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LOOTING IN CIVIL DISORDERS:
AN INDEX OF SOCIAL CHANGE

E.L. Quarantelli
and
Russell R. Dynes

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An Index of Social Change

E. L. Quarantelli
Russell Dynes

■ Outbreaks of looting have increasingly become one of the core concerns of communities which have undergone large-scale civil disorders in America within the past several years. Most current press reports of such outbreaks have as one of their central themes the occurrence of looting, and frequently depict looters in action. Even after-accounts of the civil disturbances or editorial polemics often emphasize stories of plunder to illustrate the "breakdown of law and order."

Part of the intensified popular attention to looting undoubtedly stems from actual increases of incidents. In one of the very first large-scale disturbances, that in Harlem in 1964, 112 stores were looted.¹ However, about 600 establishments were plundered or burned during the 1965 Watts outbreak.² A peak was reached in Detroit in July, 1967, when, according to unofficial accounts, around 2,700 stores were raided by looters.

The explanation commonly given for such "anti-social" behavior is that, in periods of social stress, the thin veneer of civilization is stripped off the human animal, revealing man's basest nature.³ Under more normal circumstances, these base tendencies are somehow held in check. However, under the pressure of crisis situations, man is revealed not as Rousseau's

"noble savage," but as Hobbes' "creature," at war with all. Anticipating that certain kinds of large-scale emergencies activate this depravity, community officials often request additional law enforcement officers. The National Guard is alerted or mobilized, and a wide variety of supplementary security measures are undertaken.

Such steps are frequently initiated on first reports of the beginnings of a civil disturbance. Often, expressions of concern that looting will occur, and the steps being taken to prevent it, are among the first stories circulated by radio and television after reporting the event itself. In the absence of any actual information about what is occurring, mass media outlets often report that which is expected to happen.

As a consequence of this common interpretation of looting as being a manifestation of man's irrationality in periods of social disorganization, punitive control measures are most frequently advocated as befitting the situation. In addition, since at least current civil disturbances have a racial dimension, such behavior tends to reinforce both manifest and latent conceptions which many whites have of Negroes — i.e., looting is a manifestation of the bestial nature of the Negro, or at least his inherent anti-social nature. Such views tend to reinforce calls for action which are repressive in nature.

While there is no doubt that much behavior in current urban civil disorders is illegal, we suggest that the spiraling outbreaks of looting are also indicative of the end of a particular era of accommodation between American Negroes and whites. In effect, the plundering and looting increasingly signal the end of a period of time when existing "rights" in a community will be automatically accepted by a significant proportion of Negroes therein as being given. These signals, of course, can be read as an invitation to institute strong repressive measures, as they seemingly have been in most recent civil disturbances. (That the potential for highly repressive actions lies not far below the surface of American society is suggested by the herding of most Japanese-Americans into detention camps at the start of World War II.)⁴ However, looting can also be seen as a rather violent beginning to a new process of "collective bargaining" concerning rights and responsibilities of various groups in most American

communities. The behavior, defined as anti-social by the larger community and unlawful according to legal norms, actually marks the end of one era and the beginning of a new one in racial intergroup relations in American society. In short, looting is an index of social change. (From another perspective it is also an *instrument* for societal change, but we will not develop that point in this article.)⁵

The reasons for seeing looting as the end of one era and the start of another are perhaps not self-evident. The same difficulty probably applies also to the meaning of looting and its implication. An understanding of both requires an analysis of existing definitions of property within a community.

As Kingsley Davis notes: "So ingrained in human thought is the fallacy of misplaced concreteness that property is often regarded as the thing owned rather than the rights which constitute the ownership."⁶ In popular parlance, property is generally equated with material goods or physical objects. Even the United States Supreme Court did not recognize that property refers to rights, rather than a tangible object, until the end of the nineteenth century.⁷ Rights and obligations are not tangible in a physical sense, nor is the tangibility or intangibility of what is owned of great consequence. What is important are the rights and obligations with respect to something scarce but valuable.

Property thus is a set of cultural norms that regulates the relations of persons to items with economic value. "It consists of the rights and duties of one person or group (the owner) as against all other persons and groups with respect to some scarce good. It is thus exclusive, for it sets off what is mine from thine; but it is also social, being rooted in custom and protected by law."⁸ In effect, property is a shared understanding about who can do what with the valued resources within a community.

The norms or rules, the legal ones in particular, specify the legitimate forms of use, control, and disposal of economically valued objects. These norms, besides defining the rights and responsibilities of owners, also delineate social relationships among other individuals, because the "right" of any person in relation to an object entails at the very least

the "obligations" of others to respect that right. There is obviously considerable variation in what the norms specify in different time periods and different societies, but at any given point they are normally widely shared and accepted in a community.

