major components:

(a) *Self-preservation*.—By midcentury *self-righteous* vigilantes in as widely separated locales as Washington Territory, Montana, Missouri, and Louisiana were routinely invoking "self-preservation" or "self-protection" as the first principle of vigilantism. Thus the June 1, 1856, Vigilance Committee of Pierce County, Washington Territory, justified its existence by citing "self-preservation [as] the first law of society, & the basis upon which its structure is built."⁷⁷ The French Acadians of the *Louisiana Comités de Vigilance* were no less sure of their ground when on March 16, 1859, they declared, as a basis for taking the law into their own hands, that "self-protection is supreme."⁷⁸ The same note was struck by Thomas J. Dimsdale in his classic contemporary account when he stated that, for the honest Montana miners of Bannack and Alder Gulch (1863-64), the depredations of the "road agents" had narrowed the question down to "kill or be killed." Under the principle that "self-preservation is the first law of nature" the vigilantes "took the right side."⁷⁹ The very same language—"self-preservation is the first law of nature"—headed the resolutions of the Johnson County vigilance committee as it organized against post-Civil War horse thieves, murderers, and robbers in Warrensburg, Missouri, on February 28, 1867.⁸⁰

(b) *Right of revolution*.—Vigilantes were well aware that their illegal action was, in effect, a blow at established authority. In order to deal with horse-thieves and counterfeiterers in Illinois in 1816-17 "the people," Governor Thomas Ford later wrote, "formed themselves into *revolutionary tribunals* . . . under the name of regulators."⁸¹ Vigilante penmen cut right to the heart of the matter by unequivocally invoking the right of revolution. A Louisiana

Comités de Vigilancia proclamation of March 16, 1859, explicitly avowed its character as a "revolutionary movement."⁸² The authorized historian of the *Comités*, Alexander Barde, cited the American Revolution as a justified popular insurrection and precedent for the movement he described. To condemn the vigilance committee in the context of intolerable conditions of lawlessness (analogous to the lack of justice that brought on the Revolution of 1776), said Barde, would be "to condemn our history" and to say "that if Nero governed us, we should submit to Nero."⁸³

(c) *Popular sovereignty*.—Most vital to the philosophy of vigilantism was the democratic ideal of popular sovereignty. An additional reason for the failure of vigilantism to appear before 1767 was the lack, up to that time, of a mature belief in democracy. The complete transition from deferential to democratic social values in America was a process that took from the time of the Revolution to the Age of Jackson. By the latter era (which coincided with the firm establishment of the vigilante tradition) the rule of the people was acknowledged by all but the most skeptical and reactionary.

"Popular sovereignty" was much more than a slogan used by the ambitious Stephen A. Douglas as a gimmick to solve the thorny problem of slavery in the territories; it represented a belief shared deeply by Americans of whatever political persuasion. The Regulators of the predominantly Republican counties of La Grange and Noble in northern Indiana saw no inconsistency (as they prepared for a lynch-law drive) in stating as the first of their Resolutions on January 9, 1858:

Whereas, We are believers in the *doctrine of popular sovereignty*; that the people of this country are the real sovereigns, and that whenever the laws, made by those to whom they have delegated their authority, are found inadequate to their protection, it is the right of the people to take the protection of their property into their own hands, and deal with these villains according to their just desserts. . . .⁸⁴

The same idea was put a bit more pithily in 1902 when the following jingle was found pinned to the body of a man hanged by the vigilantes of Casper, Wyoming:

Process of law is a little slow
So this is the road you'll have to go.
Murderers and thieves, Beware!
PEOPLE'S VERDICT.⁸⁵

"The *right of the people* to take care of themselves, if the law does not," said Professor Bigger of the local normal school to the Johnson County, Missouri, vigilantes in 1867, "is an indisputable right."⁸⁶ Hence, the 19-century Americans the rule of the people was superior to all else—even the law. Vigilantism was but a case of the people exercising their sovereign power in the interest of self-preservation.

3. *The economic rationale of vigilantism*.—Although vigilantism rested on a bedrock democratic premise, the vigilante operation in practice was often not democratic. Ordinary men formed the rank and file of the vigilante organization, but, usually, its direction was firmly in the hands of the local elite. Local vigilante leaders were often the large local taxpayers. They had the customary desire to whittle down the tax rate and keep local expenses in check.

From this point of view there was a persuasive economic rationale, for vigilante justice, was cheaper, as well as quicker and more certain, than regular justice. This was a theme that the vigilantes sounded time and again.

In 1858, northern Indiana regulators paraded under banner that said, simply, "No expense to the County."⁸⁷ A *Denver Tribune* reporter probed opinion in Golden, Colo., in 1879 after a recent vigilante lynching and found that "on every side the popular verdict seemed to be that the hanging was not only well merited, but a positive gain to the county, saving it at least five or six thousand dollars."⁸⁸ The redoubtable vigilance committee of Las Vegas, New Mexico, was (like many others) dominated by the leading local merchants. One night in the early 1880's the vigilantes entered the local jail, took out all the inmates, and chased them out of town. The reason for the expulsion was to obtain economy in government as the inmates—"petty thieves, bunko men, and would-be bad men—were eating their heads off at the city's expense."⁸⁹ On September 3, 1887, the Meeker (Colorado) *Herald* praised a local vigilance committee and said, "We approve of this method of dealing with 'rustlers' as it is expeditious and saves the county the expense of prosecuting such cases."⁹⁰

THE TWO MODELS OF VIGILANTISM

Two "models" of vigilante movements developed. One was the "good" or socially constructive model in which the vigilante movement dealt with a problem of disorder straightforwardly and then disbanded. The result was an increase in the social stability of the locality; the movement was, thus, socially constructive. The other model was the "bad" or socially destructive one in which a vigilante movement encountered such strong opposition that the result was an anarchic and socially destructive vigilante war. Some movements, hence, behaved according to the ideal theory of vigilantism while others did not. Some were socially successful; others were not.

The Socially Constructive Model

The socially constructive movement occurred where the vigilantes represented a genuine community consensus. Here a decided majority of the people either participated in the movement or approved of it. Vigilantism of this sort simply mobilized the community and overwhelmed the unruly outlaws and lower people. The community was left in a more orderly and stable condition, and the social functions of vigilantism were served: the problem of community order was solved by the consolidation of the three-level social structure and the solidification of the supporting community values.

Although the methods used were often harsh and arbitrary, most vigilante movements—large and small—conformed to the socially constructive model. One of the best examples was the northern Illinois Regulator movement of 1841. The northern Illinois movement confronted a classic threat to community order: an agglomeration of outlaw gangs was nearing control of the area. With the regular government virtually powerless, the respectable leading men (the community upper level) took the law into their own hands with the help of the middle level farmers.

Since 1835 the situation in the Rock Valley of northern Illinois had gone from bad to worse. Several gangs of horse thieves and counterfeiters found the Rock River country a convenient corridor for illicit operations in Wisconsin, Illinois, Iowa, and Missouri. The Driscoll and Brodie gangs had made Ogle and De Kalb Counties a virtual fief. The Oliver gang dominated Winnebago County. The Bliss-Dewey-West ring waxed strong in Lee County, while the Birch gang of horse thieves ranged in all quarters. By 1840 the desperadoes were numerous enough to control elections in Ogle County and similarly threaten other counties. One summer the outlaws even went so far as to burn down the newly constructed courthouse at Oregon, Illinois.

Finally, in April 1841, 15 "representative men" of Ogle County formed the first Regulator company. In no time at all the counties were dotted with Regulator squads, but the most vigorous were those of Ogle. The Regulators embodied the social, economic, and political prestige of Ogle County: John Phelps was the county's oldest and wealthiest settler and the founder of the county seat, Oregon. Peter Smith combined a bank presidency with the ownership of 1,600 acres of land. The farmers who made up the bulk of the movement were substantial property holders; they had taken up Government land claims ranging from 240 to 600 acres. These solid citizens brooked no opposition. They burned the Rockford *Star* to the ground soon after it published an anti-Regulator editorial. But on the whole, the local elite kept the movement well under control. Having accomplished their purpose in a campaign of whipping, hanging, and firing squads, the Regulator companies disbanded. Socially they left the Rock Valley in a better state than before they organized.⁹¹

The northern Illinois Regulator movement exhibited the major characteristics of the successful frontier vigilante movement. It was organized in a rational way. Mass participation of respectable men was the mode, but the movement was dominated, clearly, by the social and economic elite of the area. The Regulators were implacable in their war on the outlaws and unrelenting in the face of opposition. Although the Rockford *Star* opposed the Regulators, no anti-Regulator coalition, as a whole, developed. The outlaw gangs were isolated and broken up. The vigilante leaders desired the assurance of their position at the upper level of their communities but were not power mad. With the outlaw threat put down, peace and order reigned.

The Socially Destructive Model

In the socially destructive model, anarchy was the result of the vigilante movement. Because there was no community consensus behind the vigilante movement, strong opposition appeared, and civil conflict flared. In the socially constructive model, opposition to the vigilantes was narrowly restricted to outlaws and lower people who could gain no support from the remainder of the community. For the vigilantes to be stymied a broad antivigilante coalition was necessary. The formation of an antivigilante coalition almost inevitably condemned the community to a chaotic internecine struggle between the vigilantes and their opponents.

Respectable men did not join the antivigilante coalition because of any great sympathy for the outlaws and lower people. They were impelled into opposition by things the vigilantes did or stood for. Sometimes two or three

powerful local families would join the antivigilante movement. In some cases, these families had been carrying on a feud of sorts with leading vigilante families.⁹² Sometimes a local political party or faction went into the antivigilante movement, because the vigilantes were dominated by the rival party or faction.⁹³ If the leading Democrats of a community, for example, were found among the vigilantes, the antivigilante coalition would probably attract the local Whigs. Political rivalries were often linked to vigilante strife, for in many instances vigilante leaders harbored political ambitions and were not above using the movement to promote their personal goals.⁹⁴ Economic rivalries among community leading men also were a factor in pro and con vigilante alignments; acute mercantile competition sometimes caused a leading storekeeper to go into the opposition if his rival was a vigilante.⁹⁵ Thus, personal, family, political, and economic antagonisms accounted for a readymade vigilante opposition in some communities.

At other times vigilante extremism drew into opposition decent men who otherwise probably would not have opposed them. The best of vigilante movements usually attracted a fringe of sadists and naturally violent types. Often these men had criminal tendencies and were glad to use the vigilante movement as an occasion for giving free reign to their unsavory passions. It was always a problem for vigilante leaders to keep these elements under control, and sometimes a movement was taken over or seriously skewed by these social misfits. Sadistic punishment and torture, arbitrary and unnecessary killings, and mob tyranny marked vigilante movements that had truly gone bad.⁹⁶ When this happened, many sound and conservative men felt they must oppose the vigilantes with whose original objectives they had probably felt no quarrel.

Examples of the socially destructive model did not occur as often as the constructive model, but when they did extremely violent conflicts tended to appear. Among the leading instances were the East Texas Regulators (versus the Moderators), 1840-44; the Southwest Missouri Slickers (versus the Anti-Slickers), 1842-44; and the Southern Illinois Regulators (versus the Flat-heads), 1846-50.⁹⁷ Sometimes an antivigilante coalition arose which, although unable to match vigilante strength, possessed the potential of calling in outside help and, hence, could define the limits of vigilante power. The antivigilante Law and Order faction in San Francisco, 1856, played this role. The vigilantes there would have liked to have hanged Judge David S. Terry but did not dare do so, for the Law and Order faction would have almost certainly obtained Federal action against the vigilantes.⁹⁸ Similarly, the Moderators in the South Carolina back country, 1769, were not strong enough to overturn Regulator domination, but they did check the movement and bring its excesses to an end.⁹⁹

As the career of the socially destructive model proceeded, the moral standing of the vigilantes and the opposing coalition tended to be increasingly compromised. As the struggle became more violent, the respectable men of the antivigilante coalition put a higher premium on the violent talents of the outlaw element with which they otherwise had nothing in common. So, too, did the original vigilantes themselves recruit and acquire a criminal fringe which they put to mercenary use. With the community descending bloodily into chaos, wise and prudent men left if they could. The opposing movements tended to fall more and more into the control of the worst and most extreme of their adherents. About this time the desperate neutral residents would be-

sech State authorities for the intervention of the militia, and the "war" would subside fitfully in the presence of the state troops.¹⁰⁰

The Regulator-Moderator war of east Texas (1840-44) was representative of the degenerate, socially destructive vigilante situation. The scene was the redland and piney wood country of east Texas in the days of the Lone Star Republic. The center of the conflict was in Shelby County. Fronting on the Sabine River where it formed the boundary between Louisiana and Texas, Shelby County lay in an old border area that had never been known for peace and calm. In 1840 the Regulator movement arose as a quite honest and straightforward attack on a ring of corrupt county officials who specialized in fraudulent land transactions. The rise of the Regulators was probably inevitable in any case, for the county had long wilted under a plague of counterfeiting, horse thievery, Negro stealing, and common murder and mayhem. However, the Regulators overplayed their hand, especially after their original leader, Charles W. Jackson, was killed and replaced by the nefarious adventurer, Watt Moorman. Bad elements infiltrated both the regulators and their opponents, the Moderators, but by comparison the latter seemed to become less obnoxious. Although some honorable and level-headed citizens like John W. Middleton stayed with the Regulators to the end, an attitude of wild vengeance came to be more characteristic of the band. The early ne'er-do-well group among the Moderators dwindled. As more and more citizens were forced to take sides, many joined the Moderators in reaction to the sadism and vindictiveness of the swashbuckling Watt Moorman who affected a military uniform and blew great blasts on a hunting horn to summon his henchmen.

The original reasons for the founding of the Regulator movement were all but forgotten. The war became a thing in itself, a complexity of personal and family feuds that was consuming the area in blood lust. Several attempts to restore peace failed. Complete anarchy was the situation in 1844 when an all-out battle between two armies of several hundred men each was only forestalled by the dramatic intervention of Sam Houston and the militia. After 4 years, 18 men had been killed and many more wounded. A stream in the vicinity was called "Widow's Creek." The killing of so many leaders and the exhaustion of the survivors probably explain why the war was not revived after Sam Houston and the militia withdrew. Ex-Regulators and ex-Moderators warily fought side by side in separate companies in the Mexican War, but for 50 years east Texans were reluctant to discuss the episode lest old enmities be rekindled.¹⁰¹

VIGILANTISM AS A PARALLEL STRUCTURE

Vigilantism characteristically appeared in two types of situations: (1) where the regular system of law and order was absent or ineffective, and (2) where the regular system was functioning satisfactorily. The first case found vigilanism filling a void. The second case revealed vigilanism functioning as an extra-legal structure of justice that paralleled the regular system.

Why did vigilantes desire to erect a parallel structure when the regular one was adequate? There were a number of reasons. By usurping the functions of regular law enforcement and justice—or, at times, duplicating them—the cost of local government was greatly reduced. As taxpayers the vigilante leaders

and the rank and file benefited from the reduction in public costs. Second, the process of community reconstruction through the re-creation of social structure and values could be carried on more dramatically by a vigilante movement than was possible through the regular functioning of the law. A vigilante hanging was a graphic warning to all potentially disruptive elements that community values and structure were to be upheld.

The sort of impression that vigilantes wanted to make was that received by young Malcolm Campbell who arrived in Cheyenne, Wyoming, in 1868 at the age of 28. No sooner had he arrived than there were four vigilante hangings. "So in rapid succession," he recalled, "came before my eyes instances which demonstrated the strength of law [as carried out by vigilantes], and the impotence of the criminal. Undoubtedly, these incidents went far in shaping my future life and in guiding my feet properly in those trails of danger where I was later to apprehend some of the most dangerous outlaws of the plains."¹⁰² (Campbell later became a leading Wyoming sheriff.)

Finally, the vigilante movement sometimes existed for reasons that were essentially unrelated to the traditional problems of crime and disorder. The San Francisco vigilance committee of 1856 is one of the best examples of the vigilante movement as a parallel structure. The San Francisco vigilantes spoke of a crime problem, but examination of the evidence does not reveal a significant upsurge of crime in 1855-56. The regular authorities had San Francisco crime well under control. Fundamentally, the San Francisco vigilantes were concerned with local political and fiscal reform. They wished to capture control of the government from the dominant faction of Irish Catholic Democrats. The vigilantes actually left the routine enforcement of law to the regular police and intervened only in a few major cases. The parallel structure of the vigilante movement was utilized to organize a reform political party (the People's Party) and to shatter the Irish Catholic Democratic faction by exiling some of its leading operatives.¹⁰³

Sometimes the regular and parallel structures were intertwined. Law enforcement officials often connived with vigilantes. Here a sheriff or police chief was not taken by surprise when a vigilante force bent on a lynching converged upon his jail, for he had helped plan the whole affair. Appearances were preserved, usually, by a token resistance on the part of the law officer, but it was well known in the community that he had shared in the vigilante plot.¹⁰⁴

Why would men violate their oaths and subvert their own functions as officers of the law? For some men the reason was that they were little more than hirelings of the local vigilante elite to whom they were beholden for office. Other officers were of higher social status but, as large landholders or businessmen themselves, they shared the vigilante desire to keep down governmental costs. Little interested in legal niceties, the vigilante-minded law officers were happy to have a nefarious bad man disposed of quickly, cheaply, and permanently by a lynching.

RELATED TO VIGILANTISM

The Antihorsethief Movement

American vigilantism has been paralleled by a number of related movements. Such movements as the three Ku Klux Klans, the White Caps, and the

Night Riders have been illegal and violent. One legal, nonviolent movement existed side by side with vigilantism from the late 18th to the early 20th century. This was the antihorse thief movement. It is now almost forgotten, but hundreds of thousands of Americans from New England to the Rio Grande belonged to it.

The antihorse thief movement consisted of local societies, clubs, and associations of men—mainly farmers—who banded together to detect and pursue thieves, especially horse thieves. The antihorse thief societies were much like vigilante movements in respect to organization, objectives, and types of members. There was one crucial difference: they did not take the law into their own hands. Instead they restricted themselves to the detection and pursuit of culprits whom, after capture, they dutifully turned over to local law enforcement officers. They eventually came to incorporate themselves under state law, and some states granted them constabulary powers.

The first antihorse thief societies arose spontaneously just after the Revolutionary fighting had ended.¹⁰⁵ The first such society was probably the Northampton Society for the Detection of Thieves and Robbers organized in Massachusetts in 1782. By 1800 similar groups had been founded up and down the Atlantic coast from Rhode Island to Delaware. The movement thrived in the northeastern United States as a legal supplement to regular law enforcement. It was vital and long lived in New Jersey—a typical state—where over 100 local societies were founded from 1788 to 1915. Official approval of the New Jersey societies were unstated until 1851, at which time the legislature explicitly approved organization of the societies; later it granted them the power of arrest. The societies flourished until the establishment of township police departments in the 1890's lessened the need for them. Inauguration of the state police in 1921 rendered them wholly unnecessary. Here and there they still exist but only as nostalgic social organizations.

The experience of New Jersey and the Northeast with the antihorse thief movement was duplicated in the Midwest and Southwest. The movement got underway in Indiana in 1852 with the legalization of regulator bands as antihorse thief societies. After the Civil War the movement grew rapidly and an interstate combine, the National Horse Thief Detective Association (with headquarters in Indiana) spread into Ohio and Illinois.¹⁰⁶ A similar development occurred across the Mississippi where a movement that began in northeast Missouri in the 1860's had, by the 1890's and later, become the farflung Antihorse thief Association with thousands of local chapters and over a hundred thousand members in Kansas, Oklahoma, Missouri, and Arkansas.¹⁰⁷

Eventually the antihorse thief movement succumbed to the automobile. The latter supplanted the horse as the means of transportation which the members had joined together to protect. And the automobile immensely increased the range, mobility, and effectiveness of local law enforcement, thereby rendering obsolete the antihorse thief society as a supplemental crime-fighting agency.

Elite Americans and Vigilantism

A host of distinguished Americans—politicians, capitalists, lawyers, writers, and others—supported vigilantism by word or deed. Some of them were per-

sonally involved in vigilante movements; usually this was when they were younger men, but in later life they never repudiated their action.

As President of the United States, Andrew Jackson once advised Iowa settlers to punish a murderer by vigilante action,¹⁰⁸ and in his youthful ranching days Theodore Roosevelt sought—unsuccessfully—to join a vigilante movement.¹⁰⁹ William Tell Coleman, prominent capitalist and importer, was the great leader of the San Francisco vigilance committee of 1856. In addition to being a leading California capitalist (until he failed in 1886), Coleman was prominent in political circles. In 1865 he received 26 votes in the California Senate for the office of U.S. Senator, and in 1884 Charles A. Dana of the New York *Sun* boomed him for the Presidency of the United States.¹¹⁰

Leland Stanford, Sr., California Governor and one of the "Big Four" builders of the Southern and Central Pacific Railroads, was a member of the 1856 San Francisco vigilante movement as a young man of 32. A Republican, after serving as Governor from 1861 to 1863, Stanford also was in the U.S. Senate from 1885 to his death in 1893. In 1885 he founded Stanford University as a memorial to his son who died young.¹¹¹

Many leading politicians took part in vigilante movements. Among them were Senator Francis M. Cockrell of Missouri. On February 28, 1867, at a public meeting in Warrensburg, Mo., Cockrell spoke strongly in favor of the organization of the Johnson County vigilantes. A lawyer, Cockrell had been a Confederate general. Ultimately he served Missouri as U.S. Senator from 1875 to 1905 and was on the Interstate Commerce Commission from 1905 to 1910. In 1904 his name was placed in nomination (unsuccessfully) for President at the Democratic National Convention.¹¹²

Other prominent politicians who participated in Eastern vigilantism included Alexander Mouton of Louisiana. Mouton is an example of a man at the peak of state and national standing who chose to become a vigilante. One of the wealthiest sugar planters in Louisiana, Mouton had been trained in law at Georgetown College. After serving as U.S. Senator (1837-42) and Governor of Louisiana (1843-46), he became president in 1859 of the vigilance committee of Cote Gelée in Lafayette Parish, Louisiana.¹¹³ Later, in 1872, Governor William Pitt Kellogg of Louisiana encouraged a deadly vigilante movement in Vermillion Parish which ultimately took 12 lives.¹¹⁴ Much earlier and as a young man, Governor Augustus C. French took part in a Regulator movement in the early days of Edgar County, Illinois. A lawyer and a Democrat, French was a two-term Governor of Illinois from 1846 to 1853. He ended his career as a law professor at McKendree College in Illinois.¹¹⁵

A galaxy of Western "first citizens" participated in vigilante movements. Montana's leading pioneer and one of its most distinguished citizens of all time, Granville Stuart, was the main leader of the Montana vigilante movement of 1884. (The 1884 vigilantes disposed of 35 horse and cattle thieves and thus killed more victims than any other American vigilante movement; it was the movement that Theodore Roosevelt tried to join.) At the time he was one of the largest cattle ranchers in Montana as a member of Davis, Hauser & Stuart Co. Later he became state land agent; American minister to Uruguay and Paraguay, 1894-98; president of the Montana Historical Society, 1890-95; and Butte city librarian in 1904.¹¹⁶

William J. McConnell was one of Idaho's first two U.S. Senators (1890-91) and was Governor of Idaho, 1893-96. He was the author of a book for juveniles in which Idaho vigilantism of the 1860's (as well as his own role as a leading Payette Valley vigilante) was glorified. The book (in which Howard R. Driggs collaborated) was *Frontier Law: A Story of Vigilante Days* (1924). Conceiving the book essentially as a treatise on good citizenship for youth, McConnell had wished to dedicate the book to the Boy Scouts of America! Senator William E. Borah of Idaho, one of the leading progressive statesmen of his generation, wrote a favorable introduction to McConnell's book.¹¹⁷

Two of the early governors of the State of Wyoming were participants in one of the famous episodes of Wyoming vigilantism: the lynching of the badman, Big Nose George Parrott, in Rawlins in 1881. Dr. John E. Osborne, a leading Rawlins physician, was an enthusiastic participant in the event. Later, from 1893 to 1895, he was Governor of Wyoming.¹¹⁸ The other distinguished vigilante was Fennimore Chatterton, an eminent Wyoming lawyer, businessman, and promoter of irrigation projects. Chatterton was Governor of Wyoming from 1903 to 1905.¹¹⁹ Vigilantism in Wyoming—as in all states—was bipartisan: Osborne was a Democrat; Chatterton was a Republican. Undoubtedly the weight of their approving participation in the vigilante lynching of Parrott enhanced public acceptance of the act.

New Mexico likewise had two Governors with vigilante backgrounds. Miguel Antonio Otero, son of a well-to-do merchant (who was also an active vigilante in Kansas and New Mexico—among many distinctions the senior Otero was New Mexico territorial delegate to Congress and had the honor of declining Abraham Lincoln's appointment of him as American minister to Spain), took part in the Las Vegas, New Mexico, vigilante movement of 1881-82 as a young man of 22. At the time he was cashier of the San Miguel National Bank. Becoming one of the most prominent New Mexicans of his generation, Otero was Governor from 1897 to 1906. In politics he was a Republican and, later, a Bull Moose Progressive.¹²⁰ New Mexico's other vigilante Governor was George Curry who had been a member of the Colfax County vigilance committee in 1885. Later he became a Rough Rider protege of Theodore Roosevelt and, partly upon the basis of that connection, became a provincial Governor in the Philippine Islands and Governor of New Mexico from 1907 to 1911. From 1911 to 1913 Curry served as one of New Mexico's first Congressmen.¹²¹

In Texas, James Buckner (Buck) Barry, like Granville Stuart of Montana, was one of the famous pioneers of his State. He participated in two Texas vigilante movements. In 1860 he was a vigilante in a movement in Brazos and surrounding counties, and after the Civil War he served in a vigilante movement in turbulent Bosque County of central Texas. Barry had been a Texas Ranger in 1845-46 and was a legendary Indian fighter. At one time a county sheriff and treasurer, he served in the Texas Legislature in 1884-86 and was a leading member of the insurgent Grange, Farmers' Alliance, and Populist movements in Texas; he unsuccessfully ran for state treasurer on the Populist ticket in 1896.¹²²

Frontier vigilantes were headed, thus, by the frontier elite—men who, in turn, gained the highest political positions in territory, state, and nation. Men who were actually vigilantes or had expressed strong approval of specific vigilante movements included two Presidents of the United States (Andrew

Jackson, Theodore Roosevelt), five U.S. Senators (Alexander Mouton, Louisiana; Francis M. Cockrell, Missouri; Leland Stanford, California; William J. McConnell, Idaho; Wilbur Fisk Sanders, Montana); eight Governors of states or territories (Alexander Mouton, Louisiana; Augustus C. French, Illinois; Leland Stanford, California; William J. McConnell, Idaho; Fennimore Chatterton and John E. Osborne, Wyoming; Miguel A. Otero and George Curry, New Mexico); one Congressman (George Curry); and one minister to a foreign country (Granville Stuart). At one time—in 1890—four ex-vigilantes served in the U.S. Senate; they were Francis M. Cockrell, Leland Stanford, William J. McConnell, and Wilbur Fisk Sanders.

Literary men were often outspoken in their support of vigilantism. Hubert Howe Bancroft, who wrote many volumes on Western history and who built his San Francisco publishing house into one of the leading businesses on the Pacific Coast, wrote a vigorous and highly favorable account of the San Francisco vigilance committees in his massive two-volume work, *Popular Tribunals* (1887).¹²³ Thomas J. Dimsdale, the Oxford-educated Montana superintendent of public instruction, wrote a popular and highly laudatory account of the *The Vigilantes of Montana* in 1886¹²⁴ as did, later, Nathaniel Pitt Langford, the father of Yellowstone National Park.¹²⁵ Owen Wister, the socially prominent Harvard graduate and scion of an aristocratic Philadelphia family, in his immensely popular novel, *The Virginian* (1902),¹²⁶ strongly praised vigilantism and in so doing summed up the opinion of elite Americans. Andrew D. White, U.S. Minister to Germany, spoke for many when he maintained that "there are communities in which lynch law is better than any other."¹²⁷

The 19th-century American elite walked a tightrope in regard to vigilantism. Most of them held conservative social and economic opinions and were not attracted by the revolutionary and democratic rationales of vigilantism. They carefully qualified their support of vigilantism. To them it was justified only in frontier areas where they saw it as being inevitable and necessary. This position was forcefully stated by Chief Justice Hosmer of Montana in an 1864 charge to a grand jury. Judge Hosmer praised vigilante organizations "which, in the absence of law, assumed the delicate and responsible office of purging society of all offenders against its peace, happiness and safety." Such organizations originated in "necessity," he said. "Their adaptation to the necessities of new settlements," he emphasized, "has obtained for them an approval so universal, that they are the first measures resorted to, by well intentioned men, to free themselves of that vile class of adventurers which infest all unorganized communities for purposes of fraud, robbery and murder."¹²⁸

As late as World War I, the American elite looked with favor upon the vigilante tradition. In 1918 a group of distinguished writers formed an organization to promote the war effort. Significantly, they chose to call themselves "the Vigilantes." Invoking the vigilante heritage, their pamphlet announced:

There has been a disposition to associate the Vigilantes with those beloved rough-necks of the early California days, who established order in frontier towns and camps by methods distasteful to tender souls. We find no fault with this. In fact, we are rather proud of being linked up with the stern and vigorous pioneers who effectually squelched the anarchists and I. W. W. of their day.

The membership list of the Vigilantes was a "Who's Who" of the writers of the day. Among those who belonged were Hamlin Garland, Booth Tarkington, Ray Stannard Baker, Irvin S. Cobb, Edgar Lee Masters, Theodore Roosevelt, and many others.¹²⁹

AN EVALUATION OF AMERICAN VIGILANTISM

In shortrun practical terms, the vigilante movement was a positive facet of the American experience. Many a new frontier community gained order and stability as the result of vigilantism which reconstructed the community structure and values of the old settled areas while dealing effectively with a problem of crime and disorder.

From a longer perspective, the negative aspects of vigilantism appear. Although the era of classic vigilantism came to an end in the 1890's, the tradition lived on. In fact, it was extended into areas of American life where it was wholly inappropriate. Thus arose the latter day phenomenon of neovigilantism.

Neovigilantism grew mainly after the Civil War and war largely a response to the problems of an emerging urban, industrial, racially and ethnically diverse America. The transition from the old to the new vigilantism was heralded by the San Francisco Vigilance Committee of 1856. The latter represented a blending of the methods of the old vigilantism with the victims of the new. Virtually all the features of neovigilantism were present in the San Francisco movement of 1856. Neovigilantism was to be frequently urban rather than rural, and that was the case in San Francisco. The old vigilantism had been directed mainly at horsethieves, counterfeiters, outlaws, bad men, and lower people. Neovigilantism found its chief victims among Catholics, Jews, immigrants, Negroes, laboring men and labor leaders, political radicals, and proponents of civil liberties. The actions and overtones of the San Francisco movement were strongly imbued with the passions and prejudices that came to feature the neovigilantism.

The San Franciscan vigilantes were ethnically biased; their ire focused on one group: the Irish.¹³⁰ The vigilantes were anti-Catholic; their hero and martyr was the anti-Romanist editor, James King of William, and most of their victims of 1856 were Catholics. Although their ranks included laborers and mechanics, there was a distinct class tinge to the 1856 movement: middle and upper class merchants were aligned against the lower class adherents of the San Francisco Democratic machine. Last but not least was a disregard for civil liberties. Angered by the arguments of John Nugent of the San Francisco *Herald* in favor of regular justice, the merchant vigilantes of '56 quickly organized an advertising boycott that transformed the *Herald* overnight from the strongest to the weakest of the city's major dailies.

Allegedly concerned with a crime problem, the San Francisco vigilantes of 1856 were in actuality motivated by a desire to seize control of the municipal government from the Democratic political machine that found the nucleus of its support among the lower class Irish Catholic workers of the city. Basic to the vigilante movement was the desire to establish a business-oriented local government which would reduce expenditures, deprive the Irish Catholic Democrats of access to municipal revenues, and lower taxes. To a considerable extent, the San Francisco vigilante episode of 1856 represented a struggle for

power between two blocs of opposed religious, class, and ethnic characteristics. Thus, the vigilante leadership of upper and middle class, old American, Protestant merchants was aligned against a political faction based upon Irish Catholic lower class laborers. Such were the social and economic tensions that typically enlisted the violence of neovigilantism.

The protean character of neovigilantism precludes an extensive discussion of it at this time. Only significant tendencies may be noted. Negroes have been the targets of three distinct Ku Klux Klan movements over a 100-year period going back to 1867.¹³¹ Catholics and Jews were singled out for verbal attack by the second Ku Klux Klan (of the 1920's), but the bulk of Klan violence in the 1920's seems to have been leveled against ne'er-do-well white Anglo-Saxon Protestants who did not measure up to the puritanical Klan moral standards¹³² and was similar to the White Cap movement which violently regulated the immoral and shiftless from 1888 on into the 20th century.¹³³ Immigrants were repeatedly the victims of neovigilantism. One of the most spectacular instances was the lynching of 11 Sicilians in New Orleans in 1891.¹³⁴ Laboring men and labor union organizers (many of whom were immigrants) were frequently the subjects of vigilante violence when on strike or attempting to organize.¹³⁵

Political radicals have often undergone vigilante harassment; one of the most striking examples was the arrest of thousands of Communists and radicals in the "Red raids" of January 1, 1920.¹³⁶ The raids were carried out under the color of law, but the whole action resembled nothing so much as a giant vigilante roundup. Proponents of civil liberties have at times fallen afoul of a quasi-vigilante spirit manifested in such waves of intolerance as the "McCarthyism" of the early 1950's. In contrast to the old vigilantism not even a pragmatic justification can be made for neovigilantism, whose efforts have been wholly pernicious. As an index of the tensions of America in an age of transition, neovigilantism is revealing, but as an attempt to apply vigilante methods to the solution of the complex social problems of urban, industrial, diverse America it has been a massive failure.

Neovigilantism is one phase of a larger American failing to which vigilantism has significantly contributed—the spirit of lawlessness. Americans have long felt that intolerable conditions justify defiance of law and its extension, revolution. In large part the spirit of American lawlessness (equal in importance to the spirit of lawfulness) goes back to the American Revolution where Americans learned a lesson that has never been forgotten: that it is sometimes good and proper to rebel and that rebellion succeeds.

Powerfully nurturing American lawlessness has been the vigilante tradition. A part of the historical heritage of hundreds of American communities from the Piedmont to the Pacific, vigilantism—like the American Revolution—has taught the lesson that defiance of law pays. The typical vigilante took the law into his own hands sincerely (but paradoxically) in the interest of law and order. He desired social stability and got it. But was it purchased at too high a cost?

Yes, said the principled opponents of vigilantism who hammered home a philosophy of antivigilantism that went as far back as the opposition to the original South Carolina movement of 1767-69. From the very beginning antivigilante theorists cogently argued that due process of law was a precious Anglo-American legacy, that true law and order meant observing the law's let-

ter as well as its spirit, and, finally, that the only way to obtain real and lasting law and order was to pour all one's energies and substance into making the regular system work.

One trenchant opponent of the San Francisco Vigilance Committee of 1856 noted that "if the same energy which prompted the formation of the Committee and organized the armed force that assaulted the jail had been directed to strengthen the regular course of justice as public opinion can do it, there would have been no need for the [vigilante] outbreak." "The precedent is bad, the law of passion cannot be trusted, and the slow process of reform in the administration of justice is more safe to rely on than the action of any revolutionary committee, no matter how great may be the apparent necessity," he continued. "Better to endure the evil of escape of criminals than to inaugurate a reign of terror which to-day may punish one guilty head, and tomorrow wreak its mistaken vengeance on many innocent lives," he concluded.¹³⁷

Aside from the danger of vigilante action veering off into extremism, the critics of vigilantism were upset by its fundamentally subversive character. A southern Illinois opponent of the Regulator movement in Pope, Johnson, and Massac Counties, Richard S. Nelson, charged in 1847 that by attacking citizens and taking their property the Regulators had violated "those great principles of civil liberty" upon which the Illinois State constitution was based. Nelson also turned the vigilante justification of popular sovereignty against them by noting that in forcing elected county officials to leave the county or surrender their offices the Regulators had "made a direct attack upon the sovereignty of the people."¹³⁸ There is no doubt, however, that, for all the plausibility of Nelson's invocation of popular sovereignty against vigilantism, the appeal to popular sovereignty was made much more often by vigilantes than by their opponents.

Occasionally, vigilante opponents got at the sociological causes of the crime and turbulence which led to vigilantism. The Reverend William Anderson Scott was a courageous opponent of the powerful San Francisco vigilantes of 1856. In a sermon entitled "Education, and not Punishment, the True Remedy for the Wrong-Doings and Disorders of Society," Scott called for industrial education for the lower classes and for urban eleemosynary institutions as means of eradicating the root sources of crime. "You may depend upon it," he insisted, "the stream of blood will never be staid [sic] while men take the law into their own hands."¹³⁹

Americans have for generations been ambiguous in their attitude to law. In one sense, Americans are a law-abiding people of exemplary character. But the many organized movements in our history which have openly flouted and ignored the law (Revolutionary Whigs, Northern abolitionists, Southern filibusters, regulators, vigilantes, Ku Klux Klansmen, White caps, lynch mobs, etcetra.) are an indication that lawlessness has been rife. In 1837, the young Abraham Lincoln delivered an address on "The Perpetuation of Our Political Institutions" and found that the chief threat came from "the increasing disregard for law which pervades the country—the growing disposition to substitute the wild and furious passions in lieu of the sober judgment of courts, and the worse than savage mobs for the executive ministers of justice."¹⁴⁰

Basic to American lawlessness has been our proclivity to pick and choose the laws we would obey, respecting those which we approve and defying those with which we disagree.¹⁴¹ Our arbitrary attitude toward law reflects a funda-

mental and deep-seated disrespect for law, or, to put it another way, reveals only a superficial allegiance to law. Perhaps the most important result of vigilantism has not been its social-stabilizing effect but the subtle way in which it persistently undermined our respect for law by its repeated insistence that there are times when we may choose to obey the law or not.

EPILOGUE

Vigilantism of the 1960's

The middle and late 1960's have produced a new upsurge of vigilantism. The following movements (to be listed chronologically and then analyzed) differ from classic vigilantism in the sense that, apparently, they have not yet taken the law into their own hands; they have restricted themselves to patrol activity and to assisting the police. In another sense, however, these movements are in the authentic vigilante tradition, for they are movements in which citizens join together for self-protection under conditions of disorder and lawlessness. Moreover, these movements have commonly been viewed as "vigilante" movements by their members, the police and the authorities, and by society at large.¹⁴²

1964

1. May 1964 (through the summer of 1966 and perhaps later): The "Maccabees," a neighborhood patrol organization is formed in the Crown Heights area, Brooklyn, New York. Nightly radio-car patrols are established for the purpose of spotting and reporting criminal actions. Predominantly Hasidic Jewish in its membership (but with some white Christians and Negroes) of 250, it was formed after a mass meeting of 500 Jewish neighborhood leaders and led by Rabbi Samuel Shrage. The crime problem was mostly by teenage Negroes coming into Crown Heights from adjacent areas. By March 1966, the *New York Times* reported that crime had fallen in the Crown Heights area and that the Maccabees were patrolling at a reduced rate.¹⁴³ In June 1966, Rabbi Shrage was appointed assistant executive director of the Youth Board of New York City,¹⁴⁴ and since that time the Maccabees have dropped out of the news, suggesting that they are either inactive or no longer considered news-worthy.

2. December 1964: Apartment dwellers in the Delano Village complex of North Harlem, New York City, establish interracial anticrime foot patrols equipped with walkie-talkies. In one apartment building there had been 14 assaults on residents in one month.¹⁴⁵

3. December 1964: Apartment dwellers in buildings on Manhattan's West Side in New York City in the vicinity of West End Avenue, Riverside Drive, and 103d Street form a patrol organization similar to the one in Delano Village. The problem is an increase in crime stemming from a recent rise in the price of heroin, many addicts resorting to robbery and burglary to support their expensive habit.¹⁴⁶

4. December 1964: Twenty-four citizens of Port Chester, New York (near the Connecticut State line), form a "vigilante group" to deal with rowdy young-

sters from Connecticut who came to Port Chester to take advantage of New York's law allowing 18-year-olds to drink. Patrol action was apparently contemplated by the "vigilante group."¹⁴⁷

1965

5. March 1965: The Midland Beach Progressive Association, a civic organization of Staten Island, New York., forms a system of nightly unarmed radio-car patrols to protect Midland Beach women who have been the victims of recent assaults. The patrol cooperates with police.¹⁴⁸

6. April 1965: On April 1, 100 Negroes in the Bedford-Stuyvesant area of Brooklyn, New York, establish automobile and foot patrols (the latter with big dogs) to prevent and discourage crime. Modeled on the Maccabees of Crown Heights and cooperating with police, the organization was an outgrowth of a meeting of the Fulton Park Community Council.¹⁴⁹ Note that this was a Negro organization established to deal with a Negro crime problem.

7. May 1965 (through 1966 and perhaps later): Deacons for Defense and Justice, a Negro self-protection organization founded in Jonesboro and Bogalusa, Louisiana, in May 1965. An armed patrol-car system was set up to protect civil rights workers (some of whom were white) and Negro residents against violence and harassment by Ku Klux Klansmen, white rowdies, and the police. The tough, dynamic leader of the Deacons in violent, racially troubled Bogalusa was Charlie Sims, a non-middle-class Negro. Wholly successful in Jonesboro and Bogalusa, by May 1966, the Deacons claimed 7,000 members in Louisiana and 60 loosely federated chapters in Mississippi, Alabama, Florida, and the Carolinas, and were attempting to gain a foothold in Chicago.¹⁵⁰ The Deacons have not been mentioned lately, suggesting that they have become inactive or that their activities are no longer considered newsworthy.

1966

8. March 1966: A radio-car citizens' patrol of 15 members is established to prevent, discourage, and report crime in Bushwick, Brooklyn, New York. A recent robbery-killing and a rape precipitated the organization of the group which, however, had been in the planning stages for several months. Headed by a Lutheran minister, the Reverend Samuel L. Hoard, the group had the support of an organization of 12 Protestant and Catholic churches in the area. It was modeled on the Maccabees of Crown Heights and was cooperating with the police.¹⁵¹

1967

9. January 1967: The People's Civic Association of the East New York, Brownsville, and Flatbush areas of Brooklyn, launched a radio-equipped vigilante patrol of 350 members with five automobiles. Operating mainly around East 98th Street in order to spot and discourage criminal activity, it cooperated with the police.¹⁵²

10. March 3, 1967: Thirty-five tenants (mostly women) form a "temporary vigilante committee" to patrol a large apartment building at 441 East 20th Street in Peter Cooper Village, Manhattan. The committee was an out-

growth of a mass meeting of building inhabitants called in response to a wave of rapings and muggings. Neither the police nor Metropolitan Life (the owner of the building) were able to supply adequate police protection. An irony in the situation was that New York Police Commissioner Howard R. Leary lived in an adjacent building.¹⁵³

11. June 1967: A force of about 50 private security guards (called "vigilantes" by *Time*) armed with shotguns is formed in Houston, Texas by three drycleaning chains and six other businesses for the purpose of protecting their premises against robbery which had recently reached a crisis level. Another reason cited for the hiring of the vigilantes was Houston's extremely low police-citizenry ratio. Mayor Louie Welch gave the organization his approval.¹⁵⁴

12. Summer of 1967 through 1968 and presumably still in existence: The North Ward Citizens' Committee of Newark, New Jersey, was organized to conduct nightly radio patrols for the dual purpose of spotting and discouraging criminal activity and repelling, should the need arise, an incursion of Negro rioters and looters from the adjacent Central Ward of Newark. Headed by its dynamic founder, Anthony Imperiale, the North Ward Citizens' Committee was an outgrowth of the racial confrontation in Newark stemming from the tremendous Negro riots of June 1967. The members of the committee are primarily Italians and thus reflect the ethnic composition of the North Ward.¹⁵⁵ The North Ward Citizens' Committee has been one of the most publicized vigilante organizations of the 1960's. Its founder, Anthony Imperiale, was elected to the Newark city council in November 1968, largely upon the basis of popularity gained through his Committee leadership.

13. October 1967: Operation Interruption, an "armed police militia" was founded in Harlem (New York City) by the Reverend Oberia D. Dempsey, pastor of the Upper Park Avenue Baptist Church and the unofficial "mayor" of Harlem. A Negro organization of 2,600 members, of whom 200 armed and active members formed a core, it was formed to combat "criminalization" in Harlem stemming from drug addiction and centering on 125th Street. The members maintained themselves in readiness to stop crimes, patrol areas, escort citizens, and work as informants for the city police, FBI, and the Federal Narcotics Bureau. Capt. William J. O'Rourke of the 25th Precinct police station, conceding the lack of an adequate number of police, worked closely with the Reverend Dempsey and Operation Interruption.¹⁵⁶ Note that this, too, was a Negro organization against Negro crime.

1968

14. June-July 1968: Self-proclaimed vigilantes of West Hollywood, Florida, consist of 12 businessmen who patrol nightly in prowling cars and are armed with shotguns. Their announced purpose was to protect their shops and stores against robbery, charging Sheriff Allen B. Michell of Broward County with negligence.¹⁵⁷

15. July-September 1968: White vigilantes are said to be active in various areas of Cleveland, Ohio. They are mainly anti-Negro and are a response to Negro turbulence in the Hough section, a Negro "ghetto" area of Cleveland. The unsolved killings of two Negroes may have been the result of vigilante action.¹⁵⁸

16. July-September 1968: "Night riders" in Irasburg, Vermont harass the Reverend David L. Johnson, a Negro accused of adultery with a white woman. The charge against Johnson was later dismissed in court.¹⁵⁹

17. Summer of 1968: Fight Back, an anti-Negro organization in Warren, Michigan, is apparently similar in character to the North Ward Citizens' Committee of Newark.¹⁶⁰

18. Summer of 1968: The Home Defense Association of Oakland, California, is an anti-Negro organization apparently similar in character to the North Ward Citizens' Committee of Newark.¹⁶¹

19. October 1968: Negroes form unarmed "vigilante units" in Pittsburgh, Pennsylvania, for nightly walking patrols in response, apparently, to crime and, especially, to Negro-white racial tensions. The Negroes had intended to have armed patrols but were discouraged from doing so by the Public Safety Director of Pittsburgh.¹⁶²

20. December 1968: The *New York Times* reports the existence in New York City of various citizens' anticrime operations, including private and volunteer guards in apartment-house lobbies, guards in public housing projects, and neighborhood block guards.¹⁶³

1969

21. January 1969: The Community Patrol Corps in the Negro ghetto of Detroit, is an unarmed street patrol of 15-20 young Negro men in semi-military dress. The patrol was formed for the dual purpose of curbing Negro criminality and white police brutality and was aided by a \$50,000 grant from the New Detroit Committee, Detroit's local Urban Coalition group.¹⁶⁴

(Related to the "vigilante" movements recounted above has been the Crime-Stop movement. Chicago's Police Superintendent, O. W. Wilson, originated Crime-Stop in that city in April 1964. The idea was for citizens to telephone in reports of crimes or suspicious activities to a special police number. In 1967 *Parade* reported that more than a million Chicagoans had pledged to cooperate with Crime-Stop and that the movement had spread to 111 cities (including Boston and Los Angeles) in 34 states.)¹⁶⁵

The survey above indicates that there are three vigilante-prone segments of the population today: (1) Negro enclaves, South and North, which feel the need of self-protective organizations against white violence and harassment. The Deacons for Defense and Justice are the best example of a vigilante response in this situation. (2) White urban and suburban neighborhoods in the North which feel threatened by a possible incursion of Negro rioters and looters. The North Ward Citizens' Committee of Newark is the leading example of the vigilante response in this situation. (3) Urban neighborhoods beset by crime. The Maccabees of Crown Heights, Brooklyn, have served as the model for the vigilante response to this situation.

Both the white versus Negro and the Negro versus white vigilante-type organizations are heavily freighted with neovigilantism in that racial fear and animosity is a major motivating factor in the vigilante activity. The most typical vigilante organization thus far in the 1960's is, however, the pure anticrime combination exemplified by the Maccabees of Crown Heights, Brooklyn. Thus the typical vigilante organization arises in urban neighborhoods among residents who feel that there is a severe crime problem. The leadership

of the organization—like the vigilantes of old—is indigenous, often consisting of neighborhood religious leaders (e.g., Rabbi Shrage of the Maccabees, the Reverend Hoard of the Bushwick, Brooklyn, movement of 1966, and the Reverend Dempsey of Operation Interruption in Harlem). Combination is a spontaneous act of the people but is often an outgrowth of an existing organization.

In contrast to the classic vigilantism of the 19th century, vigilantes of the 1960's do not take the law into their own hands nor do they kill.¹⁶⁶ Instead their main activity is patrol action in radio-equipped automobiles (linked to a central headquarters) for the purpose of spotting, reporting, and discouraging criminal acts. Characteristically these modern vigilantes cooperate with the police, although the latter have occasionally worried that the vigilantes would get out of hand. To a considerable extent the vigilantes of the 1960's resemble the antihorse-thief societies (late 18th century to early 20th century) who restricted themselves to the pursuit and detention of malefactors and did not ordinarily take the law into their own hands.¹⁶⁷ Both the earlier antihorse-thief societies and the current vigilantes supplemented but did not substitute for regular law enforcement.

The next stage—that of contemporary vigilantes taking the law into their own hands—may not come. That it may, however, was the recent warning of a spokesman for crime-ridden Harlem Negroes, Mr. Vincent S. Baker, chairman of the anticrime committee of the New York City branch of the NAACP. Invoking the vigilante tradition, Mr. Baker noted that "in towns of the Old West where there was no law, people paid gunslingers to protect them from the depredations of marauding outlaws." "There is an embryonic vigilante movement in this community," he declared. "It's cropping up all over. Tenant groups are arming themselves." Baker called for more police in Harlem and harsher penalties for criminals as a minimum program if the community was "to escape the reign of criminal terror without resorting to vigilantism." "Asserting that the Harlem situation was no better than Dodge City, Abilene, or other towns of the Old West," Mr. Baker attacked vigilantism as being "inherently undemocratic, antisocial and unsound," but contended "that it might be generated by a feeling of 'anarchy and complete helplessness against marauding hoodlums.'"¹⁶⁸

Whether or not the crime rate is really rising or declining is currently being debated by experts, but in one way the question is beside the point. Most urban Americans, particularly in the largest cities, are firm in their belief that there is too much crime, that their persons or property are in danger, and that regular law enforcement is not coping with the problem. The same feelings in earlier times led Americans to resort to vigilantism.

