

Urbanization and Criminal Violence in the 19th Century

Massachusetts as a Test Case

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America is now an urban nation, but Americans are still afraid of cities. There are many dimensions to this fear, but one of them is especially direct, and starkly physical. The current concern with “safety in the streets” echoes a belief, as old as the Republic, that the city is dangerous, the breeding ground of vice and violence. Observers of varying sophistication have pointed out that dark streets hide dark deeds, and that the anonymity and freedom of urban society, its temptations and frenzied pace, all contribute to encourage criminal behavior. From this it is easy to conclude that with metropolitan growth and the multiplication of all these conditions, the rate of violence crime is inexorably multiplied also.

But constant repetition of a myth is no substitute for proof. Under some circumstances it does in fact seem clear that migration to the metropolis has been accompanied by disruption and violence. This does not mean that there is a necessary or inevitable connection between the growth of cities and the growth of crime. In fact the existing historical evidence suggest the very reverse, that over a long-term urbanization has had a settling, literally a civilizing, effect on the population involved.

The statistical evidence for such a long-term trend is necessarily fragmentary and local. But for this purpose local studies may well be more reliable than national. Figures for the United States as a whole, compiled by the Federal Bureau of Investigation, have been available only since 1930. Based on the records of police departments with widely varying standards of accuracy, these have provided a generation of criminologists with material for argument.¹ Analyses of crime rates in individual urban areas, on the other hand, are less complicated by discrepancies in definition and in police practice. While few of these reach back to any period before the FBI’s Uniform Crime Reports, these few are significant. None points to any clear proportional increase in serious crime within particular cities. And the more recent suggest, on the contrary, a sometimes striking proportional decrease.²

Both the decrease and some of the explanation for it may be demonstrated since it is necessary to choose a single area to represent the whole—by an examination of 19th-century Massachusetts. A stable Eastern state, with one growing metropolis and a number of thriving smaller cities, this Commonwealth had a fairly typical experience with industrial urbanization. As a result of the legislature’s enormous appetite for statistical information, its official records, including all those relating to criminal

¹ See *The Challenge of Crime in a Free Society: A Report by The President’s Commission on Law Enforcement and The Administration of Justice* (Washington, 1967), p. 29.

² Four studies are especially germane: Harold A. Phelps, “Frequency of Crime and Punishment,” *Journal of the American Institute of Criminal Law and Criminology*, vol. XIX, No. 2 (Aug. 1926), pp. 165–180, which covers Rhode Island between 1897 and 1927; Sam Bass Warner, *Crime and Criminal Statistics in Boston* (Boston, 1934), “Crime as a Function of Anomie,” *Journal of Criminal Law, Criminology, and Police Science* (June 1966), covering Buffalo from 1854 to 1956; and Theodore Ferdinand, “The Criminal Patterns of Boston Since 1849,” *The American Journal of Sociology* (July 1967), pp. 84–99, which runs to 1951. These all differ in purpose and sophistication, and none is directly concerned with the long-term decline, which helps to make their results the more striking.

behavior, are probably better than any kept elsewhere.³ And while criminal statistics are notoriously difficult to deal with, and by themselves offer no firm conclusions, the history of the Commonwealth has been abundantly studied, and may be used to help interpret the raw numerical data. Together, the statistics and the social record can illuminate several aspects of the history of criminal violence in America. These include: the changing incidence of disorder itself, the relation of this change to urban growth, the special conditions which may upset this relation, and lastly the problem of public attitudes or concern.

While all criminal statistics are subject to some doubt, the central conclusion about the figures from Massachusetts may be stated with confidence: serious crime in metropolitan Boston has declined sharply between the middle of the 19th century and the middle of the 20th. This often ragged downward trend does not, of course, apply equally to all offenses, but it does to most of the more serious commonlaw crimes. Three independent studies, by a lawyer, a historian, and a sociologist, confirm this basic direction.⁴ While the three cover different periods, and employ somewhat different methods, they do fit together, and all are based essentially on police arrest statistics, the index most widely used by contemporary criminologists.⁵ The most comprehensive, covering the years from 1849 to 1951, shows a drop of nearly two-thirds in those crimes which the FBI classifies as “major.”⁶

But only half the story, at best, can be told through the figures from the metropolis alone. Our concern is with the whole society. And it has been argued that the difference in crime rates between urban and nonurban areas may be great enough so that a drop in the incidence of criminality in the cities is more than offset by the fact that a continually greater percentage of the population is living in them.⁷ It is necessary, to meet this problem, to look at the statistics for Massachusetts as a whole.