In contrast, civil disturbances such as American communities have recently witnessed are *situations of temporary and localized redefinitions of property rights*. The urban disorders we are discussing represent conflict on community goals and manifest differences of opinion in the community regarding economically valued objects. In these situations, rights to the use of existing resources become problematical, and in many instances there are open challenges to prior ownership.⁹ If property is thought of as the shared understanding of who can do what with the valued resources within a community, in civil disorders there occurs a breakdown in this understanding. What was previously taken for granted now becomes a matter of open dispute, expressed concretely in a redefinition of existing property rights.

The problematic nature of property in urban disorders can be seen by noting the pattern of looting in such situations. Two aspects of the pattern are particularly important. First, the looting is highly selective, focusing almost exclusively on certain kinds of goods or possessions. Second, instead of being negatively sanctioned, looters receive strong although localized social support for their actions.

The degree of selectivity can be seen in the fact that particular types of stores have been the prime focus of looting. In Detroit, 47 grocery stores were attacked, more than in any other category.¹⁰ Furniture, apparel, and liquor stores are also frequent objects of looters, with more than a million dollars' worth of stocks of each being plundered during the Newark disorder.¹¹ In contrast, banks, schools, plants, and private residences are generally ignored, although some of the latter have been inadvertently damaged as a result of being close to burned business establishments. Looting, contrary to many initial press reports of such situations, has not been indiscriminate; in fact, certain kinds of consumer goods have been the only foci of attention.

In addition to the selective pattern it assumes, looting at its peak is almost always if not exclusively engaged in by local residents who receive support from segments of their local community. This appearance of normative support can be seen in the almost spiraling pattern that occurs in situations of civil disorder and which reveals cumulative shifts in redefinitions of property rights. The pattern appears to proceed roughly through three stages: (1) A primarily symbolic looting stage, where destruction rather than plunder appears to be the intent. It often seems initiated by alienated adolescents or ideologically motivated agitators in an area. (2) A stage of conscious and deliberate looting, in which the taking of goods is organized and systematic. It frequently appears spurred by the involvement of omnipresent delinquent gangs and theft groups operating on pragmatic rather than ideological considerations. (3) A stage of widespread and nonsystematic seizing and taking of goods. At this point, plundering becomes the normative, the socially supported thing to do. Property rights become so redefined that it becomes permissible if not mandatory to transfer to different private ownership the possession of certain material goods. The legal right does not change, but the group consensus supporting the prerogative to appropriate valued resources in the community does shift, among a segment of the population.

In the first phase, little looting, if by that is meant the taking of goods, occurs. Instead, destructive attacks are most often directed at objects symbolic of the underlying sources of conflict. Police cars and stores operated by white merchants are attacked. These attacks signal the start of the redefinitions of property rights. Illegal use is made of possessions normally and generally accepted as being under the control of formal community representatives (e.g., police and fire department equipment) or "extra-community" agents (e.g., stores in urban black ghetto areas owned by whites). In actual fact, many outbreaks of civil disorders up to the present have not progressed beyond this initial phase of window breaking, car burning, tossing of isolated fire bombs, and the like.

In the second stage, there is a definite change. Looting of goods rather than destruction of equipment or facilities be-

comes the mode. White merchants dealing with consumer goods particularly become the object of attack. However, that the white merchants have goods which are readily moved probably makes them the focus of looters as much as the fact that the owners are white. Negro-owned stores of the same general type are not always spared by the marauding bands operating during this time period. There are some indications that a "soul brother" designation has become less and less of a protecting device as the disturbances have increased in intensity over the last several years. The racial dimension, while not absent, appears to be secondary to the economic factor in the behavior of the looters.

In the third stage there is a full redefinition of certain property rights. The "carnival spirit," particularly commented upon in the Newark and Detroit disturbances, does not represent anarchy. It is, instead, an overt manifestation of widespread localized social support for the new definition of the situation. The new consensus that emerges in such situations is suggested by the almost total absence of competition or conflict by looters over plundered goods. In fact, in contrast to looting in other situations such as disasters,¹² such behavior in civil disorders is quite open and often collective. Goods are openly taken, not by stealth. Looting is often undertaken by people working together in pairs, as family units or small groups; seldom is it carried out by solitary individuals. The availability of potential loot is frequently called to the attention of bystanders, and in some cases, strangers are handed goods by looters coming out of stores.

