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WHY THE NEGRO CARRIES WEAPONS

LEROY G. SCHULTZ*

The Negro in the lower socio-economic group is traditionally viewed as a weapons carrier by law-enforcement personnel, on the basis of their day-to-day experience, and by laymen through humor and jokes which stereotype the Negro as a "Rastus" wielding a razor. Are such attitudes justified? Does the Negro's weapons carrying rate exceed that of the White? What types of weapons do Negroes prefer, and where do they carry them? Are there any differences among Negro weapons carriers in such factors as age, social class, education, occupation, criminal record, and the area in which they were born and raised? Why do Negroes carry weapons?

Arrest statistics are still the best known index for measuring the incidence of crime. On a national basis the arrest ratio of the Negro weapons carrier has been consistently ten times that of the White for the past 27 years.¹ In St. Louis there were 803 arrests for weapons carrying for all races in 1958, of which 511 or approximately 63% were Negroes;² yet Negroes constituted no more than 30% of the population of St. Louis for that year.³ It could not be determined to what extent this large difference between Negro and White arrests was attributable to the Negro's greater liability to arrest. This report will not be concerned with those only arrested, but those both arrested and convicted of the offense. Conviction of carrying a concealed weapon is a felony in Missouri, and a weapon is defined as "any kind of firearm, bowie knife, springback, razor, metal knucks, billy, sword, cane, dirk, dagger, slingshot or other similar deadly weapons."⁴

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¹ 11 FBI, UNIFORM CRIME REPORTS FOR THE UNITED STATES 1-41 (No. 4, 1940); 21 *id.* 1-51 (No. 2, 1950); 28 *id.* (No. 2, 1958).

² Bd. of Police Commissioners, City of St. Louis, Mo., ANNUAL REPORT (1958).

³ Letter from M. Leo Bohanon, Executive Director, Urban League of St. Louis, Inc., May 23, 1960.

⁴ MO. REV. STAT. §564.610 (1949).

PRIOR DATA

A review of some of the previous literature reveals that little has been written on the Negro as a weapons carrier, other than to suggest his proneness to carry them.⁵ An analysis of this material suggests that the motivations for carrying weapons can be grouped into three classes. These are: (1) the Negro carries a weapon out of a "tradition,"⁶ or out of "habit,"⁷ (2) he carries a weapon because it represents a desired symbol of masculinity⁸ or the phallus,⁹ and (3) he carries a weapon because it gives "security"¹⁰ or because he feels "unprepared" without it.¹¹ All these motivations are perhaps of some significance, particularly the third one; however, they do not cover all the motivations for carrying weapons, as this report will indicate. Moreover, it is difficult to believe that the Negro commits a felony out of "tradition" or "habit," and that female weapons carriers need masculine symbols. What types of situations in the Negro's life create a need for "security" handled by weapons carrying?

THE SAMPLE

Arrest figures for the ten years preceding 1958 indicate that 1958 is not an atypical year. Of the total 803 arrests for weapons carrying in 1958, 108 defendants either were found guilty or pleaded so.¹² This wide difference between arrest and conviction can be attributed, in large measure, to im-

⁵ See, e.g., DAVIS & DOLLARD, CHILDREN OF BONDAGE 80 (1940); LEWIS, BLACKWAYS OF KENT 213 (1955); Johnson, *The Negro in Crime*, 217 ANNALS 103 (1941); Moses, *Differentials in the Crime Rate Between Negroes and Whites, Based on Comparisons of Four Socio-economically Equated Areas*, 12 AM. SOC. REV. 419 (1947); DOLLARD, CASTE AND CLASS IN A SOUTHERN TOWN 271-72 (1949); POWDERMAKER, AFTER FREEDOM 169-70 (1939); C. S. JOHNSON, SHADOW OF THE PLANTATION 190-91 (1934).

⁶ RECKLES, THE CRIME PROBLEM 64 (1955).

⁷ WOLFGANG, PATTERNS OF CRIMINAL HOMICIDE 334 (1958).

⁸ BREARLEY, HOMICIDES IN THE U.S. 73 (1932).

⁹ MacNamara, *What Can Be Done To Control the Availability of Firearms and the Illicit Sale of Narcotics? in YOUTH AND CRIME* 146-55 (F. Cohen ed. 1955).

¹⁰ Moses, *supra* note 5.

¹¹ LEWIS, *op. cit.* *supra* note 5.

¹² Bd. of Police Commissioners, *op. cit.* *supra* note 2.

proper searches of persons and their autos which invalidated the arrest.