For most of the 19th century, the use of police records is neither possible nor desirable on a statewide basis.⁸ But other indices of real criminal activity are available. And four of them may be used to establish the changing incidence of “serious” crime, defined as

³ A survey of many of the official and criminal records of Boston and Massachusetts is contained in Roger Lane, *Policing the City: Boston, 1822–1885* (Cambridge, Mass.: Harvard University Press, 1967), pp. 225–229 and 239–241.

⁴ See the works by Ferdinand, Warner, and Lane, in footnotes 2 and 3, above. There is no attempt, in these or in this paper, to measure the extent of statutory or white-collar crime.

⁵ Thorstein Sellin and Marvin E. Wolfgang, *The Measurement of Delinquency* (New York, 1964), p. 31.

⁶ Ferdinand, “Criminal Patterns of Boston,” p. 87. Together with roughly similar results in Powell’s study of Buffalo, these figures suggest that the main conclusions of the present paper, which is largely confined to the 19th century, may be projected up to the founding of the Uniform Crime Reports and beyond.

⁷ Ferdinand, “Criminal Patterns of Boston,” p. 99.

⁸ Statewide arrest figures were not compiled until very late in the 19th century, and comparing those for different cities involves many of the same problems as plague students of the Uniform Crime Reports.

that which involves real injury to persons or loss of property.⁹ These four are lower court cases, jail commitments, grand jury cases, and state prison commitments, all involving the major commonlaw offenses against persons or property. The first date for which two of these indices were published in trustworthy form is 1834; the first year for which all four were compiled is 1860. The figures for these periods, expressed in 3-year averages, may be compared with those for the end of the century in the table 12-1:¹⁰

Table 12-1—Average yearly incidence of cases per 100,000 population

	1834-36	1860-62	1899-1901
Lower Court cases		777	707
Jail commitments		333	163
Grand jury cases	89	117	63
Imprisonments	16.8	11.9	5.9

The decline in the officially recorded crime rate is unmistakable here. And it is strongly probable that the real decline is greater than the statistics indicate. The key problem in the interpretation of criminal statistics is posed by “the dark figure,” representing those illegal activities or incidents which never come to the light of official attention. But since in later years, as will be discussed below, there was both an increasing intolerance of criminal activity and a great growth in the numbers of police and investigative agents, all evidence suggests that this “dark figure” was growing proportionately smaller as the century progressed. Thus table 12-1 considerably understates the real decline.

For purposes of explanation, it is almost equally important to note the pattern of this decline. The table lists offenses in the order of their severity: lower court cases generally involve the least important crimes, jailings the next, indictments next, and imprisonments the most. And with one exception—the relative rise in indictments between the 1830’s and the 1860’s, which will be considered later—it is especially notable that the recorded drop in the crime rate is directly proportional to the seriousness of the offense. This is generally true also when the four indices used are examined further and broken into subcategories. Thus for example the combined rate of commitments for homicide, rape, armed robbery, and arson in 1860-62 was 6.8 per 100,000; by 1900 it has dropped to 2.9 per 100,000.¹¹ Most of the other data point

⁹ In this paper except where specifically noted, no distinction is made between violent crimes—against the person—and other serious offenses. Such terms as “crime” or “disorder” are used to cover both.

¹⁰ For references in this table, see Roger Lane “Crime and Criminal Statistics in Nineteenth Century Massachusetts,” *Journal of Social History* (December 1968), footnote 8.

¹¹ For references, see *ibid.*, footnote 8.

in the same direction—not only a fall over time but a fall most marked in the most serious categories.