Not only is most looting in large-scale civil disorders by "insiders" (i.e., local community members) and not outsiders, but there is evidence suggesting that participants are from all segments of the population. Looters do not come only from the lowest socioeconomic levels or from neighborhood delinquent gangs. Arrested looters are, typically, employed persons, and roughly similar to persons generally participating in the disturbances. There is definite evidence that the latter are from all segments of the community. Thus, a statistically random sample revealed that all participants in the Detroit outbreak were, in about the same proportion, across all income brackets.¹³ A U.C.L.A. survey in Watts discovered that

those active in the disorders there — perhaps a fourth of the residents — along certain dimensions, represented a cross section of the younger male population in that ghetto area.¹⁴

This type of phenomenon is not new in history. Rudé has analyzed nineteenth-century demonstrating mobs in England and France.¹⁵ He found that they were typically composed of local residents, respectable and employed persons, rather than the pauperized, the unemployed, or the “rabble” of the slums. As in the instance of current disturbances, the more privileged classes of those times defined these popular agitations as criminal, i.e., as fundamentally and unconditionally illegitimate.

Certainly most contemporary community authorities see looting as essentially a legal problem, and consequently as a matter largely of law enforcement. Many segments of American society, particularly middle-class persons with their almost sacred conception of private property, also tend to define the problem in the same way. Legislators, in response to pressures generated by such perceptions, move to strengthen “anti-riot” laws and other repressive measures.

There is, of course, no question that looting is criminal behavior, violating in various ways numerous statutes and ordinances. Viewed primarily in this context, looting, as well as the civil disorder, can be seen — as stated in FBI and other reports — as “meaningless” behavior.¹⁶ However, such a view obscures something more fundamental.

The laws themselves are based on certain dominant conceptions of property rights. The legal framework is the residue of the past consensus regarding the distribution of property. It reflects an accommodation arrived at sometime before the present.

We suggest that the current civil disorders in American cities are communicating a message about the society. A time of social change, particularly with regard to the distribution of valued resources in communities, is at hand. The old accommodative order defining certain limits to property rights of American Negroes is being directly challenged to the point of collapse, although this seems presently more recognized by the subordinate rather than the superordinate group involved.

Perhaps the current situation has many parallels to the situation in the United States over a hundred years ago. The Civil War symbolized a period of time of disagreement about human beings as property, and the rights of their owners. The reluctance to redefine in a peaceful manner the legal structure which supported these property rights resulted in tremendous social costs to the society. Some of these costs were immediate, while others are still being collected today.

Viewed in this context, the attack against existing property rights is neither "irrational" nor "senseless." This is particularly so if it leads to a more institutionalized system of articulating demands and responses in which the rights and obligations of the contending parties become a matter of general community consensus. If this is the case, the current looting will mark the initial steps in the evolution of a social system in which certain heretofore urban segments of the society can nonviolently express their views, and in which the more favored groups and the elites will listen.

If more responsive and representative institutions cannot be established, certain groups in American urban communities will continue to engage in disorder and violence or, in our earlier terminology, to indicate their racial discontent and economic aspirations in periodic and increasingly costly redefinitions of property rights. There have been incidents of looting in earlier outbreaks in urban ghettos, some as early as two decades ago, as in Harlem in 1943.¹⁷ However, the scope and intensity of current attacks indicate that increasingly larger number of persons no longer share the consensus about property rights held by the larger community. If property is seen not just as physical goods, but as a shared understanding about the allocation of valued resources within a society, a growing lack of consensus will progressively manifest itself in open conflict.

In actual fact, a point of no return may already have been reached. Lambert, in his study of communal violence in India,¹⁸ found that a breakdown in the formal means of social control accompanied broad changes in the social organization of Indian society in the decades immediately preceding independence. Police officers there came to be viewed, not as impartial arbiters of social disputes and as operating within

a system of legal redress for grievances; rather they were seen as armed representatives of their socio-ethnic groups. This interpretation of the policemen's role was accepted by members of the opposing group, by their own groups, and, increasingly, by the police officers themselves. "When this occurred the usefulness of the police in social control was sharply reduced and, in some cases, police activities contributed to further disruption of social organization."¹⁹

Much of this reads as if it were written of local police actions in American ghettos. A typical popular interpretation is to see all of this as a breakdown of "law and order." In one sense, it is that. However, in another more fundamental sense, as in Indian society, the failure or inability of the police in a community to prevent looting (apart from those instances where their own actions may initiate such behavior) can be seen as marking the end of an era. The psychological controls which really are the bases of police control in a community no longer suffice. The sheer power of National Guard or regular military units, when disorders reach a peak, is the only formal control left to communities.

Given any foreseeable combination of circumstances, military forces will prevail. However, it would seem that American society, if it wishes to insure domestic tranquility, should move to institutionalize nonviolent means for redistributing certain property rights. Looting can only be a temporary and localized redefinition of property rights. But if no other solution is found, the pattern itself may become routine across more and more American communities. If that is the case, instead of being an index of social change, the looting that has increasingly appeared in recent civil disorders may establish itself as a major structural device for change in the American social system.