References

1. It will probably be impossible to ever obtain a definitive count of American vigilante movements; many small movements undoubtedly left no traces in historical sources. The latter seems to have been especially true in the Old Northwest and Old Southwest in the first 20 or 30 years of the 19th century. The 326 movements, presently known, are listed in the appendix. For the number of movements per State, see table 5-2. Map 1 gives an idea of the geographical incidence of vigilantism.

2. [Charles Hitchin], *The Regulator* . . . (London: W. Boreham, 1718), and Christopher Hibbert, *The Road to Tyburn* . . . (Cleveland and New York: World Publishing Co., [1957]).
3. Hubert Howe Bancroft, *Popular Tribunals* (2 vols.; San Francisco: History Co., 1887), vol. I, pp. 2-6.
4. James G. Leyburn, *Frontier Folkways* (New Haven: Yale University Press, 1935), p. 219.
5. There have been, indeed, urban as well as rural vigilante movements. The greatest of all American vigilante movements—the San Francisco Vigilance Committee of 1856—was an urban one. Vigilantism has been by no means restricted to the frontier, although most typically it has been a frontier phenomenon.
6. Richard Maxwell Brown, *The South Carolina Regulators* (Cambridge: Harvard University Press, 1963).
7. Aside from the South Carolina Regulators there was little vigilante activity in the original 13 States of the Atlantic seaboard. The North Carolina Regulators (1768-71) did not constitute a vigilante movement, but, rather, embodied a violent agrarian protest against corrupt and galling local officials and indifferent provincial authorities.
8. The 96th meridian coincides, approximately, with both physiographic and state boundaries. Physiographically it roughly separates the humid prairies of the East from the semiarid Great Plains of the West. The States of Minnesota, Iowa, Missouri, Arkansas, and Louisiana fall into the province of Eastern vigilantism. The States of North and South Dakota, Nebraska, Kansas, and Oklahoma mainly fall into the area of Western vigilantism. In Texas the 96th meridian separates east Texas from central and west Texas, hence east Texas vigilantism was a part of Eastern vigilantism, while central and west Texas vigilantism properly belongs to the Western variety. For the sake of convenience, however, all of Texas vigilantism (along with that of the Dakotas, Nebraska, Kansas, and Oklahoma) has been included under the heading of Western vigilantism in table 5-2.
9. Lynn Glaser, *Counterfeiting in America* . . . (New York: Clarkson N. Potter [1968]), ch. 5. On the relationship between counterfeiting and the frontier money shortage, see Ruth A. Gallaher, "Money in Pioneer Iowa, 1838-1865," *Iowa Journal of History and Politics*, vol. XXXI (1934), pp. 42-45. The use of counterfeit money for public land purchases is revealed in *Counties of Warren, Benton, Jasper and Newton, Indiana: Historical and Biographical* (Chicago: F. A. Battey, 1883), p. 458.
10. See, for example, Randall Parrish, *Historic Illinois* . . . (Chicago: A. C. McClurg, 1906), pp. 405-406. Charles Edward Pancoast, *A Quaker Forty-Niner* . . . Anna P. Hannum, ed. (Philadelphia: University of Pennsylvania Press, 1930), pp. 103-104.
11. William Faux, *Memorable Days in America* . . . [1823] (*Early Western Travels*, Reuben G. Thwaites, ed., vols. XI-XII; Cleveland: Arthur H. Clark, 1905), vol. XI, pp. 293-294. John L. McConnel, *Western Characters* (New York: Redfield, 1853), pp. 171-175. William N. Blane, *An Excursion through the United States and Canada during the Years 1822-23* (London: Baldwin, Cradock & Jay, 1824), pp. 233-235. Robert M. Coates, *The Outlaw Years* . . . (New York: Macaulay [1930]). The leading American vigilante movements are listed in table 5-1.
12. James V. Bragg, "Captain Slick, Arbitrator of Early Alabama Morals," *Alabama Review*, vol. XI (1958), pp. 125-134. Jack K. Williams, "Crime and Punishment in Alabama, 1819-1840," *ibid.*, vol. VI (1953), pp. 14-30.
13. *Ibid.*, p. 27. James E. Cutler, *Lynch-Law* (New York: Longmans, Green, 1905), p. 99. H. R. Howard, comp., *The History of Virgil A. Stewart* (New York: Harper, 1836), and Edwin A. Miles, "The Mississippi Slave Insurrection Scare of 1835," *Journal of Negro History*, vol. XLII (1957), pp. 58-60.
14. John E. Briggs, "Pioneer Gangsters," *Palimpsest*, vol. XXI (1940), pp. 73-90. John C. Parish, "White Beans for Hanging," *ibid.*, vol. I (1920), pp. 9-28. Harvey Reid, *Thomas Cox* (Iowa City: State Historical Society of Iowa, 1909), pp. 126, 154-155, 165-167. Jackson County Historical Society, *Annals of Jackson County, Iowa*, vol. II (1906), pp. 51-96.
15. [Charles] L. Sonnichsen, *Ten Texas Feuds* (Albuquerque: University of New Mexico Press, 1957), ch. 1. Lela R. Neill, "Episodes in the Early History of Shelby

- County" (unpublished M.A. thesis, Stephen F. Austin State College, 1950), pp. 77-153 and *passim*.
16. On the Northern Illinois Regulators, see Alice L. Brumbaugh, "The Regulator Movement in Illinois" (unpublished M.A. thesis, University of Illinois, 1927), pp. 3, 5-27, and William Cullen Bryant, *Letters of a Traveller* . . . (New York: George P. Putnam, 1850), pp. 55-68. Two of the most important sources on the Southern Illinois Regulators are Brumbaugh, "Regulator Movement," pp. 29-65, and James A. Rose, comp., *Papers Relating to the Regulator and Flathead Trouble in Southern Illinois* (bound typescript in Illinois State Historical Society, Springfield).
17. James H. Lay, *A Sketch of the History of Benton County, Missouri* (Hannibal, Mo.: Winchell & Ebert, 1876), pp. 46-61. Pancoast, *Quaker Forty-Niner*, pp. 101-121. J. W. Vincent, "The 'Slicker War' and Its Consequences," *Missouri Historical Review*, vol. VII (1912-13), pp. 138-145.
18. *The Iowan*, vol. VI (1958), pp. 4-11, 50-51. Jackson County Hist. Soc., *Annals*, vol. I (1905), pp. 29-34. *The History of Clinton County, Iowa* (Chicago: Western Historical Co., 1879), pp. 437 ff. Paul W. Black, "Lynchings in Iowa," *Iowa Journal of History and Politics*, vol. X (1912), pp. 151-209. Orville F. Graham, "The Vigilance Committees," *Palimpsest*, vol. VI (1925), pp. 359-370.
19. M. H. Mott, *History of the Regulators of Northern Indiana* (Indianapolis: Journal Co., 1859). Weston A. Goodspeed and Charles Blanchard, eds., *Counties of Whiteley and Noble, Indiana: Historical and Biographical* (Chicago: F. A. Battey, 1882), pp. 33-37, 63-73.
20. Among many sources, see Dorothy K. Gibson, "Social Life in San Antonio, 1855-1860" (unpublished M.A. thesis, University of Texas, 1937), pp. 122-131.
21. George A. Ketcham, "Municipal Police Reform: A Comparative Study of Law Enforcement in Cincinnati, Chicago, New Orleans, New York and St. Louis, 1844-1877" (unpublished Ph.D. dissertation, University of Missouri, 1967), pp. 148-150.
22. Harry L. Griffin, "The Vigilance Committees of Attakapas Country; or Early Louisiana Justice," Mississippi Valley Historical Association, *Proceedings*, vol. VIII (1914-15), pp. 146-159. Alexander Barde, *History of the Committees of Vigilance in the Attakapas Country* [1861], transl. and ed., Henrietta G. Rogers (unpublished M.A. thesis, Louisiana State University, 1936).
23. The literature on this crucial organization is very large. The best and most complete account (although highly prejudiced in favor of the vigilantes) is the second volume of Bancroft's *Popular Tribunals*. See, also, Richard Maxwell Brown, "Pivot of American Vigilantism: The San Francisco Vigilance Committee of 1856," *Reflections of Western Historians*, John A. Carroll, ed. (Tucson: University of Arizona Press, 1969), pp. 105-119. The 1856 vigilance committee was preceded by that of 1851 which has been the subject of an outstanding scholarly study by Mary Floyd Williams, *History of the San Francisco Committee of Vigilance of 1851: A Study of Social Control on the California Frontier in the Days of the Gold Rush* (Berkeley: University of California Press, 1921). See, also, Bancroft, *Popular Tribunals*, vol. I, pp. 201-428. Among recent treatments, see George R. Stewart, *Committee of Vigilance: Revolution in San Francisco, 1851* (Boston: Houghton Mifflin, 1964).
24. *The History of Johnson County, Missouri* (Kansas City: Kansas City Historical Co., 1881), ch. 15. *History of Venon County, Missouri* (St. Louis: Brown & Co., 1887), pp. 348-349. *History of Greene County, Missouri* (St. Louis: Western Historical Co., 1883), pp. 497-501.
25. Lewis and Richard H. Collins, *History of Kentucky* (2 vols.; Louisville: John Morton, 1924), vol. I, pp. 198-209. E. Merton Coulter, *The Civil War and Readjustment in Kentucky* (Chapel Hill: University of North Carolina Press, 1926), p. 359.
26. Wayne G. Broehl, *The Molly Maguires* (Cambridge: Harvard University Press, 1965), pp. 239-240, describes the Seymour, Indiana, vigilance committee of 1867-68.
27. Ralph L. Peck, "Lawlessness and the Restoration of Order in Florida" (unpublished Ph.D. dissertation, University of Florida, 1964), pp. 91, 105-108, 111, 125-126, 149-150, 216-220.

28. See, especially, Bancroft, *Popular Tribunals*, vol. I, pp. 441 ff., and the California listing in the appendix of this paper.
29. Thomas J. Dimsdale, *The Vigilantes of Montana* . . . (Virginia City, Mont.: Montana Post Press, 1866). Nathaniel Pitt Langford, *Vigilante Days and Ways* . . . (2 vols.; Boston, J. G. Cupples, 1890). Hoffman Birney, *Vigilantes* (Philadelphia: Penn Publishing Co., 1929).
30. Granville Stuart, *Forty Years on the Frontier*, Paul C. Phillips, ed. (2 vols.; Cleveland: Arthur H. Clark, 1925), vol. II, pp. 195-210. Michael A. Leeson, *History of Montana: 1739-1885* (Chicago: Warner, Beers & Co., 1885), pp. 315-316.
31. Montana Territory Vigilance Committee, *Notice!* (Broadside, Helena, Mont., Sept. 19, 1865). Leeson, *History of Montana*, pp. 303-316.
32. Among the many vigilante movements of Central Texas (see the Texas listing in the appendix) were those of Bastrop County, 1874-83. (Charles L. Sonnichsen, *I'll Die before I'll Run* [New York: Devin-Adair, 1962], pp. 167-187). Shackelford County, 1876-1878 (*ibid.*, pp. 150-166). San Saba County, 1880-1896 (*ibid.*, pp. 206-231), and the German "Hoodoo" vigilantes of Mason County, 1875 (Sonnichsen, *Ten Texas Feuds*, p. 87 ff.). Ten counties with major vigilante activity were Bell, Comanche, Coryell, De Witt, Eastland, Gonzales, Hill, Llano, Montague, and Young. Virtually all of the many other Central Texas counties had vigilante activity of one sort or another in this troubled period. In addition to contemporary newspapers, Central Texas vigilantism can best be explored in dozens of county histories done as M.A. theses at the University of Texas. Some of these have been published; see, for example, Zelma Scott, *A History of Coryell County, Texas* (Austin: Texas State Historical Association, 1965), ch. V, and pp. 135, 143. Among the many unpublished M.A. theses, one of the best on vigilantism is Billy B[ob] Lightfoot, "The History of Comanche County, Texas, to 1920" (unpublished M.A. thesis, University of Texas, 1949).
33. Among many sources, see Jerome C. Smiley, *History of Denver* . . . (Denver: Denver Times/Times-Sun Publishing Co., 1901), pp. 338-350.
34. Albuquerque *Republican Review*, Feb. 18, 1871. *Santa Fe Weekly New Mexican*, Nov. 13, 22, 1879. Victor Westphal, "History of Albuquerque: 1870-1880" (unpublished M.A. thesis, University of New Mexico, 1947), pp. 34, 64-65. Bernice published M.A. thesis, "A Social History of Albuquerque: 1880-1885" (unpublished M.A. thesis, University of New Mexico, 1947), pp. 34, 64-65, and *passim*.
35. Miguel Antonio Otero, *My Life on the Frontier* (2 vols.; New York and Albuquerque: Press of the Pioneers and University of New Mexico Press, 1935-1939), vol. I, pp. 181-206; vol. II, pp. 2-3. *Santa Fe Daily New Mexican*, Mar. 12, 25-26, Apr. 13, 1881.
36. Erna B. Fergusson, *Murder & Mystery in New Mexico* (Albuquerque: Merle Armitage [1948]), pp. 15-32. Chester D. Potter, "Reminiscences of the Socorro Vigilantes," Paige W. Christiansen, ed., *New Mexico Historical Review*, vol. XL (1965), pp. 23-54.
37. On the Butler County vigilantes, see A. T. Andreas, *History of the State of Kansas* . . . (2 vols.; Chicago: A. T. Andreas, 1883), pp. 1431-1432, and Correspondence of Governor J. M. Harvey, File on County Affairs, 1869-1872 (MSS in Archives Department of Kansas State Historical Society, Topeka). Materials on Kansas vigilantism are also to be found in Nyle H. Miller and Joseph W. Snell, *Why the West Was Wild* . . . (Topeka: Kansas State Historical Society, 1963), and Genevieve Yost, "History of Lynching in Kansas," *Kansas Historical Quarterly*, vol. II (1933), pp. 182-219. See also, Robert R. Dykstra, *The Cattle Towns* (New York: Alfred A. Knopf, 1968).
38. J. H. Triggs, *History of Cheyenne and Northern Wyoming* . . . (Omaha: Herald Steam and Book Job Printing House, 1876), pp. 14, 17-18, 21, 23-27. J. H. Triggs, *History and Directory of Laramie City* . . . (Laramie: Daily Sentinel, 1875), pp. 3-15.
39. The classic (but far from flawless) contemporary account by the anti-Printer ASA Shinn Mercer was *The Banditti of the Plains* . . . (Cheyenne: privately printed, 1894). A very good recent study is Helena Huntington Smith, *The War on Powder River* (New York, London, and Toronto: McGraw-Hill, 1966). General treatments of Western vigilantism are found in Bancroft, *Popular Tribunals*, vol. I, pp. 593-743; Wayne Gard, *Frontier Justice* (Norman: University of Oklahoma Press,

- 1949), ch. 14; and Carl Coke Rister, "Outlaws and Vigilantes of the Southern Plains," *Mississippi Valley Historical Review*, vol. XIX (1933), pp. 537 ff.
40. See table 5-2.
41. The figure of 79 killings was gained from an analysis of Bancroft's narrative in *Popular Tribunals*, vol. I, pp. 515-576.
42. This distinction between "colonized" and "cumulative" new communities was formulated by Page Smith in *As a City upon the Hill: The Town in American History* (New York: Alfred A. Knopf, 1966), pp. 17-36.
43. The following sketch of the three-level American community structure is based upon my own research and recent studies of American society. Among the latter are Jackson Turner Main, *The Social Structure of Revolutionary America* (Princeton: Princeton University Press, 1965), and for the 19th century: Stephan Thernstrom, *Poverty and Progress: Social Mobility in a Nineteenth Century City* (Cambridge: Harvard University Press, 1964); Ray A. Billington, *America's Frontier Heritage* (New York, Chicago, and San Francisco: Holt, Rinehart & Winston, [1966]), ch. 5, "The Structure of Frontier Society"; and Merle Curji, *The Making of an American Community* (Stanford, Calif.: Stanford University Press, 1959), pp. 56-63, 78, 107-111 ff., 126, 417 ff., 448.
44. On the marginal "lower people" of the South (where they have been labeled "poor whites," "crackers," etc.), see Brown, *South Carolina Regulators*, pp. 27-29, and Shields McLlwaite, *The Southern Poor White from Lubberland to Tobacco Road* (Norman: University of Oklahoma Press, 1939), a literary study. For lower people in the North, see Bernard De Voto, *Mark Twain's America* (Boston: Little, Brown, 1932), pp. 54-58, and George F. Parker, *Iowa Pioneer Foundations* (2 vols.; Iowa City: State Historical Society of Iowa, 1940), vol. II, pp. 37-48.
45. Kai Erikson, *Wayward Puritans: A Study in the Sociology of Deviance* (New York: John Wiley & Sons, 1966), ch. 1.
46. J. Milton Yinger, "Contrastructure and Subculture," *American Sociological Review*, vol. XXV (1960), p. 629, holds that a contrastructure occurs "wherever the normative system of a group contains, as a primary element, a theme of conflict with the values of the total society. . . ." See also, David M. Downes, *The Delinquent Solution: A Study in Subcultural Theory* (New York: Free Press [1966]), pp. 10-11.
47. See, for example, De Voto, *Mark Twain's America*, pp. 58-62, and Parker, *Iowa Pioneer Foundations*, vol. II, pp. 37-48, 247-265.
48. See Howard, *History of Virgil A. Stewart* and Miles, "Mississippi Slave Insurrection Scare" on the alleged Murrel plot. On the Flatheads, see Brumbaugh, "Regulator Movement," pp. 28-65; Rose, *Papers Relating to Regulator and Flathead Trouble*; Charles Neely, *Tales and Songs of Southern Illinois* (Menasha, Wis.: George Banta, 1938), pp. 7, 35, 41; and Norman W. Caldwell, "Shawneetown: A Chapter in the Indian History of Illinois," *Journal of the Illinois State Historical Society*, vol. XXXII (1939), pp. 199-200.
49. See note 101, below.
50. See note 91, below.
51. Brown, *South Carolina Regulators*, pp. 27-37.
52. Langford, *Vigilante Days*, vol. I, pp. 320-324. Howard A. Johnson, "Pioneer Law and Justice in Montana," Chicago Corral of the Westerners, *Brand Book*, vol. V (1948-49), p. 10.
53. About frontier masons in Texas, the late Walter Prescott Webb wrote, that "they believed in the law and aided in preserving order, often in ways best known to themselves." James D. Carter, *Masonry in Texas . . . to 1846* (Waco, Tex.: Committee on Masonic Education and Service for the Grand Lodge of Texas A.F. and A.M., 1955), p. xviii.
54. Thomas and Augustus Wildman, Letters, 1858-1865 (MSS in Western American Collection, Beinecke Rare Book and Manuscript Library, Yale University, New Haven).
55. *Cowley County Censor* (Winfield, Kans.), Jan. 7, 1871.
56. David Donald, ed., "The Autobiography of James Hall, Western Literary Pioneer," *Ohio State Archaeological and Historical Quarterly*, vol. LVI (1947), pp. 297-298.
57. Mott, *Regulators of Northern Indiana*, pp. 6-7, and *passim*.
58. Dimsdale, *Vigilantes of Montana*, p. 116.

59. Fred M. Mazzulla, "Undue Process of Law—Here and There," *Brand Book of the Denver Westerners*, vol. XX (1964), pp. 273-279. Dr. Osborne became Governor of Wyoming in 1893.
60. Brumbaugh, "Regulator Movement," pp. 18-20.
61. Although at present I know of only 729 vigilante killings, it is surely possible that American vigilantism took as many as a thousand lives and perhaps more. In general, the statistics in this paper are tentative. Figure findings might alter some of the figures, but it is not very likely that the broad trends revealed by the statistics in this paper would be significantly changed.
62. On Coleman, see *Dictionary of American Biography*, s.v., and James A. B. Scherer, "The Lion of the Vigilantes: William T. Coleman and the Life of Old San Francisco" (Indianapolis and New York: Bobbs-Merrill, 1939).
63. *Dictionary of American Biography*, s.v.
64. See, for example, Anthony S. Nicolosi, "The Rise and Fall of the New Jersey Vigilant Societies," *New Jersey History*, vol. LXXXVI (1968), pp. 29-32.
65. "Uses and Abuses of Lynch Law," *American Whig Review*, May 1850, p. 461. Pan Pancoast, *Quaker Forty-Niner*, pp. 103-104. Brumbaugh, "Regulator Movement," pp. 9-11.
66. Dwyn M. Mounger, "Lynching in Mississippi, 1830-1930" (unpublished M.A. thesis, Mississippi State University, 1961), p. 9.
67. Brumbaugh, "Regulator Movement," pp. 10-11.
68. James Stuart, *Three Years in North America* (2 vols.; Edinburgh: Robert Cadell, 1833), vol. II, pp. 212-213. Williams, "Crime and Punishment in Alabama," p. 26.
69. Smiley, *History of Denver*, p. 349. Emphasis mine.
70. "The Vigilance Committee: Richmond during the War of 1812," *Virginia Magazine of History and Biography*, vol. VII (1899-1900), pp. 225-241.
71. Harris G. Warren, "Pensacola and the Filibusters, 1816-1817," *Louisiana Historical Quarterly*, vol. XXI (1938), p. 816.
72. See, for example, Documents relating to the Committee of Vigilance and Safety of Nacogdoches, Texas, Jan. 3, 1835, to Dec. 5, 1837 (transcripts in University of Texas Archives, File Box B 15/40).
73. *Hardesty's Historical and Geographical Encyclopedia . . . of Meigs County, Ohio* (Chicago and Toledo: H. H. Hardesty & Co., 1883), pp. 273-275.
74. Wilbur H. Seibert, *The Underground Railroad from Slavery to Freedom* (New York: Macmillan, 1898), pp. 71 ff., 326 ff., 436-439. See, also, Larry Gara, *The Liberty Line: The Legend of the Underground Railroad* (Lexington: University of Kentucky Press [1961]), pp. 99, 104-109.
75. John Hope Franklin, *The Militant South* (Cambridge: Harvard University Press, 1956), pp. 87-90. Gara, *Liberty Line*, pp. 157-158.
76. *National Police Gazette*, Sept. 17, 1845, p. 5.
77. Pierce County, Washington Territory, Vigilance Committee, Draft of Compact, June 1, 1856 (MS in Western Americana Collection, Beinecke Rare Book and Manuscript Library, Yale University, New Haven).
78. Griffin, "Vigilance Committees of Attakapas," pp. 153-155.
79. Dimsdale, *Vigilantes of Montana*, p. 107.
80. *History of Johnson County*, pp. 372-373.
81. Thomas Ford, *A History of Illinois from Its Commencement as a State in 1818 to 1847* [1854], Milo M. Quaife, ed. (2 vols.; Chicago: R. R. Donnelly & Sons, 1945-46), vol. I, pp. 10-11.
82. Griffin, "Vigilance Committees of the Attakapas," pp. 153-155.
83. Barde, *History of the Committees*, pp. 26-27.
84. Mott, *Regulators of Northern Indiana*, pp. 15-18.
85. Alfred J. Mokler, *History of Natrona County, Wyoming 1888-1922 . . .* (Chicago: R. R. Donnelly & Co., 1923).
86. *History of Johnson County*, pp. 372-373.
87. Mott, *Regulators of Northern Indiana*, p. 17.
88. *Denver Tribune*, Dec. 30, 1879, cited in John W. Cook, *Hands Up . . .* (2d ed.; Denver: W. F. Robinson, 1897), p. 103.
89. Otero, *My Life*, vol. II, pp. 2-3.
90. Pamphlet No. 342, Document No. 37 (typescript, State Historical Society of Colorado, Denver), pp. 118-119.

91. Brumbaugh, "Regulator Movement," pp. 3, 5-27. Bryant, *Letters of a Traveller*, pp. 55-68. Of the leading vigilante movements listed in table 5-1, all but the following seem to have been socially constructive: Madison and Hinds Counties movements, Mississippi, 1835 (no. 8); East Texas Regulators, Shelby County, 1840-1844 (no. 12); Southwest Missouri Slickers, Benton and Hickory Counties, 1842 (no. 14); Southern Illinois Regulators, 1846-1849 (no. 16); San Saba County, Texas, Mob, 1880-1896 (no. 71); Johnson County, Wyoming, cattlemen Regulators, 1892 (no. 80); and the Sevier County, Tennessee, White Caps, 1892-1897 (no. 81). The evidence is ambiguous about the following movements: Central Kentucky Regulators, Marion and other counties, 1866-1871 (no. 48); Northern Florida Regulators, Madison and other counties, 1868-1870 (no. 55); Los Angeles Vigilance Committee, 1852-1858 (no. 23); San Francisco Vigilance Committee, 1856 (no. 25); Socorro, New Mexico, Vigilantes, 1880-1884 (no. 70); and New Orleans vigilantes, 1891 (no. 79). Although the Los Angeles, San Francisco, Socorro, and New Orleans movements produced at least temporary stability, they did so by attacking Mexican, Irish, Mexican, and Italian ethnic groups, respectively, and, in the long run, may have exacerbated rather than reduced tensions.
92. For example, the Turk family (Slickers) vs. the Jones family (anti-Slicker) in Southwest Missouri. Lay, *History of Benton County*, pp. 46-61.
93. For example, in the Southwest Missouri Slicker conflict the Slickers were mostly Whigs, and the anti-Slickers were mostly Democrats. Pancoast, *Quaker Forty-Niner*, p. 104. In the Southern Illinois Regulator-Flathead struggle, the factor of local political rivalry was important. Parker B. Pillow, Elijah Smith, and Charles A. Shelby, Regulators and political "outs," were in conflict with a Flathead "in" faction led by Sheriff John W. Read. Report of Governor Augustus C. French, Jan. 11, 1847, and *Sangamo Journal*, Jan. 28, 1847—both in Rose, *Papers Relating to Regulator and Flathead Trouble*. See, also, Brumbaugh, "Regulator Movement," pp. 66, 69. Political factionalism also contributed to the Regulator-Moderator strife in Shelby County of East Texas where a political "in" faction of old pre-Texas Revolution settlers (Moderators) was opposed by a political "out" faction of post-Revolutionary newcomers (Regulators). Neill, "Shelby County" (unpublished M.A. thesis, Stephen F. Austin State College, 1950), pp. 75-77.
94. For example, in later years San Francisco's 1856 vigilance committee leader, William T. Coleman, criticized Charles Doane (the vigilantes' grand marshal) for running for sheriff on the People's Party ticket. Coleman felt that vigilante leaders such as Doane should not run for office. William T. Coleman, Vigilance Committee, 1856 (MS, ca. 1880, in Bancroft Library, University of California, Berkeley), p. 139.
95. In New Mexico's Lincoln County War of 1878-79, the McSween-Tunstall-Brewer mercantile faction organized (unsuccessfully) as Regulators against the dominant Murphy-Dolan mercantile faction. William A. Keeler, *Violence in Lincoln County: 1869-1881* (Albuquerque: University of New Mexico Press [1957]), pp. 152-154. Maurice Garland Fulton, *History of the Lincoln County War*, Robert N. Mullin, ed. (Tucson: University of Arizona Press, 1968), pp. 137-142 ff.
96. In addition to the East Texas Regulators (see below), other movements which fell into sadism and extremism were, most notably, the Southern Illinois Regulators and the Southwest Missouri Slickers. There were other movements of this stripe; even in well controlled movements the elements of sadism and extremism often crept in a minor way. The problem was inherent in vigilantism.
97. See also note 91 above.
98. See San Francisco *Daily Town Talk*, Aug. 8-9, 1856. Political factionalism was a factor in the 1856 San Francisco vigilante troubles. By and large, the vigilante leaders were composed of old Whigs and Know-Nothings who were in the process of becoming Republicans. The political "ins" who controlled San Francisco and whom the vigilantes attacked were the Irish Catholic Democrats led by David C. Broderick. The "Law and Order" antivigilante faction tended to draw its strength from the Southern oriented wing of the California Democratic Party. Unlike most San Francisco vigilante leaders, William T. Coleman was a Democrat, but as a native Kentuckian he maintained a lifelong devotion to the principles of Henry Clay, and, hence, had much in common with the many vigilante leaders who were also oriented to Henry Clay nationalism.

99. Brown, *South Carolina Regulators*, ch. 6. Down to about the 1850's opponents of regulators and vigilantes were often called Moderators.
100. For a contemporary paradigm of vigilante movements gone bad, see "Uses and Abuses of Lynch Law," pp. 462-463.
101. Sonnichsen, *Ten Texas Fueds*, ch. 1. Neill, "Shelby County," pp. 77-153, and *passim*.
102. Robert B. David, *Malcolm Campbell, Sheriff* (Casper, Wyo.: Wyomingana Inc. [1932]), pp. 18-21.
103. See Brown, "Pivot of American Vigilantism" and this paper, below.
104. Clear examples of local officials who collaborated with vigilantes include: (1) The sheriff in Omaha, Nebr., 1858. Bryan T. Parker, "Extra-Legal Law Enforcement on the Nebraska Frontier" (unpublished M.A. thesis, University of Nebraska, 1931), pp. 58-59. (2) The county attorney of Vernon County, Mo., 1867. *History of Vernon County*, pp. 348-349. (3) The sheriff of Platte County, Nebraska, 1867. A. T. Andreas, *History of the State of Nebraska . . .* (2 vols.; Chicago: Western Historical Co., 1882), vol. II, pp. 1265-1266. (4) The bailiff, deputy sheriff, and other officials of Brown and Erath Counties, Tex., 1872. *Report of the Adjutant-General of the State of Texas* (for 1872), pp. 22, 121-123. (5) The sheriff of Wilbarger County, Tex., 1882. Torrence B. Wilson, Jr., "A History of Wilbarger County, Texas" (unpublished M.A. thesis, University of Texas, 1938), p. 97. (6) The territorial governor and judges of Illinois who in 1816-17 "winked at and encouraged the proceedings of the regulators." Ford, *History of Illinois*, pp. 10-11. (7) Governor William Pitt Kellogg of Louisiana who in 1872 advised Vermillion Parish vigilantes to use their own judgment in dealing with a "horde of cattle thieves" with the result that they hanged 12. Houston (Texas) *Telegraph*, Oct. 3, 1872. (8) The Governor, Mayor, and Sheriff who (in one of the most flagrant instances of implicit official collaboration with vigilantes) were all in New Orleans in 1891 when vigilantes lynched 11 Italians and who did nothing whatsoever to prevent the action for which there had been ample advance warning. John E. Cox, "The New Orleans Mafia Incident," *Louisiana Historical Quarterly*, vol. XX (1937), pp. 1067-1110. John S. Kendall, "Who Killa De Chief," *ibid.*, vol. XXII (1939), pp. 492-530.
105. On the Anti-Horse Thief movement in the Northeast and in New Jersey, see Nicolosi, "New Jersey Vigilant Societies," pp. 29-53.
106. On the National Horse Thief Detective Association of Indiana and neighboring States, see J. D. Thomas, "History and Origin of the National Horse Thief Detective Association" in *Journal of the National Horse Thief Detective Association*, 50th annual session (Union City, Ind., 1910), pp. 19-20, and Ted Groner, *Sugar Creek Saga . . .* (Crawfordsville, Ind.: Wabash College, 1958), pp. 140, 256-257.
107. On the Anti-Horse Thief Association of the trans-Mississippi Midwest and Southwest, see Hugh C. Gresham, *The Story of Major David McKee, Founder of the Anti-Horse Thief Association* (pamphlet; Cheney, Kans.: Hugh C. Gresham, 1937), and, especially, the Association's newspaper, *A.H.T.A. Weekly News* (with variant titles) for 1902-43, on file in the Kansas State Historical Society, Topeka. The A.H.T.A.'s membership was largest in Kansas with the Indian Territory (now part of the state of Oklahoma) also heavily represented. There were also substantial memberships in Oklahoma Territory, Missouri, and Arkansas. A number of other States had smaller memberships. Late in the history of the organization—long after it had passed its peak—Illinois had quite a large membership.
108. Eliphalet Price, "The Trial and Execution of Patrick O'Conner," *Palimpsest*, vol. I (1920), pp. 86-97.
109. Stuart, *Forty Years on the Frontier*, vol. II, pp. 196-197. Ray M. Mattison, "Roosevelt and the Stockmen's Association," *North Dakota History*, vol. XVII (1950), pp. 81-85.
110. *Dictionary of American Biography*, s.v. (on Coleman).
111. *Dictionary of American Biography*, s.v. On Stanford's vigilante membership, see Application of L. Stanford in Applications for Membership, San Francisco Committee of Vigilance Papers, 1856 (MSS in Huntington Library, San Marino, Calif.).
112. *Dictionary of American Biography*, s.v. For Cockrell's participation in the vigilante movement, see *History of Johnson County*, pp. 372-373.

113. Barde, *History of the Committees*, pp. 43, 347, for Mouton's vigilante activity; *Dictionary of American Biography*, s.v., for his life. Alexander Mouton's brother, General Alfred Mouton, a West Point graduate, was the drillmaster of the Attakapas vigilantes. Griffin, "Vigilance Committees of the Attakapas," p. 155.
114. Kellogg also served Louisiana in the U.S. Senate (1877-83) and House of Representatives (1883-85). On his public career, see *Dictionary of American Biography*, s.v. On his encouragement of vigilantism, see Houston (Tex.) *Telegraph*, Oct. 3, 1872.
115. *National Cyclopaedia of American Biography*, vol. XI, pp. 46-47. On the vigilante movement, see *The History of Edgar County, Illinois . . .* (Chicago: William LeBaron, Jr. & Co., 1879), pp. 332, 396-397, 590.
116. *Dictionary of American Biography*, s.v.
117. On McConnell, see *Who Was Who in America*, vol. I, p. 803. His book, *Frontier Law*, was published in 1924 in Yonkers, N.Y., and Chicago by the World Book Company.
118. Mazzulla, "Undue Process of Law," pp. 273-279, describes Osborne's participation in the lynching which is also discussed, above, in this paper. On Osborne as Governor, see *Encyclopedia Americana* (1967), vol. XXIX, p. 580.
119. On Chatterton's public career, see *Who Was Who in America*, vol. III, p. 152, and *Encyclopedia Americana* (1967), vol. XXIX, p. 580. On his participation in the vigilante episode, see Mazzulla, "Undue Process of Law," pp. 273-279.
120. Otero, *My Life*, vol. I, pp. 181-206; vol. II, pp. 1-3. *Who Was Who in America*, vol. II, s.v.
121. George Curry, *George Curry: 1861-1947: An Autobiography*, H. B. Henning, ed. (Albuquerque: University of New Mexico Press, 1958), pp. 50-52, and *passim*.
122. Diary of James Buckner Barry, 1855-1862 (MS in University of Texas Archives, file box B 13/167). James Buckner Barry, *A Texas Ranger and Frontiersman: The Days of Buck Barry in Texas, 1845-1906*, James K. Greer, ed. (Dallas: South-west Press, 1932). William C. Pool, *Boisque Territory . . .* (Kyle, Texas: Chaparral Press [1964]), p. 65. James K. Greer, *Bois d'Arc to Barb'd Wire . . .* (Dallas: Dealey & Love [1936]), p. 392.
123. See John W. Caughey, *Hubert Howe Bancroft* (Berkeley and Los Angeles: University of California Press, 1946).
124. On Dimsdale, see pp. 5-8 of the edition of *The Vigilantes of Montana* (Helena, Mont.: State Publishing Co., 1940?), edited by A. J. Noyes.
125. Langford, *Vigilante Days*. On Langford, see *Dictionary of American Biography*, s.v.
126. *The Virginian* (New York: Macmillan, 1902), especially pp. 433-436. On Wister, see Fanny K. Wister, ed., *Owen Miller Out West* (Chicago: University of Chicago Press [1958]). Among the many lesser 19th-century and early 20th-century novelists who portrayed vigilantism favorably were James Weir, *Lonz Powers: or, the Regulators: A Romance of Kentucky* (Philadelphia: Lippincott, Grambo & Co., 1850), and Harris Dickson, *The House of Luck* (Boston: Small, Maynard & Co., [1916]). The enthusiastic reception of Walter Van Tilburg Clark's anti-vigilante *The Ox-Bow Incident* (New York: Random House, 1940)—the best novel ever written on American vigilantism (upon which a classic film was based)—marked an important shift in public attitudes, from favoring to condemning vigilantism.
127. Quoted in Emerson Hough, *The Story of the Outlaw . . .* (New York: Outing Publishing Co., 1907), p. 399 ff.
128. *Charge of Chief Justice [H. L.] Hosmer, to the Grand Jury of the First Judicial District, M. T., delivered, December 5th, 1864* (broadside, Virginia City, Mont., 1864).
129. *The Vigilantes* (pamphlet; New York: The Vigilantes [1918]), pp. 5, 8-14. The pamphlet was probably written and compiled by the Vigilantes' managing editor, Charles J. Rosebault. The Vigilantes were aided by leading American capitalists who served as "underwriters" or associate members; among them were George F. Baker, Jr., Cleveland H. Dodge, Coleman Dupont, Jacob H. Schiff, Vincent Astor, Elbert H. Gary, Simon Guggenheim, Dwight Morrow, and George W. Perkins.
130. The following interpretation of the San Francisco vigilante movement of 1856 is based upon Brown, "Pivot of American Vigilantism."

131. On the first Ku Klux Klan, see Stanley F. Horn, *Invisible Empire* . . . (Boston: Houghton Mifflin, 1939). On the second K.K.K., see David M. Chalmers, *Hooded Americanism* (Garden City, N.Y.: Doubleday, 1965).
132. *Ibid.*, and two works by Charles C. Alexander, *The Ku Klux Klan in the Southwest* (Lexington: University of Kentucky Press, 1965), and *Crusade for Conformity: The Ku Klux Klan in Texas, 1920-1930* (Houston: Texas Gulf Coast Historical Association, 1962).
133. The White Cap movement is discussed in this volume in my paper, "Historical Patterns of Violence in America."
134. In one sense the mass lynching was a classic vigilante response to a crime problem (the Italians had apparently been Mafia members and seem to have been involved in the killing of the New Orleans chief of police), but the potent element of anti-Italian ethnic prejudice was crucial to the episode and typical of neovigilantism. See Cox, "New Orleans Mafia Incident," and Kendall, "Who Killa De Chief."
135. For example, in 1917 in Tulsa, Okla., vigilantes attacked 17 I.W.W. members who were attempting to organize oil field workers. *The "Knights of Liberty" Mob and the I.W.W. Prisoners at Tulsa, Okla. (November 9, 1917)* (pamphlet; New York: National Civil Liberties Bureau, 1918). In this incident the police apparently con-
 136. See William Preston, *Aliens and Dissenters* (Cambridge: Harvard University Press, 1963), which contains examples of neovigilante attacks upon workers, immigrants, and radicals. See also John W. Caughey, ed., *Their Majesties the Mob* (Chicago: University of Chicago Press [1960]), pp. 1-25, 100-205.
137. Editorial in the *New York National Democrat* quoted in Bancroft, *Popular Tribunals*, vol. II, pp. 554-555.
138. *Illinois State Register* (Springfield), Jan. 1, 1847 (transcript in Rose, *Papers Relating to Regulator and Flathead Trouble*).
139. William Anderson Scott, *A Discourse for the Times Delivered in Calvary Church, July 27, 1856* (pamphlet; San Francisco: N.p., 1856). On Scott, see Clifford M. Drury's aptly subtitled work, *William Anderson Scott: "No Ordinary Man"* (Glendale, Calif.: Arthur H. Clark, 1967).
140. John G. Nicolay and John Hay, eds., *Complete Works of Abraham Lincoln* (revised edition, 12 vols.; New York: Lamb Publishing Co. [1905]), vol. I, pp. 35-50. The quotations are from pp. 35 and 37. In his address Lincoln dwelled upon the ubiquity of "mob law" in the 1830's and specifically cited the Mississippi vigilante actions in 1835 in Madison and Hinds Counties and Vicksburg as well as a case of lynch law in St. Louis, Mo., *Ibid.*, pp. 38-39.
141. See, for example, James Truslow Adams, "Our Lawless Heritage," *Atlantic Monthly*, vol. XLII (1928), pp. 732-740.
142. The following list was gained from a survey of *The New York Times Index* and the two leading periodical indexes, *Readers' Guide to Periodical Literature* and *Social Sciences and Humanities Index* (formerly *International Index to Periodicals*), from 1961 to the present.
143. *U.S. News & World Report*, July 13, 1964, pp. 62-64. *New York Times*, May 27-July 28, 1964, *passim*; Mar. 11, 1966, p. 36, c. 3. The organization took its name from the Maccabees, a family of Jewish patriots who led a religious revolt in the reign of Antiochus IV, 175-164 B.C. *Webster's New Collegiate Dictionary* (2d edition; Springfield, Mass.: G. & C. Merriam [1949]), p. 503.
144. *New York Times*, June 26, 1966, p. 75, c. 4.
145. *Ibid.*, Dec. 14, 1964, p. 1, c. 1, p. 19, c. 1-4; Dec. 15, 1964, p. 45, c. 5-7.
146. *Ibid.*, Dec. 14, 1964, p. 1, c. 1; p. 19, c. 1-4.
147. *Ibid.*, Dec. 10, 1964, p. 1, c. 1; p. 26, c. 3.
148. *Ibid.*, Mar. 30, 1965, p. 33, c. 3; Apr. 2, 1965, p. 37, c. 1.
149. *Ibid.*, Apr. 2, 1965, p. 37, c. 2-3; Apr. 14, 1965, p. 45, c. 4.
150. *New York Times*, May 24, 1965, p. 1, c. 4; Aug. 15, 1965, vol. VI, pp. 10-11 ff.; and *passim* in 1965 and 1966. *Newsweek*, Aug. 2, 1965, pp. 28-29; May 2, 1966, pp. 20-21. Floyd McKissick stated in 1965 that other Negro self-protection organizations similar to the Deacons had been founded in the South. Such an organization (which may or may not have been a chapter of the Deacons—the author used fictitious names in order to protect his Negro sources) is treated in Harold A.

- Nelson, "The Defenders: A Case Study of an Informal Police Organization," *Social Problems*, vol. XV (1967-68), pp. 127-147.
151. *New York Times*, Mar. 11, 1966, p. 36, c. 3.
152. *New York Post*, Jan. 17, 1967, p. 50, c. 1.
153. *New York Times*, Mar. 4, 1967, p. 56, c. 1-2.
154. *Time*, June 9, 1967, pp. 34-35.
155. *New York Times*, Apr. 27, 1968, p. 25, c. 2-3; June 24, 1968, p. 23, c. 1-7; Sept. 29, 1968, vol. VI, p. 30 ff.; Nov. 11, 1968, p. 23, c. 1.
156. *Ibid.*, Oct. 27, 1967, p. 33, c. 1-5.
157. *Daily Press* (Newport News-Hampton, Va.), July 11, 1968, p. 41, c. 1-3.
158. *New York Times*, Sept. 3, 1968, p. 40, c. 3-5.
159. *Ibid.*, Sept. 15, 1968, vol. I, p. 67, c. 1.
160. *Ibid.*, Sept. 29, 1968, vol. VI, p. 31.
161. *Ibid.*
162. *Ibid.*, Oct. 13, 1968, vol. I, p. 54, c. 3-6.
163. *Ibid.*, Dec. 11, 1968, p. 41, c. 7.
164. *Ibid.*, Jan. 8, 1969, p. 40, c. 6.
165. *Parade*, May 7, 1967, pp. 12-14. *The Challenge of Crime in a Free Society: A Report by the President's Commission on Law Enforcement and Administration of Justice* (Washington: U.S. Government Printing Office, 1967), p. 288.
166. In general, vigilantes of the 1960's have not killed. An exception may have occurred in Cleveland in July 1968. *The New York Times*, Sept. 3, 1968, p. 40, c. 4, reported that in July "two of the Negroes killed during the tension were miles away from where the gun battles [between police and Negro militants] occurred and in areas where white vigilantes are active."
167. See the section, above, in this paper entitled "Related to Vigilantism: The Anti-Horse Thief Movement."
168. *New York Times*, Jan. 8, 1969, p. 40, c. 1. See also *ibid.*, Feb. 21, 1969, p. 50, c. 2, where State Senator Basil A. Paterson of Harlem was reported, like Baker, to have warned a State legislative committee "that Harlem residents might organize vigilante groups unless law enforcement agencies took drastic steps to combat a crime wave said to be terrorizing the community."

Appendix

THE AMERICAN VIGILANTE MOVEMENTS

Note: Being the product of several years of research, the following list attempts to be reasonably complete. It is probably beyond the power of one man to produce a definitive list of American vigilante movements. It is hoped, however, that few—if any—of the major movements have been omitted from the following list. Only movements which took the law into their own hands in an extralegal way are included. Movements whose purpose was not essentially the usurpation of law enforcement (e.g., the antislavery vigilance committees of the North before the Civil War, the North Carolina Regulators of the late colonial period) are omitted. This is a listing, then, of vigilante movements in the classic sense of the term.

Key to Symbols for Type of Movement

- L - Large movement or one of particular importance.
 M - Medium size movement or one of medium significance.
 S - Small movement or one that cannot otherwise be categorized because of lack of adequate information.