Meanwhile, however, while the serious crime rate was falling, the total crime rate—or the officially recorded total—was actually rising. This apparent paradox results from the fact that the downward curve described above may be wholly reversed simply by adding a third official category, “Crimes Against Public Order,” to the two above. When these offenses are added in—drunkenness is by far the largest of them—the results for the lower courts may be indicated as follows:¹²

Table 12-2—Yearly incidence of cases per 100,000 population.

	1840	1860	1900
Total lower court cases	595	1,869	3,317

The pattern for these minor crimes is the obverse of that for serious offenses, in that the more trivial the degree of the offense the larger its proportional increase over time. While virtually no indictments or imprisonments resulted from third-class offenses, their addition makes less difference in the case of jailings than of lower court cases:¹³

Table 12-3—Yearly incidence of cases per 100,000 population

	1841	1860	1900
Total jail commitments	419	548	969

This upward curve in total offenses does not have the same importance as the other, downward curve in the incidence of serious crime. The latter represents the basic statistical conclusion, in that it reflects a real situation, a real decline in the rate of criminal activity. But the former, while it is merely statistical, is nonetheless important. There is a complementary relationship between the two trends, and the nature of this relationship helps account for much that underlies the numbers.

The entire increase in the criminal statistics of Massachusetts, during the period covered, may in fact be attributed wholly to the rise in cases of drunkenness. Indeed this one offense, together with simple assault, its constant companion, may serve as a focus for much more. To understand the reasons for the rise in drunk arrests is to understand much about the social changes occurring in the 19th century, changes which affected all of its criminal patterns.

It is clear, first, that the mounting total of cases fed into the official machinery of justice does not reflect a real increase in the consumption of alcohol. The misuse of drink was throughout the 19th century a problem of enormous dimensions. The

¹² For references, see *ibid.*, footnote 10. 1840 is the first year for which these figures are available.

¹³ For references, see *ibid.*, footnote 11. The year 1841 is the first for which these figures are available.

continuing debate about the nature of drunkenness, although some of it anticipated the best of current thinking, was on the whole punitive, and tended to blame the use of alcohol for virtually every individual and most social evils.¹⁴ But even the most ardent spirits in the temperance movement did not usually suggest that there was any long-term rise in drunken behavior. They and their opponents generally united in agreeing that the situation, in ragged fashion, was improving with time.¹⁵ Because much of the alcohol was made and sold illegally, especially in the countryside, it is difficult to investigate this statistically. But certainly in the metropolis and probably elsewhere the evidence does suggest a decline. Early in the century even ministerial ordinations, to say nothing of less grave occasions, were frequently bibulous affairs.¹⁶ By the 1830's a substantial portion of the middle class had renounced the use of hard liquor. The prohibition was extended later to all drinks, and its champions carried on a continuous political and educational campaign against it. In the 1830's, and again in the 1850's, law enforcement officers estimated that 1 in every 65 inhabitants of Boston—men, women, and children—were selling alcohol for a living, in the latter period in defiance of a state law which prohibited all private sales.¹⁷ Certainly neither this proportion nor this widespread evasion of the law was matched later in the century; by about 1880 the ratio was down to 1 seller in 150 and rising fast.¹⁸

On one level, the rising statistics of drunk arrests simply reflect an increase in the numbers of professional police and in the penal apparatus. It was not until 1837 that Boston organized a squad of full-time professionals, and for many years these were the only ones in the Commonwealth. But by 1860 all of the larger cities had organized forces of varying sizes, and these had grown and spread to the smaller towns well before 1900.¹⁹ The effect of this, and of a proportionate increase in the rest of the agents of justice, is easily demonstrated. In the absence of police, ordinary citizens were expected to make complaints on their own, and to call on constables only to execute warrants already sworn. But while private individuals may make the effort to initiate the processes of justice when directly injured, professionals are required to deal, in number, with those whose merely immoral or distasteful behavior hurts no one in particular. It takes real cops, in short, to make drunk arrests.

Again on this level, the relative shortage of official agents of law enforcement accounts for one of the most striking characteristics of table 12-1 above. The farther back

¹⁴ Compare *The Challenge of Crime*, p. 235, and Lane, *Policing the City*, *passim*, especially pp. 112-113.