Similar patterns of behavior have so established themselves in the past. Rudé, in the analysis mentioned earlier, notes that the disorderly demonstrations became a means of protest that in time enabled a segment of the urban population to communicate to the elite.²⁰ Hobsbawm, in his similar analysis of the pre-industrial "city mob," states the point even more strongly. He observes that the mobs did not just riot to protest, but because they expected to achieve something by their

disorder. They assumed that the local authorities would be sensitive to the disturbances and make attempts to deal with the implicit demands of the mobs. According to Hobsbawn, "this mechanism was perfectly understood by both sides."²¹

A similar situation could develop in American communities. Some militant Negro ghetto leaders have almost been explicit about such a possibility. However, the cost to the society would be high and would not really settle the underlying bases of the conflict.

Furthermore, an even greater threat to the society may develop in such a direction. Signs of it have already appeared. The participation of poor white looters in the Detroit outbreak hints at the possibility that the broader middle-class-lower-class consensus about property rights may also become subject to attack, if the more immediate problem is not solved. The development of such an open class conflict would make the current racial conflict a highly desirable alternative state of affairs.

Thus, a failure to see looting in current disorders as something more than "meaningless" or "criminal" behavior may eventually fragment the social consensus far more than it has been up to the present. This perspective upon looting as an index of social change may suggest alternative ways of dealing with property rights.²² In fact, if nonviolent ways are to be found, there may be no choice on how to think about the current disturbances sweeping American cities.

NOTES

1. James Jones and Linda Bailey, "A Report on Race Riots" (unpublished paper), p. 37.
2. This and all other information not later footnoted has been acquired in field work on civil disturbances by members of the Disaster Research Center at Ohio State University. Data have been obtained primarily through personal interviews with organizational officials, supplemented by systematic observations and analyses of unpublished agency reports.
3. See Anselm Strauss, *Mirrors and Masks* (Glencoe, Ill.: Free Press, 1959), for a criticism of this point of view.

4. Morton Grodzins, *The Loyal and Disloyal* (Univ. of Chicago Press, 1956).
5. This is a point of view also expressed in Kurt and Gladys Lang, "The Significance of Recent Racial Disturbances for Theories of Collective Behavior," in *Proceedings of the Seventh Annual Intergroup Relations Conference*, Houston, Texas, 1966, pp. 2-15.
6. Kingsley Davis, *Human Society* (N. Y.: Macmillan, 1949), p. 452.
7. John Commons, *Legal Foundations of Capitalism* (N. Y.: Macmillan, 1924), p. 14.
8. Davis, *op. cit.*, p. 452.
9. As Davis observes, there is an important distinction between ownership and possession, since property rights in an object do not necessarily imply actual use and enjoyment of the object by the owner. *Op. cit.*, p. 454.
10. *Detroit Free Press*, August 20, 1967, p. 4B.
11. These figures were given in an AP dispatch of August 17, 1967, citing a report issued by the mayor's office.
12. See Quarantelli and Dynes, "Looting in Civil Disturbances and Disasters" (unpublished paper).
13. This is from a study by University of Michigan social scientists, reported in the *Detroit Free Press*, August 20, 1967, p. 1B.
14. Raymond Murphy and James Watson, *The Structure of Discontent: The Relationship Between Social Structure, Grievance, and Support For The Los Angeles Riot* (Institute of Government and Public Affairs, U.C.L.A., 1967).
15. George Rudé, *The Crowd in History* (N. Y.: Wiley, 1964).
16. *Report on the Nature of the City Riots* (U. S. Dept. of Justice, 1964).
17. Allen D. Grimshaw, "Urban Racial Violence in the United States: Changing Ecological Considerations," *Am. J. Sociol.*, LXVI (Sept., 1960), p. 112.
18. Richard D. Lambert, "Hindu-Muslim Riots" (unpublished Ph.D. dissertation, Univ. of Pennsylvania, 1951).
19. Allen D. Grimshaw, "Actions of Police and the Military in American Race Riots," *Phylon*, XXIV (Fall, 1963), p. 271.
20. E. J. Hobsbawm, *Social Bandits and Primitive Rebels* (Glencoe, Ill.: Free Press, 1959).
21. *Ibid.*, p. 116.
22. The acceptance of the problem of the Negroes as basically a labor-market problem is set forth in Norbert Wiley, "America's Unique Class Politics: The Interplay of the Labor, Credit and Commodity Markets," *Am. Sociol. Rev.*, XXXII (August, 1967), 529-541.