Of the 108 cases of convicted weapons carriers, 70 were referred for pre-sentence investigation. These 70 cases consisted of 50 Negroes and 20 Whites, and it is the former group that this report deals with. All 50 cases were adults (over age 17). Under the above conditions it is unknown to what extent the sample is truly representative of the weapons carrying universe of the Negro, but it may be fairly representative of those found in courts.

THE METHOD

The method employed in gathering data for this report consisted of a series of interviews with each weapons carrier and a review of information contained in the police reports, the prosecution records, and the records of the Probation and Parole office. Interviews of each individual range in number from two to 12, depending on how long it took to establish the necessary rapport and to gather the needed data. The interviews were held only after probation, parole, or incarceration status had been officially determined, to avoid or offset to a reasonable degree any fear that the offenders' answers to questions would be used against them. After several interviews were completed a reasonable degree of trust and confidence was established, and questions could be directed to the motivation for carrying a weapon. In almost all instances, when the motivation given by the offender was probed, challenged, and evaluated, it turned out quite different from that indicated in the police reports. On the basis of the offenders' statements to the arresting officers the explanations for weapons carrying fell into three categories: (1) the offender had just purchased or found the weapon a short time prior to arrest, (2) the offender didn't know how the weapon got on his person or in his car, and (3) the offender needed a weapon for protection, with "protection" never defined. As the Table indicates, all but the third category are superficial excuses. Most of the police officers apparently took the offender at his word,

TABLE

REASONS FOR CARRYING WEAPONS (N-50)

Group 1. Use in Employment	2%
Group 2. To Commit Property Crime	4%
Group 3. To Use in Gang-Fight	6%
Group 4. To Force Payment of Debt	8%
Group 5. To Commit Crime Against Person	10%
Group 6. Anticipating Attack	70%

and it is recognized that the police are not responsible for determining motivation for offense.

THE FINDINGS

The accompanying Table indicates in percentages the various motivations which the 50 offenders described during the individual interviews. It will be noted that no offender was motivated to carry weapons out of fear of inter-racial violence. A large percentage of Negroes arrested in the 1960 New Orleans integration riots were found to be carrying weapons, but no such problems of overt violence occurred in St. Louis in 1958. No Negro indicated he carried a weapon because he feared brutality from police officers of any race, or that he was ignorant of the law against carrying concealed weapons.

Each of the motivations listed in the Table will be discussed separately.

Employment

Only one offender (2%) gave this reason. His employer verified that the weapon was a tool needed on the job, and the offender had been arrested while on his lunch hour with the weapon in his pocket.

To Commit A Property Crime

Two offenders (4%) admitted being arrested while attempting a burglary or robbery. Both were young males, under age 30, lower-class, born and reared in large middle-west urban areas, where they had completed at least two years of high school. Both were married. They were unemployed at the time of the offense.

These men indicated they felt a weapon was essential to their planned offense. The weapons were long-bladed knives carried in an accessible location. The men indicated that the weapon was useful as a means of forcing a victim to give up his money or property, or as protection against an unanticipated person within the premises they intended to burglarize. The knife was also felt useful to gain entrance by manipulating latches, removing putty from windows, cutting through screens, etc.

The prior criminal records of these men consisted only of property offenses (seven burglaries), with no crimes against the person. It is this group, along with groups three and four of the Table, that the framers of the weapons statutes were primarily concerned about.

Use in Gangfight

Three offenders (6%) gave as their reason for carrying weapons the need of it in gang fights and disputes. All in this group were young males, born and reared in large urban slums in the middle-west, who had dropped out of school early despite normal intelligence. All were unemployed at the time of arrest and spent a considerable part of their time on street corners or in pool halls, candy stores, or youth centers.

All had been arrested for loitering in the early morning hours and on being searched were found to be carrying loaded pistols concealed in their waistbands. None of this group had an adult criminal record; juvenile court data were unavailable. This group would probably have been much larger had youths under age 17 been included.¹³ The group admitted of recent gang fights, disputes, and grudges and anticipated that violence could erupt at any time. These fights were not of the big "rumble" type such as occur in the formal gang warfare of large eastern cities, as the gangs were loosely and spontaneously formed and usually of short duration. St. Louis has no real delinquent gang problems comparable to the eastern United States, and no such weapons as zipguns, walking canes, chains, or umbrellas have appeared here as in the east.¹⁴

The group tended to carry weapons as symbols of toughness and adult masculinity. It consisted of adolescents who neither went to school nor were employed, to whom society reacted as neither child nor adult. That they aspired towards adulthood was also evidenced by their beginning mustaches, tatoos depicting symbols and words of violence and sex, and similar symbols worn on jackets. Also of significance was that this group had spent a large part of their developmental years in matri-centrichomes, with emancipation at approximately age 14 directly into the streets, where their socialization continued.