¹⁵ For testimony of both reformers and conservatives, see especially Massachusetts House Document No. 415, *Reports on the Subject of a License Law ... Together With a Stenographic Report of the Testimony* (Boston, 1867), *passim*.

¹⁶ Alice Felt Tyler, *Freedom's Ferment: Phases of American Social History to 1860* (Minneapolis, 1944), ch. 13, especially p. 311.

¹⁷ Lane, *Policing the City*, pp. 41 and 71.

¹⁸ *Ibid.*, p. 211.

¹⁹ Unfortunately, neither the federal nor the state census permits an accurate statewide count of policemen during the 19th century.

the figures go, as noted, the higher is the relative proportion of serious crimes. The authorities, with limited resources, obviously had to deal with felony first, indictable crime next, and misdemeanor only when resources permitted.

Conversely it is notable that as time advanced and it became easier for injured citizens to complain to a policeman, the tables indicate that proportionately fewer such complaints were being made. In the city of Boston, at least, the result was a progressive decrease in the number of annual arrests made by each patrolman: in 1855, the average was 71 per man, while by 1885 this had dropped to 37.²⁰

Drawn as a model, this development may explain the only apparent anomaly in table 12-1, already referred to. This is the fact that between the 1830's and the 1860's the figures show both a fall in prison commitments and a rise in grand jury indictments. Perhaps—the subject will be investigated further—there is no great paradox at all. District attorneys in the 1830's, faced with a high incidence of truly violent criminal behavior, may have had to concentrate on the more important prisonable offenses, to the neglect of others, even indictable ones. As their resources were increased, and as the real crime rate fell, they would be able by the 1860's to catch up on lesser indictments.

But there remains a more fundamental level of explanation. To account for the rise in lesser offenses or the drop in more serious crimes simply in terms of the expansion of police, courts, and prosecutors is to misplace the emphasis. The expansion is not cause but symptom. The machinery of justice was increased because of a felt need, a growing intolerance of behavior which had earlier been tolerated, coupled with a belief that the state and not the individual citizen was required to do the necessary job.

This process is most evident in Boston itself. Leading citizens and governmental officials were always proud of their reputation for maintaining a tidy and well-governed “order” in the city. But the definition of what constituted “order” changed considerably with time.

Josiah Quincy, one of Boston's first mayors, was also the first to boast that in on other city “of equal population, are there fewer instances of those crimes, to which all populous places are subject.”²¹ He had in fact assumed charge, in 1823, of a newly incorporated city of about 45,000 inhabitants, which officially issued some 697 liquor licenses and ignored the existence of a large number of illegal sellers. Relatively little attention was paid to such common offenses as simple drunkenness and assault. The night watch, largely concerned with the danger of fire or arson, was afraid to enter some of the more notorious neighborhoods. No one patrolled anywhere in the daytime. Quincy's several terms of office were marked by frequent battles between rival gangs of firemen, whose hunger for looting threatened the whole institution of fire insurance. When, after one of the city's numerous “riots, routs, and tumultuous assemblies” had spluttered on for a full week during the long hot summer of 1825, Quincy was forced to

²⁰ Lane, *Policing the City*, pp. 230–232. The trend has continued. Modern police, despite the introduction of patrol cars and call wagons, make fewer arrests, in general, than did their predecessors, especially when the whole class' of minor auto violations is eliminated.

²¹ Quoted in *ibid.*, p. 25. For the other information in this paragraph see ch. 2 *passim*.

take personal charge of a posse of citizens to put it down. This was clearly an unusual action, and the mayor refused later opportunities to risk his limbs and authority in physical combat, preferring to let mob violence burn out by itself. Nevertheless, neither he nor the voters were unduly alarmed by the prevailing level of disorder. Citizens were traditionally supposed to take care of themselves, with the help of family, friends, or servants when available. An organized professional police would certainly be expensive and might be a threat to valued freedoms. And Quincy was proud to point out, at the end of his official career, that he had not added a single constable or watchman to Boston's part-time corps of peace officers.