Place and movement	Type	Dates	Number of victims killed	Number of members in movement
Alabama:				
Chambers and Randolph Counties—Slickers	M	1830's		500-600
Cherokee County—Slickers	M	1830's		
Madison and Jackson Counties—Slickers	L	1830-35		
Greensborough—Vigilance Committee	M	1830's		
Montgomery—Regulating Horn	M	ca. 1835		
Tuscaloosa—Vigilance Committee	M	1835		
Arizona:				
Holbrook—Vigilantes	S	1885		
Phoenix—Vigilantes, Law and Order Committee	M	1873, 1879	3	
Globe—Vigilantes	S	1882	1	
St. John—Vigilantes	S	1879	2	
Tombstone—Law & Order, Vigilantes	M	1881, 1884	1	
Tucson—Vigilantes	M	1873	4	

Place and movement	Type	Dates	Number of victims killed	Number of members in movement
Arkansas:				
Cane Hill, Washington—Committee of 36	L	1839	4	400
Carrollton and Carroll County—Regulators	S	1836		
Little Rock—[Regulators]	S	1835		
Randolph County—Regulators	S	1897		
California:				
Bakersfield—Vigilantes	L	1897-7	5	
Bodie-601	M	1881	1	200
Columbia—Vigilance Committee	M	1851-58	4	
Eureka—Vigilance Committee	M	1853	2	
Grass Valley—Vigilance Committee	M	1851-57	1	
Hanford—Vigilance Committee, Regulators	M	1880, 1884		
Jackson—Vigilantes	L	1853-55	10	
Los Angeles:				
Vigilance Committee	L	1852-58	8	
Vigilantes	L	1863	7	500
Vigilance Committee	M	1870	1	
Mariposa—Vigilance Committee	M	1854	2	
Marysville—Vigilance Committee	M	1851-58	3	
Modesto area—Regulators	M	1879		
Mokelumne Hill—Vigilance Committee	M	1852-56	1	
Monterey—Vigilance Committee	M	1851, 1856	5	
Mud Springs—Vigilantes	M	1851-53	4	
Natchez—Vigilance Committee	S	1851 ff.		
Natividad, Monterey County—Vigilance Committee	M	1854	1	
Nevada City—Vigilance Committee	S	1851	1	
Newton—Vigilantes	M	1851-52	1	
Ophir—Vigilance Committee	S	1851		
Sacramento—Vigilance Committee	L	1851-53	1	213
San Diego—Vigilantes	M	1852	2	
San Francisco:				
Regulators	L	1849		100
Law & Order	L	1849		400
Vigilance Committee	L	1851	4	500
Vigilance Committee	L	1856	4	6,000-8,000
San Jose—Vigilance Committee	M	1851-54	1	
San Juan—Vigilantes	M	1867, 1877	3	
San Louis Obispo—Vigilance Committee	M	1858	ca. 4	175
Santa Clara—Vigilance Committee	S	1851		
Santa Cruz:				
Vigilance Committee	L	1852-53	11	
Vigilantes	S	1877	2	
Shasta—Vigilance Committee	S	1851		
Sonora—Vigilance Committee	M	1851, 1854	3	
Stanislaus County—Regulators	S	1880's		
Stockton—Vigilance Committee	M	1851		
Truckee-601	M	1874		
Tulare County—Vigilance Committee	S	1873-74		

Place and movement	Type	Dates	Number of victims killed	Number of members in movement
California—Continued				
Visalia—Vigilance Committee	S	1865, 1872	1	
Watsonville—Vigilantes	M	1856, 1870	5	
Weaverville—Vigilance Committee	S	1852		
Willits—Vigilantes	M	1879	3	
Colorado:				
Alamosa—Vigilantes	S	Late 1870's-early 1880's	2	
Arkansas Valley (upper)—Vigilantes	S	1870's		
Canon City—Vigilantes	S	1888	1	
Del Norte—Vigilantes	S	Late 1870's-early 1880's	2	40
Denver:				
Vigilantes	L	1859-61	6	600-800
Vigilantes	M	1868	1	90-100
Durango—Committee of Safety	M	1881	1	300
Elbert County—Vigilantes	S	ca. 1899-1902		
Georgetown—Vigilantes	S	1877	1	
Golden—Vigilantes	M	1879	2	100-150
Leadville—Vigilantes	S	1879		
Meeker—Vigilance Committee	S	1887		
Ouray—Vigilantes	S	1884	2	
Pueblo—Vigilantes	L	1864-68, 1872	3	
Silverton—Vigilance Committee	M	1881	2	
Rocky Mountain Detective Association (headquarters in Denver with operations in Mountain and Great Plains States)	L	1863-ca. 1898		
Florida:				
Columbia County—Regulators	L	1868-70		
Hernando County—Regulators	M	1870		
Leon County—Regulators	L	1867-68		
Madison, Suwanee, Taylor, and Hamilton Counties—Regulators	L	1868-70		
Pine Level, De Soto County—Vigilantes	S	ca. 1900		
Sarasota—Vigilantes	L	1883-84	7	
Georgia:				
Andersonville Prison Camp—Regulators	M	1864	6	
Carroll County and Carrollton—Regulators	S	c. 1832		
Northern Georgia—Slickers	L	1830's		
Southern Georgia—Regulators	L	1869-70		
Idaho:				
Boise—Vigilance Committee	L	1866	3	
Idaho City—Vigilance Committee	L	1865		900
Lewiston—Vigilance Committee	E	1862-64, 1871	30, 1	
Payette Valley—Vigilance Committee	L	1864, 1874	1	40
Salmon River—Vigilance Committee	M	1862		

Place and movement	Type	Dates	Number of victims killed	Number of members in movement
Illinois:				
Carlyle—Regulators	S	1882-23	3	100-150
Clay County—Regulators	M	Early 1820's		
Edgar County—Vigilance Committee	S	1830's		
Gallatin County—Vigilantes	M	ca. 1842	5	
Grafton area, Jersey County— [Vigilantes].	M	1866		
Morgan and Scott Counties— Regulators	L	1821-30	(?)	
Northern Illinois (Ogle, Winnebago, DeKalb, Lee, McHenry, and Boone Counties)—Regulators	L	1841	2	ca. 1,000
Pope County—Regulators	M	1831	ca. 20	500
Southern Illinois (Pope, Massac, and Johnson Counties)—Regulators	L	1846-49		
Illinois in general—Regulators	L	1816-17 ff.		
Indiana:				
Harrison and Crawford Counties— Regulators	S	1818	1	2,000
Newton County—Rangers	S	ca. 1858		
Northern Indiana (LaGrange & Noble Counties)—Regulators	L	1858		
Montgomery County—horsethief detection society	M	ca. 1840's-60's	2	12
Noble County—Regulators	S	1889		
Polk Township, Monroe County— Regulators	M	ca. 1850's	12	
Seymour—Vigilance Committee	L	1867-68		
Vincennes—Regulators	S	ca. 1820's	1	
Warren and Benton Counties— Vigilantes	S	1819		
White River (Bluffs area)— Regulators	S	1819	1	
Indiana in general	L	1820's-30's		
Iowa:				
Bellevue—Regulators	L	1840	ca. 6	
Benton County—Regulators	S	1848		
Burlington—Vigilantes	S	1830's		
Cedar County: Vigilantes	S	1840-41	3	
Vigilantes	M	1857		
Camanche and DeWitt—Regulators	M	ca. 1840's-50's	1	
Dubuque—Miners' Court	M	1834		
Eldora—mutual protection society	S	1857-58	2	
Emeline—Vigilantes	S	1857		
Fremont County—Vigilantes	M	1866-69	2	
Hardin County—Vigilance society	M	1884-85		
Iowa City—Vigilance Committee	M	1844	1	
Iowa City—Committee of 100	M	1858	1	
Iron Hill, Jackson County— Vigilance Committee	L	1857	2	300-400
Keokuk County—Vigilance Com- mittee	S	1857-58		

Place and movement	Type	Dates	Number of victims killed	Number of members in movement
Iowa—Continued				
Linn County—Vigilantes	M	1840 ff.	1	
Linn Grove—Citizens Association (including Jones, Cedar, Linn, and Jackson Counties)	M	ca. 1838-39	1	60-300
McGregor—Vigilantes	S	1858		
Monroe County: Vigilance Committee	M	1886	1	60-300
Vigilance Committee	M	1883		
Polk County—Rangers	S	1848	4	200
Pottawattomie County—[Vigilantes] Scott, Cedar, and Clinton Counties— Vigilantes	M	1853-65		
Story County—Protective Associa- tion	L	1857	4	
Van Buren County—Vigilance Committee	M	Late 1860's	1	
	S	1848		
Kansas:				
Atchison County—Vigilantes	S	1877	8	798
Butler County—Vigilantes	L	1870-71		
Cheyenne County—Vigilance Committee	S	1888		
Dodge City: Vigilantes	M	1873	4	30-40
Vigilance Committee	S	1883		
Ellsworth—Vigilance Committee	M	1873	1	
Hays City—Vigilance Committee	S	1868		
Indianola—Vigilance Committee	S	1862	1	
Labette County—Vigilance Com- mittee	S	1866		
Manhattan—Vigilantes	S	Late 1860's	2	
Medicine Lodge—Vigilantes	S	1884		
Mound City—Vigilantes	S	Late 1860's	3	40-50
Ncosho—Vigilance Committee	M	ca. 1850-60's		
Rising Sun—Vigilantes	S	Late 1860's	1	
Sheridan—Vigilance Committee	S	1868		
Summer County—[Vigilantes]	S	1876	2	
Topeka—Vigilantes	S	Late 1860's	3	
Wellington—Vigilantes	M	1874		
Wichita—secret police force	M	1874		
Kentucky:				
Christian, Muhlenberg, Todd, and Hopkins Counties—Regulators	L	1845	1	
Green River and Little Barren River— Regulators	M	1790's		
Henderson County—Regulators	M	ca. 1816-17	10	
Hopkins and Henderson Counties— Regulators	S	1820-22		
Marion, Mercer, Madison, Boyle, and Lincoln Counties—Regulators	L	1866-71	1	
Muhlenberg County—Regulators	S	ca. 1825-50		
Paducah—Regulators	L	1846-50	1	
Russellville—Regulators	S	1793		
Union County—Regulators	S	1880-81		30-40

Place and movement	Type	Dates	Number of victims killed	Number of members in movement
Kentucky—Continued				
Western Kentucky—Regulators . . .	M	1798		
Kentucky in general—Regulators . . .	M	ca. 1810-30		
Louisiana:				
Abbeville—Regulators	S	1890's		
Atlanta, Montgomery, and Winnfield—Vigilantes	L	1872	11	
Attakapas—Vigilance Committee (Parishes of Lafayette, Calcasieu, St. Martin, Vermillion, and St. Landry)	L	1859	1	4000
Cameron—Regulators	S	1874		
New Orleans:				
Vigilance Committee	S	1858		
Vigilantes	L	1891	11	61
Vermillion Parish—Vigilantes.	L	1872-73	12	
Minnesota:				
Balsam Lake—people's court	S	ca. 1870's	1	
Duluth—Vigilance Committee	S	1869		
Mississippi:				
Madison and Hinds Counties—Regulators and Committees of Safety	L	1835	21	
Natchez—Vigilance Committee.	S	1835		
Northern Mississippi—Slickers	L	1830's		
Northeast Mississippi—Regulators	L	ca. 1865-66		
Vicksburg—Vigilance Committee	L	1835		
Missouri:				
Benton and Hickory Counties—Slickers	L	1842	3	
Camden County—Slickers	S	1836 ff.		
Christian and Taney Counties—Bald Knobbers	L	1885-87	3	ca. 900
Clark County—Vigilantes	S	1840's-50's		
Greene County—Regulators	L	1866	3	280
Hickory County—Vigilance Committee	M	Late 1860's	2	
Lees Summit—Vigilance Committee.	S	Late 1860's		
Lincoln County—Slickers	S	1843-45		
St. Louis—Regulators	S	1815		
Saline County—Honest Men's League	S	1866		
Vernon County—Marmaton League, Vigilance Committee	S	ca. 1866, 1867		
Warrensburg and Johnson County—Vigilance Committee	L	1867	10	400
Montana:				
Bannack and Virginia City—Vigilantes	L	1863-65	30	108
Helena—Vigilance Committee	L	1864-85	10	
Miles City—Vigilantes	M	1883	1	

Place and movement	Type	Dates	Number of victims killed	Number of members in movement
Montana—Continued				
Northern and Eastern Montana (Judith, Musselshell, and Missouri River areas)—Vigilantes	L	1884	35	
Sun River area—Rangers	M	ca. 1870-84		
Montana in general—Vigilantes	L	ca. 1862-84	25	
Nebraska:				
Cass County—Claim Club	M	1854-57	4	
Colfax County—Regulators	S	1863		25-40
Columbus—[vigilantes]	S	1867	1	
Dixon County—People's Court.	S	1870	1	
Fremont area—Regulators	M	1856 ff.		
Nebraska City—Anti-Jayhawk League	S	Early 1860's		
Nemaha County—Anti-Jayhawk Society River	S	1861		
Niobrara region (Brown, Holt, and neighboring counties)—Vigilantes	L	1883-84	6	250
Omaha—Vigilantes	M	1856-60	2	
Pawnee County—Regulators	M	1864	3	
Richardson County:				
Vigilantes	M	1858	1	200
Anti-Jayhawk Society	S	1861		
Sidney—Vigilantes	L	1875-81	2	400
Southeast Nebraska—Anti-Jayhawk Societies	M	1861-63		
Western Nebraska—Vigilantes	M	1875 ff.		
Nebraska (Eastern) in general—Claim Clubs	M	1850's		
Nevada:				
Aurora—Citizens Protection Committee	L	1864	4	350
Belmont—Vigilance Committee	S	1867, 1874		
Carson Valley and Genoa—Vigilance Committee	S	1855, 1860, 1875		
Cherry Creek—Vigilantes	S	(?)	1	
Egan Canyon (White Pine mine district)—Protection Society	S	1869		
Eureka—601	M	1873	2	
Hamilton—Vigilantes	S	(?)		
Hiko, Lincoln County—601	S	Late 1860's—early 1870's		
Pioche—Vigilantes	S	1871		
Treasure City—Vigilantes	S	(?)		
Truckee Valley—Vigilantes	S	1858		
Virginia City—601 and Vigilantes	M	1860's-81		
Winnemucca—Vigilance Committee	S	1877		
New Mexico:				
Albuquerque—Vigilantes	L	1871-82		
Colfax County—Vigilance Committee	S	1885		
Deming—Vigilantes	S	1883	1	

Place and movement	Type	Date	Number of victims killed	Number of members in movement
New Mexico—Continued				
Farmington and San Juan River area—Vigilance Committee	M	1880-81	6	
Las Vegas—Vigilantes	L	1880-82		
Lincoln County—Regulators	M	1878	3	
Los Lunas—Vigilance Committee	S	1880's		
Raton—Vigilantes	M	1881-82		
Rincon—Vigilantes	S	1881	1	
San Miguel—Vigilantes	S	1882		
Socorro—Vigilantes	L	1880-84	6	
North Dakota:				
Little Missouri River area—Vigilantes	M	1884		
Ohio:				
Ashland County—Black Canes	M	1825-33		
Cincinnati—Vigilantes	L	1884		
Cleveland—Vigilance Committee	S	1860		
Logan—Regulators	M	1845		
Wood County—Regulators	S	1837-38		
Oklahoma:				
Beaver County—Vigilance Committee	M	1887	2	
Choctaw County—Vigilantes	S	1873		
Creek Nation—Vigilance Committee	L	1888	100	
Okmulgee—Vigilance Committee	S	ca. 1901		
South Carolina:				
Black Country (upper Coastal Plain and lower Piedmont area)—Regulators	L	1767-69	16	ca. 5,000-6,000
South Dakota:				
Jerauld County—Vigilantes	S	1882	5	12-15
Northern Black Hills (Deadwood, Spearfish, Sturgis and vicinity)—Vigilantes	M	1877-79		
Pierre—Vigilance Committee	L	1880		
Rapid City and vicinity—Vigilantes	L	1877-78		
Tennessee:				
Knoxville vicinity—Regulators	S	ca. 1798	9	
Randolph and Covington—Regulators	S	1830's		
Sevier County—White Caps	L	1892-97		
Stewart County—Regulators	S	1818		
Texas:				
Atascosa and Wilson Counties—Citizens Committee	S	1875	4	
Bell County—Vigilance Committee	M	1866, 1874		
Blanco County—Vigilance Committee	S	1870's-80's		
Blossom Prairie, Lamar County—Vigilante Committee	S	1877	4	
Bosque County—Vigilantes	M	1860, 1870		

Place and movement	Type	Date	Number of victims killed	Number of members in movement
Texas—Continued				
Burnet County—Minute Men and Mob	M	1869-1870's	ca. 10	
Callahan County—Vigilance Committee	S	1870's-80's		
Clarksville—Regulators	S	1830's-40's		
Comal County—Vigilance Committee	S	1870's-80's		
Comanche County—Vigilantes	L	1872-86		
Corpus Christi—Vigilance Committee	S	1860		
Corpus Christi area—Vigilantes	S	1874-75		
Coryell County—Vigilantes	L	1861-83, 1893-94		
Decatur—Vigilantes	S	1875		
Denton County—Minute Companies DeWitt and Gonzales Counties—Vigilantes	M	1873		
Eastland County—Mob	S	1887		
El Paso—Vigilance Committee	S	1870's-80's		
Erath County—Mob	M	1872	3	37
Fort Griffin vicinity—Mob	S	1850's	6	
Goliad—Vigilantes	M	1858		
Hamilton County: Vigilantes	M	1860-62	2	
Mob	M	1870's-80's	3	
Hardin County—Regulators	S	1850's	1870's or 80's	
Hays County—Vigilance Committee	S	1873-78		
Hill County—Vigilantes	S	1873-78	13	ca. 200
Llano County and Burnet County—Vigilance Committee	M	1870's		
McDade area, Bastrop County—Vigilantes	L	1876-83		
McMullen County—Vigilance Committee	S	1860's-70's	1	
Madison County—Vigilance Committee	S	1867-68		
Mason County—Hoodoos [vigilantes]	L	1875 ff.	3	
Nueces River (lower) area—Minute Men	S	1875		
Montague County—Law and Order League	M	1872-75	1	
Navarro County—Vigilantes	M	1840's-50's	3	
Neuville—Vigilantes	M	1874-76		
Orange County (and surrounding Counties of Jefferson, Newton, and Jasper)—Regulators	L	1856	5	
Palo Pinto County—Vigilance Committee	S	1859	ca. 17	
Rockdale—Vigilantes	S	1875		
Rusk County—Vigilance Committee	S	1849	ca. 25	
San Antonio—Vigilance Committee	L	1857-65		
San Saba County—Mob	L	1880-96		
Scurry County—Mob	S	1899	19	ca. 70
Shackelford County—Vigilance Committee	L	1876-78		

Place and movement	Type	Date	Number of victims killed	Number of members in movement
Texas—Continued				
Shelby County—Regulators	L	1840-44	10	
Springtown—Mob	M	1872	6	
Sulphur Springs—Vigilantes	S	1879		
Sarrant County—Regulators	S	1850's		
Trinity County—Law and Order League	M	ca. 1904		
Van Zandt County—Vigilantes	S	1876		
Wilbarger County—Vigilance Committee	M	1882	ca. 4	
Waco—antihorse thief association	S	1872		
Wrightsboro—Minute Company	S	1877		
Utah:				
Promontory—Vigilance Committee	S	1869		
Virginia:				
Norfolk—[vigilance committee]	M	1834		
Richmond—[vigilance committee]	M	1834		
Washington:				
New Dungeness—Vigilance Committee	S	1864		
Pierce County—Vigilance Committee	S	1856	ca. 3	
Pullman and Colfax—Vigilantes	M	1890's	3	500
Seattle—Vigilance Committee	L	1882	ca. 5	
Walla Walla—Vigilance Committee	L	1864-66		
Union Gap (then Yakima City)—Vigilantes	S	ca. 1885		
Wisconsin:				
Prairie du Chien—[Regulators]	S	1850's		
Wyoming:				
Bear River City—Vigilance Committee	M	1868	3	
Cambria—Vigilantes	S	1890's		
Casper—Vigilance Committee	S	1902	1	ca. 24
Cheyenne and Laramie County—Vigilantes	L	1868-69	16	ca. 200
Johnson County—Regulators	L	1892	2	50
Laramie—Vigilance Committee	L	1868	7	300-500
Rawlins—Vigilantes	M	1878, 1881	2	

Note: Inadvertently omitted from the above list was the Santa Barbara (Calif.) vigilante movement of 1857 which was L in type, killed 8 or more men, and had 150 members.

Chapter 6

VIOLENCE IN AMERICAN LITERATURE AND FOLK LORE

By Kenneth Lynn*

Recurring themes of violence in American literature and folk lore bear witness to the continuing violence of American life. The cruel practical jokes and bloodthirsty tall tales of frontier humorists tell us a good deal about what it was like to live on the cutting edge of a wilderness. The burning cities of Ignatius Donnelly's *Caesar's Column*, Jack London's *The Iron Heel*, and other social novels of the turn of the century reflect in their flames the revolutionary discontent of farmers and industrial workers in the 1890's. Mark Twain's *Pudd'nhead Wilson*, Melville's "Benito Cereno," and Richard Wright's *Native Son* measure the racial animosities with which black and white Americans have been struggling since the 17th century. The war novels of Stephen Crane, and of Hemingway and Dos Passos, register the central experience of life "in our time."

American literature and folk lore have great significance, therefore, for all those who are interested in the violent realities of our society. The trouble, however, with the way in which these materials have been used by historians, sociologists, anthropologists, and psychiatrists is that literature has been assumed to be nothing less (or more) than a mirror image of life. The effects of fictional conventions on representations of reality have been ignored, as have the needs of authors and audiences alike for the pleasures of hyperbolic exaggeration. Furthermore, by extrapolating violent incidents out of their literary contexts, social scientists have not taken into account either the mitigating dreams of peace which are threaded through the very bloodiest of our novels and stories, or the comic juxtapositions which take the curse off many of the most unpleasant episodes that the American imagination has ever recorded.

The false impressions created by social scientists have been reinforced by certain literary critics who have used their judgments of American literature as a basis for making larger judgments about American society. The errors of these critics have not proceeded out of any lack of literary subtlety, but

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rather out of their wish to be recognized as cultural messiahs. The messianic strain in modern literary criticism has been in any case very strong, embracing such diverse commentators as T. S. Eliot, Northrop Frye, F. R. Leavis, and Marshall McLuhan, but it has been particularly strong among commentators on American literature. From D. H. Lawrence in the 1920's to Leslie Fiedler in the 1960's the desire of literary critics to lead a revolution in American values has been continuing and powerful, and this desire has led them to insist that violence is the dominant theme of American literature, that American literature is more violent than other literatures, and that the violence of our literature has become more deadly with the passage of time. For the first stage in a revolution is to prove its necessity, and what better evidence could be offered as proof of the sickness of historic American values than the unique and obsessive concern of our literary artists with themes of blood and pain? To the messianic critics, the indictment of American books has opened the way to the conviction of American society.

The question of American literary violence thus needs reexamination. By looking closely at certain representative examples, from the humor of the Old Southwest to the tragic novels of our own time, we may be able to measure more accurately than heretofore both the extent and the significance of violence in American literature and folk lore.

When we consider the humorists of the region between the Alleghenies and the Mississippi River, which in the 1830's and 1840's was known as the American Southwest, we are immediately struck by the theoretical possibility that the literature of violence in America has been written by losers—by citizens who have found their political, social, or cultural position threatened by the upward surge of another, and very different, group of Americans. For the Southwestern humorists were professional men—doctors, lawyers, and newspapermen, for the most part—who were allied on the local level with the big plantation owners and who supported on the national level the banker-oriented Whig party of Daniel Webster and Henry Clay; and what bound these writers together as a literary movement, what furnished the primary animus behind their violently aggressive humor, was their fear and hatred of Jacksonian democracy. Longstreet, Thompson, Kennedy, Noland, Pike, Cobb, Thorpe, Baldwin, Hooper: all the best known humorists of the Old Southwest were agreed that Andrew Jacksonism stood for a tyrannical nationalism which threatened to obliterate States' rights; for a revolutionary politics which by 1860 would democratize the constitution of every Southern state except South Carolina; and for a new spirit of economic competitiveness which everywhere enabled poor white entrepreneurs to challenge the financial supremacy of the bankers and the planters, even as Faulkner's Snopes clan would crawl out of the woodwork after the Civil War and take over the leadership of the biggest bank in Yoknapatawpha County.

Augustus Baldwin Longstreet's *Georgia Scenes* (1835) established the basic literary strategy of Southwestern humor, which was to define the difference between the emotionally controlled, impeccably mannered, and beautifully educated gentleman who sets the scene and tells the tale and the oafish frontiersmen who are the characters within the tale. By keeping his narrators outside and above the barbaric actions they described, Longstreet (and his successors) drove home the point that Southern gentlemen stood for law and order, whereas Jacksonian louts represented an all encompassing anarchy.

However hot-tempered the author might be in private life (and Judge Longstreet was only one of many Southwestern humorists who had a notoriously bad temper); however much the hideously cruel, eyeball-popping fights they described gave vent to their own sadistic sense of fun; whatever the political satisfaction that they secretly derived from the spectacle of Jacksonians clawing and tearing at one another; the literary mask of the Southwestern humorists was that of a cool and collected personality whose thoughts and conduct were infallibly above reproach. Politically and socially, the humorists had a vested interest in maintaining that mask.

They also had a vested interest in enlarging upon the violence of backwoods bully boys, riverboat toughs, and other representatives of the new Democracy. Because the more inhuman his Jacksonian characters were made to appear, the severer the gentleman-narrator's judgment of them could become. No matter how much lipservice they paid to realism as a literary ideal, there was a built-in, political temptation to exaggerate the truth which Whig humorists found impossible to resist. One and all, they wrote comic fantasies, which the historian of American violence will cite at his own risk.

Even those social scientists who are aware that the purported reality described by a story must always be understood as a projection of the story teller's mind generally distort the meaning of Southwestern humor by taking its violence out of context. Doubtless, as I have already suggested, the humorists' fascination with scenes of violence tells us a good deal about the frustrations and fears of the Southern Whig mind. Yet if we set out to calculate the total imaginative effect of, say, Longstreet's *Georgia Scenes*, we find that the "frame" devices which encapsulate the stories within a gentleman's viewpoint and the balanced, rational, Addisonian language of the gentleman-narrator's style remove a good deal of the horror from the stories. As in Henry Fielding's *Tom Jones*, a novel of which Judge Longstreet was very fond, violence becomes funny rather than frightening, sanative rather than maddening, when it is seen from a certain elevation, when it is understood by the audience to be a kind of marionette show that is controlled by, but does not morally implicate, the master of ceremonies.

In the years after 1850, when relationships between the sections steadily deteriorated and the South gave way to a kind of collective paranoia, Southwestern humor finally lost its cool. Instead of speaking through the mask of a self-controlled gentleman, the humorist of the new era told his sadistic tale in the vernacular voice of the sadist himself. Whereas Judge Longstreet had been at pains to keep his distance, imaginatively speaking, from the clowns he wrote about, George Washington Harris gleefully identified himself with the prankster-hero of *Sut Lovingood's Yams* (1867)—for in a world ringed by enemies, the only hope of survival which a paranoid imagination could summon up was to strike first, an ungentlemanly act of which Longstreet's narrator would have been manifestly incapable. Just as the Whig party disappeared after the mid-1850's, so did the literary persona who had incarnated Whiggery's conservative ideals. In his place there arose a grotesque child-hero who was the literary equivalent of the fire-eating, secessionist spirit which increasingly dominated Southern politics after 1855. The vernacular narration of young Sut Lovingood is not intended to remind us of the virtues of moderate behavior—indeed, just the reverse. For Sut's humor blocks intellectual awareness in order to release a tremendous burst of vindictive emo-

tion; he is concerned not to instruct society, but to revenge himself upon it. A rebel without a cause, Sut tells us much about the rebels of the Lost Cause of 1861-1865.

Yet in the overall picture of Southwestern humor, *Sut Lovin'good* is the exception, not the rule, a rare instance of the sadistic humor of the frontier being expressed in a manner unqualified by any kind of stylistic or formal restraint. For the most part, the humorists of the Old Southwest had a more ambivalent attitude toward violence. Clearly, they were fascinated by it, no matter what they said to the contrary. The way in which the narrators of their stories linger over the details of physical punishment indicates that there was a lurking hypocrisy in the law-and-order stance of the humorists. However, in dealing with Southwestern humor, the historian of the Whig mind must be as careful about leaping to exaggerated conclusions as the historian of Jacksonian reality. If the humorists were hypocrites to a degree, they were also sincere to a degree. If they secretly delighted in the human cockfights they pretended to deplore, they also were genuinely committed to a social standard of moderation in all things. This commitment was expressed in the literary qualities of their writing. In Southwestern humor, the style was, in a very real sense, the man.

Another striking outburst of violent stories in American literature occurred in the social fiction of the turn of the century. Thus Ignatius Donnelly's widely read novel, *Caesar's Column* (1891) projects a dystopian vision of American society in 1988. At first glance, New York City is a smokeless, noiseless, dream city, with glass-roofed streets, glittering shops, and roof-garden restaurants. But beneath the surface, the narrator of the novel (a white visitor from Uganda) discovers that the city, like the nation at large, is engaged in a deadly social struggle between a ruling oligarchy, which maintains itself in power with a dirigible fleet armed with gas bombs, and a brutalized populace, made up for the most part of a sullen-tempered, urban proletariat, but also supported by a degraded peasantry. The story climaxes in a lurid account of the definitive breakdown of the social order, which occurs when the looting and burning of the city by a revolutionary organization called the Brotherhood of Destruction raged beyond the control of the oligarchy's troops. The number of corpses littering the streets finally becomes so great that an immense pyramid of dead bodies is stacked up and covered with cement, partly as a sanitary precaution and partly as a memorial to the violence. In the end, the entire city is put to the torch, and except for a small band of Christian socialists who escape to Africa, the entire population is consumed in the holocaust.

The apocalyptic fury of the novel relates very directly to the political hysteria of the 1880's and to the agricultural and industrial unrest of the 1890's—to the fears of an anarchist takeover, for example, that swept the nation after the Haymarket riot in Chicago in 1886, and to the bitter, bloody strikes at Homestead, Pennsylvania, and Pullman, Illinois, in the mid-1890's. The novel is also a starting prophecy of the events of the summer of 1967 in Newark and Detroit. Yet in the very act of calling attention to these resemblances between literature and life, we are also confronted with the important difference, which is that the novel is much more extreme than the reality. As in the case of the Southwestern humorists, Ignatius Donnelly was not a mere seismograph, passively recording social shocks, or even forecasting them; rather, he was a man

who had been driven to become a writer by the experience of political loss, and the apocalyptic darkness of his novelistic vision tells us more about Donnelly's state of mind than it does about American society, past or present.

A political reformer from Minnesota, Donnelly had been deeply upset in 1889 by the overtly corrupt practices of the legislature in his state. In addition to his commitment to good government, Donnelly was a Populist, who combined a concern for the deteriorating economic position of the Midwestern farmer with a political and moral concern that American life was coming to be dominated by its big cities. If the demographic trends of his time continued, Donnelly realized, they would reduce the importance of the farm vote and would spread the spirit of corruption that had so appalled him in the Minnesota legislature. In equating the spread of urbanism with the spread of corruption, and in envisioning damnation and destruction as the ultimate penalty of city life, Donnelly revealed himself, in the judgment of Richard Hofstadter, as a sadist and a nihilist. *Caesar's Column* is "a childish book," so Hofstadter has written, "but in the middle of the twentieth century it seems anything but laughable: it affords a frightening glimpse into the ugly potential of frustrated popular revolt."¹ Donnelly's novel is thus for Hofstadter a key to the provincial spirit of Midwestern America, a spirit ruled by suspicions of the East, distrust of intellectuals, and hatred of Jews, and given to raging fantasies of Babylonian destruction. The violence depicted in *Caesar's Column* may never have been matched by the social data of American history, but Hofstadter would contend that the sado-nihilism of the American hick is very much a part of the emotional actuality of our civilization, and that Donnelly's novel is expressive of a profoundly dangerous phenomenon.

Yet Donnelly's ambivalent view of the city—a place on the one hand of glittering amusements and technological marvels and on the other hand of social exploitation and spiritual degradation—is a view he shares with a vast number of American writers from all centuries of our history, all sections of the country, and all ranges of literary excellence from the least memorable to the most distinguished, the most intellectual, and the most cosmopolitan. The urban imagery summoned up by Hawthorne and Melville in the 1850's is characterized by starkly symbolic contrasts of blazing light and sinister darkness, as is the imagery of *New York By Gaslight* and other trashy books of the period. E. P. Roe's bestselling novel, *Barriers Burned Away* (1872), which depicts the great Chicago fire as a judgment upon a wicked city, is part of an incendiary tradition which not only includes Donnelly's mediocre novel, but Part IV of T. S. Eliot's *The Waste Land* (1922). Clearly, what Donnelly was expressing in his novel was a frustration which fed into a familiar American concern, at heart, a religious concern, with the question of whether honor, charity, and other traditional values of western civilization were capable of surviving in the modern city. That Donnelly gave a gloomy answer does not necessarily prove that his political frustration contained an "ugly potential" of violence. It is, indeed, more likely that the ending of his novel was a religious strategy that went back through Hawthorne and Melville to the Puritans. By issuing a jeremiad which warned of the terrible consequences of abandoning the Christian life, he hoped to bring an urban America back to the faith of its fathers.

Jack London's *The Iron Heel* (1905) also ends cataclysmically. Although the plot of the socialists to overthrow capitalism in America has been led by

the dynamic Ernest Everhard (whose medium size, bulging muscles, and omnivorous reading habits recall Jack London himself), the awesome power of the ruling oligarchy—the so-called Iron Heel—is too much for the outnumbered revolutionaries. At the climax of the book, the slum classes—for whom Everhard and his fellow socialists feel nothing but contempt—go pillaging through the city. However, this act is the self-indulgent gesture of a degenerate, racially mongrelized mob which does nothing to benefit the military position of the gallant elitists of socialism. According to the novel's 27th-century editor, 300 years of blood letting were to pass before the Iron Heel is finally overthrown and the Brotherhood of Man established.

The question at once arises as to why London, after building up his hero as a superman, should have permitted him to be defeated, especially since he was an exponent of the same revolutionary cause as Everhard was. The answer has seemed unavoidable to some readers that London was interested in violence for violence's sake, even if it meant denying himself the pleasure of a socialistically happy ending. However, the confusion which London displayed in his ideological writings suggests another explanation for the ending of *The Iron Heel*. For these ideological writings reveal that London was as committed to a belief in the competitive ethic of American success as he was to socialism, and that he was hagridden by the conviction that the victory of socialist principles would lead to social rot, because it would terminate competition between individuals; consequently he found it imaginatively impossible to write a novel depicting the triumph of the socialist revolution. To portray Everhard and company in charge of a socialist America would have meant that London would have been forced to show his autobiographical hero presiding over a society characterized by declining production, degenerating racial stocks, and decaying institutions.

It is not surprising, therefore, that even though *The Iron Heel* is supposedly edited by a man living under the reign of the Brotherhood of Man in the 27th century, no description is given of how this socialist Utopia is organized or operated, no hint is offered as to the steps that have been taken to avoid social decay. Unable to portray a paradise that he knew in his heart was really a hell, London found it an easier imaginative task to concentrate on describing the defeat of the socialist revolution. To lament the defeat of socialism was infinitely easier than to pretend to rejoice in its triumph.

A third possible explanation for the ferocious violence of *The Iron Heel's* conclusion is that it reflected London's awareness of all the disappointments that American radicals had suffered in the course of his lifetime. The Greenback movement had gone nowhere, except to oblivion; the Supreme Court had reversed the Granger cases; the Populists had never become anything more than a regional movement; in the climactic election of 1896, Bryan had been badly beaten; and Eugene Debs had polled a disappointing number of votes in the presidential elections of 1900 and 1904. London's Socialist hopes were simply overwhelmed by his inability to forget the bitter lessons of recent American history: in the new era of Standard Oil trust and other big-business combinations, American radicals could scarcely be optimistic.

All three explanations of London's novel are equally compelling. Unquestionably, London was neurotically fascinated by tests of mental and physical endurance; long before his suicide, his mind was thronged with images of violent death. To literary critics interested in establishing the sickness of the

American psyche, London's personal life simply reinforces their thesis that his novels and stores are obsessed by violence. Because it damages their thesis, these critics ignore the fact that violent endings offered London a means of resolving his contradictory ideological commitments to success and socialism—and that therefore the conclusion of *The Iron Heel* ought to be understood as a literary strategy which enabled a philosophically troubled writer to resolve his ambivalence and complete his books. Equally damaging to the interpretation of *The Iron Heel* as symptomatic of an author's (and a nation's) psychological illness is the fact that a socialist novelist who foresaw the continuing hegemony of capitalist combinations in America was simply being realistic. Can we really be sure that the ending London gave his novel represented anything else than his unwillingness to fool either himself or his readers about the changes of building a socialist Utopia in 20th-century America? The apocalyptic fury with which *The Iron Heel* concludes may well have been the sign of London's sanity as a social prophet, rather than of his psychological imbalance.

Writing about the experience of modern war begins in American literature with Stephen Crane in 1895. Our first modern conflict had ended 30 years before, but for a generation after the Civil War American writers had either ignored or romanticized that terrible struggle. The one exception was John W. DeForest's novel, *Miss Ravenel's Conversion from Secession to Loyalty* (1867), which had portrayed the fighting in grim and realistic detail. However, *Miss Ravenel* had been a failure, commercially speaking, and in the wake of its failure there arose a genre of writing called the intersectional romance, which typically told of a wounded Union Army officer being nursed back to health by a predictably beautiful Southern belle, whom he finally led to the altar. Even the literary reminiscences of soldiers who had served in the war told a good deal less than the whole truth. Thus the *Century* magazine's notable series of military recollections, "Battles and Leaders of the Civil War," represented only an officer's eye view of what had in fact been a democratic war won by a mass army. The same fault afflicted Ambrose Bierce's otherwise superbly honest *Tales of Soldiers* (1891). Before Crane published *The Red Badge of Courage* (1895), only a very minor writer named Wilbur F. Hinman had recorded, in a comic novel entitled *Corporal Si Klegg and His "Pard"* (1887), how the violence made possible by modern military technology had affected the men in the ranks.

That Crane should have been impelled to measure the impact of the war on ordinary Americans was certainly not the result of his own experience of violence, for he was not even born until 1871, six years after the close of the war, and in the course of his middle-class New Jersey boyhood had never heard a shot fired in anger. What fascinated him about the Civil War was what also fascinated him about the submarginal world of the Bowery, which he had come to know during his salad days as a reporter on the *New York Herald*. Like the seamiest of New York's slums, the most tragic war in our history represented American life *in extremis*, and such representations suited Crane's subversive frame of mind.

Political and social events of the early 1890's had revealed to Crane an enormous disparity between the official version of American life as conveyed by such popular authors of the day as James Whitcomb Riley and Thomas Bailey Aldrich, and the often brutal realities that were attendant upon the

Nation's transformation into an urban and industrial civilization. The effect of this revelation on a young man who had already been engaged throughout his youth in a Tom Sawyerish rebellion against his middle-class upbringing was to turn him against all the optimistic beliefs in the pursuit of happiness, the inevitability of progress, etc., which most Americans cherished. Revolted by blandness and complacency, Crane went in search of misery and violence—in the lower depths of Manhattan; in sleazy bars down Mexico way, where he was nearly murdered one scary night; on the battlefields of Greece, where he served as a correspondent covering the Greco-Turkish War; and again as a war reporter in Cuba, where he differentiated himself from Richard Harding Davis and other correspondents by the risks he took, by the deliberate way he exposed himself to the fire of Spanish rifles.

In the world of his imagination, Crane craved the same experiences, and he often wrote of them before he had lived them. *Maggie. A Girl of the Streets* (1893), the story of an East Side girl whose descent into prostitution concludes with her descent into the East River, was largely worked out before Crane quit college and went to live in New York, just as *The Red Badge of Courage* was published before he saw Greece or Cuba. For his books were not *reportage*; they were works of art which endeavored to make the American novel relevant to a new generation of socially skeptical readers, as the works of Zola, Crane's literary idol, had done for the French novel. The restlessness, the guilt, and the itch to change things that impelled middle-class, urban Americans into the Progressive movement of 1901-17 were first manifested in the fiction of Stephen Crane in the mid-1890's. Paradoxically, a body of work dominated by a black humor and an ironic style, and by scenes of violence often culminating in horribly detailed descriptions of dead bodies, had a life-giving effect, a revitalizing effect on American art and politics. For his mordant skepticism about official American culture and all his efforts to flee—both spatially and spiritually—from the world he had been brought up in, Crane was really a middle-class spokesman. Unlike the Whig humorists of the 1830's or the Utopian novelists who were his contemporaries, Crane was not a loser in American life. He was, rather, an outsider, who had assumed his critical role by choice rather than necessity. Whereas Judge Longstreet and his fellow humorists had lamented a way of life, a scheme of values, that was irrevocably passing out of the national scene, and whereas Jack London and Ignatius Donnelly were lamenting an American civilization that would never come to be, Crane offered violent versions of a modern war we had already fought and would fight again, and of a city which has been the archetype of our collective life from his own time to the present. As with most outsiders in American life, including the runaway Tom Sawyer, rebellion was a halfway house for Stephen Crane and violence a means of ultimate accommodation.

The violence of Ernest Hemingway's early novels and stories are expressive, so we have been told, of a far more cruel, pointless, and degrading war experience than the Civil War that Stephen Crane conjured up out of talking with veterans and reading the *Century* magazine. Why this should be so is not entirely clear, inasmuch as the Civil War was infinitely more costly to our soldiers and to our people. Indeed, the violence of Hemingway's fiction has become so famous as to obscure the fact that none of his stories, and none of the stories of Dos Passos or E. E. Cummings or any other American writer

who served overseas in World War I, come anywhere near matching the butchery described in Erich Maria Remarque's *All Quiet on the Western Front*, Henri Barbusse's *Under Fire*, Guy Chapman's *A Passionate Prodigality*, and other European chronicles of the Great War. In only one way are the novels of the Americans more nightmarish than those of the Europeans writers. Hemingway, Dos Passos, and company did not, and indeed could not, outrival the details of endless horror that four years in the trenches had etched in Guy Chapman's or Erich Remarque's memory. Yet Remarque and the other European writers also paid grateful tribute in their books to the psychological comforts of mass comradeship, whereas the heroes of Hemingway and Dos Passos are loners who feel lost in the midst of the crowd. They may find one other kindred spirit, generally Italian, or possibly a girl friend, generally British, but they know nothing of the group feeling that Remarque and the European writers were grateful to. A desolate sense of alienation is the special mark of the best American fiction to come out of World War I. In seeking to assess the meaning of the violence expressed by the "lost generation" writers, we must therefore reckon with the loneliness which accompanies it and which gives it its peculiarly devastating and memorable effect.

Perhaps the alienation may be explained by the very special role which our writers played in the war. For the striking fact is that unlike their literary equivalents in England, France, and Germany, the American writers were not soldiers but ambulance drivers or some other kind of auxiliary. Malcolm Cowley worked for military transport; Hemingway was with the Red Cross in Italy; Dos Passos and Cummings were with the Norton-Harjes ambulance unit, and so were Slater Brown, Harry Crosby, and other young men who would achieve some kind of literary distinction in the 1920's. They were in the war, but not of it; involved and yet not involved. They could not pay tribute to the comradeship of the trenches because they had never really experienced it, they had never really belonged.

But this is only a partial explanation of the loneliness recorded in their fiction. For it does not answer the question of why they became ambulance drivers in the first place. And here we come to the heart of the matter. For their enlistment as ambulance drivers was not so much a cause of their alienation as an expression of it. They were outside the mainstream of American life, already suspicious of what Hemingway would later call the "sacred words," before they ever landed in Europe. The war did not cause them to feel lonely, but rather confirmed and intensified a pre-existent feeling of not fitting in. When these future ambulance drivers had been high school and college students in the period 1900-17, they had been disgusted by the discrepancy between the consistently idealistic theory and often grubby practice of America in the Progressive era. Ironically, the young men whose imaginations had been kindled by the violence of Stephen Crane in the 1890's had become the adult establishment twenty years later, and thus in turn became the target of a new generation of rebels—who also chose to express their dissent from the going values of society by means of violence. That the younger literati of 1917 sought out the war did not mean that they were patriotically responding, as millions of other young men in America were, to the high-flown rhetoric of Woodrow Wilson. Dos Passos, a political radical, went to Europe in order to witness the death throes of capitalism. Hemingway, who already knew that the woods of northern Michigan contained truths un-

dreamed of in the suburban philosophy of his native Oak Park, Illinois, made his way to the front line at Fossalta di Piave because he knew that that line offered a great opportunity to a young writer who was seeking—as Stephen Crane had before him—for materials with which to rebuke his middle-class American heritage. When fragments of an Austrian mortar shell hit him in the legs, and he was hit twice more in the body by machinegun fire, he found his materials with a vengeance. Thereafter a wound was to become the central symbol of nearly all his work and the consequences of a wound his recurrent theme. In many ways a highly personal testament, Hemingway's work also captures, in hauntingly symbolic terms, the permanently scarring effects of World War I on American society. In so doing, the violent expression of an outsider has become the means by which generations of modern Americans have understood themselves. Originating as a criticism of peacetime America, Hemingway's violence turned into an explanation of what 20th-century warfare has done to us as a people. Leslie Fiedler would have it that Hemingway's concern with violence signifies a pathological inability to deal with adult sexuality,² but this interpretation ignores the fact that violence has an intrinsic importance in our history, especially in this era of global wars—as Hemingway precociously understood from childhood onward.

The literature dealing with race relations is very different from all other expressions of violence in American writing. Even in Hemingway's most tragic stories, his protagonists make a separate peace which for a fleeting time is a genuine peace; the universe of pain inexorably closes down on them again, but the memories of happiness remain as a defense against despair and madness. However, with the notable exception of *The Adventures of Huckleberry Finn* (1884), in which Huck's memory of his life on the raft with Nigger Jim sustains him against all his sordid encounters with the slave-owning society on shore, the important American books on race are unredeemed by such recollections. The sanative qualities of Southwestern humor are also missing from this literature, as are the long-range hopes of social justice that arise out of the ashes of *The Iron Heel* and *Caesar's Column*. "Benito Cereno," Melville's brilliant short story of the early 1850's; Mark Twain's mordant novel, *Pudd'nhead Wilson* (1894); and Richard Wright's smashingly powerful *Native Son* (1940): these three representative works offer us no hope whatsoever for believing that the violence and the hatred, the fear and the guilt that separate black and white Americans from one another will ever end. As I have tried to indicate, the nihilism that has been imputed to works dealing with other aspects of American violence is highly debatable, as is the charge that the violence of American literature is sick, sick, because it really stands for our alleged maladjustment to sex or some other cultural sickness. In the literature of racial violence, however, terms like "nihilism" and "sickness" seem very applicable, indeed.

What hope, for instance, does Melville offer us in telling the story of "Benito Cereno"? The kindness and compassion of Don Benito are not sufficient to keep his black servant from putting a razor to his master's throat, and while Don Benito does manage to escape from violent death, he is unable to shake the shadow of his racial guilt. Haunted by the hatred that the revolt of his slaves has revealed, but powerless to expiate a crime that is far older than himself, Don Benito dies, the very image of the impotent white liberal, on the slopes of the aptly named Mount Agonia.

The tragic hopelessness of Melville's story becomes in *Pudd'nhead Wilson* one of the later Mark Twain's bitterest jokes. With his superior intelligence, *Pudd'nhead Wilson* is able to solve a bewildering racial crime: his exposure of the fact that the "Negro woman" who has murdered one of the leading white men of the town is in reality a man, Tom Driscoll, whose entire life has been a masquerade in white face, is a masterpiece of detective work. Even more impressive is Wilson's discovery that the masquerade was made possible by Tom Driscoll's light-skinned Negro mother, who switched a white baby and her own baby into one another's cradle, a deception made possible by the fact that both babies had the same white father. Yet finally, *Pudd'nhead Wilson* is a helpless man. His superior intelligence is powerless to overcome the accumulated racial crimes of American history. To be sure, his trial testimony sends the Negro masquerader to jail and thence to the auction block, where he is sold to a slave trader from "down the river." But if Wilson's testimony succeeds in condemning a black man, it does not succeed in freeing a white man. For the real Tom Driscoll, who has been a slave for 20 years, is not restored to freedom by being given back his identity. Thanks to what society has done to him, he can neither read nor write, nor speak anything but the dialect of the slave quarter; his walk, his attitudes, his gestures, his bearing, his laugh—all are the manners of a slave.

Mark Twain's awareness of the interwoven strands of sex and violence in the racial tragedy of American life is amplified in *Native Son* into a terrifying story of sexual temptation, murder, and legal revenge. The crippling fears of the white man that dominate Bigger Thomas's mind have their white counterparts in the hysterically anti-Negro editorials in the Chicago newspapers and the demonic racism of the police. Nowhere in this implacable novel does the author give us any grounds for belief in the possibility of genuine communication and mutual trust between the races.

It is, of course, possible that "Benito Cereno" has no other reference than to the darkness into which Melville's mind descended after 1851, *Pudd'nhead Wilson* no other reference than to the celebrated misanthropy of the later Mark Twain, *Native Son* no other reference than to Richard Wright's own tortured soul. Yet it is significant that these three extraordinarily gifted writers, two white, one black, agree so completely about the insolubility of American race hatred. Conceivable, their fictions reveal not only the tragic thoughts of three authors, but the tragic truth of American society as well.

References

1. Richard Hofstadter, *The Age of Reform* (New York: Vintage, 1955), p. 70.
2. Cf. *Love and Death in the American Novel* (New York, 1960), pp. 125, 175, 186, 304-309, 341, 350-352.

Part III

THE HISTORY OF
WORKING-CLASS PROTEST
AND VIOLENCE

A cursory glance at the histories of Western Europe and the United States during the past two centuries suggests that working-class demands for resolution of economic and related political grievances have been the most common and persistent source of turmoil, if not of revolution or civil war. This was true especially during England's industrial revolution. Many Americans, dismayed by the domestic tumult of recent years, admire wistfully both the quiet grace of the English countryside and the impressive political rituals that are the capstone of contemporary English civil peace. An historical corrective is provided by Professor Roberts, one of Britain's leading authorities on labor relations, in the first of the following two chapters. In the 18th and 19th century, the gentle English countryside was wracked by riotous mobs, arsonists, and machine breakers, its city streets echoed the cries of demonstrators for economic and political reform. The English body politic was afflicted by innumerable real and imagined conspiracies and insurrections, enmeshed in a web of spies and agents provocateurs employed by the state, and defended by armed garrisons and harsh penal codes administered harshly.

In the United States workers seldom made political demands, but the chronicles of conflict between them and their employers have been extraordinarily bloody, seemingly more so than those of any industrial nation in the world. Although many historical instances of labor violence in America have been examined in detail, the study by Profs. Philip Taft and Philip Ross, below, is the

first to examine systematically the cumulative records of strike violence in America. The core of their study is an interpretative chronicle of violent strikes from the 1870's to the present. Labor violence was unquestionably pervasive and intense, occurring in every region, in almost every type of industry, and with great frequency in almost every decade from the 1870's to the 1930's. At one of its peaks, between 1902 and 1904, the loss of life reportedly exceeded that of recent ghetto riots in both absolute and relative terms.

The general causes of English tumult and insurrection in the late 18th and early 19th centuries were the tensions generated by unregulated industrialization. But the most striking characteristic of 19th century English society was not its civil disorder, which has afflicted all industrializing societies, but its avoidance of revolution or civil war and its ultimate resolution of the causes of tumult. In the United States the same tensions of rapid economic growth underlay labor conflict. The most common immediate causes of its violent manifestations were employers' denial of the right of labor to organize and their attempt to break strikes. Employers and unions were both guilty of violence. In the majority of cases, however, including the most bloody ones, overt violence was initiated by the armed guards hired by employers or by local law enforcement officers and deputized citizens acting in consort with employers.

The workers who participated directly in the English movements of protest and violence seldom benefited directly from them. Similarly, the outcome of labor violence in the United States very seldom favored the workers or the unions. Hundreds of workers were killed, thousands injured, tens of thousands jailed or forcibly expelled from their communities. The unions most involved in violent disputes usually lost their organizational effectiveness, and their leaders and organizers were constantly harassed. Despite this dismal record, violence in American labor disputes persisted for several generations.

Yet in contemporary England and the United States, expressions of workers' grievances have been muted. Most political demands of English

workers are expressed through conventional party and union activities rather than by the riotous demonstrations of the 19th century. Strikes in the United States are no longer likely to be bloody affrays but tests of economic strength played out by labor and management following mutually accepted rules. The circumstances of the passing of violence seem even more dimly perceived than its origins. But it is evident that some patterns of events, some balance among increased economic well-being, coercion, accommodation, and regulation, led to the abatement of violent economic-based conflict in these two nations. We know, for example, that employers and governments often responded forcefully to worker protest, and that their responses sometimes minimized protest, sometimes exacerbated it. Concessions by either employers or governments were slow to come and, when they were made, were seldom in direct response to violence. The more specific questions concern the circumstances in which specific kinds of coercion were effective, the extent to which various kinds of protest were successful for those who made them, either in the short or the long run, and the merits of different kinds of accommodation for minimizing grievances and disruptive protest.

No final answers can be given to these questions, but persuasive evidence about a number of them are provided in these two chapters. Working-class protest and violence have largely been meliorated in the two countries studied here. The means by which this was accomplished may hold some general and specific lessons for the expression and resolution of contemporary discontents.

Chapter 7

ON THE ORIGINS AND
RESOLUTION OF
ENGLISH WORKING-CLASS PROTEST

By Ben C. Roberts*

THE ROLE OF THE MOB IN BRITISH POLITICS BEFORE 1760

Disorderly gatherings of discontented citizens have been a potent factor in the political history of every nation. Two thousand years ago the emperors of ancient Rome had cause to fear the influence of the mob upon the deliberations of the Senate.

In feudal England the peasants of Essex and Kent, angered by high taxes and attempts to reestablish old feudal practices, and exasperated at the failure of the government to protect them from the pillage and exploitation of murderous bands, assembled and marched on London in 1381 to demand redress from their rulers. Stirred by the radical doctrines preached by a militant priest, they asked for a charter of freedom from the thralldom of villenage, lower taxes, and an end to the lawlessness of bands of demobilized soldiery wandering the countryside after fighting the King's wars. Little or nothing was immediately gained from the revolt, which was bloodily suppressed as were the other risings which occurred all over the country, except that the King and the Lords were made aware that unless popular feeling was assuaged turbulence would again break out.