To Force Payment of a Debt

Four offenders (8%) said they had carried weapons to force payment of a debt. They were all poorly educated and middle-aged. All had been born and reared in the southern United States, migrating to St. Louis in their early twenties. All

¹³ Wattenberg & Moir, *A Phenomenon in Search of a Cause*, 48 J. CRIM. L., C. & P.S. 54 (1957).

¹⁴ N.Y. CITY YOUTH BD., *REACHING THE FIGHTING GANG* 89-90 (1960).

had poor employment records and rather constant financial difficulties.

The group's prior criminal record was restricted to five crimes of violence of an inter-personal nature. The reason for arrest in all cases was peace disturbance, and all were found to be carrying loaded guns in their pockets or purses. Each offender had been arrested at the borrower's home, where a verbal request for a return of the borrowed money was buttressed with the display of a gun. He had asked the borrower for the owed amount, prior to the peace disturbance, in a polite way. It was after this method failed and financial pressures mounted that the offender attempted to force payment at gunpoint. He felt that the loanee had the money to repay but wanted to escape repayment, and the offender felt that displaying a weapon would convey just how desperate he was.

All the loans had been made with a definite time period, with no interest charged. No receipts or IOU's were involved. The loans ranged from \$25 to \$100 and were to meet urgent needs of friends and relatives. When the loaner needed money to meet his own financial problems and was refused payment he became quite angry and threatened violence unless repaid. None had thought of the services of a lawyer as a solution to his problems.

To Commit Crime Against the Person

Five offenders (10%) gave as their reason for carrying weapons the intention of shooting another person. This group fell between the ages of 25 and 35, had completed the eighth grade, and had unskilled, low paying employment. All had been born and reared in the deep South, migrating to St. Louis while in their early twenties. Two cases had no prior criminal record, but the remainder had three charges of peace disturbance and one of assault with intent to kill, all involving spouses. All chose the loaded gun carried in pocket, waistband, or purse, and one carried a razor as well.

In all five cases, the reason for the arrest was disturbing the peace, reported to police by the offender's spouse. In each instance offender intended to shoot the spouse and/or the spouse's new lover. Each had been drinking immediately prior to the offense. Marital discord and sexual jealousy characterized the lives of this group, and such activity at this social level can quickly lead to physical violence or homicides.¹⁵ Apparently the only factor

¹⁵ Bullock, *Urban Homicide in Theory and Fact*, 45 J. CRIM. L., C. & P.S. 565 (1955); Wolfgang, *Husband-*

that prevented the peace disturbance from developing into an assault or homicide was quick police intervention.

Anticipating Attack

By "anticipating attack" this group referred to the perception or feeling that one lives in an environment where one is likely to be attacked by another Negro, at any time, with or without observable provocation. On the surface such a motivation may appear as just another rationalization given to the police, but it resisted probing and challenging, and the subjects remained steadfast under repeated questioning and interviews about their motivation. Self defense is a recurrent theme in literature dealing with the lower class Negro over the past quarter century. This group voiced a chronic concern about being attacked and the need for self-defense and assumed automatically that others in their environment were also carrying weapons, or if not actually carrying weapons, "acted as if they were." Under these conditions what determines who is the aggressor or the victim in altercations, disputes, and fights is usually dependent on who uses his weapon first. One may be the aggressor in one dispute and the victim in another. Many in this group spent their leisure time in places and in situations where violence is common. They frequented crowded taverns and dance halls, engaged in alley gambling, or were involved with other men's paramours. In such situations, a slight jostle or moderate remark can initiate a dispute involving weapons. The provocation or precipitating agents may appear so minor as to escape observation by a middle class person.

This group was by far the largest, accounting for 35 offenders (70%) of the total group studied. Of this group 80% fell past the age of 26 years, and only 10% had completed the eighth grade. A total of 20% had no formal schooling and were illiterate. All were lower class and employed in poor paying jobs of a seasonal nature, with 4% on small pensions.