By the 1880's, when an aldermanic committee echoed Mayor Quincy's earlier claim that Boston was the most orderly of America's larger cities, the situation had changed considerably.²² In 1837, after three major riots in 4 years, the city had acquired a police force.²³ Since then it had been growing steadily, at a rate faster than the population. By the Civil War, the citizens had abandoned their objection to uniforms, with their paramilitary connotations, and the patrolmen had begun to carry guns.²⁴ By the 1880's the force had acquired most of its familiar modern characteristics and functions.²⁵ And the demand for more men continued—despite the fact that the crime rate had been dropping for some time, and with it the workload for each man on the force.

The demand for more men, then, reflected not a worsening situation but higher standards, a change in attitude. Really violent crime brought more severe retribution than formerly; the same offenses which had earned 2-year sentences in the 1830's were now punished by 3 to 4 years or more in the state penitentiary, and the average was still going up.²⁶ While the police stations were still being built for "defensibility," there had been—and would be—no large-scale riot for years.²⁷ It is impossible to imagine a late-century mayor wrestling with mobs as did Quincy in the twenties and Theodore Lyman in the thirties. All of the city had been brought under more or less effective patrol, and the voters were demanding that the streets be cleared not only of arsonists but of drunks, peddlers, and truants. Traffic problems were settled not by teamsters with their fists but by officers with whistles. The responsibility for individual safety had been decisively shifted to these agents of the law; uniformed men with revolvers were stationed not only in potentially dangerous areas but in the quiet confines of the public library.²⁸ And the end result, reflected in many arrests for minor breaches of

²² *Ibid.*, p. 204.

²³ *Ibid.*, pp. 29–35.

²⁴ *Ibid.*, pp. 104–105.

²⁵ *Ibid.*, p. 224.

²⁶ These figures for the average sentences to the state penitentiary. The range of offenses listed remained about the same through the century. For references, see Lane, "Crime and Criminal Statistics," footnote 14.

²⁷ *Annual Report of the Commissioners of Police of the City of Boston for ... 1885* (Boston, 1885), pp. 28–30.

²⁸ Lane, *Policing the City*, p. 173.

conduct, was a degree of “order” which would have astonished and perhaps dismayed an earlier and rougher generation.

The progressive heightening of standards of propriety, and with it the increasing reliance on official law enforcement, were processes which, while most sharply visible in Boston, were common to the whole society. Traditionally, criminologists have interpreted the zigs and zags of recorded criminal statistics in terms of individual events or situations—war, for example, or depression. But the change in social behavior reflected in the two dominant curves of criminality in Massachusetts is so long term and so widespread as to suggest a connection with the most fundamental of contemporary social processes, that of industrial urbanization itself. The nature of that connection has never been studied in detail, but it may at least be outlined.

Massachusetts in 1835 had a population of some 660,940, 81 percent rural, overwhelmingly preindustrial and native born.²⁹ Its citizens were used to considerable personal freedom. Whether teamsters, farmers, or artisans, they were all accustomed to setting their own schedules, and the nature of their work made them physically independent of each other. None of the more common occupations provided any built-in checks against various kinds of personal excess. Neither fits of violence nor bouts of drunkenness disrupted any vital patterns. Individual problems, sins or even crimes, were not generally cause for wider social concern.

Under these circumstances, while scarcely a frontier, the Commonwealth could afford a fairly high degree of lawlessness. No city in the state boasted a professional police, and the machinery of justice was not equipped to handle many cases. Many of the more common forms of violence or crime were simply not reported to the agents of law, as those affected either shrugged off their injuries or struck back directly.

But the impact of the twin movements to the city and to the factory, both just gathering force in 1835, had a progressive effect on personal behavior throughout the 19th century and into the 20th. The factory demanded regularity of behavior, a life governed by obedience to the rhythms of clock and calendar, the demands of foreman and supervisor. In the city or town, the needs of living in closely packed neighborhoods inhibited many actions previously unobjectionable. Both blue- and white-collar employees in larger establishments were mutually dependent on their fellows; as one man’s work fit into another’s, so one man’s business was no longer his own.