During the next century the Wars of the Roses kept the country in a continuous state of civil conflict. The Black Death reduced the population and labor grew scarce. Serfdom collapsed and peasants were able to obtain land and rise to the status of yeoman farmers. When the Tudors came to power in 1485 they were able by firm government and social paternalism to create a stable society. The combination of severe punishment for vagrancy and the provision of charitable aid through the parishes, together with the economic security and opportunity which the system of apprenticeship gave to the more intelligent members of the working class, effectively curbed any disposition of the poor to seek the improvement of working conditions through revolt. The

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one factor that did provoke bitter hostility was the enclosure of common lands by powerful landowners seeking to increase their flocks of sheep to take advantage of the rapidly expanding demand for wool.

Between the death of Elizabeth I in 1603 and the death of Anne in 1714, England went through a major transformation. During the 17th century, modern English society and a modern state began to take shape. At the beginning of the period the economy was highly regulated by the King, who—

acted arbitrarily in matters affecting the stability of the country's economic life—raising or lowering the customs, granting industrial monopolies, controlling prices, prohibiting land enclosure. . . . At the end of the period economic policy was formulated by Parliament and *laissez-faire* had succeeded regulation in most spheres.¹

England, which under the Tudors had been a second-class power, was by the beginning of the 18th century the greatest world power. The boundaries of Great Britain extended to America, Asia, and Africa, and her merchants dominated world trade. The City of London had become the financial capital of the world. Newton and his fellow scientists were laying the foundations for scientific progress and with it the industrial revolution. The breaking down of the old securities and opening up of new opportunities to men of vision and vigor created turmoil and resentment as well as satisfying ambition by removing its shackles.

It was after the Civil War and the restoration of the Stuarts in 1660 that gatherings of unruly crowds of the poorer classes, called "the mobile"—or simply "the mob"—became a recurrent feature of city life. There was no single cause for the many riotous assemblies that occurred during this period. Poor harvests, high food prices, unemployment and low wages in the weaving trades caused by the competition of cheap imports of cloth, the hearth tax, customs and excise duties, all gave rise to these manifestations of popular discontent. Nor were the riots confined to the metropolis, though the London mob was the most notorious of all; the poor everywhere were prepared to follow its example.

There does not seem to have been any significant attempt by the mob in one area to concert its actions with the mob in another. Most of the riots were spontaneous, "excited by some local and temporary grievance,"² wrote the Webbs, who were unable to find any evidence of a concerted desire to overthrow those who were in authority. The fact was that a working-class movement had not yet come into existence. Where the discontents of the poor led to disorderly assemblies, "the rioting which ensued was animated by no common aim beyond that of immediate revenge upon the nearest personification of the people's enemies, a corn-dealer, an exciseman or an East Indian merchant."³

A factor of considerable importance in the growth of mob riots was the weakness of the central authorities. "Neither in London nor in rural England could the civil power unassisted be relied upon for the maintenance of public peace."⁴ If order could not be maintained by a local constabulary it was necessary to call out the militia, but there was little disposition to deal with mobs in the ferocious way they had been suppressed in the times of the Tudors and the early Stuarts.

"The problem of the urban mob was one of the problems handed on by this age to its successors."⁵ The elements of Tudor society had largely disappeared, but the techniques for protecting the poor from the vicissitudes of a market economy had not been developed. Nor had the political system developed to the stage where major issues of social discontent could be resolved through a democratic political process which was still in embryonic form.

UPSURGE OF POLITICAL AND RELIGIOUS PROTEST

In 1768 the London mob "whose presence is continually felt in the political history of the eighteenth century"⁶ found a hero in John Wilkes, Member of Parliament for Aylesbury and a notorious roistering character. Wilkes had been a member of the Hell Fire Club, whose scandalous activities had shocked even the lax standards of 18th-century England. His cynical contempt for the King and the aristocrats who controlled the British Parliament, expressed in witty and obscene lampoons, appealed to the ribald tastes of the London mob. The arrest of Wilkes and his imprisonment for making an insulting attack upon the King and the leaders of the House of Commons and the House of Lords drew huge crowds to the jail where he was awaiting trial. The crowd, shouting "damn the King, damn the Government, damn the Justices," was cleared away from the outside of the prison walls by a volley from the rifles of a Scottish regiment. This "massacre" changed the temper of the mob and gave the Wilkes riots a political significance that had not previously been present. However much a scoundrel Wilkes might be, the mob was prepared to follow him against the entrenched authorities—King, Church, and the wealthy aristocrats who dominated a corrupt parliament.

For the next 10 years London and the South of England seemed to be "a Bedlam under the domination of a beggarly, idle and intoxicated mob without keepers, actuated solely by the word *Wilkes*."⁷ The supporters of Wilkes were a motley crowd, but they were by no means all drunks, criminals, and prostitutes. As E. P. Thompson has pointed out, the London artisans had developed a dissenting tradition and were concerned with the political issues arising out of Wilkes' conflict with the authorities.⁸ The most popular slogan of the crowds that assembled to support Wilkes was "Liberty." The liberty that was called for was both the political freedom to oppose the King and the ruling oligarchy and the license to attack and despoil the property of the rich and highborn. The Wilkes riots had about them both the character of the traditional mob out for entertainment and a protest movement against social injustice.

The Gordon Riots of 1780, which were a further manifestation of mob violence, were inspired by a revival of the deep suspicions of Catholic plots to seize power, suspicions that were kept alive by the annual celebration with bonfires and fireworks of the capture of Guy Fawkes in 1605, as he and his associates were about to blow up the Houses of Parliament. The Gordon Riots occurred after a large, well-ordered crowd had marched to the Houses of Parliament and presented a petition organized by the Protestant Association against Catholic toleration. When Parliament refused to debate the petition the crowd, urged on by the intemperate demagoguery of Lord George Gordon, ran amok to the cry of "no popery."

The first objects of attack were Catholic chapels and the homes of well-to-do Catholics, then the residences of the Lord Chief Justice and the Archbishop

of York, who, it was believed, had Catholic sympathies. After venting its fury on Catholics the mob turned its attention to the prisons, from which it released the inmates. Finally an assault was launched on the Bank of England, the bastion of the power of the city and the heart of the capitalist system.

Up to the final stage of the riots the city authorities, who had not found the outbreak of rioting unwelcome, since it was directed as the much-disliked King and Parliament, refrained from intervention. This license given to the mob has been interpreted as actual connivance and political manipulation that ceased only when the rioters turned on those who had encouraged it.⁹ As soon as the Bank came under attack, the Lord Mayor called out the army, which rapidly dispersed the crowds.

The London mob had in fact become an important factor in the battle for the control of Parliament and the reduction, if not elimination, of the political power of the King. In 1780 the people of London, despite their excesses, were under the protection of the libertarian Whigs, who saw them as a counterweight to the Tories and their ally on the Throne. Burke deplored the use of the military in subduing the riots, while Fox declared that he would "much rather be governed by a mob than by a standing army."¹⁰

This somewhat cynical and calculated "populism," encouraged by the Whigs, rapidly declined after the French Revolution, when the grim excesses of the "liberators" of the Bastille made painfully clear the dangers that lurked in stirring the people to seek reform through direct action.

The last great riot which occurred in the 18th century was in fact provoked by a dinner held in Birmingham by a group of middle-class reformers, many of whom were religious dissenters, to celebrate the fall of the Bastille. It was also encouraged by the Tories. The French Revolution had sharply divided political opinion in Britain. The established authorities and the lower orders were generally extremely hostile. Support for the revolution in the name of liberty came mainly from radical members of the middle class and from religious dissenters.

The fact that Birmingham was a stronghold of dissenting opinion made it the center of the agitation for the repeal of the Test and Corporations Acts, which excluded dissenters from public office. The repeal of the Test Acts was violently opposed by the Anglican clergy and the country gentry, who associated dissenters with atheistic, money-grubbing industrialists whose activities threatened to destroy the old order. The Birmingham riots of 1791 have been described as "an episode in which the country gentlemen called out the urban mob to draw the dissenting teeth of the aggressive and successful Birmingham bourgeoisie."¹¹ Evidence suggests that the Birmingham mob was skillfully led to well-chosen targets by small groups of rioters who had the support of local Tory magistrates and clergy, who were extremely reluctant to convict and condemn the rioters.

During the next few years the urban mob, recruited from the squalid, overcrowded, and decaying areas of the rapidly growing cities, was adroitly directed by the Tories against the doctrines of the French Revolution. The rioters were for Church and King, and their main targets were now the English Jacobins and the supporters of Tom Paine. Paine's great pamphlet, *The Rights of Man*, had a phenomenal success and stimulated the establishment of reform societies and clubs. This success was due in part to the fact that the philosophy the pamphlet preached was in harmony with the development of

a laissez faire market economy, the limitation of the power of the Church and King, and the development of the parliamentary system of government. In short, Paine's plea was for the establishment of a democratic system of government, and had a powerful appeal to dissenters of all kinds.

The activities of Paine and the organizers of the reform clubs greatly alarmed the authorities. Many authorities saw in the doctrines the seeds of an English revolution similar to the one they had at first welcomed in France, but which, they now saw, was leading to the growth of a chauvinistic nationalism that threatened to create a new menace to the peace of Europe.

This development of the French revolution convinced the British government that the Jacobin movement in Britain had to be firmly quashed. *The Rights of Man* was proclaimed a seditious libel and Paine, already in France, was outlawed. The outbreak of war between Britain and France in 1793 transformed the political situation. Only a year before, the British Prime Minister, Pitt, had confidently proclaimed that many years of peace could be expected. It was Pitt's belief that the French revolutionaries were internationalist in outlook, concerned to improve the prosperity of the great mass of the French people by encouraging production and trade. His own policy of peace with Europe, economic retrenchment and gradual reform had been based on this assessment of the consequences of the French revolution. Realization of his mistake was rapid and within a year Pitt was taking steps to ensure that Britain should not succumb to a resurgent and bellicose France.

In the atmosphere of war with France, Jacobinism was not to be tolerated. *The Rights of Man* was a threat to the national unity that was needed to win the war. Patriotism, always the most potent of appeals to man's social instincts, rapidly became the prime motivation of the mob. Effigies of Paine were burned all over Britain and the impulse towards liberty, equality, and fraternity was vigorously suppressed. Dissenting Ministers were clapped in jail for mildly suggesting that the King should be accountable to Parliament, printers for publishing libertarian pamphlets, and publicans for permitting radical societies to meet on their premises.

In spite of the repression of every manifestation of social organization against the established order, there were many outbreaks of unrest and disturbance directed against the loss of old rights and the degradation of life brought about by the advance of industrialism.¹² These clashes between workers and employers were conflicts between the two social classes that were emerging as politically the most important elements in the structure of British society.

LUDDITE DISTURBANCES AND THE STATUS OF WORKERS

The series of disturbances directed against new types of weaving and knitting machines which plagued England during the period from the American revolution to the collapse of Chartism in the early 1850's have been given the name Luddism. The origin of the name has been variously ascribed to a certain Ned Ludlam, a Leicestershire apprentice, who lost his temper on being ordered to square up his frames and beat the offending frame into pieces with a hammer; and to a "general" commanding the forces of Luddism calling himself "Ned Ludd" and living in Sherwood Forest, whence he issued orders and organized attacks on property.¹³ Whatever the origin of the name, the essence

of the Luddite disturbances was the smashing of machinery, particularly in Nottinghamshire, Yorkshire, Lancashire, and Cheshire. What alarmed the Government and property-owning classes, in addition to the destruction of property and the fear of revolution it engendered, was the suspicion, astutely fanned by innumerable Government spies, of a widespread and organized conspiracy, a belief which does not appear to be borne out by the facts.

It is true that attacks upon property and even persons, such as the murder of the manufacturer Horsfall in 1813 by three men who had been detailed to do it, showed evidence of some amount of organization; the stubborn unity of the workers and absolute refusal to inform baffled all those sent to quell the riots. The outbreaks seem to have been sporadic, arising as a response to intolerable circumstances and dying out when these circumstances improved. The alarm which they aroused, however, can be gauged by the fact that 12,000 soldiers were used for their suppression, a larger army than the 9,000 men who set sail with Wellesley in 1808 for Portugal. Pitt, the Prime Minister, abolished the old custom of billeting troops in people's homes, for fear that soldiers might become contaminated by Radicalism; he built barracks at strategic points to house them, and in addition created the Volunteers and the Yeomanry to deal with civil commotion at home. The Yeomanry, a mounted force drawn from the upper ranks of the agricultural classes, had little sympathy with the town dwellers and could be relied on for complete support of the Government in times of violence. By the end of the war with France in 1815, there were 163,000 men in 200 barracks up and down the country.

Yet all the evidence goes to prove that the outbreaks, far from being aimed at the overthrow of the Government, were inspired by sheer, unrelieved distress. General Maitland, commanding troops in the North, was certain that there was no elaborate organization. William Wilberforce, one of the committee appointed by the Commons to investigate the Luddite disturbances, complained in his diary that none of his colleagues would agree with him that "the disease was of a political nature." Despite careful searches, the large dumps of arms reported by spies were never found, and no connection was traced between the disaffected in one district and those in another. Part of the explanation for the belief in a widespread plot must consist in the existence of many other forms of protest and violence at the same time—secret attempts at combination among workers, secret political agitations, and also bands of marauders and robbers—who all became included in the popular mind in the group known as Luddites.

It must be emphasized, on the other hand, in justification of the near panic which at times gripped the property-owning classes, that the destruction of machinery caused by Luddite attacks was considerable, especially in the Midlands, where the most successful movement existed. Between March 1811 and February 1812, 1,000 machines were smashed, and by the time that a law had been passed in 1812 making machine breaking a capital offense the rioters had become so expert that "they could destroy a frame almost noiselessly in one minute; and protected by sentinels and the sympathy of their fellow workers, they seldom failed to escape detection."¹⁴ Furthermore, later riots developed from attacks on machines to raids on firearm shops, and the famine price of food led to attacks on provision shops and grain dealers.

The hostility toward machinery stemmed from the disruption of the lives of the people brought about by technological change, and was intensified by

a series of disastrous harvests. There was at the same time a ferment in political thought, precipitated by revolutions in America and France, which was driving political opinion to both revolutionary and conservative extremes, and a long war, accompanied by all the social, economic and chauvinistic changes which war invariably brings. The period of rapid development that occurred in England during the latter part of the 18th and the early part of the 19th centuries was unprecedented. In the space of less than a century, greater and more widespread changes took place than in the entire recorded history of the country. The remarkable increase in the size of the population which occurred during the 19th century had begun before the outbreak of the Napoleonic Wars; mid-18th-century England had a population of about 7 million people, mainly rural, whilst in 1815 the population was 13 million. This increase was accompanied by a still more rapid growth of urbanization. The development of small towns to large urban centers meant that numbers of rootless workers found themselves in bewildering circumstances, deprived of all the traditional background to orderly living. They were deprived, too, of the stabilizing influence of the parish and the local social order in which they had recognized their "place," without even the protection of a police force—not then in existence—and at the mercy of economic forces which overturned all the safeguards under which they and their forbears had lived and worked.

Still in force at this time was the old Elizabethan Statute of Artificers, under which conditions of employment were regulated and magistrates were empowered to fix wages. In practice this and other old statutes had fallen into disuse, and when workers looked to the State for protection, hoping for a Minimum Wages Act, for instance, what they encountered was an attitude which had been moulded on Adam Smith's *Wealth of Nations*. It was expressed in the laissez faire doctrine, on the basis of which all attempts to interfere with freedom of contract between employers and workers were repudiated. Long before the formal repeal in 1813 of the clauses for the regulation of wages in the Elizabethan statute, and the abrogation in 1814 of the apprenticeship clauses, the workers had ceased to derive protection from this legislation. In addition, the Combination Acts of 1799, passed against combinations of workers and employers, were in practice enforced only against the former, while a Minimum Wage Bill was rejected in 1808, making it plain that workers could expect no help from the Government to alleviate the disastrous situation in which so many of them were placed.

The organization of the knitting and lace-making trades was based partly on the new factories and workshops which were organized around new machines and sources of power, but largely on the old domestic system which, however, had developed to the point at which production was still largely carried on in the homes of the workers but with machines owned by the employers. In the Midlands, the hosiers who used home workers began themselves to experience the pressure of competition, and reduced their payments to the knitters by means of arbitrary deductions or by making their payments in kind or by paying in credits on their own shops, at which they could charge what price they wished. The competition from which they suffered, but which pressed far harder on the workers, came from the use of the "wide frame," formerly used for the making of pantaloons, to produce a shoddy material which was then "cut up" to make inferior, unfashioned stockings. At one blow this practice made possible the use of partly trained labor by

masters who took on more than the permitted number of apprentices, reduced the price of labor in the industry by this dilution, and produced a class of goods which spoiled the good name of the products of the area. It bore particularly hard on the small domestic producers in villages surrounding Nottingham, whose goods, being of the lower quality, were more subject to the resulting competition and who, because of their scattered locations, were unable to bargain as the stockingers in Nottingham, fortunate in their leaders, were at times able to do. When Luddite attacks occurred, it was against the wide frames and undercutting employers that their wrath was directed. Indeed, warnings which were issued to employers, and other papers to be found in the Home Office file marked "Disturbances," make it plain that by their attacks the Luddites hoped to obtain a series of concessions which they had long been seeking by negotiation, by petitions to Parliament, by the formation of the Nottingham "Union," and by strikes. In one document in the Home Office files they sought to establish their constitutional right so to act by stating that the Charter of the old Framework Knitters Company gave the men the right to break frames. The document declared that the Act making framebreaking a felony had been obtained in the "most fraudulent, interested, and electioneering manner" and was therefore null and void. It warned that the Luddites would destroy frames making "spurious" articles, for which the workmen were not paid "in the Current Coin of the Realm." In another of the papers their objects are set out in verses entitled, "General Ludd's Triumph":¹⁵

The Guilty may fear but no vengeance he aims
At the honest man's life or Estate,
His wrath is entirely confined to wide frames
And those that old prices abate.

The attacks on machinery which occurred in Lancashire and Cheshire from 1811 to 1813 and in Yorkshire from 1812 to 1813 were occasioned more by the distress into which unemployment, low wages, and high prices had brought the workers than by any hopes such as those entertained in the Midlands that corrections could be made in the industry. In the Northern counties workers had been replaced by larger machines, steam looms, gig mills, and shearing machines which put out of work large numbers of men formerly employed to undertake the same processes by hand. These were the machines against which their attacks were directed. The older machines, even when the men employed on them were paid starvation wages, were not the object of destruction. Attacks took place on the factories where the new machines were operating, taking the form of assaults, often by night, in which relatively large bodies of men were involved and against which the employers put up vigorous resistance. Eventually there occurred the murder of one employer, the attempted murder of another, and attacks on the local officer commanding the troops, on militia, and on suspected informers. Once disorder had reached this level the character of the attacks altered. From the smashing of machines and collection of arms, which had been the avowed and actual policy of the Luddites, the assaults began to include an increased number of common robberies, a circumstance which was a great inducement to ordinary criminals to profit by the prevailing disorder. The efforts of the authorities, spurred by the frantic appeals of terrified householders, were redoubled. Troops were

assisted by spies and informers, and after some instances of arrests the Luddites knew that their secrets were no longer safe; the strength of the movement began to wane. By the autumn of 1812 it was the opinion of the Treasury Solicitor that many of the robberies still being committed were the work of a gang who were sheltering under the name of Luddites. During January 1813, trials were held of those who had been arrested in the summer and autumn; after nearly half of those charged had been discharged for lack of evidence, 34 cases were tried. The sentences passed were heavy; 17 men were hanged and 8 transported. Great publicity was given to the trials, and the severity of the sentences struck terror into the Luddites. Much of the steam had in any case gone out of their movement because the harvest of 1812 had been a good one. Moreover, trade with Europe had improved enough to make good much of the loss suffered by the loss of American trade caused by the Orders in Council and ensuing war, and there had been an upward turn in employment. After the 1813 trials, Luddism in Yorkshire died down; it recurred in the Midlands, in 1814 and in 1816, and later, sporadically, for many years.

Reference has already been made to the economic distress which the workers suffered during these years, to the disruptions of employment brought about by technological forces and the exigencies of war, and to the food shortages caused by a series of disastrous harvests which occurred during this period. Prices rose considerably; taking 1790 as the base year, prices in 1817 were 87 percent above their prewar level. Throughout the period 1790 to 1810 prices rose faster than wages; in many cases wages even fell, and General Maitland, commanding the troops in the North, in 1812, estimated that in the previous year prices had risen and wages had fallen by almost one-third.

The employers themselves by no means universally benefited from the demand situation created by the wars; Napoleon's attempts to strangle trade with England, and the Orders in Council that aimed at a blockade of Europe, had imposed constraints on trade which were greatly exacerbated when the Americans, exasperated at claims to search their merchant ships, imposed a cessation of trade with Europe. In 1809 a diminution of £11 million took place in trade, and imports of cotton fell from £32 million to £5 million, causing untold hardship in Lancashire. Of 38 mills in Manchester, for instance, only six were working in 1809. In the same year there was a spectacular collapse of the trade with South America, which had been expected to replace trade lost elsewhere. Even after the end of the war in 1815, there was no respite from distress for the workers; in addition to the disruption to manufacture caused by the cessation of Government orders, unemployment was increased by the discharge of 300,000 soldiers and sailors. And the Government, which saw revolution in every shadow and had become accustomed to the military solution of such dangers, saw in the workers' expression of their distress a state of affairs to be dealt with by strict repression.

Why was it that such widespread distress and the repression of working class protest did not lead to revolution, as it had elsewhere? Most of the reforming ideas current then had a common origin with the ideas that inspired the French revolution. That they did not lead to the same conclusion was in great measure due to the different role played in events by the intellectuals and the bourgeoisie.

THE CREATING OF A RADICAL MOVEMENT

Instead of the growth of a revolutionary movement, there developed in Britain during the last decades of the 18th century and the early part of the 19th century, a movement for the radical reform of Parliament and the social system. The excesses of the French revolution and the decline into despotism, foretold by Burke in his *Reflections*, had convinced the English bourgeoisie that revolution would be fatal to their interests. Their support was given to promoting innumerable societies, presenting petitions to parliament, and holding meetings to promote reforms. Out of this activity grew a habit of thought that political reform should proceed constitutionally rather than by the violent destruction of established modes and patterns of government. At the end of the 18th century there were on hand a number of tenacious leaders of thought ready to impel the movement of popular reform in the direction of peaceful political change.

Towards the end of the Napoleonic war the political activities of the middle class and working class alike were increasingly channeled into these streams of reform.

It was generally reported by the authorities, and the evidence of spies seems to confirm the fact, that petitions for peace and parliamentary reform, and the formation of Spencean Societies and Hampden Clubs, began to absorb the energies of the people. The political, radical movement, the work of Cartwright, Cobbett and Place, upon the one hand, and the more disjointed, ineffective revolutionary seditious movement, the work of agitators like Benbow, Thistlewood and the Watsons, on the other, which had been factors in many of the events of 1811-13, and had unnecessarily confused the spies and some of the authorities of those days, because they seemed to be, though in fact they were not, connected with Luddism, now replaced Luddism as the centre of interest.¹⁶

These interests were channelled by a number of organizations such as the Corresponding Societies and Hampden Clubs, the latter organized on much the same basis as the Methodists, with local groups and traveling orators or preachers. One of the most zealous of these was Maj. John Cartwright, indefatigable organizer of Hampden Clubs and of petitions, and a believer in constitutional reform and universal suffrage; in 1811, aged over 70, the major made a tour of the North and Midlands in order to start Hampden Clubs among workingmen there. In another direction, William Cobbett's *Register* and pamphlets had a tremendous influence on the currents of working-class and middle-class thought.

The tremendous expansion of the employed labor force between 1760 and 1820 had led to a growing awareness of a common working-class interest. The social protest which had centered on the displacement of the hand loom weaver and stocking frame knitter began to assume a broader significance. In every field of employment men were clearly in conflict with masters over rates of pay and conditions of employment. The market was now the dominant factor determining what a man might earn, but what a man had to spend on the necessities of life, his "cost of living," was regulated to benefit the

farmer and landowner. The landed interests looked upon the growth of manufacturing industry as a threat to their economic welfare and traditional way of life. During the Napoleonic wars, corn growing had been expanded, but the end of this war brought a sudden and sharp fall in prices and a flood of imported grain. Parliament, which was dominated by landowners, acted quickly by passing a Corn Law in 1815 to protect rural income standards against a fall in price. This law prohibited the import of corn until the price on the home market reached 80 shillings a quarter.

The effect of the Corn Law was to raise the price of bread, the staple diet of most workers, thus reducing their ability to buy other commodities and increasing their hostility to the landed interests who controlled Parliament. The manufacturing employers, as well as their workers, were also in favor of the import of cheap foodstuffs, since they knew that they had much to gain from this policy. However, free trade, which would increase the employers' profits and give the workers cheap food, could only be obtained by withdrawing protection from the farmers. Free trade could not be achieved until Parliament had been reformed and rural interests subordinated to those of industry and the urban community.

In the period immediately after the end of the Napoleonic War, the workers were hard hit by unemployment, high food prices, and indirect taxation. They reacted to these adverse circumstances by demonstrations in favor of radical social and economic reforms. There were riots in the Midlands and elsewhere over decisions of employers to reduce wages and the high price of bread and other foods. In Nottinghamshire and Leicestershire, violent outbreaks of machine wrecking occurred which the authorities suppressed by arresting and executing a number of men. In the following year the framknitters were on strike again in protest against the unsatisfactory prices they were paid for their products. An abortive attempt was made in Derbyshire to begin an armed revolt, but this was quickly crushed and the ringleaders executed.

The Government response to these outbreaks of unrest was the same as it was during the Napoleonic Wars, namely, ruthless suppression. It suspended the Habeas Corpus Act, and passed an act which forbade all public meeting except those held under a license from a magistrate. Penalties for uttering or publishing seditious works were increased.

The Government was convinced by various incidents and the information it received from its spies that there was a serious threat of insurrection. Although an army of informers was being paid to keep a close eye on the activities of workingmen and radicals, Britain possessed no professional police force capable of evaluating the flood of dubious reports of plans for revolution. Law and order was precariously maintained by a system of law enforcement devised in the time of the Tudors. Outside London the Lord Lieutenant of each county was responsible, as the representative of the Crown, for ensuring that civil peace was kept. Under the Lord Lieutenant was a body of Justices of the Peace that administered the criminal law and was empowered to take other steps to prevent a breach of the peace. If necessary, a Justice of the Peace could issue warrants for arrest, enroll special constables, and summon the military. In most towns and villages there were volunteer constables and "trained bands" of citizens who could be called upon when required, but this private police system was unreliable and inefficient. The need for a professional police force was recognized by liberal reformers as the key to making

the criminal law more humane. However, police were regarded by many liberal-minded men as well as diehards as an alien, continental device for maintaining a tyrannical form of government.¹⁷ In the absence of a police force, mobs were given a good deal of latitude. Civil strife was kept within bounds by the savage punishments—including executions and deportation—that could be imposed by Justices of the Peace, and by calling out the army when the situation threatened to get completely out of hand.

The turning point in popular attitudes followed the "Peterloo Massacre." Terrified by a vast gathering that had assembled in St. Peter's Fields, Manchester, on August 16, 1819, to hear the celebrated orator, Hunt, speak about the Reform of Parliament, the local magistrate called out the military to disperse the crowd. A charge by mounted yeomanry followed by another by Hussars cleared the fields, but at the cost of 11 dead and several hundred injured.

The local authorities had demonstrated their determination to prevent large-scale gatherings that threatened to lead to attempts to overthrow the civil authorities, but the effect of the "Peterloo Massacre" proved very different from that which had been expected. The country was horrified at the brutality of the military in "breaking up" a completely peaceable gathering. The Government was not disposed to apologize for events at Manchester, or to draw back from their implications. It knew that there had been a good deal of drilling and marching in readiness for revolt by radical groups in the North, and shortly after the "Peterloo Massacre" it introduced Six Acts of Parliament, designed to prevent revolutionary gatherings and to deter any groups that might be plotting insurrection.

The Six Acts of 1819 gave to Justices of the Peace powers to close any meeting which they believed might be a threat to public order; to search any building for weapons and seditious literature and to confiscate them when found; to stop drilling or training in the use of firearms; and summarily to convict political offenders. Dominated by anti-Jacobin fears, the Government took particular exception to the flood of radical publications, which it was determined to suppress. It sought to do so by greatly increasing the penalties for publishing blasphemous and seditious libels and by extending the tax on newspapers to every type of periodical. The objective of the Government was to close down the radical journals of Cobbett, Carlile, and Wooler and to prevent the selling of reprints of Tom Paine's *Rights of Man* and *Age of Reason*. Since the tax put the radical journals beyond the pocket of the workers, their editors had to issue them unlawfully, without the tax stamp. During the next 15 years the "great unstamped" radical press became one of the most important factors in the struggle for political reform. Hundreds of editors, printers, and publishers were arrested and sent to prison for defying the law, but the Government was unable to stamp out this circulation of cheap, untaxed, radical publications. The stamp tax was reduced from 4 d. to 1 d. in 1836—four years after the Reform Act of 1832—but it was not until 1855 that it was finally agreed by the Government that an untaxed free press was not likely to subvert respect for authority or to encourage the lower classes of society to acts of rebellion.

The harsh repression of every manifestation of social protest effectively limited working-class organizations. Apart from one or two relatively isolated instances of conspiracy to organize an insurrection, which were swiftly and

ruthlessly crushed, the next few years saw no attempt to organize political unrest. Although this quiescence owed a good deal to the manifest determination of the Government to put down any activity that threatened to lead to seditious utterances or public disorder, it was also due to an economic boom that brought an improvement in wages.

The punitive measures the Government used so fiercely failed to prevent the transformation of the radical movement from a series of sporadic insurrectionary protests against High Toryism into a powerful political force. Factors that particularly stimulated the growth of the radical movement were (1) the unpopularity of George IV and his discreditable efforts to rid himself of a wife whom he no longer wanted; (2) the development of trade unionism, and with it the uniting of work-class and middle-class Radicalism; (3) the growth of Tory reformism.

The working and middle classes found a common cause in the defense of Queen Caroline against the King and his ministers. The popular ferment aroused by this squalid matrimonial quarrel undermined the authority of the Government and doomed High Toryism to defeat from within by encouraging the growth of Tory radicalism.

THE LIBERATION OF THE UNIONS

The death of Queen Caroline in 1821, followed by buoyant economic conditions for some years, quieted the voice of radical protest. During this period Francis Place, with the support of a group of radical Members of Parliament, conducted a successful campaign to secure the repeal of the Combination Act of 1800. Place was able to persuade Parliament to sweep away the restrictions on trade unions mainly because its members were no longer afraid of revolutions. He was also able to convince members that the unions would not be able to influence the level of wages significantly.

Advantage was immediately taken of the rights granted to workers to organize. The newly established unions quickly made demands for bargaining rights and improvements in pay which were followed by widespread strikes. This outbreak of industrial militancy led the Government to amend Place's Act in the following year, but it resisted calls to return to its previous policy of suppression. This more tolerant attitude was due in no small degree to the ascendancy in the Government of a group of liberal Tories. The death in 1822 of Lord Castlereagh, who had been the chief exponent of the Government's vigorous anti-Jacobin domestic policy, had opened the way to a major shift in Tory policy. Although he had saved Britain by organizing the defeat of Napoleon, Castlereagh had become a detested figure and his death by suicide was celebrated with popular rejoicing by crowds of workers throughout the country.

Sir Robert Peel was perhaps the most able and far sighted of the liberal Tories, and during the next few years he was able to bring about a revolution in the system of law enforcement. Appointed Home Secretary in 1822, Peel at once began to abolish the system of spies and agents provocateurs which had aroused such hatred and bitterness among workers and radical groups during the Napoleonic period. He abandoned the persecution of the radical press and greatly humanized the whole pattern of criminal justice. The death penalty was abolished for over a hundred offenses. But perhaps his most important achievement was the establishment in 1829 of the metropolitan police

force. Until the creation of Peel's police force there was no force capable of dispersing a mob or controlling a demonstration other than the army. The new police were not provided with firearms, only with stout sticks. Peel's aim was that they should become respected rather than feared by the populace. It is difficult to overestimate the significance of a police force that relied not on the weapons of war to enforce its authority, but on winning popular support for its function.

The Reform Act 1832

The trend towards more liberal policies was suddenly checked in 1828 by the death of the liberal Tory Prime Minister, Canning, and the succession of Wellington, the victor at Waterloo, to the office. Wellington hated the idea of Parliamentary reform, but under the influence of Peel he was persuaded of the necessity to repeal the Test and Corporation Acts, which prohibited Dissenters from holding national or local government offices, and to pass a Catholic Emancipation Act which allowed Irish Catholics to take seats in the House of Commons. This decision led to the downfall of the Tory Government and opened the way for a Whig administration under Lord Grey, who was ready to introduce a reform bill.

With the prospect of Parliamentary reform now much closer, the reform movement began to gather momentum. Following the lead of Birmingham, political unions were formed in many towns to agitate for parliamentary reform. In 1831 these associations linked up to form a National Political Union, which became the spearhead of the campaign for a reform bill.

The campaign became a crusade which united all classes and groups in the greatest political movement that Britain had ever seen. "Down with the rotten boroughs" was a cry which rallied support from all quarters. In the majority of Parliamentary constituencies the ordinary Englishmen had no vote and Government was an aristocratic privilege.

Every class that was hoping to exert influence over Parliament was enraged that more than half of the House of Commons owed their seats to individual peers and commoners. The borough owners, who for generations back had pulled the strings of ministerial favour and lived on the fat of patronage—they had their kinsmen and their servants—suddenly found themselves objects of universal execration, and the "borough property" which they had inherited or purchased was denounced as having been stolen from the nation. The cry against the "borough mongers" rose on every side. Capitalists, clerks, shopkeepers, besides that great majority of the inhabitants who were comprised under the two categories of workingmen and Dissenters, all were talking against "old corruption." The very ostlers and publicans entered into the spirit of the hour. Even country gentlemen who did not happen to have an "interest" in a borough, began to think that they would like to see a fairer proportion of country members in the House, honestly chosen by themselves and their farmers. The only class that remained solid for the old system was the Church clergy who were so conscious of their unpopularity that they believed Reform would lead to the destruction of the Establishment.¹⁸

As the campaign was beginning to gather speed a new factor excited political opinion. Charles X and his Government in France had illegally suspended the Constitution and had been overthrown by the Revolution of 1830. The Belgians also revolted against the unification with Holland that had been imposed after the defeat of Napoleon. The effect of these uprisings and constitutional changes greatly influenced the general election that took place in Britain in 1831, bringing into the House a good many new Whig members who were ready to vote for a reform bill.

The French Revolution of 1830 was a victory for the French middle class and it suggested to the British middle classes that they too might get rid of aristocratic rule if they were determined to do so. Fear that the British middle class might follow the example of the French was a potent factor in persuading the leaders of both the Whigs and Tories that the time had arrived to make concessions peacefully, on pain of risking a revolution against the propertied and aristocratic classes. When the reform bill was introduced, it went further than even most Radicals expected by sweeping away all the "rotten boroughs."

The bill passed the House of Commons with a large majority, but the House of Lords was determined to keep the constitutional power of its members intact and threw the reform bill out. The populace was outraged by the peers and the bishops who had voted against the bill and the country teetered on the brink of civil war. In the north, workingmen prepared to oppose the Lords with arms if necessary. In the south, hay ricks were burned night after night. The national mood was turning to anger and the resentment that had produced the riots could easily have turned to more violent opposition to the established order. Recognizing the danger, Wellington lent his great support to the passing of the bill. The King, who hated the idea of reform, had rid himself of Grey, but Wellington's attempt to form a new government failed and the King had to summon Grey again and then accept the inevitability of reform. Had he not done so, the upsurge of radicalism might have welled over into a revolution that could have turned Britain into a republic.

The Reform Acts abolished the tied boroughs and substituted a popular election for the nomination of members by those who owned the "rotten boroughs." The right to vote was limited, however, to those who paid a £10 tax rate, and most workingmen were thereby excluded from the provisions of the bill.

The leaders of the working-class radical movement, Cobbett and Place, decided, reluctantly, to support the bill, believing that once the principle of reform had been put into practice it could soon be extended to cover all urban workers and to achieve the secret ballot.

The importance of the reform bill and the campaign that had preceded its passing lay in the fact that it was a victory of the people over the peers. The "sovereignty of the people" was beginning to be made meaningful. The King and the aristocratic members of the House of Lords could no longer ignore the great majority of the people. They had been obliged to recognize that the price of survival was reform and that with the old order was over.

UNIONISM AND CHARTISM

The Reform Act of 1832 was a victory for the middle class, but to most workers it was little more than a fraud. The pressure from the working-class

radical movement had been an important factor in convincing the Whigs of the importance of Parliamentary Reform. It had not been significant enough, however, to convince the Government that they should concede the right to vote to workingmen as well as to middle-class property owners. Not surprisingly the growing numbers of skilled workers turned their attention to forming trade unions to protect their interests. They saw trade unions as the means for reshaping society which had been denied them by the Reform Act.

The most remarkable development occurred with the founding by Robert Owen of the Grand National Consolidated Trades Union in 1834. The object of the leaders of the Grand National was to embrace all workers, irrespective of their trades, in one vast trade union which would be able to regenerate society by eventually taking over industry and running it cooperatively.

Robert Owen's scheme captured the imagination of workers everywhere and within a matter of 6 months the Grand National was said to have grown to half a million strong. Exhilarated by this remarkable development, many branches of the union spontaneously decided to call out their members on strike. They met with fierce resistance from the employers and in most cases they had to abandon the union as the price of returning to their employment. Some of the leaders of the Grand National wanted to coordinate strike activities so as to bring about a general strike which would overthrow all the employers at once. Owen was much opposed to this class war concept of trade unionism. He saw men and masters as having a common interest as producers and wished to see them solve their problems by cooperation rather than by conflict. Confused by this dispute about aims and tactics, the local leadership lost heart as opposition from employers and the Government mounted.

The rapid growth of the Grand National Consolidated stirred the fears of the propertied classes, who were determined to defend their interests by invoking the aid of the courts when possible. The establishment of a branch of the Grand National in the village of Tolpuddle in Dorsetshire brought the union into direct conflict with the heirs of the Tory despotism that had managed and controlled rural Britain for 300 years. The Government had encouraged the judiciary to deal with the unions energetically, and the Judge who tried six farm laborers of Tolpuddle for swearing an unlawful oath was not wanting in this respect. They were tried, found guilty, and sentenced to transportation for 7 years.

The dreadful punishment imposed on these six farm laborers who, in their innocence, had formed a union to seek better wages, was greeted by workers and liberal-minded men in all classes as an outrage. A massive protest was made, which at first had little effect, but eventually compelled the Government to bring back William Loveless and his friends and grant them a pardon.

The persecution of trade unionists by threatening them with transportation did not check union growth. Nor did the new poor law, passed in 1834, solve the problem of poverty and pauperism. The new industrial-based ruling class was opposed to the system of parish relief, which was administered in a relatively easygoing way. Henceforth, "out relief" would not be given to able-bodied males who, it was assumed, if out of work, were so for willful reasons. Relief was to be given only in workhouses, where the conditions were to be as "disagreeable as consistent with health." It was believed that unless the applicants for public assistance were harshly treated, workers would cease to work in preference for relief.

There was considerable resistance to the merciless administration of the new poor law and in the North the operation of the Act was held up for some years by the effective opposition of employers as well as workers. One effect of the new poor law was to underline the fact that workers had no vote; it provided a stimulus that helped to bring into being a national political agitation to achieve the rights that workers had been denied in 1832.

Chartism, as the new movement was called, grew out of the efforts of the Government to check the circulation of the unstamped radical periodicals. In 1836 a group of radical editors and supporters met together in London to consider how editors, printers, and publishers could be protected from persecution. Out of this gathering was established the *London Workingmen's Association for Benefitting, Politically, Socially and Morally the Useful Classes*. In 1837, the London Workingmen's Association presented a petition to the House of Commons asking for: (1) universal suffrage; (2) equal electoral districts; (3) annual Parliaments; (4) payment of members; (5) secret ballots; (6) no property qualifications. Having attracted tremendous support, William Lovett incorporated the six points of the Charter into a Parliamentary Bill.

The Charter aroused tremendous enthusiasm. A national petition in support of the Charter, signed by over one million citizens, was presented to the House of Commons. When the petition was rejected, the Chartists, meeting in convention, decided to call for a Sacred Month of general strike.

There were sharp divisions of opinion among the Chartist leaders on the tactics that should be followed. William Lovett and his friends believed they should rely on moral force. At the other extreme, George Harney and his followers believed that only armed insurrection could overcome the opposition from the established political parties. Between the two extremes were those whose advocacy vacillated and changed with the circumstances.

With the failure to persuade Parliament to accept the petition for the Charter, those in favor of armed revolt achieved an ascendancy. An attempt was made to capture Newport by a force of 4,000 Chartists. This was to be the signal for general insurrection, but the adventure came to an inglorious end. Some 30 soldiers, well hidden, put the Chartist army to flight. The leaders of the abortive revolt were arrested. Three of them were sentenced to death, later commuted to transportation, and most of the others were sent to jail.

The Chartist leaders, after a considerable degree of recrimination about the Newport fiasco and argument about future tactics, decided to establish a National Charter Association which was to be a strictly political organization. However, the leadership remained divided. Under the influence of Fergus O'Connor, a messianic but unstable Irishman, the Chartists aggressively demanded the immediate political emancipation of the working class. Other Chartist leaders had become convinced that the only way in which the workers would achieve the right to vote was by an alliance with the middle class. They proposed the establishment of a "Complete Suffrage Association" which would bring together traders, employers, and workers.

A second petition to Parliament, launched in 1842, secured over three million signatures. Again the House of Commons rejected it by an overwhelming majority. However, support came for the Chartists from the Free Trade Radicals who were seeking through the Anti-Corn Law League to end the protection enjoyed by the landed interests. When the price of wheat rose, and with

it the price of bread, workers in Scotland, Lancashire, and the Midlands went on strike against the increase in the cost of living and were supported both by Chartists and the Anti-Corn Law League. This spontaneous development took the leadership of the Chartist Association by surprise. There was fear that the strike would get out of hand to become another insurrection which the authorities would ruthlessly crush. Fergus O'Connor, after wavering, supported the strike, then a week later came out in opposition to it. Without effective leadership, no clear strategy, and unwise tactics, the strike inevitably collapsed and with it the Chartists as an effective movement.

Under the wayward leadership of O'Connor, the movement lingered on, but many former active supporters turned their attention elsewhere. The Anti-Corn Law League, which was more effectively led and had a more practical goal, attracted a good deal of the popular support which had gone to Chartism. Following the repeal of the Corn Laws in 1846, working-class supporters again turned their attention to political reform, and support for the Chartists began to grow once more. Economic depression sharpened the edge of the demand for political rights and with the European revolutions of 1848 the Chartists' hopes of achieving a successful revolution were revived, but these were no more than romantic illusions that were swiftly dispelled by a Government that would not tolerate even O'Connor's comic-opera efforts to organize an insurrection. More serious attempts by a group of determined militants to turn the movement into a genuine revolutionary force were quickly frustrated by the police. The whole of the group was convicted and the main leaders sentenced to transportation for life, thus finally ending the threat of a popular revolution.

As has been pointed out, Chartism, like Luddism, was a movement of social protest against adverse economic conditions. Its rise and fall was almost as exact as a barometer.¹⁹ The high waves of Chartism in 1839, 1842, and 1848 were closely linked to immediately preceding periods of trade depression. "In 1849 revival started and Chartism began to weaken; in 1850 prosperity was general and Chartism collapsed."²⁰

It was not only the improvement in economic circumstances that lost Chartism its following. Workers were shifting their allegiance to other organizations. The trade unions were steadily growing and were gradually gaining acceptance as organizations that would bring succor to workers in times of economic distress due to unemployment, sickness, injury, and death. Most of the Trade Societies had stood aloof from the activities of the Chartist Movement, not wishing to embroil themselves in situations which might lead to their destruction. In 1845, the Trade Societies established a National Association of United Trades for the Protection of Labor, whose purpose was to strengthen the bargaining power of the unions. This organization betrayed in its constitution and activities evidence of Owen's influence, and it encouraged the establishment of Societies for the Redemption of Labor for the purposes of establishing cooperative workshops and consumer societies. However, its administration was from the first characterized by moderation. Its main objectives became the promotion of peaceful industrial relations through conciliation and arbitration.

The most important advance in trade union organization was achieved in 1851, with the successful creation of the Amalgamated Society of Engineers out of several small societies. The significance of the establishment of the

ASE lay in the fact that it represented a coming to terms with mid-Victorian capitalism. Its founders turned their backs on the revolutionary ideas of Robert Owen and Chartists. The men who founded the ASE were a group of young, skilled workers, who had been much influenced by religious nonconformity and the development of an affluent society. Their revolution, for that is what it was, "was a revolt in favor of prudence, respectability, financial stability and reasonableness and against pugnacity, imagination and any personal indulgence."²¹ The growth of a national trade union movement after 1850 and the development of a leadership that embodied the recognized virtues of the Victorian middle class ended all danger of a workers' revolution.

The moralistic approach of the trade union leaders to social problems was strongly buttressed by the pervasive influence of religious education. Religious teaching and its social implications was at the core of every type of educational establishment, village dame schools, grammar and charity schools, factory and workhouse classes. The influence of Sunday schools assiduously conducted by chapels and churches throughout the country was enormous. One employer was moved to say of Sunday schools that they had brought about an extraordinary change in the children that he employed in his factory. It was as if they had been transformed from wolves and tigers into men.²²

Another effect of the education offered in Sunday schools by the thousands of chapel-based religious groups was the experience of organization gained by their members. The broad Methodist movement had well-ordered arrangements, and its visiting preachers extolled the virtues of diligence, thrift, punctuality, temperance, and good will. In other small chapels up and down the country, nonconformists who had broken away from the main movement tried to organize their chapels on democratic lines and formed radical political views in the process. They also learned at the same time about constitutional procedure and the reconciliation of differing points of view. Nonconformism helped to change them into punctual, diligent factory workers; it also gave the working-class movement a tremendous moral strength. And because their religious beliefs led them into a faith that right would prevail if steadfastly upheld, they eschewed violent methods and strove to win respect and acceptance for their just demands.

The middle class provided an exemplar of a pattern of life to which the skilled worker could with reasonable expectation aspire. The artisan with his apprentice-acquired skill and membership in a friendly society, cooperative society, and trade union had a secure place in the structure of society that placed him only a step below the counting-house clerk, the shopkeeper, and the small factory employer.

The importance of the link between the working class and the middle class was held by James Mill to be one of the most important safeguards against violent revolution. He stated that—

The opinions of that class of the people who are below the middle rank are formed and their minds are directed by that intelligent and virtuous rank who come most immediately in contact with them, who are in the constant habit of intimate communication with them, to whom they fly for advice and assistance in all their numerous difficulties, upon whom they feel an immediate and daily dependence, in health and in sickness, in infancy and old age; to whom their children look up as models for their honour to adopt.²³

The desire to emulate the middle class was undoubtedly a factor in the remarkable growth of village savings clubs and of mutual credit, insurance, thrift, and friendly societies. The activities of these societies together with savings banks, building societies, and cooperatives provided workmen with an opportunity to build up a modest sum of capital which could ensure freedom in days of distress from the degradation of the workhouse and the ultimate disgrace of a pauper's grave.

The Victorian workman learned readily the lesson which his masters were fain to teach him. He was as thrifty as they could desire; and in many respects his thrift both made him more tolerant than his fathers of the system under which he lived and led him to assimilate its ways of action and thought.²⁴

The consumer cooperative movement was perhaps the most ingenious example of that combination of thrift, idealism, and commonsense that characterized the mid-19th century labor movement. The cooperative movement, which started in 1844 at Toad Lane, Rochdale, enlisted the energies and aspirations of workers who had regular jobs, and who while wanting to insure that the wages they earned were spent on unadulterated food at economical prices, also wanted to see the reform of society. Cooperation provided an alternative form of ownership to private capitalism, one which could be achieved without conflict. But as the Christian Socialists, who played a prominent part in developing the cooperative movement, pointed out, it embodied the fundamental characteristics of capitalist trading and manufacturing, providing a means of saving, and perhaps most important of all, offered workmen an opportunity to participate in running an enterprise which had to accumulate capital and pay a dividend. In this respect it gave workers both an understanding of and a stake in capitalist society.

SUMMARY AND CONCLUSIONS

The period from 1783 to 1867 has been called an age of improvement.²⁵ There can be no doubt that during this time the most remarkable changes occurred in Britain. Perhaps the most astonishing of all was the change from a conflict-ridden society in which mob violence was matched by the savage brutality of hangings and transportation for life to a society in which conflict was regulated by rules adopted voluntarily. The principal factors responsible for transmuting the tradition of violent behavior on the part of both the poorer classes and the authorities into a pattern of orderly procedure for the settlement of social and political conflicts were economic growth, political reform, moral suasion, and institutional developments. It is difficult to assign an exact weight to each of these factors; however, they combined to influence decisively the course of events.

There can be no doubt that the tremendous growth of industrial employment and output in the midyears of the 19th century brought about a significant improvement in the standard of living of the urban working classes. What was perhaps even more important was that it created a climate of confidence and a readiness to seek change in an orderly way. The cult of progress, which was strongly manifested in the Great Exhibition of 1851, was shared by all groups. The leaders of the trade unions and the workers they represented had

come to terms with society. Their aim was to secure the benefits that liberal capitalism had to offer rather than to seek its overthrow by violent revolution.

By the time of the death of Lord Palmerston in 1865, the unions had gained acceptance as legitimate organizations, although they continued to be denounced by employers as an unwarranted interference with their freedom to conduct their business affairs as they might choose, and by the courts, who found the activities of the unions in conflict with the basic tenets of a laissez-faire society. The decision by Disraeli in 1867 to seek to bring the two Englands of *Sybil* closer together, by extending the franchise to the urban worker, guaranteed that the position of the unions would be strengthened and the role of organized workers become politically more significant.

The reaction of both the main body of union leaders and the Government to the resort to violence by a group of Sheffield trade unionists, whose economic circumstances had been seriously injured by a depression in their trade, illustrated the extent to which the unions had become an established social institution. This type of coercion was swiftly and completely repudiated by the unions, and the Royal Commission set up by the Government exonerated them; it recommended changes in the law which would give the unions a secure legal position and permit them to develop their collective bargaining functions within a framework of reasonable constraints. Had the unions not been able to demonstrate effectively through their leaders that they repudiated violence, it is probable that the laws regulating union behavior would have been made as repressive as they were on the Continent.

There was continuously, throughout the 19th century, an interplay of constraint imposed by law and public concession to the notion of voluntary collective self-regulation. The fears of those who believed that the removal of legal restrictions on the rights of the unions to organize and to bargain collectively, including the right to strike, would lead to civil violence and revolutionary strife, were never realized. There were many demonstrations against major and minor grievances, but these always evaporated into the orderly procedures of collective bargaining or parliamentary action.

The emergence of a labor movement and its assimilation into the political structure of the state was a factor of major importance. This development directed protest into a channel where social grievances could be remedied by legislation passed by a Parliament in which the labor movement after 1874 was represented by its own members, and after 1900 by its own party.

The balance between the pressure for social change and the concession of those in authority to that force was constantly shifting, but was always kept within bounds by the desires of the leaders of the labor movement to retain their independence and the desires of those wielding the political authority to retain the democratic party system.

Throughout the 19th century all Governments insisted on the maintenance of law and order; the resort to violence was swiftly and effectively countered by firm action by the authorities. This sometimes harshly repressive policy provoked bitter cries of protest, but these were tempered by the knowledge that Governments could be changed and the power of the state used to ameliorate the condition of the working classes.

By the 1840's it had become increasingly obvious to Tory radicals that laissez-faire, which was so wholeheartedly supported by manufacturers, merchants, and the financial and trading community, had appalling consequences

for the weakest groups in society. The succession of factory and mines acts to protect women and children from the gross exploitation of their labor were the result of combined action between enlightened legislators and the working-class leaders. The Poor Law of 1834, which abolished outdoor relief and was administered with a deliberate inhumanity, was gradually tempered by enlightenment and was eventually swept away by the introduction of a state-administered system of social security. The wretched conditions of the overcrowded and unsanitary large towns were vastly improved by the work begun by Chadwick in the 1840's. Corrupt local government was swept away, the foundations of an effective public health service laid, and a public system of education created.

Over the second half of the 19th century the discontents of the working-class were met by piecemeal social reforms. These were not secured without a struggle, since the opposition of the well-to-do classes was often considerable and was only overcome by sustained popular pressure and the skillful use of political influence and bargaining power.

It is difficult to estimate the exact effect that demonstrations, riots and the threat of large-scale public disorder had at various times in the 19th century. Luddism and Chartism clearly failed to achieve their immediate objectives, but they certainly contributed to the creation of a working-class community of interest and established in the public mind the significance of the goals that workers involved in these movements were seeking to achieve. The tactics of sabotage and threatened insurrection failed because they provoked extreme hostility and met superior force. Success came when organized labor had established its respectability and had created sufficient confidence and sympathy to evoke a positive response to its protests.

A remarkable aspect of the development of the British working-class movement during the 19th century, with its increasing emphasis on respectability and constitutional action, was the fact that London was for a long time the headquarters of the international revolutionary movement. During the 1840's a large number of political refugees from many European countries were living in London, actively engaged in fomenting revolution in their own countries. In 1840 the German Communist League was formed by exiles in London; in 1844 Engels settled in London; in 1847 Marx and Engels drafted the Communist Manifesto there; in 1864 the International Working Men's Association was formed with its headquarters in London; in 1867, Marx, known to most English working-class leaders more as an academic German exile than as a socialist leader, published the first volume of *Capital*. Yet despite all this frantic and often conspiratorial activity, contact with these exiled revolutionaries had at the time amazingly little influence on the thinking of the English workers. Participation by English leaders in the International Working Men's Association was mainly out of sympathy for downtrodden continental workers, and to discourage the importation of foreign blacklegs in times of strikes. Few English union leaders were ideologically involved, and as the revolutionary character of the continental sections of the movement became clear the British trade union leaders grew increasingly alienated and, as Marx said, "offered up the principle of Trade Unionism on the altar of middle class legitimisation."

The British trade union movement never had to face the kind of problems that confronted the labor movement in either 19th-century America or

Europe. In the United States unions were repulsed by employers who were ready and able to take the law into their own hands. The revolutionary tradition was a fundamental fact of American history. The country had been created out of violence and was rent apart by a civil war less than 100 years later. Frontier wars continued until the end of the 19th century. In the frontier areas men had to make and enforce their own law at the end of a gun. On the eastern seaboard waves of immigrants who had relieved the pressures of discontent in Britain and Europe arrived in the United States to threaten the jobs of those who had arrived earlier. In the scramble for security and for riches that were often there for the taking, violence was inevitably always close at hand. It would have been so in any society in which these factors prevailed.

The contrast with the situation in Britain was startling. Britain was a long-settled country whose population was relatively stable. The roots of its working class struck deep and they were not easily disturbed. British employers were firmly established, and, aspiring to an aristocratic way of life with its acceptance of civic responsibilities, were much less ruthless than their American counterparts. British employers were prepared to take a more tolerant attitude towards the unions and their activities, since they often found the unions understood even if they did not share their views on major issues of economic and international policy. There was to be a much greater divergence of views at the end of the 19th century, once the working-class movement abandoned its liberal philosophy to embrace its own muted version of socialism.

A final point that is necessary to stress as of fundamental significance in the erosion of working-class violence in Britain in the 19th century is the fact that the working class was by no means homogeneous. Without going into the problem of the definition of class,²⁶ it can be said without question that wage earners, while sharing certain common interests, certainly did not share others. There were significant differences of economic interest between skilled and unskilled workers; rural and urban workers; between those workers who were able to impose a "closed shop" and those who were not; between newly arrived immigrants from Ireland and native-born Englishmen; between workers in the north and those in London and the south.

The common interest shared by all those who were excluded from the right to vote was diluted by the differences of interests among the groups that made up the whole. This conflict of interests was most clearly revealed in the Chartist agitations, when the skilled workers showed the utmost reluctance to hazard their organizations in active and wholehearted support of the Chartists' policies and programs of action. These dichotomies, real or imagined, again and again influenced the course of events and blurred the clean edges of social conflict. In this respect the firm but complex structural hierarchy of British social classes in the 19th century made for relatively peaceful relations among groups. Each group knew where it stood in relation to another group; its station gave it security and satisfaction as well as dissatisfaction. The members of any one group might well resent the social group at the top but they were prepared to accept the right of the next group above to protect its interests by organizing restrictions on entry. Although social mobility was limited, workers were prepared to accept this limitation so long as it was made tolerable by the steady improvement in their economic conditions, and by their integration, through their trade unions, into the structure of political democracy.

By good fortune or intuitive understanding, the social groups in Britain in the 19th century managed to achieve a balance of relations that reduced violent conflict to low levels of intensity. When in the 1880's and 1890's and again in the periods immediately before and after the First World War, conflict between employers and workers threatened to become dangerously violent, the firmly established pattern of responsible behavior enabled both sides to moderate their actions and reach an accommodation of their differences even when these were at their most acute.

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Chapter 8

AMERICAN LABOR VIOLENCE: ITS CAUSES, CHARACTER, AND OUTCOME*

By Philip Taft and Philip Ross†

The United States has had the bloodiest and most violent labor history of any industrial nation in the world. Labor violence was not confined to certain industries, geographic areas, or specific groups in the labor force, although it has been more frequent in some industries than in others. There have been few sections and scarcely any industries in which violence has not erupted at some time, and even more serious confrontations have on occasion followed. Native and foreign workers, whites and blacks have at times sought to prevent strike replacements from taking their jobs, and at other times have themselves been the object of attack. With few exceptions, labor violence in the United States arose in specific situations, usually during a labor dispute. The precipitating causes have been attempts by pickets and sympathizers to prevent a plant on strike from being reopened with strikebreakers,¹ or attempts of company guards, police, or even by National Guardsmen to prevent such interference. At different times employers and workers have played the roles of aggressors and victims. Union violence was directed at limited objectives; the prevention of the entrance of strikebreakers or raw materials to a struck plant, or interference with finished products leaving the premises. While the number seriously injured and killed was high in some of the more serious encounters, labor violence rarely spilled over to other segments of the community.

*This research has been supported by a grant from the Ford Foundation.

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Strikers, no matter how violent they might be, would virtually always seek to win the sympathy of the community to their side, and therefore attacks or even incitements against those not connected or aiding the employer would be carefully avoided. Such conduct was especially common in the organized strikes, those which were called and directed by a labor organization. Strike violence can therefore be differentiated from violence that is stimulated by general discontent and a feeling of injustice. Moreover, the unions were normally anxious to avoid violence and limit its impact because, simultaneously with the strike, the organization might also be operating under a contract and negotiating with other employers in an attempt to solve differences and promote common interests. Unions seek and must have at least the grudging cooperation of employers. No major labor organization in American history ever advocated violence as a policy, even though the labor organizations recognized that it might be a fact of industrial life.

Trade unions from the beginning of their existence stressed their desire for peaceful relations with employers. However, minority groups within the labor movement or without direct attachment to it advocated the use of violence against established institutions and also against leaders in government, industry, and society. The union leader might hope to avoid violence, but recognized that in the stress of a labor dispute it might be beyond the ability of the union to prevent clashes of varying seriousness. They might erupt spontaneously without plan or purpose in response to an incident on the picket line or provocation. Those who saw in violence a creative force regarded the problem differently; they had no objectives of immediate gain; they were not concerned with public opinion. They were revolutionaries for whom the radical transformation of the economic and social system was the only and all-consuming passion.

The most virulent form of industrial violence occurred in situations in which efforts were made to destroy a functioning union or to deny to a union recognition.

THE INFLUENCE OF IDEOLOGY

There is only a solitary example in American labor history of the advocacy of violence as a method of political and economic change. In the 1880's a branch of anarchism emerged that claimed a connection with organized and unorganized labor and advocated individual terror and revolution by force. The principle of "propaganda by the deed," first promulgated at the anarchist congress in Berne, Switzerland, in 1876, was based upon the assumption that peaceful appeals were inadequate to rouse the masses. This view could be interpreted as a call upon workers to create their own independent institutions, such as trade unions, mutual aid societies, and producer and consumer cooperatives. However, almost from the beginning this doctrine was interpreted to mean engaging in insurrectionary and putschist activities, and in terror directed against the individual.² Emphasis upon individual force gained added strength from the terroristic acts of members of the People's Will, an organization of Russian revolutionaries who carried out campaigns of violence against persons, culminating in the assassination of Czar Alexander II in 1881.³

Not all anarchists approved these tactics. Many thought that social problems could be solved only by addressing oneself to the removal of evils, by

changing institutions and the minds of men. In addition, the reaction against acts of terror, the arrests and imprisonment of militants, weakened the movement by depriving it of some of its more vigorous and courageous elements. Nevertheless, the London congress of 1881, which established the International Working People's Association as the center for the national anarchist federations, came out in favor of "propaganda by the deed" as a creative method for carrying on warfare against capitalist society and its leaders.⁴

Social revolutionary views were not widely accepted in the United States during the 1880's, but the difference between the moderates and the militants, which divided the European movement, was also in evidence here. As early as 1875 education and defense organizations (*Lehr und Wehr Vereine*) were organized in Chicago, and they soon spread to other cities. Members met regularly and drilled with arms. It was the issue of using arms which was largely responsible for the split in the Socialist Labor Party in 1880, and the more militant social revolutionaries gradually approached the anarchist position on politics and violence.

An attempt to unite the scattered groups of social revolutionaries was made by the Chicago conference of 1881 and was unsuccessful. The meeting adopted a resolution recognizing "the armed organizations of workmen who stand ready with the gun to resist encroachment upon their rights, and recommend the formation of like organizations in all States."⁵ This was only a prelude to the convention held in Pittsburgh in 1883, dominated by Johann Most, a German-born revolutionary who had served prison terms in a number of countries. Most had come to the United States in December 1882, and transferred his journal, *Freiheit*, to New York. Through the spoken and written word he became the leader of the anarchists in the United States and the leading figure of the predominantly immigrant revolutionaries.

In typically Socialist fashion, the congress explained the causes of the evils afflicting modern society. Since all institutions are aligned against him, the worker has a right to arm himself for self-defense and offense. The congress noted that no ruling class ever surrendered its privileges and urged organization for planning and carrying out rebellion. Capitalists will not leave the field except by force.⁶ These ideas had some influence among a limited number of workers, largely immigrants. Most himself did not favor trade unions, regarding them as compromising organizations, and even refused to support the 8-hour movement in the 1880's. Anarchists, however, were active in union organizations and some regarded them as the ideal type of workmen's societies. Albert Parsons, August Spies, and Samuel Fielden, all of them defendants in the Haymarket Trial, had close connections with a part of the Chicago labor movement.

The anarchists were not all of the same view, but many of them including Most not only advocated the formation of armed societies, but published materials on the making of explosives. *Revolutionary War Science (Revolutionäre Kriegswissenschaft)* is a treatise on the use of arms and the making of what we would call "Molotov cocktails." There is little evidence that these suggestions were ever taken seriously by many workers, and the anarchist movement's greatest influence in the United States was in the 1880's. Even at the height of their influence the anarchists had few supporters. Whatever violence took place in the United States cannot be traced to the thinking of Most or any of his coworkers. In fact, even then it was widely believed that the armed

societies were engaging in playing a game, and that they represented little danger to the community. It is quite certain that violence in labor disputes was seldom inspired by the doctrine of "propaganda by the deed," whose self-defeating nature convinced many of its exponents of its fallacy. In this regard, experience was a more potent force than moral considerations. Governments reacted to these terrorist methods with savage repression. One of the few incidents of anarchist violence in the United States was an attack by Alexander Berkman on Henry Frick during the Homestead strike. The boomerang effect of this action was to transform the hated Frick into a folk hero when, though wounded, he fought off his attacker. The assassination of William McKinley by the anarchist Czolgosz is another example. Most did not repudiate the tactic, but laid down conditions for its use that were critical of Berkman's conduct.

In France, Italy, and Spain anarchist-inspired violence was savagely repressed, as were the few attempts in Germany and Austria.⁷

THE INDUSTRIAL WORKERS OF THE WORLD (IWW)

Unlike the other national federations such as the Knights of Labor, the American Federation of Labor, and the Congress of Industrial Organizations, the IWW advocated direct action and sabotage. These doctrines were never clearly defined, but did not include violence against isolated individuals. Pamphlets on sabotage by Andre Tridon, Walker C. Smith, and Elizabeth Gurley Flynn were published, but Haywood and the lawyers for the defense at the Federal trial for espionage in Chicago in 1918 denied that sabotage meant destruction of property. Instead Haywood claimed it meant slowing down on the job when the employer refused to make concessions.⁸

It is of some interest that IWW activity was virtually free of violence. The free-speech fight was a form of passive resistance in which members mounted soapboxes and filled the jails. The IWW did not conduct a large number of strikes, and aside from the one in McKee's Rock, Pa., a spontaneous strike which the IWW entered after it was called, the IWW strikes were peaceful.

The two bloodiest episodes in the life of the IWW were in Everett and Centralia, Wash., each connected with the attempt to organize lumber workers. The Everett confrontation started when the Lumber Workers Industrial Union No. 500 opened a hall in Everett in the spring of 1916, in an effort to recruit members. Street meetings were prevented and the sheriff deported the speakers and other members of the IWW to Seattle on a bus. It is of some interest to note that a speaker who advocated violence at a meeting at the IWW hall in Everett was later exposed as a private detective. For a time the deportations were stopped, but they were resumed in October 1916. An estimated 300 to 400 members were deported by the sheriff and vigilantes from Everett. On October 30, 1916, 41 IWW men left Seattle by boat. They were met by the sheriff and a posse, seized, and made to run the gauntlet between two rows of vigilantes who beat their prisoners with clubs.

On November 5, 1916, the IWW in Seattle chartered a boat, the *Verona*, and placed an additional 39 men on another vessel. The chartered boat set out for Everett. Having been informed of the attempt of the IWW to land peacefully, the sheriff and about 200 armed men met the chartered vessel at

the dock. The sheriff sought to speak to the leaders. When none came forward and the passengers sought to land, a signal to fire into the disembarking men was given by the sheriff. Five members of the IWW and two vigilantes were killed, and 31 members of the IWW and 19 vigilantes were wounded by gunfire. The *Verona* and the other vessel carrying members of the IWW returned to Seattle without unloading at Everett. Almost 300 were arrested, and 74 were charged with first-degree murder. The acquittal of the first defendant led to the dismissal of the case against the others.⁹

Another tragedy occurred in Centralia, Wash., a lumber town of almost 20,000 inhabitants. Several times the IWW sought to open a hall in that community, but in 1916 the members were expelled by a citizens' committee, and 2 years later the IWW hall was wrecked during a Red Cross parade. With dogged persistence the IWW opened another hall. When threats were made to wreck it, the IWW issued a leaflet pleading for avoidance of raids upon it. During the Armistice Day parade in 1919, members of the IWW were barricaded in their hall and when the hall was attacked, opened fire. Three members of the American Legion were killed, and a fourth died from gunshot wounds inflicted by Wesley Everest, himself a war veteran. Everest was lynched that night by a citizen mob. Eleven members of the IWW were tried for murder. One was released, two were acquitted and seven were convicted of second degree murder. A labor jury from Seattle that had been attending the trial claimed that the men fired in self-defense and should have been acquitted.¹⁰ It is not necessary to attempt to redetermine the verdict to recognize that the IWW in Everett and Centralia was the victim, and the violence was a response to attacks made upon its members for exercising their constitutional rights.

A number of States, beginning with Minnesota in 1917, passed criminal syndicalist laws that forbade the advocacy of force and violence as a means of social change. On the basis of the theory that the IWW advocated force and violence to bring about industrial changes, several hundred men were tried, and 31 men served in the penitentiary in Idaho, 52 in Washington, and 133 in California. These convictions were not based upon acts of violence committed by those tried.¹¹

THE PRACTICE OF VIOLENCE IN THE 1870's AND 1880's

Repudiation of theories did not eliminate the practice of violence from the American labor scene. The pervasiveness of violence in American labor disputes appears paradoxical because the great majority of American workers have never supported views or ideologies that justified the use of force as a means of reform or basic social change, nor have American workers normally engaged in the kind of political activity that calls for demonstrations or for physical confrontation with opponents. Through most of its history, organized labor in the United States has depended largely upon economic organizations—unions—for advancement through collective bargaining, and upon pressure politics and cooperation with the old parties for achieving its political aims. Yet we are continually confronted with examples of violent confrontations between labor and management. Does industrial violence reveal a common characteristic with basic causes and persistent patterns of behavior, or is

it a series of incidents linked only by violence? Labor violence has appeared under many conditions, and only an examination of the events themselves can reveal their nature and meaning.

1. The Strikes and Riots of 1877

The unexpected strikes and riots which swept over the United States in 1877 with almost cyclonic force began in Martinsburg, W. Va., after the Baltimore Ohio Railroad had announced its second wage cut in a relatively short period. The men left their trains and drove back those who sought to replace them. Governor Henry W. Mathews called upon President Rutherford B. Hayes for Federal assistance, and the latter, despite his reluctance, directed troops to be sent.¹² Federal troops had a calming influence on the rioters in Martinsburg, but 2 days later, on July 20, Governor John Lee Carroll of Maryland informed the President that an assemblage of rioters "... has taken possession of the Baltimore Ohio Railroad depot" in Baltimore, had set fire to it, and "driven off the firemen who attempted to extinguish the same, and it is impossible to disperse the rioters." Governor Carroll also asked for Federal aid.¹³

Order was restored immediately by Federal troops, but Governor Carroll then appealed for help in putting down a disturbance at Cumberland. Requests also were made for troops to be sent to Philadelphia, where the authorities feared outbreak of rioting. The most serious trouble spot, however, was Pittsburgh, where the attempt to introduce "double headers" was the cause of one of the more serious disturbances of the year. The changes might have been accepted if they had not followed cuts in pay and loss of jobs—both caused by declining business. Open resistance began, and when a company of militia sought to quell the disturbance it was forced to retreat before the mob and take refuge in a railroad roundhouse where it was under constant attack. A citizens' posse and Federal troops restored order.

Railroads in Pennsylvania, New York, and New Jersey suffered almost complete disruption. The Erie, New York Central, the Delaware Lackawanna Western, and the Canada Southern operating in Ohio, Pennsylvania, and New York States were struck on July 24, idling about 100,000 workers. Federal and State troops were used to suppress rioting, and sometimes the State police were themselves the cause of violence. After 13 persons were killed and 43 wounded in a clash between militia and citizens in Reading, Pa., for example, a coroner's jury blamed the troops for an unjustified assault upon peaceful citizens.

In Ohio the railroads were blocked, but the Governor's plea for Federal aid was not met. "In the end the State authorities, assisted by the National Guard and the citizens' committees succeeded in quelling the disturbances at Zanesville, Columbus, Toledo, and Cleveland, but it was nearly the middle of August before order had been completely restored." The strikes and rioting moved westward and Indiana and Illinois were affected. In the face of a threatened strike, the Governor of Indiana refused to appeal for Federal troops and the latter's duties were limited to protecting Federal property and enforcing orders of the Federal courts. Work on the railroads entering Chicago was suspended, and rioting broke out in the city. On the 26th of July a bloody skirmish between the police, National Guardsmen, and a mob resulted in the

killing of 19 and the wounding of more than 100 persons. It started with resistance of a mob to the attempts of the police to clear the streets, and it ended when the police and militia charged the crowd.

During July all traffic was suspended in East St. Louis, and a large crowd took possession of the streets and dared the police and guardsmen to come out and fight. It was only when Federal troops responded to the pleas of a Federal court that peace was restored. At the same time, work in St. Louis was completely suspended.

In summary, a recent student tells us:

In 1877 the disorders swept through the major rail centers of the nation: Baltimore, Philadelphia, Pittsburgh, Buffalo, Cleveland, Toledo, Columbus, Cincinnati, Louisville, Indianapolis, Chicago, St. Louis, Kansas City, and Omaha, to name only the more important. Outside this central area there were brief flare-ups in New York City and Albany in the Northeast, in Little Rock, New Orleans, and Galveston in the South, and in San Francisco on the Pacific Slope. About two-thirds of the country's total rail mileage lay within the strike-affected area, and in those zones strikers halted most freight trains and delayed many passenger and mail trains.¹⁴

The *Report of the Committee to Investigate the Railroad Riots in July, 1877*, issued by the Pennsylvania Legislature, limits itself to events within that State. Nevertheless, it alludes to factors which were present in virtually every other community in which rioting took place. The report states that the riots

... were the protests of laborers against the system by which his wages were arbitrarily fixed and lowered by his employer without consultation with him, and without his consent The immediate cause of the first strike . . . that at Pittsburgh, July 19th, was the order by the Pennsylvania Railroad Company to run "double headers" This order of itself, had there been no previous reductions of wages or dismissals of men on account of the depression in business, would probably have caused no strike, but following so soon after the second reduction . . . and the feeling of uneasiness and dissatisfaction existing among the laboring men of the country generally, caused by the want of labor and the low price thereof as compared with a few years previous, all together combined to set in motion this strike Each strike was independent of those on other roads, each having a local cause particularly its own. As before stated, there was a sort of epidemic of strikes running through the laboring classes of the country, more particularly those in the employ of large corporations, caused by the great depression of business which followed the panic of 1873, by means whereof many men were thrown out of work, and the wages of those who could get work were reduced.¹⁵

The riots of 1877 mirrored deeply felt grievances generated by several years of unemployment and wage cuts. All the rioting cannot be attributed to striking workmen and their sympathizers. Railroads, urban transportation systems, and trucking are among the industries that are almost completely exposed to attack during a labor dispute. They operate in the open, and it is difficult to prevent attacks by strikers and sympathizers upon working per-

sonnel and property. The strikes and riots of 1877 were, however, a violent protest against deteriorating conditions and the suffering and misery endured during a great depression. The widespread and ferocious reaction has no parallel in our history, but there are others of lesser magnitude that were important in shaping labor-management relations.¹⁶

There is no evidence that the riots of 1877 brought reforms in the handling of railroad disputes, which was the initial cause of the disturbances. They did demonstrate that the United States would not escape the trials and tribulations affecting other industrial nations, and that more attention must be given to the problems that industrial societies tend to generate. It was, however, more than a decade later that the first hesitant step was taken by the Federal Government to provide a method of adjusting labor disputes, a method that was never tried. Not until the Erdman Act of 1898 did the Federal Government provide a usable procedure for settling labor-management disputes on the railroads. An added provision guaranteeing railroad workers protection of the right to organize was declared unconstitutional by the U.S. Supreme Court when challenged by a carrier, *Adair v. United States*, 1908.

2. The Southwestern Railroad Strike

The railroads were the scene of another extensive strike in 1885-86, although it was comparatively a mild contest. The Southwestern strike was a two-stage affair. It began in March 1885 in the shops of the Missouri Pacific Railroad, when a demand by an assembly of the Knights of Labor for the restoration of a wage cut of the previous year was not met. Intervention of the Governors of Kansas and Missouri ended the walkout. The strike had the support of the citizens along the right of way, and no violence took place during the walkout. In the next year the Knights of Labor had another encounter with Jay Gould, who controlled the Southwestern roads, and another settlement was reached. However, the parties were not happy with the settlement, and in January of 1886 another strike was called by assemblies of the Knights of Labor. This time the company rejected compromises, and the sheriff of the area around Parsons, Kan., reported, on March 27, 1886, that efforts to move trains "were forcibly resisted Many agents had been 'killed' and disabled, and a serious wreck had occurred."¹⁷ Four hundred troops were ordered to Parsons by the Governor. In Fort Worth, Tex., a train proceeding under guard encountered a switch open and men hiding besides the track. An exchange of fire resulted in the wounding of three policemen and a striker.¹⁸ Troops were ordered to the scene of the trouble. On April 9, 1886, the sheriff of St. Clair County, Ill., where East St. Louis is located, reported: "There is shooting going on . . . between a force of deputies and the mob." Six men and a woman were killed, and it was later established that the deputies had fired rifle shots into a crowd and then escaped to St. Louis. The congressional committee investigating the strike noted "that in addition to the striking railroad men, a large and irresponsible mob had collected and were the most active in inciting violence. Some of the men had never been railroad employees; others, it is alleged, had long been black-listed by the railroads." The incident in which six men and a woman were killed started as a result of the determination of the Louisville Nashville Railroad to operate its trains out of East St. Louis, Ill. It fortified its determination by the employment of a large force of guards

following the forcible efforts of strikers and sympathizers to close down railroad operations at this point. On April 9 an attempt to move a coal train encountered opposition from armed men. A posse directed the mob to disperse, and attempted to arrest a man.

The squad of deputies was then furiously assailed with stones, as is alleged by the deputies, several of them being struck. One of the deputies raised his rifle, fired, and a man was seen to fall. The showers of stones and pistol-shots from all directions began to rain upon the officers, who returned the fire with their guns and pistols, with deadly effect, into the crowd. The firing was kept up until the crossing was clear, the people fleeing panic-stricken and rushing into houses in every direction for protection and safety

Bloodshed was succeeded by incendiarism.

About 40 railroad cars were burned. At the request of the sheriff, a large force of State troops was sent to East St. Louis and they succeeded in restoring order.¹⁹

3. Other Strikes in 1886

Employers who refused to deal with the organizations of their workmen began to rely on local and State governments for assistance during labor disputes. Although the great majority of strikes were peaceful, whether they succeeded or failed to obtain their objectives, the possibility of violence tended to be smaller in contests in which union recognition was not an issue. Under such circumstances the employer was likely to regard the strike as a temporary rupture of relations between himself and his labor force. When recognition was in question, the employer might seek to demonstrate that the strikers could be replaced and that their cause was lost. For the workers, the issue was not only the demands for which they struck, but the possibility that they would be replaced by newly hired workmen. Employers were therefore anxious to have the support of additional police and State troops if possible. An obliging sheriff might, as in the Chicago stockyards strike of 1886, plead for the sending of troops, who upon their arrival would find the community peaceful and threats of disorder nonexistent.²⁰

Strikes in 1886 were generally peaceful. The U.S. Commissioner of Labor reported that in that year 1,572 strikes took place involving 610,000 workers. Some employers, including powerful ones, were likely to refuse to deal with a labor organization representing their employees. Workers were not then any more than now inclined to give up their unions without a struggle. In the anthracite coal fields of Pennsylvania, the operators had decided to deny recognition to the union with which they had been dealing, and the miners reacted to this change by striking. Their peaceful conduct did not save the area from violence. A committee from the U.S. House of Representatives noted: "Throughout the Lehigh region there were no riots These men were not a mob. They obeyed the law. They simply declined to work for shriveled wages During the whole of the strike serious violence was incited by the company rather than the men."²¹

Nor was this an isolated instance of the use of force against workers on strike. When the textile workers of Fall River, Mass., went on strike in July

1875, the mayor called for troops. The strikers were boisterous, but peaceful, and the Massachusetts Adjutant General reported that the "evening and night" after the arrival of troops "was remarkably quiet, more so than usual." No reports of disorders were made, but the presence of the troops obviously cowed the strikers, who withdrew to their homes.²²

This use of troops was not always unquestioned. General C. H. Grosvenor on March 19, 1875, submitted a resolution requesting the Governor to inform the House, "what, if any, public reason or necessity existed for the calling out, arming and sending to Nelsonville, the Ohio Independent Militia, on the 11 and 12 of June 1874." It was called out during a strike of coal miners. "The statute of Ohio provides for the organization of the independent militia, and the Governor is ex-officio commander-in-chief; but he has no power to call out the militia until an exigency has arisen which requires the presence of troops." Grosvenor denied the existence of riot or disorder:

Was there insurrection or not? The Governor says there was not. Was there invasion? Nobody pretends it. Was there any resistance to the enforcement of law? There was not. If there was no riot or insurrection, if there was no invasion, if there was no resistance to civil authority, then the Governor of this State had no jurisdiction to call upon these companies, and his order was in violation of law, and without the authority of law.²³

✓ LABOR VIOLENCE IN THE 1890's

Not all violence was inspired by employers. While employer obduracy might lead to rejection of recognition, such conduct was in itself legally permissible. Had workers passively accepted such decisions, the level of violence in American labor disputes would have been reduced. Workers were, however, unwilling to watch their jobs forfeited to a local or imported strikebreaker. Employers could shut down their plants and attempt "to starve" their employees out of the union. Such a policy might have worked, but employers cognizant of their rights and costs frequently refused to follow such a self-denying tactic. As a consequence violence initiated from the labor side was also prevalent. In the 1890's violent outbreaks occurred in the North, South, and West, in small communities and metropolitan cities, testifying to the common attitudes of Americans in every part of the United States. While workers might react against the denial of what they regarded as their rights, the outcome of their violent behavior seldom changed the course of events. Serious violence erupted in several major strikes of the 1890's, the question of union recognition being a factor in all of them. As will be noted below, the Homestead strike, which was a defensive action in behalf of an existing and recognized union, and the Pullman strike, which was called in behalf of other workers denied recognition, also failed. Violence in the Coeur d'Alene copper area eventually led to the destruction of the Western Federation of Miners in that district. Violence was effective in the Illinois coalfields only because the community and the Governor of the State were hostile to the efforts of two coal producers to evade the terms of a contract acceptable to the great majority of producers in Illinois.

Although steel workers in Pennsylvania and copper miners in Idaho had different ethnic origins and worked under dissimilar conditions, each reacted with equal ferocity to the attempts of their employers to undermine their unions.

1. Homestead

In Homestead, Pa., the domineering head of the Carnegie Steel Co., Henry C. Frick, used a difference over wages and a contract expiration date as an excuse for breaking with the union. When the union called a strike against the demands of Frick, the latter was ready to bring in a bargeload of Pinkerton operatives to guard his plant from the harassment of union pickets. Frick's plan became known, and the guards were met by several hundred steelworkers. In the battle to land the guards from the barges, two Pinkertons and two strikers were killed. Another attempt to land also ended in failure. Eventually the Pinkertons were forced to surrender and some were severely mauled by strikers and sympathizers. At the plea of the sheriff, the Governor ordered 7,000 troops to Homestead. Leaders were arrested, but juries refused to convict.

While the violence was temporarily successful in holding off the landing attempted on July 4, it was unable to change the outcome of the contest between the union and Frick. Under the cover of the protection given to him by the National Guard, he was able to open his mills. Furnaces were lit on July 15, and the company announced that applications for work would be received until July 21. The following day a large force of nonunion men entered the plant. Ultimately the union was defeated, and according to a leading student of the steel industry of another generation, John A. Fitch, the union never recovered from its defeat in Homestead. The steel workers were fearful of Frick's attempt to break the union. The hiring of several hundred Pinkertons and their stealthy efforts to land convinced the strikers that a serious movement to destroy their organization was on the way, and the use of the hated Pinkertons sharpened their anger. An investigation by the U.S. Senate noted: "Every man who testified, including the proprietors of the detective agencies, admitted that the workmen are strongly prejudiced against the so-called Pinkertons and their presence at a strike serves to unduly inflame the passions of the strikers."²⁴

2. Coeur d'Alene

Organization of the metal miners in the Coeur d'Alene region in Idaho was followed by the mine operators' establishment of an association after the miner's union had successfully won a wage increase. A lockout was called several months after the miner's success, and every mine in the area was closed down. An offer of lower wages was rejected. The strikers were not passive. Strikebreakers were urged to leave or were forcibly expelled; court injunctions against violence were ignored. In July 1892 the situation deteriorated. A union miner was killed by guards, and it brought an attack by armed miners upon the barracks housing guards employed by the Frisco mill. It was dynamited, and one employee was killed and 20 wounded. An attack on the Gem mill followed and although five strikers were killed and more wounded, the mill surrendered. The guards gave up their weapons and were ordered out of

the county. Armed with Winchesters, the armed strikers marched on Wardner, where they forced the Bunker Hill mine to discharge its nonunion contingent.

At the request of the Governor, who sent the entire National Guard, Federal troops were sent to restore order. The commanding general ordered all union men arrested and lodged in a hastily built stockade or bullpen. The commander of the State militia removed local officials sympathetic to the strikers and replaced them with others favorable to his orders. Trains were searched and suspects removed. Active union men were ordered dismissed from their jobs. The district was treated like a military zone, and companies were prohibited from employing union men. About 30 men were charged with conspiracy, and four were convicted, but subsequently released by the U.S. Supreme Court. Nevertheless, the miners were able to win recognition from all but the largest of the mining companies, which set the stage for a more spectacular encounter 7 years later.²⁵

3. Use of Troops in Minor Disputes

The use of State troops against strikers was common in the 1890's. In some instances it was in response to violence or to attempts to prevent interference with strikebreakers or to the closing down of the properties. In 1894 the United Mine Workers of America called a national strike in the bituminous coal industry and the strike became the occasion for intervention of troops in many coal-mining communities. When miners in Athens County, Ohio, interfered with the movement of coal trains, the militia was sent into the area to restore order. The Kansas National Guard also saw service.²⁶ However, the tendency of local police officers to seek the aid of State troops during industrial disturbances did not always depend upon the existence of disorder. Sometime it was precautionary and designed to overawe the strikers. Reporting the activity of the Illinois National Guard for 1893 and 1894, the Adjutant General noted that it "has performed more active service than during its entire prior existence." At two points, the troops found no disorder and withdrew after several days. In others, militiamen prevented interference with the movement of coal, and in a third group of places, soldiers and miners staged a series of armed encounters.²⁷

The tendency to order troops into coal-mining areas during a strike was not limited to Illinois. During the strike of 1894, troops were moved into the southwestern area of Indiana and into Mahaska County, Iowa. Fourteen companies of militiamen were on duty from 8 to 20 days in the Indiana coalfields. No report of violence was made by the authorities, and the sending of troops was evidently based on rumor or on hope that the presence of troops would intimidate the strikers.²⁸

4. The Pullman Strike

Railroad strikes have been among the more violent types of labor dispute. Normally, railroad workers are not more aggressive than other workers. However, railroads cover large open areas and their operations are always open to the rock thrower or the militant picket who may take it upon himself to discourage strikebreaking. A sympathy strike by the newly organized American Railway Union with the workers in the Pullman shops led to a widespread sus-

pension of railroad service in 1894. What stands out in this bitter clash is the sympathy that the losing struggle generated among thousands of railroad workers. The refusal of the Pullman Co. to discuss the restoration of a wage cut with its employees was interpreted as an example of corporate arrogance. Like 1877, 1894 was a depression year, and many workers were without a job or income.

The strike started in May, and the American Railway Union, meeting in convention the following month, sought to bring about a settlement of the differences. When the American Railway Union imposed its boycott upon Pullman equipment, its action was challenged by the General Manager's Association, made up of the executives of the 24 railroads entering Chicago. Special guards were engaged, Federal marshals were appointed to keep the trains moving, and if an employee refused to handle Pullman equipment he was discharged. Attempts to operate with strikebreakers led to fearful resistance. Rioting was widespread, and at the request of the railroads and advice of Attorney General Richard Olney, Federal troops were sent to Chicago, over the protests of Governor John B. Altgeld. Every road west of Chicago felt the impact of the strike. Clashes between strikers and strikebreakers brought out Federal or State troops in Nebraska, Iowa, Colorado, Oklahoma, and California. Although the loss of life and property was not as serious as during the disturbances of 1877, the Pullman strike affected a wider area. An estimated 34 people were killed and undetermined millions of dollars were lost in the rioting connected with this conflict. President Grover Cleveland claimed "that within the states of North Dakota, Montana, Idaho, Colorado, Washington, Wyoming, California, and the territories of Utah and New Mexico it was impracticable to enforce federal law by the ordinary course of judicial procedure. For this reason, he revealed, military forces were being used."²⁹

The immediate cause of the violence was the determination of the General Manager's Association to defeat the sympathy strike. When the boycott of Pullman cars was announced, the association declared that the employees of the railroads had no right to punish the carriers nor impose hardships upon the traveling public. The association declared "it to be the lawful right and duty of said railway companies to protect against said boycott, to resist the same in the interest of their existing contracts, and for the benefit of the traveling public, and that we will act unitedly to that end."³⁰ The extension of support by the union brought forth the support of the carriers for the Pullman Co. It is however, as has been noted, extremely difficult to avoid disorders in a strike in an industry whose operations are carried on over an open and extensive area. Any occurrence can attract hundreds and even thousands of people who because of sympathy or search for excitement or loot can expand a simple incident into a large-scale riot. The chief inciters to violence were not known, and the police and the officers of the railroads did not agree on whether union members or city toughs were the chief promoters of the turmoil.

The Federal Government hired marshals in numerous railroad centers to protect the property of the carriers. Attorney General Richard Olney stated that the extra funds expended for this purpose by the Federal Government amounted to at least \$400,000.³¹

The responsibility for violence rests largely on the behavior of George Pullman. His attitude was similar to those held by many industrialists. He was

unwilling to allow his workers the slightest influence upon the decisions of the company which greatly affected their welfare. Like other firms, the Pullman Co. was suffering losses of business as a result of the depression, and it may not have been able to meet the demands of its employees. It could, however, have conferred in good faith and explained its position instead of following a policy of peremptory rejection and dismissal of those who had asked for a reconsideration of a wage cut. Pullman's attitude, shared by many industrialists, tells us something about the cause of violence in labor disputes. Arrogant, intransigent, unwilling to meet with their employees, owners depended upon their own or the Government's power to suppress protest. Behind the powerful shield they could ignore the periodic outbreaks by their labor force; they knew that these seldom were strong enough to gain victory.

5. Streetcar Strike in Brooklyn, N.Y.

Homestead, the Coeur d'Alene, and Pullman are large marks in the record of industrial disputes. Violence also erupted in a number of less significant disputes. Local authorities were quick to call for help from the state in the face of labor disputes, and Governors frequently answered their summons. For example, in Brooklyn, New York, District Assembly No. 75 Knights of Labor and the Brooklyn City Railroad Co. had established collective-bargaining relations in 1886, and annually renewed the agreement. Negotiations broke down in 1895 and the company turned to strikebreakers. "Men came from all parts of the country and as a result the railroad companies were able entirely to reorganize their working staffs."³¹ When the strikers sought to interfere with operations, 7,500 State troops were sent into the city at the request of the mayor. Cars began operating under military protection on January 22. Two soldiers rode on each car. In one encounter, shots were exchanged among strikers, strikebreakers, and troops; one man was killed and a number wounded.³³

6. Coal Miners' Strikes

Three separate incidents involving coal-mining violence illustrate the fragility of peaceful methods in this industry. In two of the three cases, the use of force did not end in failure, but there were exceptional circumstances in each. Much depended upon the attitude of the authorities and the sympathies of the public. Free miners in Tennessee were able to control changes in the system of working convict labor in the coal mines. Leasing of convicts for work in the mines was begun in 1865, and the competition of these men, who had no influence on their working conditions or pay, was a threat to the free miners. Other grievances also played a role. Payment of wages by scrip, absence of checkweighmen at the mines, and the use of yellow dog contracts were sources of protest. When the free miners went on strike in 1891 the companies introduced convict labor as replacements. On July 21, 1891, hundreds of armed miners demanded that convict workers leave the mining camps at Briceville and Coal Creek. State troops were ordered into the area, but the governor agreed to the discontinuance of convict labor in the mines.³⁴

Violence was also a factor in the settling of the coal miners' strikes in Alabama in 1894. A month after the strike started, miners in Johns, Adger, and Sumpter were ordered to leave the company houses. The company "strategy

in breaking the strike was to import Negro labor to work in the mines. During the strike's first week, 100 Negroes were brought from Kansas."³⁵ On May 7, 1894, a band of armed men invaded the Price mine at Horse Creek "blowing up boilers, burning supplies and destroying property." On July 16, in a gunfight at Slope, 5 miles from Birmingham, three Negro strikebreakers and a deputy were killed. Troops were ordered into the area by the governor and remained there until August 14, when the strike was settled.³⁶

In 1897, the United Mine Workers of America tried again to establish itself as the bargaining agent for the bituminous coal miners. Despite the UMW low fortunes and virtual lack of resources, a national strike was called on July 4. Although unsuccessful in West Virginia, the union was able to establish bargaining rights in Indiana, Illinois, Ohio, and western Pennsylvania. The central competitive field agreement was developed, which aimed at a wage scale which would allow operators from all of the above regions to operate on the basis of rough equality. Not all operators were willing to go along with the arrangement. The Pana Coal Co., which had refused to accept the agreement, tried to operate with Negro strikebreakers. A report indicated that an additional carload was on the way, resulting in armed miners halting a train and removing the strikebreakers. No harm befell them; they were sent home. Governor John B. Tanner sent a company of National Guardsmen to Pana with instructions not to assist the company to operate its mines.

More serious was the outcome of the attempt of the Chicago-Virden Coal Co., Virden, Ill., to carry on operations with strikebreakers. On October 12, 1898, the company attempted to land a carload of strikebreakers. A report of the company's intention had reached the strikers, and many of them lined the sides of the tracks carrying loaded rifles. However, the train did not attempt to discharge its cargo at the railroad station, but moved ahead to a stockade. Shots had been exchanged between the miners and the occupants of the car, and when the car reached the stockade, guards firing rifles rushed out. In the exchange of fire 14 men, eight of them strikers, were killed and a number of others wounded. Governor Tanner denounced the company and sent National Guardsmen to Virden. They restored order, and prevented a group of strikebreakers from landing in the city the day after the riot.³⁷ The two recalcitrant companies eventually signed the central competitive agreement, but without the support of the Governor the outcome might have been different.

These coal strikes were exceptional in that the use of force did not fatally injure the union. As the full chronicle of labor disputes demonstrates, violence was rarely a successful union weapon, despite the fact that it was ordinarily a defensive measure employed against guards or strikebreakers who were attempting to destroy the effectiveness of a strike.

The importance of public opinion in supporting labor's side of a dispute has seldom won for unions the help or neutrality of public authorities in a context of labor violence. In the strike against convict labor, the Governor had and exercised his power to eliminate the cause of the strike. In the Illinois coal strike, the coal companies had broken ranks with other employers by refusing the terms of a negotiated agreement. Moreover, the violence was directed against armed outsiders who were brought into the community to replace local miners. But as the next section shows, in general, violence in labor disputes was likely to lead to repression by public force.

7. A Return to Coeur d'Alene

A completely different outcome followed the second act of the Coeur d'Alene story. In 1892, the union signed all of the companies except the Bunker Hill and Sullivan, which over the years remained a holdout. In the spring of 1899, Edward Boyce, president of the Western Federation of Miners, visited the area and began a campaign to bring that company into line.

In April 1899, a Northern Pacific train was seized at Burke, Idaho. At Gem, where the engineer was compelled to stop, dynamite was loaded on the train. Others joined the train at Wallace, and the engineer was then ordered to switch his train onto the tracks of the Oregon Northern Railroad and proceed to Wardner. Masked men got off the train, proceeded to the Bunker Hill and Sullivan mill and, after dispersing the guards, destroyed the mill, inflicting damages of about a quarter of a million dollars. Governor Frank Steunenberg, on learning of these events, requested Federal aid, the Idaho National Guard being on duty in the Philippines.

Federal troops were dispatched and the State auditor, Bartlet Sinclair, was directed by the Governor to take command. He jailed every member and sympathizer of the union that could be found. All were, in his opinion, morally guilty of the dynamiting. Makeshift jails were used until the prisoners had constructed a stockade where they were lodged. Local officials sympathetic to the miners were removed, and others friendly to the company replaced them. Sinclair was determined to root out the Western Federation of Miners. A permit system was instituted under which applicants for work were required to repudiate the union by agreeing that it was a criminal conspiracy. Protests to the Secretary of War by Samuel Gompers and others brought orders to the commanding Federal general not to meddle in union affairs. But Sinclair was in charge of that phase, and he was acting under the orders of Governor Steunenberg.

The secretary of the Burke local union was tried for conspiracy to murder and was convicted and sentenced to prison. Ten others were convicted of interfering with the U.S. mail. Most of the miners were kept in the bullpen until November 1899, but the military occupation of the district continued until April 1901, when a new State administration ended it. The miners' leaders imprisoned by the State were also pardoned, but the union never regained its vigor in the Coeur d'Alene area. The violence against the company boomeranged; it did not serve the union's interest.

In Coeur d'Alene the attack on the Bunker Hill and Sullivan mill was an attempt to compel a company to accept a union contract, but the aggressive invasion and destruction was one that no Governor could tolerate. Governor Steunenberg, who was to be killed by a bomb 8 years later, had little option except to act against those who seized a train and dynamited property. His prior background was not on its face antilabor. He had had the support of the Western Federation of Miners in his campaign for the governorship, and he boasted that he was a member of the International Typographical Union. However, he might have been less severe and avoided arresting and imprisoning many innocent union miners. The lesson that can be derived from the episodes in the Coeur d'Alene area is that violence is a risky tactic for those who need public tolerance if not public support in behalf of their demands, no matter how just or righteous their cause.³⁸

THE 10 YEARS BETWEEN 1900 AND 1910

The first decade of the 20th century witnessed expansion of union membership, which increased opportunities for conflicts with employers. As in previous periods, strikes were on occasion marked by violence. The prospect of violence was heightened by rising employer resistance to union objectives. The signs of this new employer response consisted of the founding of many employer associations, the beginning of the open-shop campaign, and the use of Citizen Alliances as assault troops on union picket lines.

1. Pennsylvania Anthracite Coalfields

Violence in Illinois and in the Coeur d'Alene was carried out primarily by native or Americanized workers. Through the 1870's the Pennsylvania anthracite area was dominated by English-speaking workers: Americans, English, Scotch, Irish, and Welsh were the principal sources of labor.³⁹ By 1900, large numbers of Eastern and Southern Europeans had come into the area, and the English-speaking ratio in the population had dropped from 94 percent in 1880 to 52 percent in 1900.⁴⁰ With the destruction of the Knights of Labor and the Amalgamated Association of Anthracite Miners, no offset to the companies' power existed. Absence of checkweighmen, the existence of the company store, and the complete domination of the area by the coal companies were unrestrained evils. Nothing better demonstrates the abuse of power than an attack in 1897 upon miners who had struck against the high prices at the company store and were peacefully marching from Hazleton to Latimer. The sheriff and a force of deputies met the marchers on the road and ordered them to disperse. When they failed to obey instantly, the sheriff ordered his deputies to fire on the unresisting paraders. Eighteen were killed and 40 seriously wounded. Many of the killed and wounded were shot in the back. The sheriff and several deputies were tried for murder but were acquitted.⁴¹

In 1900, the United Mine Workers of America was able to challenge successfully the anthracite coal operators. Although the union had only about 7 percent of the miners in the area in the organization, it called a strike in September of 1900. There was only one serious clash between strikers and guards, which led to the death of a strikebreaker. Immediately 2,400 troops were sent into the area by the Governor. The strike was settled on terms not unfavorable to the union, and the single violent encounter played no role in the outcome.⁴² Peace in the anthracite mines was brought about by political pressure but also by the skillful leadership of John Mitchell, the president of the United Mine Workers. Mitchell had always deplored the use of violent methods and constantly pleaded for negotiations as a peaceful means of settling labor disputes. He further recognized the importance of retaining public sentiment on the strikers' side, and he was determined to prevent the use of widespread prejudice against the Southern European immigrant worker to defeat them. This strike was, however, only a skirmish; the anthracite workers were to face a more serious trial 2 years later.