The results of the new organization of life and work were apparent by 1900, when some 76 percent of the 2,805,346 inhabitants of Massachusetts were classified as urbanites.³⁰ Much violent or irregular behavior which had been tolerable in a casual, independent society was no longer acceptable in the more formalized, cooperative atmosphere of the later period. The private, direct response to criminal injury was no longer necessary or approved. All cities and most towns had acquired police forces,

²⁹ Population figures are from *The Census of Massachusetts ... 1905* (Boston, 1909), vol. 1, p. xxxi. The urban definition is based on a population of 8,000.

³⁰ *Ibid.*

constantly expanding to meet greater expectations. Throughout the state, the victims of violence and theft were conditioned to seek official help. The move to the cities had, in short, produced a more tractable, more socialized, more “civilized” generation than its predecessors.³¹

The trend in the direction of higher standards and a lower level of violence may be measured from the early 19th century through much of the 20th. But what is true in the long run is not necessarily evident in the short. While the process of urbanization has helped to raise standards of personal behavior, it may not do so by itself. And there is some indication in the history of 19th-century Massachusetts that under unfavorable conditions migration to the cities may at some times have increased the incidence of violently unsocial behavior. This may well be true, at least, of the long generation between 1835 and 1860.

The existing statistics, alone, are no sure guide to what was actually happening during these crucial early decades. The Boston arrest figures were not kept until 1849. For the state as a whole, much of the remaining evidence remains ambiguous. As explained above, the two main indices, the rate of grand jury indictments and of imprisonments for felony, point stubbornly in opposite directions. But there is good reason to suspect that the period from the mid-1830's to the Civil War illustrates at least a partial, and important, exception to the general developments previously sketched.

From the war on to the end of the century and beyond, the industrial development of Massachusetts, however painful for those involved, was at least proceeding at a pace and along lines already laid out. The era just before was the one which witnessed the turbulence of transition. No similar timespan in fact encompassed a more rapid increase in the urban population. Between 1835 and 1860, while the total population was growing from 660,940 to 1,231,066, the proportion of city dwellers leaped from 19 to 44 percent of the total.³² At the same time, too, the major railroad lines were laid in patterns still existing. As steam began to replace waterpower as the major source of industrial energy, the factories, earlier confined to rural sites near waterfalls, began to move into the cities.

Social dislocation, meanwhile, accompanied economic. All through the period, and especially during and after the “hungry forties,” heavy Irish immigration exacerbated all of the problems of city living. By 1855, some 68,100 of the 168,031 residents of

³¹ It should be noted that after the 1880's, when Boston already had nearly 2 policemen per 1,000 inhabitants, which is close to the present nationwide average for major cities, it was the smaller places only where the arrest rate continued to climb dramatically. Boston, because of its very small geographical area, was ahead of most American cities in this respect. It was still possible in other places to raise the arrest figures by extending patrol and demanding higher standards in previously neglected areas, such as outlying slums. This process, and the reduction of the “dark figure” which results from better policing in general, may account for many apparent “rises” in crime rates which occur right up to the present.

³² See footnote 29.

Boston were natives of Ireland.³³ Uprooted from a rural setting, wholly without skills, the newcomers experienced the kind of culture shock, prejudice, and alienation which would plague other waves of migrants later. Crowded into stinking hovels, some of them underground, their miserable conditions of living strained all of the city's institutions of charity and police. Smallpox, once virtually eliminated, became again a problem, cholera struck hard, and the death rate about the middle of the century climbed to the highest point in the city's recorded history.³⁴

In terms of its effect on behavior, all of these rapid and wrenching changes promoted the worst aspects of living in the city without benefit of its compensations. It must be stressed that economic developments were not fully able to keep pace with migration. Between 1837 and 1845, it has been estimated, the amount of large-scale or factory employment did not increase at all.³⁵ And in the 15 years following, while the total of factory employees grew to something like 25,000 or 30,000, the number of outright paupers in the metropolitan area was increasing at an even faster rate, to reach a peak of nearly 13,000 in 1860.³⁶ Without the discipline imposed by regular employment, this first large-scale flow of migrants into the city was a kind of mutual disaster. The raw arrivals from the countryside, Yankees as well as Irish, had not yet learned to weave warily through crowds, with their arms held in close. Often radically insecure, in neighborhoods still unstable, they sought release in drink. But to drink with strangers requires different rules, and more restraints, than drinking in more familiar situations. In this era of swinging elbows, bewilderment, and desperate unemployment, it is hard to find evidence that the level of violence was declining.