When negotiations between the operators and the union broke down in April 1902, it appeared that the strike would be more violent than the preceding one. A more aggressive spirit was evident among the men, and the companies appeared to be equally determined to scotch further progress of

the union. Hundreds of commissions for iron and coal police to guard mining property were issued, and the companies decided to recruit strikebreakers and operate during the strike. An attack on a colliery at Old Forge on July 1 resulted in the killing of a striker; another was killed at Duryea the next day. Shootings and assaults became more common as the strike dragged on, and at the end of July the Governor ordered two regiments to Shenandoah, where the town was literally taken over by rioters. In this community a merchant suspected of supplying ammunition to deputies was beaten to death, and deputies and strikebreakers were assaulted. On August 18, troops were sent to Carbon County after a coal and iron policeman killed a striker. Trestles and bridges were dynamited and nonstrikers assaulted. The Governor, in September, sent troops into the three anthracite counties. Violence did not abate. On September 28, a striker was killed, and later in the day, 700 strikers assaulted and wrecked the Mount Carmel office of the Lehigh Valley Coal Co. and seized the roads leading to the colliery. In a summary of violence at the end of September, the *New York Tribune* claimed that in the disturbances arising out of the strike, 14 had been killed, 16 shot from ambush, 42 others severely injured, and 67 aggravated assaults had occurred; 1 house and 4 bridges were dynamited, 16 houses, 10 buildings, 3 washrooms around mines, and 3 stockades were burned; 6 trains were wrecked and there were 9 attempted wrecks, 7 trains attacked, and students in 14 schools went on strike against teachers whose fathers or brothers were working during the strike.⁴³

Despite the extent of violence, it is doubtful whether it had any decisive effect on the outcome of the strike. In insisting that the strikers were prevented from working because of union intimidation, the operators claimed that the mines would be opened and fully manned if adequate protection were granted. The Governor of Pennsylvania sent the entire National Guard of the State into the anthracite area, but their presence did not increase the output of coal. This demonstration that the tieup was not the result of coercion but of the determination of the miners to bargain through a union ended the impasse.

What made the union victory possible was the conciliatory attitude of Mitchell. Firm on essentials, he was ready to compromise on details. Careful not to antagonize public opinion, he emphasized the justice of the miners' cause, the right of men to bargain collectively over the terms of employment. Although considerable violence developed during the second anthracite strike, none of it had the spectacular features of some of the battles in the Rocky Mountain area (see below). Mitchell and his subordinates always pleaded for peaceful behavior, and while the advice was often honored in the breach, neither he nor any other leaders could be attacked for advocating destruction of property or assaults upon persons which, had they done so, would have given employers a powerful argument with which to sway public sentiment.

2. The Colorado Labor War

The use of force to settle differences was more common in the Western mining camps at the turn of the century than in Eastern manufacturing or even mining communities. In the West there was a tendency for violence to erupt on a larger scale. In 1894 Colorado's Governor, David M. Waite, ordered the dispersal of an army of company-employed deputies in a mining-labor dis-

pute. Only the intervention of the troops prevented a battle between strikers and deputies.

Later, in 1901, after a successful walkout, the union miners deported a group of strikebreakers who had taken their jobs during the strike. The tendency for each side to resort to force to settle differences led to a gradual escalation of the level of violence, which reached a point where the Western Federation of Miners faced the combined power of the Mine Operator's Association, aided by the State government and a private employer's group, the militant Citizen's Alliance. It was an unequal struggle in which men were killed and maimed; union miners imprisoned in the bullpen; union halls, newspapers, and cooperatives sacked; and many strikers deported. There is no episode in American labor history in which violence was as systematically used by employers as in the Colorado labor war of 1903 and 1904. The miners fought back with a ferocity born of desperation, but their use of rifles and dynamite did not prevent their utter defeat.

The war opened in 1903. It started with a peaceful withdrawal from work in the Colorado City mill of the United States Reduction Refining Co., after demands for a wage increase and union recognition had been rejected. The strike quickly spread to the other mines and mills in the area. Although no reports of lawlessness had been made, the Governor sent in several companies of militia at the request of the sheriff. Although settlement was made, with the assistance of the Governor, the manager of the United States Reduction Refining Co. refused to accept its terms. District No. 1 of the Western Federation of Miners on August 3, 1903, called strikes in mines shipping ore to the refineries of the United States Reduction Refining Co. This was denounced by the Colorado Mine Owners Association as an "arbitrary and unjustifiable action" which "mars the annals of organized labor, and we denounce it as an outrage against both the employer and the employee."⁴⁴

The association announced that it was determined to operate without the cooperation of the federation and, in response to a plea from the operators, State troops were sent to Teller County, where Cripple Creek was located, on September 3, 1904. At the same time a strike for shorter hours was going on in Telluride, and troops were sent into that area, although no reports of trouble were published. Active union men were arrested through September, lodged in a bullpen for several days, and then released. The militia officers took umbrage at an editorial in the *Victor Record*, and arrested its staff, who were held for 24 hours in the bullpen before they were released.⁴⁵

The first significant violence attributed to the strikers was the blowing up of the Vindicator mine in Teller County, in which two were killed. Martial law was declared in Teller County and the military informed the editor of the *Victor Herald* that editorial comments would be censored. When the union secured a writ of habeas corpus directing the military to bring an arrested miner before a State court, the Governor suspended the writ "on the ground of military necessity."⁴⁶ Deportations of strikers were begun, and temporarily halted by an order from a State court. The military obeyed this court order. When 16 men were killed by the fall of a cage at the Independence mine at Victor, bitter feeling increased. Violation of safety rules was blamed by the union for the accident.

By February 2, 1904, conditions in Teller County were sufficiently close to normal for the Governor to withdraw troops. The mining companies then

put into effect a "rustling-card" system that required applicants for employment in mines and smelters to obtain a card authorizing them to seek work. Each time a person changed jobs he had to procure a new card, which gave the mining companies an opportunity to blacklist all who did not meet their standards. The strike dragged on, and on June 6, 1904, while nonunion miners were returning from work, a charge of dynamite exploded under the Independence railroad station, killing 13 and seriously wounding 16. After the explosion, the Citizen's Alliance went into action. County and city officials sympathetic to the union were forced to resign, and a roundup of union members and sympathizers started. They were placed in a bullpen, and many of them were later deported to Kansas and New Mexico. The commander of the militia, General Sherman Bell, set up a commission to decide the fate of the prisoners held in the bullpen. A person's attitude towards the Western Federation of Miners determined whether he would be released or deported. On July 26, 1904, the Governor ended military rule and left the field to the Citizen's Alliance. During its tenure, since June 8, the commission examined 1,569 men, recommending 238 for deportation and 42 for trial in the criminal courts; the rest were released from the bullpen.⁴⁷ Gradually, normal conditions were restored, but the union continued its nominal strike until December 1907, when it was called off.⁴⁸

Simultaneously with the Cripple Creek strike, the union was directing another in the San Juan area of Telluride County, Colo. The same scenario was played here. Troops were sent into the area soon after the calling of the strike in September 1903. Censorship, deportations, and arrests accompanied the troops. The union fought a losing battle, and the Telluride Miner's Association announced it would never employ members of the Western Federation of Miners. When the resistance of the strikers was broken, the Governor withdrew the State troops, but by that time the Citizen's Alliance could itself handle deportations and assaults.⁴⁹

The effect of this organized violence upon the miner's organization is summarized by Sheriff Edward Bell of Teller County, and a leader in the campaign against that union. After the assaults and deportations had broken the back of the resistance, the sheriff announced:

The danger is all past. There are less than 100 of the radical miners left in the Cripple Creek district. The rest have been deported, or have left the district because they were unable to gain employment. They can never get work again. The mine owners have adopted a card system by which no miner can gain admittance to a mine unless he has a card showing that he does not belong to a union.⁵⁰

The miners were no easy victims. They resisted as well as they could, but they faced the overwhelming power of the mine operators aided by the business community, the Governor, and the courts.⁵¹

3. A Collection of Strikes: Two Teamster, Two Seamen, and One Sawmill Workers' Strikes

In 1901 a citywide teamsters strike took place in San Francisco that had the backing of the waterfront unions. The dispute started over demands for exclusive employment of union members at one of the companies, and eventually involved all the draying employees in the city. An attempt to replace

the strikers was made, and trucks and nonunion drivers were mercilessly assaulted. A number of business groups pleaded with the Governor for State troops, but he refused to grant the requests. The violence continued to the end of a strike in which five persons were killed and assault victims were said to exceed 300. Notwithstanding the violence, the strike ended in a compromise favoring the employers.⁵²

The Chicago teamsters' strike was one of the more violent of the decade. Although it lacked the dramatic confrontations typical of the Western mining camps, the strikers' constant clashes with strikebreakers, guards, and police resulted in a number of deaths, hundreds of injuries, and the arrest of 1,108 persons. The teamsters' strike started on April 6, 1905, as a sympathetic walk-out in defense of a small union of clothing cutters. It lasted 106 days and involved 4,500 out of the more than 38,000 union teamsters in Chicago. During the strike, 1,763 special policemen were added to the Chicago police department. The sheriff of Cook County employed 913 extra deputies, and an additional 4,157 unpaid deputies were recruited for strike duty, largely from the business community. The police department reported that 14 deaths and 31 injuries were caused by firearms; there were 202 other casualties. The police brought 930 cases against strikers, and 178 against nonunion men who had been arrested. Constant demands were made upon the Governor for State troops, and the President of the United States was asked to send Federal aid. Both requests were rejected. Strikebreakers were brought from other cities, and professional strike guards and police rode the wagons delivering goods to boycotted firms. The entire business community was united against the union, and hundreds of thousands of dollars were raised to fight the walkout. In the end, the union was forced to surrender without attaining any of its demands. It was a serious loss which had repercussions within the teamster's union as well as the Chicago labor movement.⁵³

After dealing with the International Seamen's Union for a number of years, the Lake Carriers' Association, a group of ship operators, decided to end its union relationships. In 1908, it inaugurated a welfare plan, a continuous discharge book containing a record of the holder's performance aboard ship, and a program of benefits for those killed in service. The agreement with the union was not signed and active union men were denied employment. When the 1909 session opened, the union called a strike. It lasted for the next 3 years, and encounters between pickets and strikebreakers and guards took place in most of the Great Lakes ports. Five pickets were reported to have been killed, and many injured on both sides.⁵⁴

In the May 1906 strike of the Sailors' Union of the Pacific, two men working on the vessel *Fearless* were killed in Gray's Harbor, Wash., by strikers led by the union agent, William Gohl, who was subsequently convicted and sentenced to prison. A crew working in Portland, Oreg., on a struck vessel was assaulted by a gang led by the union agent. During the same year, a strike of sawmill workers in Humboldt, Calif., resulted in a number of clashes between strikers and workers, in which two were killed and many injured.⁵⁵

4. Minor Disputes: Seven Streetcar Strikes

Many disputes in this period took place which failed to attract national attention because of the fewer numbers of employees involved and the smaller

economic importance of the firms. The significance of these minor strikes lies not only in their demonstration of the ease with which violence arose in the industrial arena, but in the dispersion of violence in virtually every part of the country. No region or industry can claim a monopoly on violent confrontation, although labor disputes in some industries were more susceptible to the exercise of force.

Strikes in municipal transportation services were often accompanied by riots and general disorder.⁵⁶ Attempts to replace strikers by operating with new employees could easily lead to rioting, because surface cars often passed through neighborhoods which strongly supported the strikers. Disturbances on open streets could also be joined by sympathizers and even uninvolved seekers of excitement. During the 1901 transit strike in Albany, N.Y., the sheriff asked for troops. They remained in the city between May 14 and 18, and the Adjutant General reported "three persons were shot . . . who were guarding a car, they having been assailed by a mob that had quickly gathered . . ."

The following year the Governor of Rhode Island sent troops to Pawtucket to help escort vehicles through jeering crowds. Troops arrived on June 11, 1902, and aided deputy sheriffs who had fired at missile-throwing crowds. "Martial law was declared on June 13 and the troops began to clear streets of all crowds, and forced the closing of doors and windows on the streets on which cars were operated."⁵⁷ The same year the Governor of Louisiana ordered troops to New Orleans to help put down the rioting connected with the streetcar strike. The troops remained in the city for a month.⁵⁸

During the 1903 strike of streetcar men in Waterbury, Conn., troops were sent by the Governor to "aid the civil authorities in suppressing whatever disorder might occur on account of the strike trouble."⁵⁹ Troops left on February 4, 1903, and when the streetcars resumed operations without the protective shield of the troops, trouble again started. On March 8, 1903, a special policeman on a streetcar was killed by a revolver shot. Eight strikers and a boy were arrested and tried for murder; they were acquitted.⁶⁰

A successful effort to break the union of transit workers in San Francisco brought with it considerable violence. Strikebreakers opened fire on pickets, and "some twenty men were wounded, five it was said, mortally." The head of the surface lines explained: "We are going to establish the open shop on the California street line." At the same time, the company was anxious to retain the older employees. "But we will deal with them individually only," he explained.⁶¹

The issue in dispute on the Philadelphia transit lines was the continued existence of the local of the Amalgamated Association of Street Railway Employees, with which the Philadelphia Rapid Transit Co. had an agreement. The union had been recognized in 1909 as a result of pressure by local politicians who wished to avoid a controversy in the midst of a municipal campaign for public offices. However, the company encouraged the establishing of the Keystone Carmen, a company-dominated union, and at the same time discharged 173 members of the regular labor organization. When no bargaining agreement was reached, the union called a strike, and the company countered by importing strikebreakers and guards under the direction of James Farley, a notorious street fighter and supplier of armed guards during strikes. In the first days of the strike, the police and private guards were helpless against

mobs who roamed the streets wrecking cars and smashing windows; the company claimed 298 cars had been destroyed, and more than 2,000 windows broken. Much of the violence during the Philadelphia dispute was caused by traveling pickets and their sympathizers. The guards were, however, injured to violence and engaged in it themselves. In Philadelphia on March 8 "a band of 'strikebreakers,' men furnished by private detective agencies . . . for temporary use, took a car down the crowded thoroughfare at high speed shooting into the crowds on the sidewalk and wounding several persons."⁶² Eventually the strike was settled with the abandonment of the legitimate union and the establishment of a company-dominated organization.⁶³

A strike in Columbus, Ohio, in 1910 was also caused by the unwillingness of a rapid transit company to deal with a union established in that year. Intervention by the State board of arbitration resulted in a temporary agreement, but it was ended by a union charge of bad faith after the company discharged a number of union men. Many members of the police force refused to ride on the streetcars and protect strikebreakers. The "first few days of the strike was attended with riots from the downtown streets in which men were pulled from cars and beaten, cars stoned, trolley ropes and wires cut."⁶⁴ The company imported 450 trained guards and strikebreakers from Cleveland, and the strike "settled down to guerrilla warfare. Cars have been stoned and dynamited in all parts of the city; attempts have been made to blow up car houses where non-union members are quartered and the public intimidated from riding by systematic picketing and boycotting."⁶⁵ At the request of the local authorities, troops were sent into the city on July 28, 1910. "While enroute to Columbus, a sympathizer of the lawless conditions in Columbus deliberately wrecked the first section of the Fourth Infantry train."⁶⁶ A number of men were injured. The violence subsided after the arrival of troops, and service was resumed.

5. Three Strikes in the Clothing Industry

Two strikes in this period surrounded by considerable violence ended with the recognition of the unions involved. In New York City the International Ladies' Garment Workers' Union was able to win collective-bargaining rights in the New York market after two strikes, each in a different branch of the industry. On November 22, 1909, almost 20,000 workers in the dress and waist industry, the large majority of whom were young women, went out on strike. The walkout lasted until February 15, 1910. During the strike, 771 pickets were arrested, of whom 19 were given jail terms in the workhouse and 248 fined. The pickets, on the other hand, complained that they were victims of repeated assaults by the police and hired sluggers of the employers. The union charges were supported by a number of social workers who joined in union complaints to the mayor. The settlement of the strike was followed by the cloak-maker's walkout, involving more than 50,000 workers. In this strike both sides engaged in considerable violence. The employers engaged dozens of private guards, and the union countered by hiring its own strong-arm men. During one encounter a private detective engaged by one of the employers was killed; several union members were tried for the offense but were acquitted.⁶⁷ This strike was successful and marked the beginning of permanent collective bargaining in the ladies' garment industry in New York. Pressures

to reach an agreement came from sources outside the industry, including the Jewish community, which found the internecine struggle between Jewish employers and employees highly distasteful.

A much more violent encounter was the strike of the men's clothing workers in Chicago during the same year. Beginning on September 22, 1910, as a protest against a cut in rates paid for the stitching of seams, the strike spread and eventually involved virtually all of the 40,000 workers employed in the Chicago market. The United Garment Workers of America, the union with jurisdiction in the trade, took over direction of the walkout, but the industry was unwilling to deal with a labor organization. Police were active in breaking picket lines, and considerable violence ensued. On December 4, the first picket was killed, and another 11 days later. A private detective escorting strikebreakers was killed in the first days of January, and before the strike ended four others were killed. The strike lasted 133 days, during which 874 arrests were made, mostly of union pickets or their sympathizers. It succeeded in gaining union recognition from Hart, Schaffner & Marx, one of the leading firms in the Chicago market, recognition which was later expanded to the entire industry. The Hart, Schaffner & Marx decision to accept collective bargaining in large part arose from one partner's strong personal distaste of the violence generated in this dispute.⁶⁸

6. Three Pennsylvania Strikes

These strikes in Pennsylvania, in 1909-10, were all spontaneous, unorganized walkouts. A reduction in pay was the cause of the strike of steel workers in the plant of the Pressed Steel Car Co. of McKee's Rock, Pa., in July of 1909. In August the IWW entered the leaderless strike and sent its general organizer, William Trautman, to aid the strikers. Trautman had been active in the Brewery Worker's Union before the launching of the IWW and he was an experienced labor organizer. The strikers, mostly German, Polish, and Hungarian immigrants, were not concerned with the philosophy of the IWW as much as assistance in conducting a walkout. After the strike was called the Pennsylvania constabulary arrived, and killed a striker during August. Soon thereafter a deputy sheriff was murdered by a group of pickets when he refused to leave a streetcar as directed. By the end of the strike, 11 strikers and 2 deputies had been killed. A committee from the U.S. House of Representatives heard testimony that men were forcibly kept in stockades, and in the cars in which they arrived—

there was an armed guard at each end of the car, and [passengers were] not allowed to leave the train, and when they got in the camp they were forced to work there by the deputies of the car companies, the car companies being authorized by the sheriff to appoint whatever deputies they choose. [Men were] forced to work there at the point of a gun by men armed with blackjacks.⁶⁹

The experience in the Westmoreland County coal area was somewhat different. Although the coal miners were unaffiliated with a union, the United Mine Workers of America was anxious to bring these workers into its ranks. As soon as the strike began, trouble arose with police officers. "Conflicts between peace officers and the strikers," noted a congressional committee:

were numerous during the strike; in fact, were a matter of daily occurrence. Most of the police officers were deputy sheriffs or constables and many of both classes came from other counties and other states. The coal companies hired them and boarded them . . . The deputies and constables paraded the highways and in many cases, it is claimed, treated the strikers with undue severity. They were armed with pistols and clubs or blackjacks and many of them were mounted. Many strikers were attacked by the deputies or constables on the road and when parties of strikers were met, the mounted officers often dispersed them by beating them or riding them down . . . Many strikers were severely beaten by the deputies and constables, even when they were not near the mines or mine villages.⁷⁰

The committee observed that the deputies and constables were not well disciplined and that they acted with needless brutality. Six strikers and sympathizers were killed, and two strikebreakers and a deputy sheriff also perished.

The third unorganized strike, at the steel mill of the Bethlehem Steel Co. at South Bethlehem, Pa., followed the dismissal of a committee protesting the discharge of a machinist for evading Sunday work. It was, at first, an unorganized walkout, but the metal and building trades organized a majority of those who had left their jobs. On February 26, 1910, the State constabulary arrived, and on their way to the office of the company, the constabulary "assaulted a number of people standing peaceably on the street . . . and they shot down an innocent man . . . who was standing in the Majestic Hotel when one of the troopers rode up to the pavement at the hotel door and fired two shots into the barroom." To pleas for recognition of the union, President Charles M. Schwab said: "It must be understood that under no circumstances will we deal with men on strike or a body of men representing organized labor."⁷¹ All three of the strikes failed.

7. Special Police

In Pennsylvania, every railroad in 1865 and every colliery, iron furnace, or rolling mill in 1866 was granted by statute liberty to employ as many policemen as it saw fit, from such persons as would obey its behests, and they were clothed with all authority of Pennsylvania, were paid such wages and armed with such weapons as the corporation determined—usually revolvers, sometimes Winchester rifles or both—and they were commissioned by the governor.⁷²

Appointments under the Coal and Iron Police Act were made without difficulty. Corporations would file requests, and as a rule no investigation of the need for such appointments or restrictions on the behavior of those selected were made. In 1871 a fee of \$1 was charged for each commission issued. From then until 1931, when the coal and iron police were abolished, the mining companies of Pennsylvania were able to utilize police under their own control in labor disputes. "There was no investigation, no regulation, no supervision, no responsibility undertaken by the State, which had literally created 'islands' of police power which was free to float as the employers saw fit."⁷³ The Pennsylvania system was not duplicated elsewhere. In its stead, in other States sheriffs and other local officials were authorized to appoint persons paid by the employer for strike and other private police duty.

On numerous occasions mercenaries were guilty of serious assaults upon the person and rights of strikers, and their provocative behavior was frequently an incitement to violence and disorder. Their presence, when added to the special deputies and company policemen and guards, increased substantially the possibility of sanguinary confrontations in strike areas.⁷⁴ Furthermore, the availability of private police figured in many events which have been ignored in American labor history. These would include the expulsion of organizers from a county, the forceful denial to union organizers of the opportunity to speak in company towns, and the physical coercion of individual employees because of their union affiliation or sympathies.

8. Use of Troops Under Peaceful Conditions

As we have seen, outbreaks of labor violence frequently required the intervention of State troops, whose activities in restoring order usually resulted in defeating the strike. This lesson was not lost to some employers who, with the connivance of local public officials, secured military aid in situations where violence was absent or insignificant. During the general strike of silk workers in Paterson, N.J., in 1902, it was claimed that the mills faced an attack by a mob. At the request of the sheriff, troops were sent to the city on June 19. They found no disorder, and left after 9 days.⁷⁵

A more flagrant instance of misrepresentation took place in the Goldfield, Nev., dispute between the Industrial Workers of the World (IWW) and the craft unions. Trouble started when the IWW announced that members of the carpenter's union would have to join the IWW by March 7 "or be thrown off the job and run out of town. The carpenters did not submit their applications, but did carry guns to work on the morning of March 7. The IWW in the face of this armed opposition was to call off all the helpers from the jobs where A.F. of L. men were employed."⁷⁶ Tension increased, and at the request of the Governor, President Theodore Roosevelt sent Federal troops to Goldfield. The President also appointed a commission to investigate the disturbance. It said:

The action of the mine operators warrants the belief that they had determined upon a reduction in wages and the refusal of employment to members of the Western Federation of Miners, but that they feared to take this course of action unless they had the protection of Federal troops and that they accordingly laid a plan to secure such troops and then put their program into effect.⁷⁷ The commission found no basis for the statement that "there was a complete collapse of civil authority here."⁷⁸

[On the] question of deportation, the evidence sustains at the very maximum probably 25 cases in the last two years. Last March an acute labor dispute existed, lasting some weeks, in which the city was practically an armed camp . . . the best evidence indicates the number with arms is no greater than commonly found in mining camps. Representatives of trades in American Federation of Labor here all agree that practically no members of their crafts have felt any occasion to carry arms since the acute conditions of last March. Our investigation so far has completely failed to sustain the general and sweeping allegations in the governor calling for troops, and the impression as to conditions here given in that call is misleading and without warrant.⁷⁹

The same course of events took place in two other widely separate cases. In a strike at the National Fireproofing plant at Raritan, N.J., troops were sent during a strike in November 1908. Although no violent incident or threats had been made, the sheriff asked the Governor to send troops. His request was met, but they stayed only a few days. It may be that the sheriff feared that violence would follow, since the strikers were mostly Poles, Hungarians, and other Southern Europeans.⁸⁰ At almost the same time, State troops were summoned to a tunnel job in McCloud, Calif. The sheriff had informed the Governor that strikers had taken over the "powder house, undoubtedly for use as bombs or like service." The sheriff claimed the strikers threatened to kill anyone who went to work. Troops were sent and they helped the sheriff arrest the leaders of the strike. When this was accomplished, the troops left.⁸¹

9. Campaigns of Violence by Unions

Despite explicit repudiation of force as an accepted tactic, a number of unions pursued systematic campaigns against opponents. These campaigns were directed against workers who refused to join a given labor organization, against employers, or both. One such campaign was carried on by the Western Federation of Miners against mine managers, company agents, and public officials. Harry Orchard, a member of the federation, confessed to the commission of many crimes, including the murder of Governor Frank Steunenberg of Idaho on December 30, 1905, at the alleged orders of the chief union officers.

The outstanding example of a campaign of force is the one conducted by the International Association of Bridge Structural Iron Workers in the first decade of the century against some employers. When the National Erectors' Association decided in 1906 that it would no longer continue its agreement with the union, the latter turned to terror and dynamite. In the first few years of the open-shop fight, about 100 nonunion ironworkers and company guards were assaulted, three guards being killed. Between 1906 and 1911, about 100 structures were damaged or destroyed by charges of explosives.⁸² Luke Grant, who studied this episode for the Commission of Industrial Relations, concluded "that the dynamite campaign was ineffective as far as it was directed against the National Erectors' Association and that it weakened the influence of the organization with some independent employers." Others believed that the campaign kept the small contractors in line.⁸³ Moreover, Grant was convinced that the dynamiting campaign did the union a great deal of harm. "It stirred the public mind as few labor wars have done."⁸⁴ The "main reason for the resort to dynamite is found in the uncompromising attitude of the open-shop employers. The American Bridge Co. offered to compromise in the early stages of the fight and the union representatives rejected the terms of the compromise." After that the attitude of the employers was unyielding. Every effort on the union side to bring about a conference, after it realized the mistake that had been made, proved unavailing.

Without a conference, no settlement of the strike was possible. For the union it meant either unconditional surrender or a fight to the finish. There was no middle course open while the employers refused to confer When the hopelessness of the situation became apparent to the

union officials, resort was made to the destruction of property. Diplomacy was out of the question, so dynamite was tried. It proved to be a colossal blunder, as was the rejection of the peace terms offered in the beginning of the fight.⁸⁵

Elements within the Molders' Union also carried on aggressive attacks against employees, guards, and members of the National Founders Association in 1904. The union and the association had negotiated past agreements, but differences over apprentice ratios, piecework, and efficiency resulted in a break in relations in 1904. A series of strikes took place throughout the country and lasted from 1904 to 1907. The employers operated across picket lines nearly everywhere and the union response was predictable. According to the National Founders Association, violence occurred in Utica, Cincinnati, Philadelphia, Glassport, Pa., Trenton, Milwaukee, Columbus, Chicago, Buffalo, Kansas City, St. Paul, Minneapolis, Iola, Kansas, Detroit, Seattle, Rutland, Paterson, and Meadville, Pa.⁸⁶ In these series of episodes, 400 affidavits of alleged union violence were obtained, 34 injunctions restraining violence were issued by state courts, and 32 contempt convictions of these orders were obtained. The most serious trouble took place in Milwaukee, where there were 22 contempt citations and 5 separate assault incidents. Two strikebreakers were killed in the course of the dispute.

INDUSTRIAL VIOLENCE 1911-16

These 6 years rank among the most violent in American history, except for the Civil War. Although the origins of violent encounters were not different from those in the past, they frequently attained a virulence seldom equaled in industrial warfare in any nation. This was as true of many small disputes as it was of the major confrontations in Michigan copper and the West Virginia and Colorado coalfields.

1. The Illinois Central Shopmen's Strike

This strike differed from others in which serious violence took place in that union recognition was not the cause of the conflict. Single crafts had been recognized by this carrier for a number of years, but the carrier refused to negotiate a common contract with the system federation, a central body of several crafts. Following the establishment of the Railway Employees Department, the Illinois Central Railroad was requested, in June 1911, to deal jointly instead of singly with the Machinists', Steam Fitters', Railway Clerks', Blacksmiths', Boilermakers', and Sheet Metal Workers' Unions. The carrier refused, and a strike was called on the entire line of the Illinois Central. The railroad decided to replace the strikers. Violence was reported all along the right of way of the carrier. In Mississippi, one of the more important areas served by the Illinois Central, violence erupted at a number of points. When a train carrying strikebreakers arrived at McComb on October 3, 1911, it was met by about 250 armed men who opened fire on the new arrivals. Ten men were killed, cars were burned, and strikebreakers were afterward removed from the strike zone by militia called in by the Governor. Demonstrations against those working were also carried on. On January 17, 1912, five Negro

laborers employed as helpers at McComb were fired upon while returning from work; three were killed, the others wounded. Strikebreakers were temporarily escorted out of the strike zone.⁸⁷ The shops at Water Valley, Miss., were attacked and the Governor ordered troops to that community on October 6, 1911. Serious violence was reported in New Orleans and a company guard was killed at Athens, Tex., and a guard and strikebreaker at the Illinois Central roundhouse at Houston, Tex. In Clinton, Ill., Carl Person, a leader of the strike, killed a strikebreaker who had brutally assaulted him. Person was tried for murder and acquitted on the ground of self-defense.⁸⁸ Despite the strike's formal continuance until June 28, 1915, it was in effect lost within several months after its start.

2. Five IWW Strikes

Despite its temporary advocacy of direct action and sabotage, the strikes of the IWW were not particularly violent. In 1912-13, the IWW led two textile strikes in the East, and an affiliate, the Brotherhood of Timber Workers, operating in Louisiana, struck for improved wages and in working conditions in the Louisiana timber area. An exchange of gunfire between pickets and guards before the Galloway Lumber Co. at Grabow, La., resulted in the killing of three union men and a company guard. A score of others were wounded. Several companies of troops were sent into the area and remained 3 days. A clash between strikers and strikebreakers at Merryville, on November 14, brought State troops into the area. The trouble ceased with their arrival, and the business community was anxious that the troops remain. More than 1,000 men were on strike, and "the people in the area were mostly in sympathy with the strike."⁸⁹ It was, however, insufficient to help the strikers win. Several of the leaders were indicted for murder, but they were later acquitted.

The textile strike in Lawrence, Mass., including more than 25,000 workers, was the most important IWW-led strike and made a deep impression on contemporary observers.⁹⁰ Refusal of employers to offset the loss of wages that followed the reduction of hours required for women workers by a recently enacted law was the cause of the walkout on January 11, 1912. As the workers belonged to no union, they invited the general organizer of the IWW, Joseph Ettor, to aid them. He succeeded in having specific demands formulated and presented to each employer of the strikers. Troops were sent into the city, and their number was increased as the strike continued. At the same time, the Governor of Massachusetts sought to have the State board of arbitration settle the dispute. The strikers were willing, but the American Woolen Co., the largest employer, refused to participate. A number of clashes between pickets and the militia took place, and in one a woman was killed. The strike continued until March 12, and was ended by the offer of a wage increase. Although the strike was a victory for the textile workers, the IWW was unable to gain a permanent foothold in Lawrence or in the textile industry. While arrests are not necessarily a measure of strike violence, it is interesting that in Lawrence during the strike, more than 350 arrests were made. Several were sentenced to 2 years in prison; 24 to 1 year; and 22 were fined.

The third strike of the IWW, one which was almost equal to Lawrence in the public attention it attracted, took place in the silk mills of Paterson, N.J. The IWW capitalized on dissatisfaction which other organizations were unable

to use to their advantage. A strike called against one of the large mills on February 1, 1913, was later expanded to embrace all the silk mills and dye works. Mass arrests of pickets began quietly, early in the walkout, and the attorney for the IWW claimed that innocent strikers had been arrested. Many private detectives were employed by the firms on strike, and on April 18, a bystander was killed when between 16 and 20 shots were fired at pickets. There was considerable violence, much of it due to the behavior of the private guards and detectives hired by employers. The strike ended without victory after 22 weeks. During its course, 2,338 had been arrested, 300 held for the grand jury, and more than 100 sentenced to prison.⁹¹

While the IWW strikes in the East represented forays into geographical areas where the union had few members, the strike in the Wheatland, Calif., hop fields took place in the union's natural habitat. The workers in this strike were typical of the IWW membership. The strike began on August 13, 1913, as a spontaneous protest against the miserable conditions at the Durst brother's ranch, where several thousand pickers had assembled awaiting the beginning of the season. Through extensive advertising, several thousand pickers had been attracted to the ranch in search of employment. Even by the standards prevailing in migrant-worker camps, living conditions were very bad there. Inadequate toilet facilities, charges for drinking water, absence of housing for many hundreds, and the low sanitary state of the campsite caused sufficient dissatisfaction that the migrants elected a negotiating committee. Richard Ford and Herman Suhr, members of the IWW, were on the committee. Demands for improvements in sanitation and an increase in the price of picking were made, and the committee, headed by Ford and Suhr, met with one of the Durst brothers. Durst flicked his glove across Ford's face and rejected the demands. The resident constable then tried to arrest Ford. When a warrant was insisted upon, the constable left and returned with the district attorney of the county and several deputy sheriffs. An attempt to arrest Ford led to an argument which ended in general shooting. The district attorney, a deputy sheriff, and two hop pickers were killed. The next day the militia arrived, but quiet had already been restored.⁹² Ford and Suhr and two others were tried for murder, and the first two were convicted and sentenced to prison. The affair ended without improvements, although it stimulated a legislative investigation.

The IWW leadership of the spontaneous strike on the Mesabi iron range in Minnesota was by invitation, in that many of the strikers had been brought into the area in 1906 to replace predecessors who were then on strike against the same employers. Ten years later, in June 1916, the miners were sufficiently dissatisfied to go on strike. Early in July, a group of deputy sheriffs invaded a boardinghouse and tried to arrest one of the strikers. A fight started; a deputy and a passerby were killed and a striker wounded by gunfire. In the meantime, the U.S. Steel Corp., the major employer, would make no concessions nor meet with a strike committee. Eventually the strikers returned to work, having gained nothing. Three leaders of the walkout and several strikers were arrested and charged with murder. The IWW leaders were released and left the range, and several of the strikers were convicted and given prison terms.

Although IWW strikes were not unusually violent, the reputation of the IWW made its members an easy target for repressive action by the authorities,

but the harsh treatment accorded to strikers was unrelated to the organization to which they belonged. Prof. Henry F. Grady, commenting on the killing of two pickets in the 1916 San Francisco longshoremen's strike, said that "neither of these murders were provoked. When the gunmen were brought to trial, Chamber of Commerce lawyers were there to defend them. The labor man sees no essential difference between the violence he may use to protect his right to work and the conditions which he claims fair, and the violence of an armed guard who is paid to oppose him."⁹³ The strike was the result of the violation of contract by the longshoremen's union. The action was denounced by U.S. Secretary of Labor William B. Wilson. The strike had serious repercussions for it served as a pretext for the launching of the open-shop campaign in San Francisco. In the defense of acts of terror against pickets, the open-shop forces claimed that 38 nonunion men had been assaulted and only six union men had suffered similar experiences.⁹⁴

3. The Application of Public Force in Coal Disputes

(a) *Strikes in which militia intervened.*—The appearance of State troops in a community during a labor dispute was generally, although not always, the result of threats of overt violence. In nearly all cases troops acted as a screen behind which it was easier to operate a struck plant. Furthermore, the presence of troops was likely to overawe if not intimidate strikers and their sympathizers. In 1911 State troops were ordered to Jacksonville, Fla., to prevent violence. They remained in the city from October 30 to November 21, 1911. During 1912 and 1913, the militia in New York was asked to intervene in three labor disputes. In April 1912, several companies were sent to Oneida, N.Y., during a textile strike in that city. They remained there for 13 days. In the following year, the troops were sent to Auburn while a textile strike was going on. In requesting troops, the local authorities claimed that "great disorder in the city and some shooting by the disorderly element . . . necessitated the calling out of troops. After their arrival, order was promptly restored."⁹⁶

During a strike for union recognition, which the management of the Buffalo, N.Y., streetcar company refused to grant, strikebreakers and guards were brought to the city. Widespread rioting accompanied the protests against these imports. Troops were dispatched at the order of a county judge under a statute which made the county liable for the costs of bringing and maintaining the troops.⁹⁷

In a strike in 1912 at the Consolidated Mining Co. in Ely, Nev., strikebreakers were imported and picketing violence developed.⁹⁸ Two men were killed and two were wounded. Soon thereafter, Governor Taskie L. Odie declared martial law in the Robinson mining district, and directed the Nevada State Police superintendent to use his entire force to restore order. No further violence followed.

A strike of unorganized steelworkers for a wage increase started at the East Youngstown, Ohio, plant of the Youngstown Sheet Tube Co. on January 5, 1916. Three days later a group of pickets was ordered to get off company property. They began to throw rocks at the guards who were herding them off the company property. The guards fired into the crowd, killing two and wounding 23 others. The riot spread, and arson and looting followed. A hastily organized posse restored order, and the militia arrived on January 6. The strike ended with a compromise wage settlement.⁹⁹

The attempt of the transit company in Indianapolis, Ind., to operate its streetcars during a strike with out-of-town strikebreakers led to a riot on November 2, 1913, in which a strikebreaker was killed.¹⁰⁰ The Governor ordered 2,000 State troops into the city and their "mobilization caused a cessation of rioting and destruction of life and property and the Guardsmen were not actually used to quell the riots."¹⁰¹ Both sides agreed to arbitration.

(b) *Local police action.*—Many violent incidents occurred in disputes in which the militia was not called. Clashes involving police officers or private guards were frequently destructive of life and property. During a parade of several hundred strikers on April 4, 1913, from Harmon, N.Y., to Mamaronck, the police ordered the parade to disperse because they had no permit. A scuffle followed in which a marcher was killed and a guard seriously hurt.¹⁰² In a textile strike at Ipswich, Mass., the local police sought to disperse a picket line at a struck textile plant. When the strikers resisted, the police fired into the crowd, killing one woman striker and wounding seven others.¹⁰³ When the unorganized workers in Rankin, Pa., in the plant of the American Steel & Wire Co. went on strike and set up a picket line, a group of deputy sheriffs fired into the picket line, killing one and wounding a number of others. The strike lasted 5 days, and the men returned on the company's terms.¹⁰⁴ In the strike of the Empire Steel Co. at Mount Hope, N.J., an attack by armed strikers upon guards sworn in as deputy sheriffs led to the wounding of six of the guards, who left soon thereafter.¹⁰⁵

In most of the reported cases, guards rather than strikers were likely to be the aggressors. During a strike at the Metuchen, N.J., plant of the American Agricultural Co., a body of strikers met an incoming train to discover if any strikebreakers had arrived. When someone announced "No scabs had come," a number of guards ran toward the men and fired several rounds into their midst. Five were killed and many wounded. According to the "attending physicians, all the strikers' wounds were on the backs or legs which seems to indicate the deputies were on the aggressive." Twenty-two of the guards were arrested and nine subsequently convicted for manslaughter.¹⁰⁶

A similar role was played by company guards during the strike of oil refinery workers in June 1915 at Bayonne, N.J. The strike began with the still cleaners employed by the Standard Oil Co. of New Jersey, and spread to employees of the Vacuum Oil Co. and the Tidewater Oil Co. On June 21, 1915, trouble started in front of the Standard Oil plant, and "guards were accused of 'sniping' from behind piles of lumber at different times."¹⁰⁷ Before the battle ended, six had been killed and a number wounded. After the shooting, Sheriff E. F. Kincaid intervened and announced he did not "like the methods of wealth in employing gunmen and toughs to shoot defenseless men and women, any more than I like the methods of strikers destroying property."¹⁰⁸ The sheriff arrested 129 guards, 10 of whom were held for the grand jury. He denounced the leaders of the strike, struck and arrested one of the volunteer organizers, and received assurance of a wage increase from the company.¹⁰⁹

The sheriff's settlement was effective only for 1 year. On October 10, 1916, another spontaneous strike began at the plant of the Standard Oil Co. On the same day, four policemen and two strikebreakers were wounded by gunfire. The next day an angry mob of strikers surrounded the police station. On October 12, police and deputy sheriffs swept the Constable hill section where many of the strikers lived. Many were clubbed, shot, or herded into

their homes; the police wrecked saloons in the strikers' neighborhood which remained open against orders to close. Four persons died from wounds. The strikers remained out for 2 weeks, and returned without the wage increase, the main demand of the strike.¹¹⁰

Violence was not limited to the eastern part of the country, although it appears to have been concentrated in that region during this period. However, among other bloody affairs, two pickets during a lead miners' strike in Flat River, Mo., were shot by deputy sheriffs.

4. Three Major Labor Wars

(a) *The Michigan copper strike.*—The strike in the Michigan copper district followed the refusal of the operators to confer with committees of the Western Federation of Miners; they would not even acknowledge a letter. As a result a strike was called on June 22, 1913. Clashes began almost simultaneously with the strike, and at the request of the sheriff of Houghton County, troops were sent by the Governor. Over 1,700 imported and local special deputy sheriffs were also appointed. By the middle of July two strikers were killed. A much greater tragedy took place at the Christmas party given to strikers' children in Calumet. Hundreds of children and parents attended, and when the hall was filled, an unknown voice yelled "fire." Panic broke out causing the loss of 72 lives, mostly children. Because Charles H. Moyer, the president of the Western Federation of Miners, rejected an offer of \$25,000 for relief of the stricken families, offered by the Citizen's Alliance, he was assaulted and dragged through the streets of Hancock, where he was staying. Moyer was brought before James McNaughton, the president of Calumet & Hecla Copper Co., who slapped Moyer's face and threatened to have him hanged if he returned to the Michigan copper district. Moyer returned and was not molested. The strike, however, was not going well. The companies made a number of concessions and promised not to discriminate against strikers if they had not been guilty of lawlessness. The strike ended without union recognition.¹¹¹

(b) *West Virginia.*—The West Virginia and Colorado coal strikes were fought with an unrelenting fury that shocked the conscience of the country. Since 1897 the United Mine Workers of America had held contracts for the majority of bituminous coal miners, but union efforts to organize the expanding West Virginia mines failed a number of times after the beginning of the central competitive field agreement in 1898. Conscious that the failure to organize West Virginia constituted a serious threat to the union-held fields, the union sought greater recognition in the Paint Creek district, and a wage increase. Rejection by the operators led to a strike on April 20, 1912. Later the miners in the Cabin Creek district joined the walkout.

Guards provided by the Baldwin-Felts detective agency entered the area in large numbers and began evicting strikers from company-owned houses. On June 5, the first miner was killed, and nine guards were indicted for murder. Miners and Baldwin-Felts guards fought a pitched battle at Mucklow, on July 26, in which 12 men, mostly guards, were killed. The Governor sent several companies of militia into the strike area, and arrests of strikers began. The military force was withdrawn at the end of 30 days, but with an increase in violence, it was reimposed on October 12. A military court was established which tried and sentenced strikers. Complaints by miners against the behavior

of company guards led to the appointment of a citizens' commission by the Governor. It reported that company guards had been guilty of "denials of the right of peaceable assembly, free speech, many and grievous assaults on unarmed miners, and that their main purpose was to overawe the miners and their adherents, and if necessary beat and cudgel them into submission."¹¹² The commission also charged that the miners were not entirely innocent and it held that their efforts to bring the West Virginia area under union control was an important cause of the troubles.

The mines were reopened in September with the assistance of imported workmen. Sporadic violence continued, with the tent colonies housing the dispossessed miners as a target. On February 7, 1913, an armored Chesapeake Ohio train, the "Bull Moose Special," attacked the tent colony in Holly Grove and poured more than 200 shots into the village. Quinn Morton, the general manager of the Imperial Co. who was in charge of the train, was accused of saying: "We will go back and give them another round." When testifying before a committee of the U.S. Senate, Morton was asked if he, "a cultured gentleman, approves the use of a machine gun on a populous village." In retaliation, an armed contingent of miners moved towards Mucklow, and fought a battle with guards in which 12 miners and 4 guards were killed. Martial law was then declared for the third time. The U.S. Senate committee criticized the denial of the rights of the miners, but it held the union was not blameless for the tragedy in the coalfields. A new Governor was elected in 1912, and in April 1913 he proposed a compromise, which the union hesitantly accepted. A few concessions were made, but the union was not recognized and soon dispersed.

(c) *War in Colorado.*—The Colorado coal industry was virtually nonunion. A number of efforts to establish collective-bargaining relations had been made, but all failed. In 1913 the United Mine Workers of America tried again, and Frank J. Hayes, vice president of the union, came to Colorado and enlisted the aid of Governor Elias Ammons towards obtaining a conference with the mine operators. The Governor tried and failed. Further efforts to gain a conference were made by the union, and when they did not succeed a strike was called on September 25, 1913. An estimated 8,000 to 10,000 miners left their jobs, and they and their families left their company-owned houses for the tent colonies which the union rented. In the meantime the companies had been preparing for the strike. "Spies, camp marshals and armed guards infested the mining camps and the city of Trinidad. In Huerfano County alone, 326 men, many imported from other states, had been commissioned as deputy sheriffs."¹¹³

Before the strike, a union organizer had been shot by a detective employed by the Colorado Fuel Iron Co. A marshal employed by the same company was killed on September 24. On October 7, 1913, after an exchange of shots between strikers and guards, the latter attacked the tent colony at Ludlow and killed a miner. On October 17, a party of mine guards attacked the tent colony at Forbes, killing a miner and wounding a young boy. Three strikers were shot and killed and one was wounded at Walsenberg several days later when a group of guards fired into a striker's meeting. On the following day, a battle was fought between armed miners and a contingent of guards at Berwind Canyon, which ended with the killing of a guard. Another battle between strikers and guards was fought there without reported casualties. An

armored train, the "death special," was outfitted and while on the way to Ludlow, it was shot up by armed miners who killed the engineer. The train was forced back. On October 27 strikers attacked a building sheltering guards at Forbes Junction.

While the fighting was going on, Governor Ammons was trying to bring about a settlement. Failing in the attempt, he sent the entire National Guard to the strike zone. Their arrival was not opposed by the strikers, who felt that troops would behave better than company guards. The Governor, while directing that protection be accorded to property and those who wished to work, advised against the use of troops in assisting in the importation of strikebreakers. More than 2,000 guns of strikers were turned in at the request of the commanding general. Others were, however, kept in reserve. Great pressures were exercised on the Governor for stronger measures against the strikers and he capitulated by allowing Gen. John C. Chase, the head of the militia, to carry out a policy of repression.

Chase had been the commander in the metalliferous miner's strike in 1903-04, and his union animosity was well known. Militiamen began harassing strikers, many of whom were arrested and detained for long periods of time. At the request of the State federation of labor, the Governor appointed an investigating committee, which found that militia men had abused strikers and their wives and daughters. It reported that many of the guards had been allowed to join the National Guard, replacing regular members who were anxious to return to their homes and occupations. These men hated the strikers, and were not averse to assaulting and even killing them. The committee requested the removal of Chase as partial to the mine owners, and charged that many militiamen were guards on the payroll of the mine owners, and that the entire contingent had shown consistent bias in favor of the employers.

During February and March of 1914 there were few clashes, but it was believed that the presence of a congressional investigating committee in the State had a moderating influence on behavior. Most of the Guard was accordingly withdrawn, but a troop of 35 men was left at Ludlow and Berwind Canyon. This was a tough group, made up mostly of company guards and professional adventurers, whose commander was a Lt. K. E. Linderfelt, whose animosity to the strikers was well known. On April 20 the Ludlow tent colony was attacked by the soldiers under Linderfelt and five men and a boy were killed by rifle and machinegun fire. The militiamen then fired the tents, and 11 children and two women were smothered. The tents were stripped of all portable things of value. Hundreds of women were driven from this colony of 1,200 people to seek shelter in the ranches and homes of the area. Three prisoners, including Louis Tikas, the Greek leader of the strike, were shot by the troops, ostensibly while trying to escape. The militiamen had one fatality.

Two days later, the Colorado labor movement notified President Woodrow Wilson that it had called on the workers of the State to arm themselves and to "organize the men in your communities in companies of volunteers to protect the workers of Colorado." The call was signed by the heads of the State federation of labor and the miners' union. A "military camp of strikers was established . . . Inflamed by what they considered the wanton slaughter of their women, children and comrades, the miners attacked mine after mine, driving off or killing the guards and setting fire to the buildings."¹¹⁴ In one action, 200 armed strikers left their base near Trinidad and attacked the min-

ing camp at Forbes. Burning buildings, they poured deadly fire into the camp, killing nine guards and one strikebreaker; the strikers lost one man. Twenty-four hours later, Federal troops arrived, and the fighting ended. "During the ten days of fighting, at least fifty persons had lost their lives, including twenty-one killed at Ludlow."¹¹⁵ The Ludlow war ended with a total of 74 dead.

Despite the bloodshed, no recognition of the union was granted. Efforts of President Wilson to achieve permanent peace were in vain. A large number of miners, including John R. Lawson, the head of the miner's union in Colorado, were indicted. The latter was convicted of murder, but the verdict was overturned by the Colorado Supreme Court. The Ludlow war, one of the more tragic episodes in labor's history, failed to dissolve the adamant opposition to unionism, which had become a fixed and immovable article of faith among many of the great industries of the United States.¹¹⁶

VIOLENCE IN LABOR DISPUTES DURING AND AFTER WORLD WAR I (1917-22)

Strike statistics, which were published by the Commissioner of Labor beginning with the year 1881, ceased to appear in 1905, and were resumed by the U.S. Bureau of Labor Statistics in 1915. The number of strikes between 1917 and 1922 was high compared with the following decade. The influence of wartime demand for labor, the dislocations which accompany wartime economic activity, the sharp rise in union membership, and reduced unemployment all exercised an influence on the potential for labor violence. Strikes tended to be shorter during wartime, but with the ending of hostilities the country experienced severe tension in the labor market. Several factors accounted for heightened labor discontent. Union membership rose sharply between 1916 and 1920, from 2,772,000 to 4,881,000. Considerable dissatisfaction existed as a result of rises in the cost of living during wartime and the general malaise that war normally generates. Many employers who had accepted union organization as a wartime necessity or as a result of government fiat were now anxious to rid themselves of labor organizations. This is evident from the power of the campaign by antiunion employers who espoused the American Plan of Employment, a program designed to support employers opposing the presence of unions in industry. The large accretion of union members also brought demands for changes in union policy and for the use of more aggressive tactics in labor disputes.