Indeed it is easy to find the opposite. During this whole period Massachusetts was wracked by political instability, aggravated by one unpopular war and the overhanging threat of another one.³⁷ The 1850's, in particular, witnessed a resurgence of mob violence as Know-Nothings and Irishmen, opponents and defenders of slavery, all found occasions to take to the streets.³⁸ These clashes, superimposed on and partly resulting from the already unhealthy social condition of Boston, were deeply disturbing to the inhabitants. If the real incidence of criminal behavior was not actually rising at this time, then surely it was not falling at the rate apparent in the generations following the Civil War.

All evidence points to the long-term drop in criminal activity as normative, and associated with urbanization. But the process was not complete without the accompa-

³³ Oscar Handlin, *Boston's Immigrants: A Study in Acculturation* (rev. ed., Cambridge, 1959), p. 244.

³⁴ *Ibid.*, pp. 114–116.

³⁵ *Ibid.*, p. 74.

³⁶ *Ibid.*, pp. 74 and 256.

³⁷ For political conditions in Massachusetts, see William Gleason Bean, "Party Transformation in Massachusetts, 1848–1860, with Special Reference to the Antecedents of Republicanism" (unpublished Ph.D. dissertation, Harvard University archives, 1922), *passim*.

³⁸ Lane, *Policing the City*, pp. 72–74, 90–91, and 94–95.

niment of rapid industrial development also. It was this which provided the means of absorbing raw migrants, of fitting them into a “system” which socialized and accommodated them into more cooperative habits of life. Without this other process, migration to the city alone, simply by multiplying human contacts, may very well multiply the incidence of criminally violent interaction among inhabitants unsuited to its demands.

Because of its clear connection with ethnic prejudice, and its dangerous political and social implications, the violent state of Boston during the 1850’s was the source of considerable public concern. But the relation between concern about violence and violence itself is not always so uncomplicated. Both in the 19th and the 20th centuries, the attitudes of newspapers, scholars, and the public generally have been various and volatile, the product often of special interests or misinformation. This makes such attitudes difficult to measure. But they are nevertheless crucially important to the study of criminal disorder.

In the long run and in the short, popular concern has a direct effect on the shape of criminal statistics. As it was changing public standards which accounted for the rising total of arrests during the 19th century, so police departments still concentrate on those offenses of greatest current interest. Moreover, it is not simply the actual level of criminal activity, but the balance between this and social attitudes, which determines how much violence is a “problem” at any given time.

While public “attitudes” are slippery concepts to compare, it does seem that in the sense above the state of Massachusetts, and the United States in general, had a criminal problem less worrisome in the 19th century than in the 1960’s. The citizens of the Commonwealth, still close to their rural antecedents, were indeed afraid of cities, which one legislative committee called “the common sewers of the state.”³⁹ And one major source of this fear was the “poverty, vice, and crime” commonly associated with Boston, in particular.⁴⁰ But hostile critics were more interested in the first two than in the last, and reformers endlessly debated the causal relation between them. The charge that the city had lost control of its “dangerous classes” was used in several attempts to limit self-government in Boston, but mob action was the only form of violence which generally figured in these complaints, and “crime” was used typically as a synonym for “vice.”⁴¹ It is significant that the laws concerning drink, especially, were subject to constant revision, but except for a reduction in the number of cases involving the death penalty, the general criminal code was not.⁴² Legislative action or inaction mirrored public concern in this case. As the sons and daughters of Massachusetts migrated to

³⁹ *Ibid.*, p. 132.

⁴⁰ First used by Josiah Quincy in his “remarks on some of the Provisions of the Massachusetts Affecting Poverty, Vice, and Crime” (Cambridge, 1822), these last four words became a stock phrase among the Commonwealth’s reformers.

⁴¹ Lane, *Policing the City*, especially pp. 122–125, 128–134, 142–156, and 213–219.