1. Lynching of Frank Little

Despite the growth of strikes, the levels of violence during World War I were low, and the violence was mainly directed against strikers. In Butte, Mont., during the 1917 copper strike, the room of Frank Little, a member of the general executive board of the IWW, was invaded by a group of masked men. He was seized and hanged on a trestle. The strike itself had been called for improvement in the terms of employment and for the abolition of the "rustling card," a notice allowing the holder to seek employment in the mines which aided in the enforcement of a blacklist against union members. The Governor requested troops, and Federal soldiers arrived in Butte on September 10, 1917. The troops remained until December 18, 1917, and were re-

turned to Butte on February 7, 1919, during a strike against a wage reduction led by the IWW. They departed 10 days later. The third appearance of Federal troops was during the miner's strike of April 1920. They remained in the city until January 1921.¹¹⁷

2. The Arizona Deportations

During World War I, strikes in most of the Arizona copper mines were called by the Industrial Workers of the World, or the International Union of Mine, Mill & Smelter Workers, an affiliate of the American Federation of Labor. A common response of employers was to deport the strike leaders and their followers. On July 10, for example, a Loyalty League, which had been organized by businessmen and mining officials in Jerome, deported 76 "offensive radicals."¹¹⁸

The Jerome deportation was carried on by only a small number of businessmen. However, virtually the entire business and mining employer community participated in the deportations of 1,284 men from Bisbee, Ariz., on July 12, 1917. Great discontent with wages and working conditions existed in the Arizona copper county during 1917 and 1918. In addition, the IWW and Mine & Smelter Workers were competing for members among the miners. The latter had originally organized a large number of workers in the Warren district, of which Bisbee was the most important community. It had, however, lost its place to Metal Mine Workers Industrial Union No. 800, an IWW affiliate. A set of demands was drawn up and presented to the companies in the area. They refused to confer with the IWW committee and a strike was called for June 26.¹¹⁹

A large proportion of the miners in the Bisbee area responded to the strike call. Testimony showed that there was no violence. In fact, some witnesses claimed that petty crime had diminished because the IWW had told the bootleggers not to carry on their activities during the strike. Nevertheless, a Loyalty League was organized, and several mine managers suggested that the strikers and their sympathizers be deported from the city. The cooperation of Sheriff Harry Wheeler was obtained. On the morning of July 12 the streets of Bisbee were filled with men wearing white handkerchiefs on their sleeves. They had been deputized by Sheriff Wheeler. Men on the street were stopped and their business ascertained. Those unable to give satisfactory explanations were seized and taken to the local ball park which served as the assembly point for "undesirables." Homes of known strikers and sympathizers, including some lawyers, tradesmen, business men, and property owners, were visited and many were taken into custody. A deputy seeking to arrest a member of the IWW was killed, and his assailant slain by a fellow deputy. This was the only violent incident in the rounding up of 1,284 men.

After 2 hours in the ball park under a hot Arizona sun, the prisoners were compelled to march between two lines of armed men and to board a cattle train which the railroad provided. According to Fred W. Brown, a voluntary organizer of the American Federation of Labor, the tracks along the first stop of the train were "lined with gunmen" who had left Bisbee and had overtaken the train. Mounted guns stood on both sides of the track and no one was allowed to leave. The train arrived in Columbus, stayed for an hour, and left for Hermanes, where the men were dumped. On the morning of July 14, a

company of U.S. soldiers arrived and brought the deportees back to Columbus, where they were provided with food and shelter by the U.S. Government. After 8 days, they were allowed to leave. A majority stayed until September; food was cut off on September 12.

During the deportation, no messages were allowed to leave Bisbee. The sheriff then established a screening committee, a "kangaroo court," before which the deportees and others seeking to enter Bisbee had to appear. Many of those who came to seek work or reclaim their clothes and other personal possessions were forced to leave the community, even when they owned property. The President's Mediation Commission, during its inquiry in Arizona, was told by Sheriff Wheeler that he had heard from a chambermaid and others that there was "a plan on foot when they [the strikers] go down in the mines to get their clothing . . . that they were to block those tunnels and keep the men down at work in the mines. I am told these things; I cannot swear to them."¹²⁰ U.S. Secretary of Labor William B. Wilson, who was chairman of the commission, made his feelings known by asking:

And on the strength of rumors of that kind you directed the picking up of twelve hundred people here, some only for a brief period and some, as we are informed, here for a long time, and under the authority to use whatever power is necessary you undertook to use that power not only within your own bailiwick, but outside your own bailiwick . . . where you had no authority and where you were not authorized or directed to use power.¹²¹

In a message to the Legislature, Governor George P. Hunt denounced the—
mob of nearly two thousand men directed by county authorities . . . [who] under cover of darkness, calmly, premeditatedly, deliberately, swooped down at dawn upon the homes of unsuspecting, unoffending miners who committed no violence, nay more who had threatened no violence but who had every lawful reason to feel secure as citizens under the guarantees vouchsafed by the Constitution of the United States of America.¹²²

Sheriff Wheeler and 21 leading businessmen were indicted for violating the rights of the deportees by a Federal grand jury. The indictment was invalidated by the U.S. circuit court, and the decision was upheld in *United States v. Wheeler*. An indictment by the State for illegal kidnaping was obtained against 224 leading businessmen, Sheriff Wheeler, and many deputies and police officers. One case was tried, and the verdict of acquittal after several weeks of trial led to the dismissal of the charges against the other defendants. President Wilson and the President's Mediation Commission sharply criticized the conduct of the mob guilty of the deportation.¹²³

3. The Steel and Coal Strikes

Changes in attitudes were noticeable with the coming of peace. During the war the Government sought to prevent protracted labor disputes, because they inevitably lowered output. Once the war was over, the restraints of the Government in the name of patriotism were no longer effective. Moreover, a large amount of discontent among workers led to an increase in wildcat as

well as in authorized strikes. Workers in some industries were trying to fortify bargaining rights that they had gained as a result of Government pressure. Unions had carried on more vigorous organizing drives than before the war, and American Federation of Labor affiliates had sponsored a joint campaign for organizing the open-shop steel industry. The organization campaign was successful in enlisting the support of most steelworkers, but a barrier was posed by the refusal of the U.S. Steel Corp. and the smaller companies in the industry to deal with unions. Elbert Gray, on behalf of his own company and the industry, refused to meet with a committee of union officers claiming to represent employees of his company. Neither the pleas of the President of the United States nor clergymen nor any other force would induce him to recede from his position. Reluctantly a strike was called by the cooperating unions, and it turned out to be one of the more bloody of the period. Meetings were suppressed in many steel communities, union organizers and officers harassed, and behind the protection of police and hired guards the companies reopened their plants and were able to compel the unions to surrender without gaining any concessions. Violence was widespread in steel communities such as Gary, Ind., and State and Federal troops were brought in to restore order. In other towns, troops were not required. Twenty people were killed during the strike, and many more injured.

Coal was the center of some of the bloodiest labor disputes after World War I. The disputes centered around the efforts of the United Mine Workers of America to organize the nonunion counties of McDowell, Mingo, and Logan Counties in West Virginia. In September 1919, armed union miners were set to invade Logan County, but turned back at the request of the Governor and district officers of the union in order to preserve peace. A strike for union recognition was called in Mattewan, Mingo County, in May 1920, and in an argument over evictions of miners from company houses, shooting between Baldwin-Felts guards and Sheriff Sid Hatfield left 10 dead, seven of them guards. The strike spread to McDowell County, which was soon caught up in the developing violence. Troops were sent in by the State, and after the killing of six in a battle between miners and deputies, Federal troops arrived. Federal troops were withdrawn, to be replaced by large numbers of deputies.

In the first months of 1921 it appeared that peace had been restored, but by May each side was arming for renewed warfare. Hundreds of armed miners were determined to march again into Logan County and the sheriff was prepared to prevent their entry. Union officers at first convinced the miners to withdraw and go home, but a report that miners had been ambushed and killed led the miners to re-form their ranks. Several thousand armed miners began a march on Logan County, and the Governor called for Federal aid. President Warren Harding ordered the miners to disperse and sent 2,100 Federal troops to enforce his order. Six hundred miners surrendered to the U.S. Army, and after being disarmed, were released. The arrival of Federal troops ended the miner's war. Several hundred were indicted in State courts for sedition and conspiracy, but juries refused to convict. In all, at least 21 people lost their lives. A Senate committee found that both sides were guilty of acts of violence. The conduct of the union was found "absolutely indefensible. Men have been killed, property had been destroyed, telephone wires cut, trains commandeered and misused, and a march of some thousands of men organized and policies carried out which bordered close on insurrection."¹²⁴

The committee criticized the system of "paying sheriffs out of funds contributed by the operators," and the prevention of union members from coming into the area. "There is complete industrial autocracy in this country."¹²⁵

4. The Use of Troops in Labor Disputes

Before World War I armed soldiers were usually employed once labor disputes became seriously disruptive; in the war and postwar period troops often were sent to trouble spots as a precautionary measure. The diversified circumstances in which troops were employed can be examined by viewing the experience of several major industries. For unrecorded reasons, the Governor of Colorado sent troops into two coal communities during 1921 and 1922.¹²⁶ Earlier, in 1919 and 1920, the Governor of Alabama had sent the militia into the coal areas during labor troubles; they were there in November 1919 and September 1920.¹²⁷

After the breakdown of an interstate conference with the United Mine Workers in summer of 1922, the coal operators informed the President of the United States that, given adequate protection, they could operate their mines despite a prospective strike. Thereupon the President appealed to the Governors of 28 States to provide adequate policing so that the mines would start producing.

The Governor of Pennsylvania sent more than 1,100 state troops to the strike fields of Western Pennsylvania for guard duty. The Governor of Colorado sent troops to the coal fields of that state. The Governor of Kentucky did likewise. Troops patrolled the highways. They broke up union meetings. They refused to permit miners to stop in the streets and roads to talk to each other. The Governor of Indiana sent 800 troops into Clay and other counties to afford protection while coal was being produced.¹²⁸

The National Guard was also on duty in New Mexico and Utah and at a number of points in other States. The War Department dispatched Federal troops at the request of the Governors to the following States: West Virginia, Pennsylvania, Tennessee, Wyoming, Utah, New Mexico, Oklahoma, Kansas, and Washington.¹²⁹

The bloodiest encounter during the coal strike occurred near Herrin, Ill. One of the operators, the Southern Illinois Coal Co., was allowed to uncover dirt from the overlay on condition that no coal would be shipped. The company had dealt with the union, as did all the operators in the Illinois District No. 12, United Mine Workers of America. The miners employed left their jobs, as did all others in the district, when the union issued a strike call. Later during the strike the company broke relations with the union and began mining coal. The workers whom it had imported were supposed to be members of the Shovelmen's Union. When John L. Lewis was asked about the organization, he replied that it was an "outlaw" organization, meaning it was unaffiliated. William J. Lester, head of the company, in addition to carrying on mining, had imported a number of guards. Three miners who approached the mining operation, presumably for a conference, were killed. Miners in the neighboring town armed themselves, and in the latter part of June sprayed the mining area with gunfire and stormed the stockade. Those who surrendered

were beaten and shot to death, including Lester. Twenty-one, three of them strikers, died in this attempt to create a nonunion enclave in District No. 12, which had been completely unionized since 1898.¹³⁰

Apart from Herrin, in which troops were not used, there was little violence associated with the coal strike. This lack of violence was due essentially to the success of miners in shutting down operations completely and the fact that reopening of the mines took place under the protection of State and Federal troops. The inability of the coal operators to resume production despite military protection compelled them to resume bargaining with the United Mine Workers, which led to an agreement.

5. Railroad Disputes

A strike on the Missouri & North Arkansas Railroad had begun early in 1921, more than a year before the National Shopmen's strike, and lasted into 1923. On January 16, 1923, a mob congregated at Harrison, Ark., and strikers and their sympathizers were brought before a self-appointed committee of 12. The home of E. C. McGregor, an active strike leader and a member of the Machinist's Union, was invaded. McGregor was seized and lynched. Strikers were driven from their homes and ordered not to return or face death. A legislative committee, investigating the lynching found,

The testimony in bulk disclosed the undisputed fact that on Monday, January 16, 1923, the citizens along the railroad arose en masse and took the situation in hand. . . . That in carrying out this movement they took charge of persons and entered into private homes without due process of law, and without legal authority, and that in many instances men were ordered or advised to leave, with the single purpose to break the existing strike on the Missouri and North Arkansas Railroad and to guarantee the operations of its trains. We find that the situation in Harrison was in charge of a large body of armed men.¹³¹

The Shopmen's Unions had greatly expanded as a result of favorable treatment they received from the Government. The return of the railroads to private management after the war led to the establishment of the Railway Labor Board, which authorized several general wage cuts. Rank-and-file pressures forced the unions, against the wishes of some of their leaders, to call a national strike on July 1, 1922, in which 400,000 men participated. The National Guard was sent to a number of points, although there were no reports of violence or intimidation. In Missouri the entire Guard was mobilized, and units were sent "to Franklin, Moberly, Macon, Poplar Bluff, and Chaffee, these being prominent railroad centers."¹³² Since no violence was reported, it can only be assumed that the troops were used as either a precautionary device or as an attempt to overawe the strikers. The Kentucky Guard was sent to two localities and soldiers of the Illinois militia were called out at three points in connection with the railroad strike. Three other States—Kansas, Texas, and Idaho—sent troops to two railroad centers within each State. In addition, the entire National Guard of California was mobilized for service in the railroad strike of 1922 "in readiness for possible trouble . . . but were not placed on active duty."¹³³

The shopmen's strike did not force the carriers to suspend operations. The operating crafts were not asked to respect the picket line and worked throughout the strike. As a result, the spectacular assaults of the strikes in 1877 and 1894 were absent. Nevertheless, there was a large amount of serious violence during this walkout. In the application for a restraining order, the United States charged that 20 persons had been killed in a number of incidents stretching across the entire country. On July 9, a Negro strikebreaker was killed in Birmingham, Ala. In Arkansas a striker was killed, and two others wounded on August 2. A strikebreaker was killed in Atlanta on August 5. In Illinois a strikebreaker was killed at Joliet and another at Centralia on August 4. Three days later the chief special agent of the Elgin, Joliet & Eastern Railroad was killed and the sheriff was wounded. A Negro strikebreaker was killed at Samesett, Ky., on August 21, and a railroad watchman in Kansas City on July 28. Three shopmen in Cleveland were killed on August 10, and another was stabbed to death in Toledo on July 27. Another fatality connected with the shopmen's strike took place at Willard, Ohio, on July 10. Two Negro strikebreakers employed in the Illinois Central shops were killed near Memphis on July 26. Two others were killed at Hulbert on August 11, and one near Memphis on August 17. A Negro strikebreaker lost his life near Dallas, Tex., on July 15, and in Virginia two more died in connection with the strike, one on the Seaboard Airline near Portsmouth and another at Harrisonburg.¹³⁴

The Government claimed that assaults with deadly weapons upon strikebreakers had taken place in 27 States and that sabotage had been practiced against railroad structures or the right-of-way in 20 States. Specifically, these included the dynamiting of bridges, the wrecking of trains, the derailment of others, the throwing of bombs. These episodes resulted principally in damage to property; a derailment in Worcester, Mass. was an exception, leading to the death of two persons and injury to 30 others.¹³⁵

In a digest of reports from Federal attorneys and marshals, 60 out of 81 Federal districts reported—

increasing trouble and violence until September 1, 1922, and thereafter a decided decrease. Intimidation and picketing practically ceased after the month of September, even in those districts in which the strike was continued . . . seventy-two out of 81 districts reported aggravated acts of intimidation practiced by strikers and sympathizers against all who either remained on the job or sought work.¹³⁶

The acts of intimidation ranged from the use of profanity to—

threats of death and violence not only against the workman but against his wife and children . . . bombing, painting with yellow paint, and the writing of inflammatory words upon the workman's house. The secondary boycott, which forced merchants not to sell to workmen; kidnapping and abductions, followed by tar and feathers or whipping and beatings, which resulted in bleeding backs and broken bones; robberies; forcible withdrawal from work and even from the cities; bombing of roundhouses and trains and throwing of bombs near workmen; firing bridges and the homes of workmen; sending of letters and circulars containing threats, abusive and insulting language; picketing, which included clubbings and beatings whenever there was no officer present . . .

terrorism by mobs; persuasion under threat of violence; the nightly shootings by large crowds of men with high-powered rifles into railroad shops in which men were working; forcible entrance into the railroad shops, whereupon they destroyed and damaged engines and railroad property, and dragging the women out, beat them and sent away with instructions never to return.¹³⁷

According to the same reports, there were "at least 13 murders, numerous attempts at murder, numerous shots with deadly weapons, and several deaths due to wrecks which were traceable to the strikers. The number of personal attacks were in the thousands."¹³⁸

The Attorney General stated that there were over 2,000 arrests made in connection with the strike, and punishment ranged from costs to fines of \$2,000, and imprisonment from 1 day to 2 years. The majority of fines in the Federal courts were \$50, and the average imprisonment was for 30 days.

Very incomplete reports were received relative to State and local prosecutions, but so far over 150 arrests are reported, with fines ranging from costs to \$5,000, and imprisonment ranging from one day to seven years; and the major cases involving arson, murder, wreckings and bombings have not been tried. Over 500 convictions in the State Federal courts have been reported.¹³⁹

The Federal Government has appointed 3,259 special deputy marshals; the largest number, 571, in Texas, and the fewest, 2, in Illinois.¹⁴⁰

The widespread violence did not change the outcome. The leaders were dubious about the success of the strike, and they went along because of pressure from the rank and file. Violence began almost at once because the carriers decided, at the beginning, upon replacing the strikers. The strikers reacted with savage violence in many places, but their acts were unable to reverse the defeat which they faced. The strike failed everywhere. Among the major contributing causes were the unremitting hostility of the Federal Government, which secured sweeping injunctions based upon the Sherman Anti-Trust Act, and the decision of the operating brotherhoods to cross picket lines and run the trains. Before it had ended, 19 persons had been killed, almost all of them strikebreakers, guards, or special railroad watchmen.¹⁴¹

6. Soldiers and Local Disputes

Federal troops were sent to Denver, Colo., during the street railway strike of 1920.¹⁴² The Denver streetcar strike was the result of the failure of the city to continue the increase in wages ordered by the War Labor Board. When the Board ordered higher wages to meet the rising cost of living, it suggested that the Public Service Commission allow for a fare increase from 5 to 6 cents. In May 1919, Dewey C. Bailey was elected mayor on a platform that he would rescind the fare increase. When the fare was reduced, the company cut wages. A strike was called, and after 4 days the repeal of the 6-cent fare and the wage cut were rescinded. This was only a temporary pause. In July 1920 the level of the fare and wages were again in dispute, and when the company refused to recede from its plan to reduce wages, the men voted by 887 to 10 to go out on strike. The strike started on August 1, and by August 3 "Black Jack" Jerome led his contingent of guards and strikebreakers into

Denver and announced he would break the strike. Some violence had taken place on August 5 and 6, but the most serious event took place on August 7. Streetcars were wrecked, and a large crowd congregated around the carbarn. Firing began from inside the barn, and before the clash had ended, 7 persons had been killed, 4 of them unconnected with the strike, and 81 had been injured, 21 of whom were strikebreakers. Federal troops were brought into the city, and rioting ceased. Use of strikebreakers ceased on September 1. The union lost its bargaining rights.¹⁴³

State troops were continually used during the early 1920's. The Governor of Kansas sent troops to Crawford County in December 1921. In the same month militia were sent by the Governor of Minnesota to South St. Paul, where a strike at the Armour Meat Packing plant was in progress. Strikers were cleared from streets adjacent to the plant. Strikes in the cotton mills in Concord, N.C., led the Governor to send troops, presumably because of threats made by pickets. A strike of paper workers in Vermont led the Governor to send troops to Bellows Falls and Wilder during July 1921.¹⁴⁴ The Chief of the Militia Bureau observed:

Emergency duty in the strike area is the most disagreeable feature of National Guard service. Not only does such duty require a man in the ranks to use arms when necessary, perhaps against his own friends and fellow-workmen, but such duty also imposes actual hardship on the Guardsmen, both in the matter of long absences from his business and in the violence which he is frequently called upon to overcome.¹⁴⁵

THE PERIOD BETWEEN 1923 AND 1932

Union membership sharply declined between 1920 and 1923, from the high point of 4,881,000 in 1920 to 3,622,000 in 1923. Union activity similarly declined. Even more consequential than the decline in membership was the loss of elan and confidence that overcame the labor organizations as a result of repeated lost strikes. In effect, the removal of Government protection made many of the wartime's gains temporary, and numerous employers reverted to a nonunion status. Although membership did not fluctuate sharply through the rest of the decade, the failure to make substantial gains in a generally prosperous period reflected a low level of organizing capacity, which was in turn a sign of loss of confidence.

The number of strikes dropped sharply, and while they varied from year to year, the number in 1928 was below those of any year of record since 1884. The years from 1920 through 1932 reveal the same experience, a moderate number of strikes. One result was a lowering of the level of industrial violence, although it erupted in the Chicago building trades as a result of the efforts of the business community to compel the building trades to accept an arbitration award of Judge Kenesaw M. Landis. The award followed an agreement between the Chicago building trades unions and the building trades contractor associations to allow Judge Landis to settle their differences over wages. Judge Landis' award was rejected by the unions on the ground that he had exceeded the powers under which he acted as an arbitrator. Employers denied the charge, and, with the support of the entire business community, decided to ignore the union's protests. When the contractors began to operate with new recruits, they found many of them assaulted and equipment and

jobs damaged or dynamited. Two watchmen at one of the jobs were killed, and many others, workmen and pickets, were injured. The fight over the Landis award lasted from 1923 to 1926, when the industry returned to its former relationships.¹⁴⁶ It is difficult to determine the role of force in this sequence of changes. Many contractors found the award unworkable because it made bidding more difficult, and they welcomed participation in wage-setting and work rules enforcement.

The low strike level elsewhere in the country reduced the possibilities for violent confrontations, although the Governors of Indiana, North Carolina, and Rhode Island each sent State troops to the scenes of strikes.¹⁴⁷ In none of the three cases was violence reported. As usual, continuous strife took place in the bituminous coal industry. In Colorado, the Industrial Workers of the World notified the State industrial commission that a strike would be called in 30 days unless the operators made concessions. Thereupon the city council of Walsenberg ordered all members of the IWW out of town, and a mob led by the mayor wrecked the IWW headquarters. The companies refused concessions and a strike was called on October 18, 1927. During the strike a new constabulary was established, and on November 21 the constables, against the wishes of the Rocky Mountain Fuel Co., appeared before the Columbine, owned by the latter company, and ordered the cessation of picketing. When the pickets refused, and some rocks were thrown at the constables, they emptied their guns at the pickets, killing six and wounding a number of others.¹⁴⁸ During a parade of strikers to a meeting with the Industrial Commission, on January 12, 1928, the lines were ordered to disperse. Shooting began, and a boy and a striker were killed.

This strike attracted nationwide attention but it was much less significant than the efforts of the bituminous coal miners to maintain their union in the coal fields of Pennsylvania, West Virginia, and Ohio. Investigating the reported abuses, a U.S. Senate committee noted:

Everywhere your committee made an investigation in the Pittsburgh district we found coal and iron police and deputy sheriffs visible in great numbers. In the Pittsburgh district your committee understands there are employed at the present time between 500 and 600 coal and iron police and deputy sheriffs. They are all very large men; most of them weighing from 200 to 250 pounds. They are all heavily armed and carry clubs usually designated as a "black jack."

Everywhere your committee visited they found victims of the coal and iron police who had been beaten up and were still carrying the scars on their faces and heads from the rough treatment they had received.¹⁴⁹

There were also a number of textile strikes in the South, which attracted more than ordinary attention because of the resistance to the unions shown by the industry. In 1927, troops were sent to Hendersonville, N.C., during a textile strike because of the reported threats of violence.¹⁵⁰ Strike leaders were kidnaped and run out of town during a strike at Elizabethtown, Tenn., in April 1929. After a short organizing campaign, the National Textile Workers Union called a strike on August 1, 1929, at the Loray mill of Manville-Jenckes Co., in Gastonia, N.C. About 1,800 workers joined the strike. Although no violence had taken place, Governor Max Gardner sent troops into the area on August 4; they were withdrawn on August 20.

An attempt to organize the employees of the Marion Manufacturing Co., Marion, N.C., led to a strike of 1,000 hosiery workers on July 11, 1929. Workers employed at the Clinchfield mills joined the strikers after 1 month. As a result of sporadic clashes, Governor Max Gardner sent the militia to the area on August 11. The troops arrested 148 strikers, charging them with rioting. On September 11 the strike was called off, and the men returned to work, but as a result of a dispute over work payment, the night shift went on strike on October 2. The strikers remained before the mill gates seeking to notify the day shift that a strike had been called. Without warning deputies fired into the line of pickets, killing 6 and wounding 24. The militia, which had been withdrawn, was sent back to Marion. The sheriff, 12 deputies, and 2 mill officials were arrested and charged with homicide. Eight were tried and acquitted, although all the dead and wounded had been shot in the back.¹⁵¹ In 3 months in which the two strikes had taken place—July through early October—7 strikers had been killed, 24 were wounded by gunfire, and about 150 were arrested, charged with rioting.¹⁵²

In addition to the above, constant violence accompanied labor disputes in Kentucky's Harlan and Bell Counties in 1931 and 1932. In February 1931, several thousand mine workers went out on strike in Bell County. In April, Jerse Pace, a deputy, wounded William Burnett, who returned the fire and killed Pace. On May 5 a battle between miners and deputies at Evarts resulted in the death of Jim Daniels, a deputy sheriff, two other deputies and a miner. In Harlan County on May 7, 325 guards armed with machineguns were sent to the mine areas. On August 30, Deputy Sheriff Ed Rose killed Calo Hyatt, a 19-year-old miner, and wounded his father. Two striking miners, Joe Moore and Julius Baldwin, were killed by Deputy Sheriff Lee Fleenor. In Knox County on February 11, 1932, Harry Simms, an organizer, was killed by Deputy Sheriff Artie Miller. During this period attorneys from the American Civil Liberties Union, Arthur Garfield Hayes and Dudley Field Malone, were prevented from entering Bell County.¹⁵³

Many strikes during this period involved agricultural workers. Imperial Valley was the scene of an extensive strike in 1930 under the auspices of the Agricultural Workers Industrial Union, a Communist-dominated organization. Sixteen participants were indicted for criminal syndicalism, of whom six Mexicans were convicted; the others were paroled. Organization drives in California by the Cannery & Agricultural Workers Industrial Union in 1933 met with some success. A union demand for 35 cents an hour was the major strike issue. Violence occurred during disorders in El Centro on January 9, 1933, but was suppressed. In October 1930, cottonpickers in the San Joaquin Valley went on strike for a pay increase from 60 cents to \$1 for 100 pounds of cotton picked. Acts of violence were carried out against strikers. At Pixley two strikers were killed and 12 injured on October 10. Another striker was killed at Arvin. A trial followed, which lasted 16 weeks and resulted in the conviction of 14 men for criminal syndicalism. In the onion fields of Hardin County, Ohio, in June 1934, 800 workers went on strike. Okey O'Dell led in forming the Agricultural Workers Union, AFL. Shortly thereafter he was abducted and beaten, and ordered not to return to the area. The strike was lost. On September 7, 1934, 67 persons were arrested, but the grand jury would not indict.¹⁵⁴

THE NEW DEAL

Between 1933 and 1937 the labor movement underwent profound changes internally as well as in its relations to employers. For the first time in peacetime history, union organizations had the attention and approval of the Federal Government. Influenced by the labor legislation of the first years of the Roosevelt administration, unions began to expand, and by 1937 more members were enrolled in unions than at any time in history. The increases in union membership were reflected in a doubling of strikes between 1932 and 1933, and another doubling from 2,172 in 1936 to 4,740 in 1937. Almost half of the strikes in 1937 were for union recognition.

State troops were frequently employed during 1933. The Governor of Minnesota sent soldiers to restore order in a strike of packinghouse workers in Austin, and the Guard was used during a walkout in Amoskeag and Manchester, N.H. The Guard was also directed to Bath, Langley, and Clearwater, S.C., to handle a textile workers' strike. In Barre and Graniteville, Vt., during a dispute involving granite workers, and at Salah and Yakima, Wash., during a strike of orchard workers, troops were used because of threats made.¹⁵⁵

1. Coal Again

The increase in strikes increased the number of occasions for clashes between workers, strikebreakers, and the police. Violence occurred in the coal areas in a number of States where organization was progressing rapidly, with the most serious episodes occurring in the captive mine districts of Pennsylvania and in Kentucky, where resistance to new unionizing drives was carried on by deputies on the payroll of the mine companies.¹⁵⁶

The bloody character of coal labor disputes brought out the National Guard in Indiana, New Mexico, and Utah, as well as in Ohio, where the death of a miner at Sullivan was responsible for the presence of State troops. The prime reason for calling up the Guard appeared to have been actual or threatened clashes between strikers and their replacements.¹⁵⁷ In Fayette County, Pa., where the captive mines were located, the companies refused to recognize the United Mine Workers of America. After a dozen pickets had been injured, Governor Gifford Pinchot ordered State troops into the area. A temporary agreement was reached, but the companies tried to operate as soon as the agreement broke down. Attempts of pickets to prevent the movement of strikebreakers towards the mine led to firing in which 17 pickets and a deputy were wounded. With the aid of President Roosevelt, an agreement to hold an election was reached and the violence ceased.¹⁵⁸

The most sanguinary episodes took place in Kentucky, where coal operators in Harlan and Bell Counties continued aggressive resistance to unionization, nor Government suasion could soften their determination to keep their operations on a nonunion basis. Soon after the enactment of the National Industrial Recovery Act, the United Mine Workers sought to organize the miners employed by the U.S. Coal & Coke Co., a subsidiary of the U.S. Steel Corp. at Lynch, a mining community in the eastern part of Harlan County. The union succeeded in establishing a local in June 1933. After a time an

open meeting was held in Cumberland, and two members of the Lynch police force stood in front of the hall and noted who was present at the meeting from their town. Subsequently, men were discharged, and in July and August 1933, the police department of Lynch purchased tear gas, 41 rifles, 21 revolvers, and 500 cartridges. A company union was also formed. Under this pressure, organizing was suspended.¹⁵⁹

In December 1934 the Mine Workers resumed its campaign, and its organizers were harried by company police who justified their surveillance by the claim that the town was private property and strangers could be watched and forced to leave town. Union organizers were not allowed to enter Lynch by the sheriff and his deputies, and organizers were subjected to "rough shadowing," a procedure under which "a man is under surveillance in such a manner that not only he knows he is being followed but anyone he meets becomes aware of it. The value of such a device to discourage contact with union organizers by workers in a mine or plant is obvious."¹⁶⁰ After the signing of the agreement between the U. S. Steel Corp. and the Steel Workers Organizing Committee in 1937, the harassing of organizers ceased in Lynch. Other methods were adopted in other parts of Harlan County. Evidence was adduced showing how the Harlan County Coal Operators Association learned through its spies of the trip planned by Lawrence Dyer, organizer of the United Mine Workers of America. As Dyer's car was passing beneath a clump of bushes, a volley of shots from the top of the cliff wounded two of the car's occupants. Later, Dyer's home in Pineville, Bell County, was dynamited.

When the contract between the Harlan County Coal Operators Association and the United Mine Workers of America expired, in April 1934, armed deputies and company guards were in full command. Peaceful meetings of the miners were suppressed, union miners were severely beaten, and organizers driven out of town. After the enactment of the National Labor Relations Act in 1935, renewed efforts to organize were undertaken by the United Mine Workers, which had contracts with three coal companies in Harlan County. During July and August 1935, the Kentucky National Guard was in Harlan keeping order at the direction of Governor Ruby Lafoon. During its stay, union organizers were not molested. However, the sheriff successfully sought an injunction against bringing the National Guard into Harlan County. It was set aside by the Kentucky Supreme Court, on the ground that the sheriff "did not have a property right in the preservation of law and order," and that a judge could not prohibit the National Guard from entering the county. In September 1935, miners in 13 camps went on strike. A union member was kidnapped and compelled to leave the county. The union was not at this time successful in organizing, and abandoned its efforts temporarily.¹⁶¹

When a new organizing drive was launched in 1937, the sheriff increased the number of his deputy sheriffs to 163, only 3 of whom were paid from public funds. At first no violence was used against union organizers.¹⁶² They were not, however, able to obtain lodgings at some hotels, and in one instance tear-gas bombs were thrown into the place where organizers were staying. On February 8, 1937, as a group of organizers were driving through the countryside, they were fired upon from a car and one of the occupants was wounded. The driver of the organizer's car accelerated his speed and managed to escape into a garage. "Fearful of their safety and concerned over the wound [received by one of their number], the organizers . . . boarded a bus which took

them out of the county."¹⁶³ The incident had been witnessed by three small boys who related what they had seen to Lloyd Clouse. After being warned to keep quiet, Clouse was shot and killed on April 24, 1937, by a deputy. Marshall Musick, a union organizer who had lived in Evarts for 14 years, was forced to leave town because he feared he would be killed after he had been warned and shot at several times. After Musick had left, his son was killed by a volley fired through the window of his house.¹⁶⁴

On November 27, 1937, the National Labor Relations Board found the Clover Fork Co. guilty of discriminating against members of the United Mine Workers of America, and found the Harlan County Coal Operators Association guilty of coercion and restraint of workers in the "mines of Harlan County in the exercise of their right to self-organization."¹⁶⁵ Reinstatement of 60 miners improperly dismissed was ordered. The decision was upheld by the Circuit Court of Appeals for the Sixth Circuit.

As a result of this decision, the other coal companies of Harlan County, which had not abandoned the unyielding attitude toward the union, settled their disputes with the union. On August 19, 1938, the Harlan County Coal Operator's Association signed an agreement with the United Mine Workers extending the terms of the Southern Appalachian contract to the Harlan County Coal Operators Association.¹⁶⁶

Peace was finally established in the Kentucky coal mines.

While violence in labor disputes usually arises out of differences between employers and employees, interunion differences can also be a cause of serious collisions. One of the more violent disputes took place in the Illinois mining area, where an independent union, the Progressive Mine Workers of America, was organized in 1932, after differences over a contract with the United Mine Workers of America. When the Progressives sought to gain control over the entire mining area of the State, they encountered resistance from those loyal to the old union. In Taylorville, Governor Henry Horner was forced to send the National Guard to put down the rioting and restore order. Each faction controlled part of the mining territory, and the efforts of one to invade the domain of the other were forcibly resisted. The struggle, which started in 1932 and continued to 1937, cost an estimated 24 lives and countless dollars for legal fees and relief.¹⁶⁷

2. Violence and the Use of Troops in 1934

The increase in demands for recognition brought about by a rapidly growing union membership led to violence on many picket lines. In 1934, State troops were called out in connection with the national textile strike during September. The major reason for the violence and the use of troops appears to have been the determination of employers not to deal with the union. This was the basic impediment to a peaceful settlement in the national textile strike, the San Francisco longshoremen's strike, and the Minneapolis textile and the Kohler strikes of that year, which were the centers of the most serious violence.

In Toledo, Ohio, the newly organized United Automobile Workers sought recognition from the Electric Auto-Lite Co., the Bingham Tool & Stamping Co., and the Logan Gear Co. The demands of the union were rejected, and a

strike began on May 23. Assaults upon nonstrikers brought a contingent of National Guardsmen into the city. In a clash between troops and strikers on May 25, 2 pickets were killed and 25 were injured. A wage increase and limited recognition ended the walkout.¹⁶⁸ Strikers were also killed in the coal mines around Empire and Leeds, Ala., and in Pike County, Ky.; in a walkout at a steel plant in Latrobe, Pa.; in a strike of ore miners around Birmingham, Ala.; and during a longshore strike in Galveston, Tex.

The Kohler Co. strike at Kohler Village, Wis., also concerned union organization. Kohler Village was established by the Kohler family at the end of the 1890's, and the company pursued a paternalistic policy. Higher than prevailing wage rates were paid, and workers were encouraged to save and purchase homes. A union reared its head after the enactment of the National Industrial Recovery Act, and in July 1934 it sought recognition. It was refused by the company. A strike followed on July 16, and the company employed a force of deputies to protect its properties. Simultaneously, the company announced it would not bargain with nonemployees, which meant outside union representatives. No untoward incidents took place until July 27, when strikers and guards clashed before the American Club in which the deputies were housed. Troops were sent by the Governor. One striker and a strike sympathizer were killed, and 35 others required hospital treatment.¹⁶⁹

3. The Minneapolis Teamster's Strike

During 1933, the teamsters established Local 574 in Minneapolis. A strike of coal drivers led to a compromise settlement. This victory encouraged the expansion of unionization to the cartage companies. When a demand for increased wages and improved working conditions was rejected by cartage employers, a strike was called on May 15, 1934; about 5,000 truck drivers, helpers, and platform and inside men were involved. Rioting began immediately, a riot on May 21 resulting in injuries to a score of strikers. The next day a battle among pickets, police, and special deputies led to the killing of a businessman acting as a special policeman. A number of others were seriously injured. A truce was called, but when no agreement followed a second strike was called. The employers still refused to recognize the union, and the walkout continued. At the end of July, National Guardsmen were sent into the city by Governor Floyd Olson. Another striker was killed on August 2. The Governor would not allow the movement of trucks except for those in interstate commerce or carrying necessities. In the end a compromise settlement was reached, influenced by the suggestions of Federal mediators. It was the basis of a tremendous expansion of the union into many parts of the Middle West.

4. General Strike in Cotton Textiles

The 1934 strike that involved the largest number of workers took place in the cotton textile industry after the convention of the United Textile Workers of America had demanded a general wage increase and other improvements in working conditions. When all proposals for meetings were rejected by the industry, a strike was called on August 31, 1934. The workers in Alabama commenced their walkout earlier, on July 15, and an estimated 20,000 in 28 mills

were reported on strike. In Alabama, the president of the Decatur local was shot and two of his aides were beaten. The National Guard was sent to Chambers and Lee Counties. In Georgia, complaints of roving pickets were made at the beginning of the strike. Clashes between pickets and strike guards led the Governor to proclaim martial law, and to set up an internment camp. In a fight between strikers and guards at Trion, 2 were killed and 24 wounded. In North Carolina, a number of pickets and strikebreakers were wounded, and the Governor sent troops to the strike zone. The troops were directed to "afford protection to those citizens who wanted to work and were being denied that privilege This policy extended to the protection of strikers and other citizens whose action and conduct was within their legal rights; this thought with reference to picketing."¹⁷⁰

In South Carolina, troops were ordered to Greer, Lyman, and Greenville. In the latter town, a deputy sheriff had killed a striker; but the worst riot took place at Honea Path, where six were killed. Similar conditions in the North brought out the National Guard in a number of centers in Maine, Massachusetts, Rhode Island, and Connecticut. In Saylesville, R.I., 3 were shot and killed, 8 wounded, and 132 injured on September 12. The following day another picket was wounded and a number of others were wounded in a later scuffle when troops charged pickets. Throughout the strike, 5,000 State troops were active in New England, and an estimated 2,000 strikers were interned in Georgia. The strike cost 15 lives, and an unestimated number of wounded by gunfire and other means.¹⁷¹ The textile strike was completely lost.

5. The Pacific Longshore Strike

Unions in the Pacific coast seafaring and longshore industry, which had been largely eliminated in the 1920's, were reestablished in 1933. Negotiations between unions and their employers did not move on an even keel. At best, the shipowners and stevedore companies accorded the labor groups grudging recognition and waited for an opportunity to eliminate the unions. In the spring of 1934 no agreement could be reached with the Pacific coast longshoremen, who were then affiliated with the International Longshoremen's Association. At the same time, the seagoing unions made demands for recognition. The demands of both groups were rejected by the employers and the longshoremen and seamen struck, respectively, on May 9 and May 16, 1934. After several plans for ending the walkout had failed, a movement for reopening the San Francisco port was undertaken by the Industrial Association. On July 3, trucking operations were begun, and several trucks loaded with cargo were taken through the picket lines. On the following day the Belt Line Railway, a State-owned line, was attacked by strikers and sympathizers. Governor Frank Merriam then sent the National Guard into the city to restore order. On July 6 the worst riot of the strike, and the encounter that was to bring on a local general walkout, took place. Two pickets were killed and many injured. The San Francisco Labor Council sponsored the general strike, which lasted from July 15 to July 19 and was called off after employer concessions resulted in full recognition of the Longshoremen & Sailor's Union, and union control of hiring halls.

Several other Pacific coast ports did not escape from rioting. In Seattle, Mayor Charles L. Smith led the police, against the wishes of the chief of police, in opposing the attempts of pickets to disrupt work by strikebreakers. On July 7 a policeman was killed, and on the 11th four pickets were seriously wounded. The Portland, Ore., docks were also the scene of several clashes between strikers and strikebreakers who replaced them, and State troops were called out.

6. Strikes and Violence in 1935

The year that witnessed the enactment of the Wagner Act showed little abatement of employer resistance to union organization. In all parts of the country, in small and large disputes alike, Governors were increasingly inclined to dispatch their troops to cope with strikers. Four disturbances that brought State troops to the strike scene were in coal and metalliferous mining, in addition to two in the lumber industry, and four in textiles. Troops also were sent to a strike in a meatpacking plant in South Dakota, and to another in an engine plant in Freeport, Ill. A streetcar strike in Omaha, Neb., and the general strike in Terre Haute, Ind., accounted for the other incidents. In some States troops were used in more than one dispute. For example, in Kentucky, State troops were sent to both Mannington and Harlan because of disorders at these places in connection with strikes. In Georgia, the Governor sent troops to three textile centers: Lagrange, Manchester, and Monroe.¹⁷²

Mining and textiles contributed most of the serious violence in 1935. An attempt to launch a dual union in the anthracite-coal fields caused serious conflict in that area between followers of the new and the old union. Clashes between the adherents of the United Anthracite Miners of Pennsylvania and the United Mine Workers of America resulted in a riot in which two were killed on February 14, and a large number injured. Even more serious was the fight at the Glen Alden collieries at Nottingham, Pa., on May 31, 1936. Five were killed and 21 hurt in this encounter. The United Anthracite Miners finally disbanded in October 1936.¹⁷³ Differences between miners and operators in the unorganized areas also led to casualties. On October 28, one was killed and six others shot in St. Clare County, Ala., when they attempted to disrupt operation of a mine operating under nonunion conditions. The next day 10 were shot in Mannington, Ky., when they sought to prevent the opening of a nonunion mine.¹⁷⁴

In Omaha a clash between striking streetcar men and strikebreakers was responsible for the death of two strike sympathizers and the wounding of a number of others. Governor R. L. Cochran immediately sent troops into the city. Other communities which reported deaths resulting from violence in labor disputes were Rossville, Ga., during a textile walkout, and a strike at the Callaway mills in La Grange, Ga. Two fruit and vegetable strikers were killed in El Centro, Calif. A striking clay worker was killed in Toronto, Ohio, and a brewery picket in Stockton, Calif. The police of Eureka, Calif., killed four pickets in a lumber strike, and a picketing ornamental iron worker was shot to death in Minneapolis. Striking maritime workers in New Orleans, Houston, and Port Arthur, Tex., were killed, as were two striking iron miners in Alabama. Finally, a coal miner in Pikeville, Ky., and a striker at the Motor Products Corp. in Detroit lost their lives while picketing.¹⁷⁵

Indiana also used its National Guard in labor disputes during 1935. It followed the calling of a general strike in support of 700 striking employees of the Columbian Enameling & Stamping Co., who had left their jobs on March 23, 1935, in support of wage increases and a union shop. When the company brought in strikebreakers and guards from outside the State, 48 unions of the American Federation of Labor called a general strike. On July 22, Governor Paul V. McNutt sent 2,000 National Guardsmen to Columbus. Early the next day the troops charged a long line of pickets with clubs and tear gas. During the next several days almost 200 pickets were arrested by the troops. Martial law was not lifted until the following February.¹⁷⁶

The violence that was common in the textile industry in 1934 continued into the following year. At La Grange, Ga., the National Guard was sent to maintain order after a disturbance during a strike which started in March. At the Monmouth textile mill in Union, S.C., a foreman and constable were killed during a riot on June 19. At Pelzer, S.C., a woman was killed and 22 persons were wounded when the sheriff and his deputies fired into a crowd of pickets. The sheriff was denounced for his unnecessary use of force. Troops were sent into the area, and a number of deputies were arrested. Later the parties worked out an agreement for ending the walkout.¹⁷⁷

7. Violence in Labor Disputes in 1936

According to the Chief of the National Guard Bureau of the U.S. War Department, State troops were called out 11 times in 1936 in connection with labor disputes.¹⁷⁸ These troops were used in three textile strikes, in a coal strike, in an Idaho lumber workers strike, in a match factory in Cloquet, Minn., and in a clothing factory in New York State.¹⁷⁹ Troops were mobilized in Pekin, Ill., during a walkout at the plant of the American Distilling Co., but the threat of a general strike prevented their use.

The most violent walkouts in 1936 were in the coal, steel, and textile industries, at least from the point of view of persons killed. A deputy sheriff was killed in a clash with pickets at the Samost Mills at Talladega, Ala., on July 23. Subsequently another deputy was killed. Nor did the North completely escape. During a strike at the Acme Braid Co. at Closter, N.J., a picket was killed.¹⁸⁰ Equally serious was the clash at the New Boston, Ohio, plant of the Wheeling Steel Co., where a guard was killed and four strikers wounded on June 29, 1936. Two weeks later the strike was settled and the union recognized.¹⁸¹ The mines were, as usual, a seat of trouble. At the Tennessee Coal & Iron Co. mines around Birmingham, Ala., rioting took place in early June and led to the wounding of five pickets in a gun battle.¹⁸² Two pickets were killed in March 1936 in the strike of loggers at Willamette, Ore.; a striking seaman was killed in Houston, Tex.; and a spectator and picket in front of the plant of the Sun Shipbuilding Co. at Chester, Pa.¹⁸³

8. Violence in Labor Disputes in 1937

By 1937, unions had been for 4 years the beneficiaries of Government legislation to protect their rights to organize and to bargain. Despite this, using the index of people killed in labor disputes, this year was one of the more bloody in the history of American labor violence. One dispute, the Little

Steel strike, accounted for 16 deaths and many others seriously injured. In addition, an estimated eight other people died in industrial disturbances.¹⁸⁴

The worst episode of the steel strike took place "in a stretch of flat, waste, sparsely inhabited prairie land east of and adjacent to the South Chicago plant of the [Republic] steel corporation."¹⁸⁵ From the beginning of the strike, the police interfered with peaceful picketing; however, after Mayor Edward Kelly announced picketing would be permitted, 16 pickets were allowed before the gates. According to his testimony, an anonymous source had informed Capt. James L. Mooney, who was in charge of police in the factory area, that the strikers planned to march into the steel plant on Memorial Day. Because its pickets had been arrested by the police, the union had called a protest meeting on May 30. The meeting was held, and a motion to establish a mass picket line before the plant was adopted. As the marchers reached the police lines, a discussion followed "for a period of from four to ten minutes."¹⁸⁶ Within less than a minute thereafter "the strikers were in full retreat, in haste and confusion, before the advancing police lines. . . . Within that brief space of time, ten of the strikers received fatal gunshot wounds, thirty others were wounded by bullets and some sixty others received lacerations and contusions of varying intensity. Thirty-five police received minor injuries."¹⁸⁷ The Senate committee found—

That the provocation for the police assault did not go beyond abusive language and the throwing of isolated missiles from the rear ranks of the marchers. We believe that it might have been possible to disperse the crowd without the use of weapons. . . . From all the evidence we think it plain that the force employed by the police was far in excess of that which the occasion required. Its use must be ascribed either to gross inefficiency in the performance of the police duty, or a deliberate effort to intimidate the strikers.¹⁸⁸

On June 19, 1937, the police tried to disperse a small crowd meeting near the Republic mill gate on company property. When the women in the crowd defied the order, the police threw tear gas bombs at them. One was killed. Ten, including four deputy sheriffs, were wounded, and several others injured or overcome by tear gas. James Mayo, the director of the Steel Workers Organizing Committee, claimed the women were sitting peacefully, and when they refused to move at the orders of the police, they were pelted with tear gas bombs.¹⁸⁹ In another outbreak:

At approximately 11 o'clock on the night of July 11, three persons received fatal injuries and an undetermined number were injured by gunfire and gas fumes when special and regular police officers. . . dispersed a crowd of strikers and strike sympathizers at CIO headquarters. . . in the city of Massillon. Witnesses. . . claimed. . . the special and regular police in a murderous and unprovoked assault on CIO headquarters, pursuant to a plan to destroy the union and break the strike.¹⁹⁰

In Cleveland, Ohio, a picket was killed when a car driven by a strikebreaker crashed into him while he was trying to halt it.¹⁹¹ Units of the State militia were sent to Canton and Youngstown.

The extent of the violence is summarized in La Follette committee reports. It found that the riots which occurred at Republic Steel Corp. plants during the Little Steel strike of 1937 resulted in the following: total gunshot wounds, 37; injuries other than gunshot, 202; buckshot wounds, 1; birdshot wounds, 17; established and possibly permanent injuries, 19; dead, 16, for a total dead and injured of 283. In addition, one policeman received a bullet wound, two birdshot wounds; injuries, 37; for a total of 40.¹⁹² It was the opinion of Robert Wohlforth, the secretary of the La Follette committee, that during the Little Steel strike—

a mobilization of men, money and munitions occurred which has not been approached in the history of labor disputes in recent times. Although known to be incomplete, the committee has assembled data showing that a total of 7,000 men were directly employed as guards, patrolmen, deputy sheriffs, National Guardsmen, city police and company police on strike duty. Over \$4,000,000 was expended directly attributable to the strike. A total of \$141,000 worth of industrial munitions was assembled for use.¹⁹³

The violence in the Little Steel strike came largely from the aggressive behavior of the police and company guards. The strike was lost on the picket line and, in this respect, resembled the pattern of past events in the steel and many other industries. However, the union gained recognition and with it collective bargaining was established in Little Steel, as a result of the application and enforcement of the Wagner Act by the NLRB and the courts.