⁴² *Ibid.*, *passim*. For the criminal code, summed up in revisions compiled in 1835, 1859, 1881, and 1900, see p. 239.

the metropolis, the image conjured by the fearful was the rake or tempter, not the robber or rapist.

Nevertheless, however overshadowed by other issues, there were periodic outbursts of concern about violence or other crime. Often these occurred in response to some new development, or threat, for which the public or authorities were unprepared. In fact, the history of these threats, and the responses to them, comprise much of the history of criminal law enforcement.⁴³

Thus the multiplication of banks and bank notes, through the 1820's, provided golden opportunities for counterfeiters. The nature of the problem, in this case, required a network of private bankers' agents to cooperate, across state and even national boundaries, with the appropriate public authorities. Anti-Catholic rioting, in the 1830's, was a principal spur to the development of professional police. During the 1870's, the growing sophistication of professional criminals, dramatized by a spectacular series of bank robberies, led to an overhaul of existing detective methods in many American cities. During the same period, bands of healthy native vagrants, fugitives from the new industrial age, were a subject of great concern to the readers of sensational newspapers, who feared the violent potential in these "wild-eyed" strangers. The response in this case was harsher police action, and a tightening of the rules governing charity and soup kitchens.

These concerns were at any rate real, and had often lasting effects, although they had little to do with the overall crime rate. Another and more frequent kind of scare resulted not from some genuinely new problem but from sudden attention focused on an old one. Lincoln Steffens, as a cub reporter in New York, learned how easy it was to manufacture a "crime wave," with techniques still familiar.⁴⁴ Thus a particularly brutal murder or a series of muggings could touch off a wave of arrests "on suspicion."⁴⁵ Often it was simply an investigation or expose of some endemic form of crime which generated a sudden excitement, during which the public was assured that Boston was facing a threat of unprecedented proportions.

But it is impossible, from these brief scares, to get any clear sense of direction. While the definition of the tolerable was altering with time, it was altering slowly and imperceptibly. And there is no evidence that, as the century progressed, the gap between the level of order expected and the level actually obtaining was changing in any constant direction. It is true that the police often felt that they were faced with problems of unprecedented magnitude, and chiefs decades apart warned that the level of juvenile delinquency, and the general breakdown of authority, threatened the very basis of society.⁴⁶ Other observers too, perhaps beguiled by the image of a more

⁴³ For references in the following paragraph, see *ibid.*, pp. 55–56, 29–35, 142–156, 157–160, and 193–195.

⁴⁴ Lincoln Steffens, *Autobiography* (New York, 1931), pp. 285–291.

⁴⁵ In 1865, inspired by a fear of returning veterans much like that following World War II, the police made some 2,532 such arrests. See Lane, *Policing the City*, p. 149.

⁴⁶ See, e.g., *ibid.*, pp. 68, 137, and 34.

peaceful golden age in the past, sometimes asserted that crime was growing faster than the population. But this tendency to fear was balanced throughout the century by pride in growth and progress. And the many apocalyptic statements may be countered with an equal number of others, more optimistic. Thus even in the troubled year of 1859, the State's attorney general could declare that "at no time in the history of Massachusetts have life, liberty, and property been more secure than at present."⁴⁷

In short, while it is possible now to discover a long-term drop in the level of violence, contemporaries were simply not aware of this. The degree of public concern has never been, nor is it now, an accurate index of the degree of criminal activity. Indeed the reverse is often true. And it is doubly ironic that a drop in the actual incidence of disorder has been accompanied by—and contributed to—a heightened sensitivity to disorder. Such sensitivity, by leading to a more demanding standard of conduct, has been essential to the functioning of an interdependent urban society. But unless the process is recognized and understood, it may have unsettling effects. There are times when for various reasons the level of violence overbalances current expectations. In such situations the social pressure to maintain and extend high standards, and to enforce them universally, may result in frustration. The frustration may translate into fear. And this fear, in turn, may focus on the very urban process which helped to create those standards, on the growth of cities itself.

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References

⁴⁷ *Ibid.*, p. 117.

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Massachusetts as a Test Case
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<www.archive.org/details/historyofviolenc0000grah>
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The Journal of Social History, 1968.

www.thetedkarchive.com