9. Other Violent Events in 1937

There were a number of other violent encounters in 1937, the most serious at the plant of Aluminum Co. in Alcoa, Tenn. Refusal of the company to equalize wages with its Northern plants was the cause of the walkout. On July 7, 1937, a melee started when an effort was made to prevent a truck from entering through the factory gates. Firing began, and 2 were killed and 28 wounded. The dead were a striker and a special policeman, and two of the wounded were police. Troops were sent to the scene, and they restored order. Negotiations were then begun, and the strike was settled on July 11.¹⁹⁴

Accidents also figured in fatal casualties. For example, in the walkout in June and July, 1937, at the Fein Tin Can Co. at Brooklyn, N.Y., a picket was killed. The United Radio & Electric Workers Union charged it was the result of police brutality, but the evidence indicated that the picket had suffered a fractured skull when he was hit by a flying brick.¹⁹⁵ In another instance, in a strike of furniture workers at Lloyd Manufacturing Co. at Menominee, Mich., a picket tried to prevent a car from entering through the factory gate and mounted the bumper of a car driven by a nonstriking worker. He fell from the bumper and was killed.¹⁹⁶

Deaths marked other disputes during this year. A picket was killed during a strike at the Moltrop Steel Products Co. of Beaver Falls, Pa., in June 1937 after being struck by a teargas cartridge fired by a deputy seeking to disperse the strikers. Another picket was killed at the gates of the Phillips Packing Co. of Cambridge, Md.¹⁹⁷

VIOLENCE IN 1938-39

The year 1937 saw the last of the great strike spectaculars in which the clash of armed forces or large-scale assaults led to heavy casualties. Violence continued to accompany some labor disputes, and each year produced new victims, but the level of violence was substantially and permanently lowered. The 1938 strike at the Northwestern Barbed Wire & Rod Co. involved a dispute between the Steel Workers Organizing Committee and an American Federation of Labor union. The former had held a contract with the company which the employer refused to renew. On March 1, a battle between strikers and deputy sheriffs led to the death of one of the pickets, and the serious wounding of two others. One of the latter required the amputation of a leg as a result of wounds. On the next day, workmen who had left their shifts and were on their way home encountered a group of deputy sheriffs. Because the deputies held guns in their hands, the workers mistook them for pickets ready to attack them and the workers opened fire. The deputies defended themselves. Three were wounded, one a deputy. It was agreed after the riot that an election by the National Labor Relations Board was to determine the bargaining agent.¹⁹⁸

In a riot at the Rice Brothers cannery at Corpus Christi, a battle between pickets and boatmen led to the killing of one and the wounding of another. Chris Clarick, an official of the United Cannery, Pickers & Agricultural Workers Union, who did the shooting, was himself severely beaten and was in serious condition at a Corpus Christi hospital. Clarick was later tried and sentenced to 20 years' imprisonment.¹⁹⁹ In the strike of the Lone Star Bag & Bagging Co. by the Textile Workers Organizing Committee, pickets attempted on March 26, 1939, to block the entrance to the factory and a fight ensued. The employee seeking to block the entrance to the plant left his truck and it rolled down an incline injuring a number of pickets, one of whom subsequently died. The driver of the truck was arrested, tried, and fined \$200 and costs.²⁰⁰

One striker was killed during the strike at the Del Prado Hotel in Chicago in March 1938, and another before the plant of the Oscar Nebel Hosiery Co. at Hatboro, Pa., in September. In addition to the above incidents, a serious riot took place in front of the Maytag Washing Machine Co. in Newton, Iowa. The rioting brought a proclamation of martial law and State troops into the city. They remained in the community between July 19 and August 15. Order was restored and the CIO union was, in the end, recognized.²⁰¹ Troops were also ordered into Sioux City during a strike at the plant of the Swift Packing Co. Charging there existed serious threats to life and property, the National Guard was ordered into the city on October 19, 1938, and they remained until November 19. Eventually the company and the Packinghouse Worker's Union agreed to a contract.²⁰² In all, there were six deaths in the course of labor disputes in 1938.

In 1939 there was a striking decline in the use of militia in labor disputes. The Kentucky National Guard was sent to protect the Malan-Ellison Mine in Harlan, where a dispute had arisen. Three miners were killed in Harlan and one more elsewhere before the trouble subsided. Another dispute over the signing of a contract led to the wounding of seven men, two of them officers of the Hart Coal Co.²⁰³ The Massachusetts Guard was sent to the Barre

Textile plant during a strike of textile workers who were blocking strikebreakers from entering the plant. The Guard restored order.²⁰⁴ In addition, a member of the Hodcarriers & Common Laborer's Union died during a strike in Millersburg, Ind.; a strike of fishermen in New Orleans and another against the Cairo Meal & Cake Co. were each responsible for the death of one person. Finally, two teamster strikes led to deaths, one in Boston involving a trucking company and the other in an incident growing out of a large chain department store strike.

VIOLENCE IN 1940-46

By 1940, union organizations entered into a new phase of growth and security. Strikes took on more and more their contemporary character of an economic conflict attended with minor violent episodes. This period was one of serious turbulence in the labor market. The shift to war production was accompanied by widespread dislocations. The subsequent reconversion to a peacetime economy was a challenge to the new industrial relations. The continual increase in union membership and union strength resulted in record-high numbers of strikes over important issues at the end of this period.

In 1940, there were seven deaths in labor disputes. While people were killed in most of the subsequent years, the incidents which generated violence were sporadic clashes and usually involved few workers. Private guards were involved in only two fatal disputes in this 7-year period. The first occurred during 1940 in a building trades strike, when a picket was shot in the back by two guards, both of whom were indicted.²⁰⁵ The other incident, the wounding of a picket who later died, occurred at the Phelps-Dodge plant on July 30, 1946. This was the result of a violent encounter. The union charged that the picket was shot by a guard at the plant; on the other hand, 14 officials of the United Electrical Workers Union were charged with having stormed the company's wharf in an attempt to prevent strikebreakers from going to work.²⁰⁶

The coal industry continued to produce a disproportionate share of violence. In 1940, one man was killed and two were wounded while peacefully picketing a coal mine in Ohio. "The tragedy roused the miners to a high pitch and the killer decided to remain in jail for the time being under the protection of the sheriff. He said he fired because one of his brothers was assaulted."²⁰⁷ In 1942, nine killings took place in three separate incidents in the Kentucky coal mines. In April the president and vice president of the coal company at Middleboro were shot to death along with a miner and a deputy sheriff.²⁰⁸

A rising share of violent clashes was caused by jurisdictional disputes. In June 1940, a nonstriking bus driver, who was a member of the Amalgamated Association of Street Railway & Motor Coach Employees, was killed in a jurisdictional dispute with the Brotherhood of Railroad Trainmen. The latter union regretted the violence and "death of a strikebreaker" and claimed that the deceased had "invited a fight, and provoked the assault which resulted in his unfortunate death, and members of the Brotherhood are in no way responsible for the incident." The Amalgamated eventually defeated the trainmen in an NLRB representation election.²⁰⁹ One of the more grave disputes of 1941 took place in a suburb outside of St. Louis, Mo., and involved a fight between unionized and unorganized building tradesmen. One man was shot to death, four were wounded, and a number of others were beaten in a battle between the two groups.

About thirty shots were fired from pistols, rifles, and shotguns, bricks were thrown and clubs and wrenches swung as two hundred non-union employees of the Schuermann Building and Real Estate Company marched on a line of fifty-nine pickets. The pickets were routed . . . As they approached the picket line, they yelled—"We're going to chase them—law or no law." Thereupon they pushed a few deputies out of the way and walked toward the pickets pounding on automobile tops and smashing windows as they went.²¹⁰

Although the report was that this dispute was between organized and unorganized building tradesmen, it was also reported that—

seven hundred CIO members in automobiles and on foot guarded truckloads of materials being delivered . . . to Country Club Hills, the Schuermann development . . . The trucks were driven by members of the CIO Quarry Worker's Union Local 261. Joseph Lynch, secretary, said the business agent of the AFL Laborer's Union had warned the CIO drivers not to deliver materials to Schuermann projects. Lynch said more CIO guards would be obtained, if necessary, to continue truck deliveries.²¹¹

The efforts of the Progressive Mine Workers to replace the United Mine Workers ended in the killing of two miners in Kentucky in 1941.²¹² The same year also witnessed a fatal stabbing of a picket during a clash between two rival CIO unions, the Playthings & Novelty Workers union and District 65 of the Wholesale and Warehouse Worker's Union²¹³ and a similar death in Flint, Mich., as a result of differences between an AFL and CIO locals of culinary workers.²¹⁴

The National Guard was seldom employed during this period. Alabama sent the militia to restore order in 1941 at the Utica Mills at Aniston, to Gadsden for 8 days at a strike at the Republic Steel plant there, and on two occasions to police strike activities at the Tennessee Coal & Iron Railroad.²¹⁵ The sporadic and at times accidental nature of the remaining violent disputes is readily apparent by enumerating them. An organizer for the International Ladies' Garment Workers' Union in New York City was killed in 1940 after a scuffle with the owner of a nonunion shop.²¹⁶ Two months later, a strike at the St. Louis plant of the Century Electric Co. resulted in the death by stabbing of a striker after a fight with a strikebreaker. Local officers of the United Electrical, Radio & Machine Workers charged that the company had armed strikebreakers with knives, sharpened files, and baseball bats.²¹⁷ Soon after this, the IBEW conducted a strike at the Triangle Conduit & Cable Co. in Brooklyn, N.Y., where, 7 weeks after the start of the strike, 2,000 pickets tried to prevent the entrance into the plant of strikebreakers. One of the pickets died "of a heart attack brought on by the excitement." Later, several local officers were indicted for rioting.²¹⁸

In 1941 a picket was killed during a strike at the Andrew Jackson Hotel in Nashville, Tenn., while another picket at about the same time died when he was hit by a board at the Currier Lumber Co. yard in Detroit.²¹⁹ One striker was killed by a shotgun blast in a strike of the Ed Friedrich Co. in San Antonio. It was claimed that the striker had stoned the home of one man who had remained on the job.²²⁰

There was only one reported death in a labor dispute in 1942; it occurred during a wildcat strike at the Detroit facility of the Aluminum Co. One employee who refused to join in the unauthorized walkout, which lasted 36 hours, was struck by a striker and died from a skull fracture. The assailant was arrested.²²¹

The remaining years in the period 1940-46 showed only modest violence. In Charleston, S.C., a shooting incident in 1943 ended in the death of an individual at a war-housing construction project in the midst of a dispute between the Operating Engineer's Union and building contractors.²²² While no deaths were recorded in 1944, one person lost his life in 1945 in the strike of the Food, Tobacco & Agricultural Worker's Union at the Southern Cotton Co. at Little Rock, Ark.²²³ The same union was involved in one of the two fatal strikes in 1946. Negotiations over contract terms broke down and a strike took place at the Muskogee Materials Co. in Oklahoma. One striker was knifed by a strikebreaker and subsequently died. An unusually bloody affair took place at a strike on the Toledo, Peoria & Western Railroad in the same year. The cause of the strike was the attempt of the railroad's president, George McNair, to compel changes in work rules. All service trades and shop employees went out on strike and two of the strikers as well as McNair were killed. The latter was shot by an assailant who was never caught.²²⁴

THE POST-TAFT-HARTLEY ACT PERIOD (1947-62)

The passage of the Taft-Hartley Act in 1947 had numerous causes, including a continuing resentment by some employers' groups of the Wagner Act, the postwar strike wave, and patent abuses by some unions. Whatever the consequences of the newly imposed legal restraints upon union activities may have been, the Taft-Hartley Act did not in any significant way diminish the protection accorded to unions by the Wagner Act. Public policy in support of the principles and procedures of collective bargaining remained unchanged. Changes in union membership responded more to the level of employment and unemployment than to the changes in the laws governing labor-management relations.

Violence, however, was not completely erased from the labor-management scene and several strikes appeared to resemble outwardly the industrial disputes of another day. However, even those in which violence took place lacked the ferocity of the battles of the pre-Wagner Act days. These incidents seem to demonstrate that the potential for violence is always present in industrial disputes in the United States, but they do not, in most instances, show the relentless bitterness of Homestead, Pullman, Ludlow, and many other affairs which desecrated the industrial landscape of earlier periods. Using fatalities as an index of violence, the comparative numbers are very small considering the high number of labor disputes, and even more the millions of workers who are covered by collective-bargaining agreements peacefully renewed at periodic intervals (see table 8-1).

As in the past, violent strikes in this period exhibit little if any regularity. But some differences emerge that largely confirm certain trends in 1940-46. There is decreasing resort to the National Guard, and assaults on strikers by company guards have been all but eliminated. Industries such as coal that have been a fertile source of past violence have become pacified and no longer

Table 8-1.—Number killed and wounded and number of times militia was called in labor disputes (1947-62)

Year	Location	Killed	Wounded ^a	Militia
1947		0	0	0
1948	Maryland	1	0	0
	Illinois, Iowa	3		1
1949	Kentucky	1		
1950	Tennessee	1	4	1
	Alabama	1	0	1
1951	Georgia	1		
	Arkansas	1		
	Tennessee	1		
1952		0	0	0
1953	West Virginia	1	4	
	Pennsylvania	1		
	Southern RR. States		(b)	
1954				
1955	Louisiana	1		
1956				
1957	Tennessee	2	7	
1958	New York	1	2	
	Florida	2	2	
1959	Kentucky	4		1
	Louisiana	1	1	
1960	Wisconsin	1		
1961	New York	1		
1962	Tennessee	3		

^aStatistics available usually in connection with strikes involving fatalities.

^bSeveral.

provide exceptional bloody episodes. Geographically, violence continues to be widely dispersed, although the data suggest that violence tends to occur more frequently in the South and Midwest and less often in the Northeast and the Far West. Most of the deaths in these strikes were accidental, in the sense that violence was not part of a systematic campaign by either the union or the employer. Some deaths were a result of a brawl between pickets and all strike replacements, which has been the single most important source of all strike violence. Indeed, many strikes that had been peaceful were converted to battles on the first day that a back-to-work movement started. Occasionally, violence took place away from the struck facility, sometimes under circumstances in which it is difficult to disentangle personal elements from the labor controversy.

To be sure, there were strikes which had all the hallmarks of past struggles. The national strike of the CIO Packinghouse Workers against several packing companies in 1948 was accompanied by killings, disorder, and the National Guard. In this strike, the police in Kansas City, Kans., raided the union hall, destroyed furniture, and attacked those present. In 1955, during a strike on the Louisville & National Railroad, injuries and a death resulted from clashes between pickets and strikebreakers. Bridges were dynamited and rolling stock damaged, and the railroad was the victim of continual vandalism.

By and large, however, the most publicized strikes in this period, while bitter and prolonged and full of disorder and assaults, did not result in killings. These strike spectacles—Kohler, Square-D, Perfect Circle, Southern

Bell—were all widespread and usually accompanied by minor acts of violence, which in a few cases were quite grave and resulted in more or less extensive amounts of property damage. The worst of these strikes was that involving the Perfect Circle Co. and the UAW, in which both sides were plainly guilty of violence. The Perfect Circle Co. was the only employer of this group that did not settle the strike by beginning or resuming collective bargaining relationships with its union. However, it should be noted that in due time this company eventually recognized the union that had been decertified in three out of its four plants after the strike.

CONTEMPORARY VIOLENCE

The most informative source of the extent of contemporary violence is found in the records of the National Labor Relations Board. In Section 8(b)(1)(A) of the Taft-Hartley Act, Congress gave the Board power "to proceed against union tactics involving violence, intimidation and reprisal or threats thereof."²²⁵ In interpreting this section, the Board commented that "... Congress sought to fix the rules of the game, to insure that strikes and other organizational activities of employees were conducted peaceably by persuasion and propaganda and not by physical force, or threats of force or of economic reprisal."²²⁶ In fiscal 1968, the Board closed 12 cases after the entry of a Board order or court decree in which unions had been found to have engaged in some act or acts of violence. Moreover, 14 Board regional offices for the same period closed informally 38 other such cases.²²⁷ These regions handle roughly half of the agency's total case load and include New England, parts of metropolitan New York and Chicago, the industrial areas of Pittsburgh and Detroit, the Southeastern states, the Midwest, and part of Texas, and the Far West. On the assumption that the unreported half of the United States would have exhibited about the same number of violent labor cases, we may conclude that there were 80 to 100 cases of unlawful acts with some degree of violence committed by labor unions and involving the NLRB in this 12-month period.

1. Informal NLRB Cases of Labor Violence

In 19 of the 38 informally closed cases, the unlawful activities arose out of a strike over the terms and conditions of employment; in nine others the major issue was union recognition. However, the instability of bargaining is reflected in the fact that seven of the economic strikes involved unions which had either just won bargaining rights through a NLRB election or had only negotiated one contract with the charging employer. There were three cases in which rival union claims played a part and the contents of the remaining cases were either unknown or unclassifiable.

2. Violence Arising Out of Disputes Over the Terms of a Contract

An example of present-day violence occurred during a strike between District 50, United Mine Workers, and a manufacturer of iron castings in a small Michigan city. Despite a long history of collective bargaining, a strike of the 85 employees for a new contract that took place on March 13, 1967, lost its

peaceful character on March 30 when some pickets were armed with baseball bats. It was alleged that an employer representative and two strike replacements were assaulted by several pickets and formal complaints were made to the police. The employer had been operating the plant at a reduced scale using supervisors and hiring strike replacements from any source. The alleged assailants were not union officers, but the Board imputed agency responsibility to the union on the grounds that this conduct took place under a controlled picket line. The regional office settled the case informally with the union and the employer, on the grounds that the picketing was otherwise peaceful, that no further violence was reported, and that a local court had issued a temporary restraining order directed against the violence. The settlement agreement provided for the usual remedy within the scope of normal Board procedures, that is, the agreement of the union to cease its unlawful activities and post a notice to its members to this effect. The strike continued after the closing of the case and the company's operations remained unaffected by the peaceful picketing.

A different outcome ended another strike in which unlawful activities were more extensive. Machinists began a strike on May 2, 1967, after fruitless bargaining with a manufacturer of industrial tools in a Chicago suburb with whom it had long enjoyed a bargaining relationship. The strike was peaceful, with the 138 nonunion represented employees being permitted free access to and from the plant until September 5 and 6, when 100 union pickets massed in front of the plant gates kept most of them out. Threats were directed at the nonstriking employees such as, "You're not wanted here. Leave while you still can." and "We know you and if you think anything of your family, you will get out of here." There was some shoving by pickets, rock throwing, tearing of sideview mirrors from cars, and several incidents of individual intimidations and harassments. The employer secured a State court injunction on September 18, although the violence had ended more than 10 days before. The region issued a complaint but prior to a formal hearing the company withdrew the charge on December 11, 1967, since a new contract was signed. On the basis that the unlawful activity had terminated, the Board accepted the withdrawal.

The pattern of illegal activities which constitutes violence and coercion subject to the jurisdiction of the Labor Board is rarely changed. Frequently there is some blocking of plant ingress and egress, occasionally the laying of nails "by persons unknown" on the plant driveway, sometimes allegations that sugar or other foreign material is put in the gas tanks of company and nonstriking employees' vehicles, accusations of object throwing which may include rocks, eggs, or paint, some physical scuffling or pushing, and always the making of threats. Damage to company plant is rarely observable in these cases, although vehicles standing in the street appear to be fair game. In very few cases does more violence take place, such as physical assaults or the following and harassing of drivers of company trucks on the highways and at stops. In several cases, union pickets were found in front of the homes of working employees with signs imputing the worst sins of humanity to those who cross picket lines. In all cases but one the union's coercive conduct was limited in time and ceased after the filing of a charge with the Board or the obtaining of a State court injunction. Indeed, in 11 cases of the 38 informally adjusted cases, court orders were obtained by the employer.

In only one instance did unlawful activities continue during the NLRB investigation, and this strike was by far the most violent of 1967 which was closed by the Board. A longtime bargaining relationship was ruptured by a strike for improved conditions of the Papermaker's union at a paper products manufacturing plant in a small town in western Massachusetts. The strike was peaceful from its start on October 28 until November 17, at which time a truck driver crossing the picket line was physically assaulted and his truck damaged. Thereafter mass picketing began, reaching its maximum strength on November 29 and 30, with many threats of physical coercion made. A complete blockage of entrance and exit excluded all employees including clerical, supervisory, and managerial personnel. The violence included some damage to the plant and its appurtenances, assaults with clubs upon some individuals trying to enter the plants, and striking and rocking vehicles in which the attempts were made. The employer obtained a State court temporary restraining order that was exceedingly narrow in scope and limited the court's protection to only three maintenance employees who provided the plant's heat. The judge denied a broader injunction without stating any reason. There were only two officers in the local police force, who were unable to control the situation; their requests for assistance from the State police were unanswered. On December 4, the employer requested that the NLRB obtain an injunction under the authority of section (10)(j) of the act, which was supported by the regional office on December 5, and authorized by Washington on the following day. By December 8 the union agreed to cease all unlawful activities, which it promptly did. The union's agreement was incorporated in an informal settlement agreement. The return of peace led to fruitful negotiations and by December 18 the parties had negotiated a new contract. In light of the postviolent union behavior, the settlement agreement was approved by the Board.

The low level of violence of most of the cases that emerge from stalemated bargaining can be seen by examining an episode involving white-collar workers. A strike of announcers and salesmen at a Detroit radio station resulted in a union agreement with the NLRB not to coerce nonstrikers. The facts which underlay the Board determination of a violation of section (8)(b)(1)(a) included such threats as "I may be your friend, but if you try to cross that line, I will be all over you," and "Well, you better bring your army with you because no one is going to walk in that door tomorrow morning at 8:00." No other "violence" accompanied the strike and the union's coercive conduct was corrected by the normal remedy of agreeing to cease issuing threats.

3. Violence Arising Out of Union Demand for Recognition

The existence of Board machinery for determining a union's representation status has eliminated this issue from its previously predominant role as a cause for strikes. The number of such cases involving coercive union behavior is very low. Two situations involved the International Ladies' Garment Workers' Union which established a number of pickets in front of a small plant during an organizational campaign. In both cases, the sole unlawful activity, which was corrected by the filing of the charge, was interference with free movement to and from the plant.

However, in two other 1967 cases the union's unlawful behavior was overshadowed by illegal employer conduct. A machinist's organizing campaign against a Chicago manufacturer was countered by employer unfair-labor practices which included discharges of seven union supporters and widespread threats of reprisals against other employees. This company's unlawful behavior resulted in a strike by a minority of workers. The cars of some of the pickets were damaged, and their work clothes and other personal property left in the plant were vandalized. Moreover, some strikers received threatening phone calls at their homes. Charges filed by the union with the NLRB resulted in a determination that the company behavior was unlawful and complaints were issued. The employer also filed charges with the Board alleging union violence, which consisted of the scratching of one car by pickets, tampering with the airbrakes on a truck, and one threat to a supervisor. Since these activities constituted a violation of section (8)(b)(1)(a), a non-Board settlement of all charges was agreed upon. Reinstatement and backpay was offered to the discharges and both the employer and the union agreed to stop all unlawful acts.

In the second case, after an uneventful bargaining history of 16 years, negotiations broke down for a new contract when a Massachusetts employer insisted upon a "word-for-word, comma-for-comma" renewal of the old agreement as a condition for discussing wages. The Textile Workers' Union, after a unanimous vote, went on strike. The employer refused to meet the union after the strike, met secretly with some of the employees, distributed and collected "decertification cards," set up a new union, provided facilities and an attorney for the new union, and recognized and signed a contract with it, after declining to recognize the Textile Workers' Union. The Textile Workers' Union filed charges which the region found to be meritorious. The strike was peaceful except for one incident involving a nonstriking employee who reported being assaulted by three pickets. It seems a scuffle did take place, although the nonstriker was a male who was six foot two and weighed over 220 pounds, while the pickets were women ranging in age from their early fifties to late sixties. Several weeks after this episode, the strike was ended with the renewal of an agreement with the Textile union, the repudiation of the company union, and a withdrawal of all charges.

4. Violence Arising Out of Jurisdictional Disputes in 1967.

The disaffiliation of most of the officers and members of a local of Brewery workers to the United Auto Workers in a Michigan factory resulted in a strike led by the UAW. Mass picketing, threats to nonstrikers, and the damaging of vehicles led to filing of charges and the securing of a State court injunction. The union's coercive acts were brief and ceased in compliance with a Board adjustment and the court order.

A conflict between the Carpenters and the Teamsters' Union produced a tangled skein of charges alleging violations by both of many sections of the act. The basic facts indicate that a Chicago firm recognized and executed a contract with the Carpenters Union at a time when that union had no members in the unit, which included drivers and dockmen who were members of the Teamsters. The subsequent Teamster picketing included violations of the act's secondary boycott prohibitions. The teamsters also engaged in threats

of physical harm to some employees, rock throwing, and the following and harassing of trucks on the highway. Complaints were issued against both unions and the employer but, subsequent to a hearing, all parties agreed to dispose of the issue by holding of a representation election in the disputed unit. On this basis, all charges were withdrawn.

5. Formal NLRB Cases Involving Violence in Fiscal 1968

Formal cases differ from adjusted NLRB cases in that Board orders and/or court decrees are entered against the respondents. Of course, violations of a court order may constitute contempt of court. Of the 12 cases closed in this category, 8 developed out of a breakdown in negotiations while 4 originated in organizational efforts. The unlawful activities in these cases do not differ fundamentally from adjusted situations; the pattern consists of threats, mass picketing, blocking and shoving, occasional assaults, damage to cars, rock throwing, and the like. In six of these cases there was no litigation inasmuch as the union consented to the entry of a Board order and court decree on the basis of a written stipulation of facts and the applicable law.

6. Uncontrolled Labor Violence and the Board

The reduction of union-caused violence cannot be exclusively attributed to the impact of section (8)(b)(1)(a), although this section has a direct bearing upon such unlawful acts. With rare exceptions, as is noted in our description of Board cases, local law enforcement agencies supported by State courts are able to control union violence. The power of the State, now as in the past, is usually competent to protect employers' property interests, including the safeguarding of free ingress to and egress from a struck plant. However, in the event of a breakdown of local law enforcement, the Board is empowered under section (10)(j) of the Taft-Hartley Act to secure an injunction from a Federal district court. Since 1947 there have been 11 occasions where such an injunction has been obtained. In all of these cases, uncontrolled mass picketing and large-scale incidents of violence and threats of violence were responsible for the Board's intervention. It also should be noted that the enforcement of a Federal court order is invariably swift and effective. Of course, the significance of section (10)(j) cannot be measured alone by the number of times it was used. The prospect of its use, as observed in one of the Board cases discussed above, is ordinarily sufficient to stop violent behavior.

7. Other Sources of Data on Labor Violence

Attempts were made to secure data on violence from such obvious sources as local police departments and the U.S. Department of Justice. Unfortunately, time limitations forbade any extensive collection of information. Police manuals from a number of cities throughout the country revealed that police departments were highly sensitive to the disorders inherent in labor disputes and a number of cities specified in considerable detail appropriate police procedures. All of these were directed at insuring open picket lines and freedom of movement of people and goods across them. At the same time, police officers were cautioned to maintain neutrality and impartiality in maintaining

order. The records of the Labor Board indicate that these instructions were ordinarily executed with considerable fidelity, although the enthusiasm with which police carried out their orders varied with local conditions. There were times when police allegedly turned their backs at minor outbursts of picket line violence; on the other hand, unions charged that the contrary often took place. In one Board case a union representative claimed: "Any time a driver either refused or hesitated to make a delivery, the police showed up." We were given access to the full records of a major northern industrial city's police department which revealed an almost complete absence of labor violence over a 4-year period. During this time only one arrest was made, and that involved a fist fight between a picket and a customer of a struck store.

We were also given summaries of major complaints of labor violence made to the Federal Bureau of Investigation from 1961 to 1967. The Department of Justice informed us that most of the other complaints were about small-scale damage to property whose isolated nature and remoteness in affecting commerce precluded Federal action. Property damage was also the most significant characteristic of the major complaints of labor violence made to the Federal Bureau of Investigation from 1961 to 1967. The use of dynamite was reported in 1961 and 1963 during a jurisdictional dispute on the Great Lakes. Explosions were reported on the Wabash Railroad in 1963, and on the New York Central Railroad in the same year. The most serious incidents of property damage occurred during disputes with employers with extensive and exposed property holdings. A strike of the IBEW against the Alabama Power Co. in 1966 was accompanied by 50 acts of sabotage, including the draining of oil from transformers, placing of chains across powerlines, severing of guy wires on transmission line poles, the destruction of power equipment by gunfire, and the like. Also in 1966 a labor dispute between the Oil, Chemical & Atomic Workers' Union and the United Fuel Gas Co. was followed by dynamiting 24 company pipelines in West Virginia and Kentucky as well as other property damage. A strike at the Illinois Consolidated Telephone Co. also witnessed dynamiting of company facilities at a number of places. Other instances included dynamiting of a construction company's earthmoving and Caterpillar tractors in Huntington, Ind., and dynamite damage to machinery of a California timber company.

In none of the above disputes did personal injuries or deaths occur. Assaults against individuals took place, however, in four strikes. In February 1964, a truck carrying 11 temporary employees of a Chicago firm was overturned by 50 strikers. The injuries were unrecorded. In June of the same year, a Molotov cocktail was thrown through a window of a nonstriking employee in an Illinois strike. Again no information is available of casualties. A strike among employees of a Florida telephone company in 1967 witnessed several dynamiting incidents and the shooting of several employees. The assailants and the circumstances surrounding these incidents are unknown to the writers.

The most serious recent violent strike involved steel hauler owner-operators in 1967, whose dissatisfaction with the Teamsters Union to which they belonged generated more than 50 serious incidents of violence. In their attempt to secure better representation, the dissident Teamsters attempted to intimidate other drivers by acts of violence, including the throwing of fire bombs and rocks. One death and another serious injury were reported.

From time to time the newspapers report outbreaks of strike violence such as in the 1962 Florida East Coast Railroad strike and in the recent dispute between the Steelworkers Union and the Lone Star Steel Co. in Texas. The latter strike has been marked by beatings, shootings, and threats and has required the intervention of the Texas Rangers. It is noteworthy that in describing this strike in its story heading, the *Wall Street Journal* said: "Shades of the 1930's: Violent Steel Strike Rocks a Steel Producer in Texas."²²⁸

Apart from incidents of sabotage and destruction of property, most incidents of labor violence appear to end up in an NLRB charge. It is clearly in an employer's interest to make such charges, even in the ordinary case of minor coercion where little prospect of a Federal injunction exists. In these situations not only is the employer able to mitigate any legal derelictions of his own, but he can establish his legal right to take reprisals against those strikers guilty of misconduct. This is particularly important since many strike settlements founder on this issue because many employers adamantly refuse to reemploy employees who have participated in violent acts.

8. Other Evidence of the Diminution of Labor Violence

The diminution of the level of violence is attested to by its relatively scant treatment in congressional hearings since 1947. The essential concern of proponents of labor reform during the Taft-Hartley hearings was to deprive employees guilty of violence, threats, sitdown mass picketing, and other forms of intimidation of their reinstatement rights. It should be noted that past court decisions, in some instances overruling the Board, had eliminated the act's protection for employees engaging in the above practices. The McClellan committee's 1956-59 investigation of improper union and employer activities found no evidence of large-scale violence except in few cases such as the Kohler and Perfect Circle cases. However, the Landrum-Griffin Act contains prohibitions against threats and acts of violence and intimidation arising out of the management of internal union affairs. This is one of the least violated sections of the Landrum-Griffin Act. Other Federal statutes which touch upon labor violence, such as the Hobbs Act,²²⁹ have given rise to a handful of cases.

9. The Impact of the National Labor Relations Act Upon Violence

A fundamental purpose of the national labor policy, first enunciated by the Wagner Act and confirmed by its subsequent amendments in the Taft-Hartley and Landrum-Griffin Acts, was the substitution of orderly procedures for trials of combat. But in balancing the public interest in the peaceful settlement of industrial disputes with the freedom of labor and management to work out their problems in light of their needs and experience, the law did not outlaw the exercise of economic force. Indeed, by endorsing collective bargaining, the NLRA explicitly acknowledged that tests of strength, i.e., the infliction of economic harm, with all its costs and hardships, is superior to such alternatives as compulsory arbitration.

However, this approval of the strike, the picket line, and the maintenance of hard bargaining lines by employers and unions was limited by the establishment of specified rules of conduct imposed on all parties. Some subjects were

removed as bargaining issues and are not subject to economic pressures. Foremost among these was the question of union recognition and with it the concomitant mutual obligation to bargain in good faith. The wishes of a majority of employees within an appropriate bargaining unit determined whether or not collective bargaining was to begin, and this determination could not be lawfully qualified or limited.

The workings of the majority-rule principle can best be appreciated by applying it to the major disputes of the past. Members of the bargaining committee that approached the Pullman company were fired and Pullman refused to deal with any committee of his employees. Charles Schwab, head of the Bethlehem Steel Co., announced during the 1910 strike, "I will not deal with union committees or organized labor," an attitude reiterated for the entire industry in 1919. This position was taken by employers in Michigan Copper, in the coal industry of Colorado and the major coalfields in West Virginia, and by others in the more violent strikes. Some employer associations were hostile to the principle of dealing with unions, and these groups included the leading firms in many industries. Because employer refusal to meet and deal with unions was the major cause of past violent labor strikes, the effective enforcement of the Wagner Act reduced sharply the number of such encounters.

This diminution of labor violence was not a temporary phenomenon but endured the strains of major and minor wars, a number of business cycles, and substantial changes in national and local political administrations. Moreover, the social and economic environment in post-New Deal America was scarcely conducive to the pacific resolution of disputes of any kind. The re-conversion of American industry after World War II brought on the greatest strike wave in our history. Yet, these mammoth strikes were accompanied by virtually no violence, completely at variance with the experience after 1918.

The contribution of the NLRA in sustaining the reduction in the number and severity of sanguinary labor clashes went beyond prescribing enforceable bargaining behavior. The law supported the right to organize of labor unions, but only on condition of avoidance of violence. Violence on a picket line is always latent but tends to surface when the employer recruits replacements and attempts to operate. Today, as always, employers have the legal right to move goods and people freely across a picket line and the duty and practice of police has tended to safeguard this right. Moreover, employees who engage in violence forfeit the protection of the act, which is a restraining influence upon them. The diminution of violence on labor's side has correspondingly lowered the propensity of employers to resort to force as either a defensive or aggressive tactic.

SUMMARY AND CONCLUSIONS

The United States has experienced more frequent and bloody labor violence than any other industrial nation. Its incidence and severity have, however, been sharply reduced in the last quarter of a century. The reduction is even more noteworthy when the larger number of union members, strikes, and labor-management agreements are considered. The magnitude of past violence is but partially revealed by available statistics. One writer estimated that in the bloody period between January 1, 1902, and September 30, 1904,

198 persons were killed and 1,966 injured in strikes and lockouts.²³⁰ Our own independent count, which grossly understates the casualties, records over 700 deaths and several thousands of serious injuries in labor disputes. In addition, we have been able to identify over 160 occasions on which State and Federal troops have intervened in labor disputes.

The most common cause of past violent labor disputes was the denial of the right to organize through refusal to recognize the union, frequently associated with the discharge of union leaders. Knowledge of workers' resentment at their inability to join unions encouraged employers to take defensive measures during strikes and lockouts. These measures often included the hiring of guards who, by their provocative behavior, often created the very conditions they had been engaged to minimize.

The melancholy record shows that no section of the United States was free from industrial violence, that its origin and nature were not due to the influence of the immigrant or the frontier, nor did it reflect a darker side of the American character. Labor violence was caused by the attitudes taken by labor and management in response to unresolved disputes. The virtual absence at present of violence in the coal and copper mines, breeding grounds for the more dramatic and tragic episodes, are eloquent testimony that labor violence from the 1870's to the 1930's was essentially shaped by prevailing attitudes on the relations between employer and employee. Once these were changed, a change accomplished partly by legal compulsion, violence was sharply reduced.

Employer Violence

Employers and unions were both guilty of violence. Employer violence frequently had the cover of law. No employer was legally bound to recognize the union of his employees. He has and always had the right to defend his property and maintain free access to the labor and commodity markets. In anticipation of trouble, the employer could call on the community police force, and depending upon size and financial ability, supplement them with protective auxiliaries of his own. Such actions usually had public support, for the employer was exercising a recognized right to self-defense, despite widespread recognition by many public leaders in and out of Government of the desirability, need, and justice of collective bargaining. In the absence of the authority and effective sanctions of protective labor legislation, many employers fought unionism with every weapon at their command, in the certainty that their hostility was both lawful and proper.

Union Violence

Facing inflexible opposition, union leaders and their members frequently found that nothing, neither peaceful persuasion nor the intervention of heads of government, could move the employer towards recognition. Frustration and desperation impelled pickets to react to strikebreakers with anger. Many violent outbreaks followed efforts of strikers to restrain the entry of strikebreakers and raw materials into the struck plant. Such conduct, obviously illegal, opened the opportunity for forceful police measures. In the long run, the employer's side was better equipped for success. The use of force by

pickets was illegal on its face, but the action of the police and company guards were in vindication of the employers' rights.

The effect of labor violence was almost always harmful to the union. There is little evidence that violence succeeded in gaining advantages for strikers. Not only does the rollcall of lost strikes confirm such a view, but the use of employer agents, disguised as union members or union officials for advocating violence within the union, testifies to the advantage such practices gave the employer. There were a few situations, in areas made vulnerable by their openness such as a strike in municipal transportation or involving teamsters, where violence was effective in gaining a favorable settlement. Even here, however, such as in the Teamsters strike in Chicago in 1905, the violence often failed. The most sensational campaigns of the Western Federation of Miners to bring their opponents to heel by the use of force were unsuccessful, and the union was virtually driven out of its stronghold. The campaign of dynamiting of the Iron Workers' Union ended in the conviction of the McNamaras. Subsequent convictions of a number of union leaders, including its president, who were convicted of transporting dynamite and of conspiracy in the Federal courts, almost wrecked the union. The campaign of violence carried on by the molders against the members of the antiunion National Founders Association failed to change the latter's policy.²³¹

The right to organize was not retained in Homestead, or won in Pullman, the Colorado metal mines, Coeur d'Alene, or in the steel mills in 1919, although the sacrifice by union members, especially the rank and file members, was great. In fact, the victories gained by violent strikes are rather few, for the use of violence tends to bring about a hardening of attitudes and a weakening of the forces of peace and conciliation. A community might be sympathetic to the demands of strikers, but as soon as violent confrontations took place, the possibility was high that interest would shift from concern for the acceptance of union demands to the stopping of the violence.

It is the violent encounters that have provided organized labor with its lists of martyrs, men and women who gave their lives in defense of the union and collective bargaining. The role of martyrdom is not for us to assay, and may be useful in welding the solidarity of the group. The blood of the martyr may be the seed of the church, but in labor disputes it is doubtful if the sacrifices have been worth the results obtained. The evidence against the effectiveness of violence as a means of gaining concessions by labor in the United States is too overwhelming to be a matter of dispute.

Except for contemporary examples, we have not dealt with the numerous minor disturbances, some of them fairly serious, that were settled by the use of the normal police force. We have also generally avoided the many instances in which organizers and active unionists were denied their right to remain in communities or were the victims of local vigilante groups. We know that union organizers could not enter the closed coal towns, and that labor speakers could neither hire a hall nor speak in a public square in many communities. A number of coal counties in Kentucky and West Virginia built what amounted to an iron wall against the invasion of union organizers. The situation became worse during strikes. In the 1919 steel strike, the mayor of Duquesne, Pa., announced that "Jesus Christ could not hold a meeting in Duquesne," let alone the secretary-treasurer of the American Federation of Labor.

Sitdown Strikes

Some recent apostles of violence as a method of social reform point to the sitdown strikes in the 1930's as proof of the value of such tactics. The sitdown strike was the usual suspension of work, but instead of the employees leaving the premises of their employer, they remained within the plant. The tactic itself is not a violent one, although it is obviously an unlawful trespass upon another's property. However, these tactics were used against employers who had refused to grant recognition to the union, which during the great sitdown strikes in the plants of General Motors and the Chrysler Corp. were in violation of the National Labor Relations Act. As a matter of fact, the sitdown strikes were exceptionally peaceful, given the circumstances, and there was only one serious confrontation between strikers and company guards during the strike at General Motors and, by the standards of the time, it can be described as a minor altercation. The beneficiaries of violence accompanying a sitdown strike are abundantly clear from the events surrounding a conventional recognition strike by the UAW against the Ford Motor Co.'s Rouge plant on April 1, 1941. According to the union, the company—

tried to take an illegal sitdown strike at the plant to discredit the genuine strike and to obscure the legal demands of the Ford workers. A federal conciliator and a Ford advertising director, however, revealed that the sitdowners were a thousand strikebreakers hired by Ford to stage a demonstration of riot and disorder.²³²

The company's attempt to use the sitdown as a basis for State and Federal armed intervention was unsuccessful.

As a matter of fact, violence was used against the automobile workers who used the sitdown tactic. Not only were many discharged for joining the union, but the attack upon Walter Reuther and Richard Frankenstein and others by a group of thugs under the direction of Harry Bennet, in charge of security at the Ford Motors Plant, was one of the more serious incidents in the organization of the industry. In ruling that sitdown strikers lost the protection against discharge for union activity guaranteed by the National Labor Relations Act, the U.S. Supreme Court said: "The seizure and holding of the buildings was a thing apart from any acts of sabotage. But in its legal aspect the ousting of the owner from lawful possession is not essentially different from assault upon the officers of an employer."²³³ For our purposes, however, the distinction between a trespass and a physical assault is meaningful and important regardless of their legal equivalence. Once it became known that by participation in a sitdown strike a discharged worker forfeits his reinstatement rights under the law, the use of this tactic virtually ceased, and it has not been widely used since the above decision.

Persistence of Violence

We are, however, confronted with a paradox in that violence in labor disputes persisted even though it seldom achieved fruitful results. With few exceptions, labor violence was the result of isolated and usually unplanned acts on a picket line, or occurred during a prohibited parade or demonstration protesting employer obduracy or police brutality. It might also start by attempts

of pickets to prevent the transportation of strikebreakers or goods, and a clash would follow police intervention. Where the employer refused to deal with the union, the possibility of eventual violence was always high. The desire of the American worker for union representation took place in the teeth of employer opposition that was able to impose heavy sanctions for union activity. The reproduction of conditions in which violence is spawned inevitably was followed by outbreaks of violence. Violence could be successfully repressed by superior forces but it could not be eliminated until its causes were removed.

The Reduction in Violence

The elimination in 1933 of the most important single cause of violence, refusal to recognize the union for purposes of collective bargaining, came about at the time when union membership was lower than it had been for 15 years. The first step taken was the adoption of section (7)(a) in the National Industrial Recovery Act, which guaranteed workers in industries operating under codes of fair competition the right to organize and bargain collectively through their own representatives. This provision was only partially effective in protecting the right to organize, but it was a significant beginning. Its successor, the National Labor Relations Act, with its amendments, has now been on the books for 33 years, and it is 31 years since it has been upheld by the Supreme Court. The sharp decline in the level of industrial violence is one of the great achievements of the National Labor Relations Board.

It may have been a fortunate coincidence that the labor laws guaranteeing the right to organize were enacted at the time the character of business management was changing. The professional business executive, who has increasingly come to dominate management, is not inclined to regard his business in the same sense as the head of a family-developed firm. He is more flexible in his thinking and more responsive to social and political changes. It may not be an accident that some of the bitterest contemporary labor disputes—Kohler and Perfect Circle, for example—took place in family-held businesses. The professional business leader is more detached, more pragmatic in his reactions, and knows that American business has sufficient resilience to adapt itself to free collective bargaining. The performance of American industry since the end of World War II demonstrates that union organization and collective bargaining are not incompatible with satisfactory profits and a high rate of technological change.

Violence has greatly diminished, but it has not entirely ceased. Between 80 and 100 proven charges of violence or coercion are closed annually by the National Labor Relations Board. In addition, reports of violence of varying seriousness appear periodically in the press. The charges that come before the Board that we have examined are largely based upon threats and generally minor picket-line incidents. In none of them did deaths or serious injuries occur. Nearly all of them, if they had taken place prior to the 1930's, would have been ignored in our study. Had we taken note of all the threats and picket line incidents prior to the 1930's, our study would have reached unmanageable proportions. Present-day violence is by and large the result of accidental and random events which occasionally erupt in a picket line confrontation.

Prospect of Reversion to Past Patterns of Violence

Has widescale violence been permanently erased from American industry? The reduction in violence in labor disputes has been accompanied by sharp increases in violent behavior in other areas of American life. This is no accident. The conditions that gave rise to past labor violence have been eliminated and a restoration of these conditions would lead to a reversion in conduct. Any tampering with the complex mechanism that governs our contemporary labor policy is an invitation towards unharassing of the forces of violence and hate that we have successfully mastered.

Labor and Other Forms of Violence

Can one draw more general conclusions from the labor experience, or are they peculiar to the problems of workers seeking to establish unions in industry? On many occasions the union operated in a hostile community, while minorities carry on their protests in their own friendly neighborhoods. Nevertheless, in both situations the reaction of the majority is likely to be decisive. There have been times where public sentiment was so strongly on the labor side that no matter what violence it committed, it ran no risk of estranging local public sentiment. Such was the case in Virden and in the far more questionable situation in Herrin. Usually, however, violence led to the alienation of public opinion and sometimes to a shift in public sentiment to approval of severe actions against the strike. The evidence is clear that the absence of violence committed by unions would not have retrieved many lost strikes. However, it appears highly probable that the advocacy or the practice of organized and systematic violence on the union side would have prevented the enactment of the New Deal labor legislation.

There is no evidence that majorities will supinely accept violence by minorities. The fact that rioters are fighting for a just cause or reacting to oppression has not, in the case of labor, led to the condoning of violence by the public. The desirability of collective bargaining had, prior to the 1930's, been endorsed by a number of public bodies, and all 20th-century Presidents of the United States. Such views were also sponsored by leading students in the field, legislators, clergymen, and others. Such approval did not save labor from severe repression.

It appears to us that it is a gross confusion of the problem to emphasize the creative character of violence as a guide to the behavior of minorities suffering from serious inequities and injustice. Creative violence obviously refers to the successful revolutions in England, the United States, France, and Russia. It appears to us that such a view is completely irrelevant if it is not vicious and highly misleading. We are concerned not with revolutionary uprisings, which such a view implies, but how a minority can achieve belated justice. Although we believe that minorities can obtain little through violence, we are also convinced, on the basis of labor experience, that violence will continue unless attention is paid to the removal of grievances.

In some respects the violence in the ghettos resembles the kind that surrounded labor disputes; it arises without prior planning and out of isolated instances that may not repeat themselves. It is also highly probable that violence of this kind will be unproductive or even counterproductive, in that it

will antagonize many who would normally support the claims of minorities for equal justice and opportunity. Yet the labor analogy with racial minorities can be pushed too far. Labor's grievances were specific and could be met by single or groups of employers with concessions. The adverse effects of granting these concessions were small, injured few people, and employers could generally pass on any added costs to consumers. On the other hand, to the extent that the grievances of minorities are of a general nature and the meeting of their demands impinges upon the privileges of wide sections of the community, the resolution of their disputes is apt to be met with greater opposition.

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189. *Youngstown Vindicator*, June 20, 1937. See testimony of witnesses on the riot in *Hearings before a Subcommittee of the Committee on Education and Labor, 75th Cong., 3d sess.*, pursuant to S. Res. 266, 74th Cong., pt. 29, pp. 11183-12014.
190. *Hearings Before a Subcommittee of the Committee on Education and Labor, U.S. Senate, 75th Cong., 3d sess.*, pt. 25, p. 10689.
191. *New York Times*, July 27, 1937.
192. *Hearings Before a Subcommittee of the Committee on Education and Labor, U.S. Senate, 75th Cong., 3d sess.*, pt. 34, p. 13968.
193. *Ibid.*, pt. 28, p. 11497.
194. *New York Times*, July 8-12, 1937.
195. *New York Times*, June 26, July 1-3, 1937.
196. *New York Times*, July 1, 1937.
197. *Philadelphia [Pa.] Bulletin*, June 29, 1937.
198. *Chicago Tribune*, Mar. 2, 3, 1938.
199. *Houston [Tex.] Chronicle*, Sept. 15, 1938; *Voice of the Federation*, Sept. 22, 1938.
200. *Houston [Tex.] Press*, July 1, Aug. 5, 1938.

201. *Biennial Report of the Adjutant General of the State of Iowa for the Fiscal Years 1939 and 1940*, pp. 9-10.
202. *Ibid.*, pp. 10-11.
203. *New York Times*, July 17, 28, Aug. 29, Nov. 9, 11, 1939.
204. *New York Times*, Aug. 8, 21, 23, 1939.
205. *Denver Post*, May 23, 1940.
206. *Newark News* (N.J.), Sept. 23, 1946.
207. *St. Louis Dispatch*, July 25, 1940.
208. *New York Times*, Apr. 16, 1941.
209. *Los Angeles Times*, June 9, 1940.
210. *The St. Louis Post Dispatch*, Oct. 23, 1940.
211. *Ibid.*
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213. *New York Times*, Apr. 16, 1941.
214. *Ibid.*, Dec. 15, 1941.
215. *Quadrennial Report of the Adjutant General of Alabama, 1942*, pp. 87-88.
216. *New York Times*, May 10, 1940.
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218. *Brooklyn Eagle*, Sept. 24, 1940.
219. *Detroit Times*, May 13, 1941.
220. *San Antonio Light*, June 12, 1941; *San Antonian Express*, June 15, 1941.
221. *Detroit Times*, Feb. 16, 1942; Feb. 17, 1942.
222. *Charleston Post*, Apr. 2, 1943.
223. *Arkansas Gazette*, Feb. 2, 1945.
224. *Oklahoma City Oklahoman*, Apr. 21, 1946.
225. *NLRB v. Drivers, etc.*, 362 U.S. 274 at 290.
226. *Perry Norvell Co.*, 80 NLRB 225 at 239.
227. We have examined all of the Board's case files in which a finding has been made of union-caused violence or coercion.
228. *Wall Street Journal*, Oct. 30, 1968.
229. The Hobbs Act inhibits the use of or threat of force to transport money in interstate commerce.
230. Sison Thompson, "Violence in Labor Disputes," *World's Work*, Dec. 1904.
231. *Final Report and Testimony of the Commission on Industrial Relations*, S. Doc. 415, 64th Cong., 1st sess. (Washington: Government Printing Office, 1916), vol. I, pp. 242-244.
232. "We Work at Ford's—A Picture History," UAW-CIO Ford Dept., Detroit, Mich., 1955, p. 45.
233. *National Labor Relations Board v. Fansteel Metallurgical Corp.*, 306 U.S. 240.

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