Of this group 70% were arrested for carrying concealed weapons while disturbing the peace. Choice of weapons was the loaded pistol in 68% of the cases, the razor in only 6%. The remainder were carrying knives "in the ready." This involves inserting a match stick or other device

Wife Homicide, 2 J. SOC. THERAPY 263-71 (1956); Schultz, *The Spouse Assaulter*, 6 J. SOC. THERAPY 103-11 (1960). See also DOLLARD, *op. cit. supra* note 5, at ch. 13, entitled *Aggression Within the Negro Group*.

near the pivotal end of the blade to prevent the blade from closing completely. When the knife is drawn out in this position, the blade catches on the pants pocket and comes out instantly ready for use.

Thirty-one percent of this group had no prior criminal record, while the remainder had a total of 35 convictions, of which 7% were property crimes. The remaining 28 convictions ranged from peace disturbance through aggravated assault to homicide; three of the group had been previously convicted of carrying concealed weapons.

One of the major findings concerning this group was that 90% had been born and reared in the deep South. This group had migrated to St. Louis while in their early twenties and had spent a good deal of their formative socialization period in the rural plantation share-cropping areas of the South. Negroes have been migrating out of the South for many years in large numbers,¹⁶ and St. Louis is second only to Memphis as a main "gateway."¹⁷ It is estimated by a reliable source that 100 Negroes enter St. Louis each week from the southern states.¹⁸

Much has been written, pro and con, on the relationship between migration and crime. Some studies indicate that in northern urban areas the southern born Negro migrant accounts for significantly more crimes than the native born Negro,¹⁹ and one study further indicates that the southern born Negro migrant has a higher homicide rate than the native born Negro.²⁰ There was no indication that the process of migration itself caused weapons carrying as far as this group was concerned, as 90% admitted habitually carrying weapons while in the South before migrating. Most of the group did indicate that carrying weapons as protection against attack was even more necessary in St. Louis than in the areas from which they migrated. This group's attitude can be summed up in the words of one offender: "I'd rather be caught by an officer with a weapon than to ever be caught by some of the folks on my street, without it."

¹⁶ MACLACHLAN & FLOYD, *THIS CHANGING SOUTH* (1956).

¹⁷ Rubin, *Migration Patterns of Negroes From a Rural N.W. Mississippi Community*, 39 SOCIAL FORCES 59-60 (1960).

¹⁸ Bohanon, *supra* note 3.

¹⁹ Fox & Volkakis, *The Negro Offender in the Northern Industrial Area*, 46 J. CRIM. L., C. & P.S. 641 (1956); SPIRER, *NEGRO CRIME* (Comp. Psych. Monographs No. 81, 1940).

²⁰ SELLING, *MURDER, RIOT AND STATISTICAL STUDIES* (Scien. Reports of Psych. Clinic, Records Court, Detroit, Mich., No. 2, 1944).

The remainder of this report will be concerned primarily with this largest group.

SELF-PROTECTION AS SOCIAL DEVIATION

It has become a truism in criminology that cultural factors exert strong influence on the form and type of various offenses. It is the contention here, on the basis of the data and the previous literature, that the offense of weapons carrying reflects some of the major stress and tensions of the social life in the sub-culture of the lower class Negro. On the basis of the interviews and the previous literature several factors are felt to be significantly related to the Negro as a weapons carrier who anticipates attack. These factors include the following: (1) Negro crime type, rate and location, (2) lower class patterns of violence, (3) chronic feelings of mistrust and suspicion, (4) problems in urban adjustment, and (5) lack of legal protection.

Negro Crime

The lower class Negro is arrested predominantly for highly visible crimes involving overt aggression and violence, particularly for the crimes of aggravated assault and homicide.²¹ Negroes make up only some 10% of the total United States population, but account for some 60% of all arrests for crimes of force or threat of force in urban areas.²² Of the total group carrying weapons because of anticipating attack, 90% were migrants from the South, which is the section of the United States having the highest rate of crimes of violence.²³ The form that aggressivity takes is in large part determined by the social class and culture in which the individual was socialized.²⁴ The group discussed here would probably fall into the lower-lower class in Warner's Scale describing the Negro sub-culture.²⁵ This class teaches its children to strike out with fist or weapon, that it is highly advantageous to be the first to do so, and that such physi-

²¹ Hentig, *The Criminality of the Negro*, 30 J. CRIM. L. & C. 662 (1940); MYRDAL, *AN AMERICAN DILEMMA* 976 (1944).

²² TAPPAN, *CRIME, JUSTICE AND CORRECTION* 202 (1960).

²³ PORTERFIELD & TALBERT, *CRIME, SUICIDE AND SOCIAL WELL-BEING* 40-56 (1948). See also, *Crime in Southern Cities*, in VANCE & DEMERATH, *THE URBAN SOUTH* 180-200 (1954).

²⁴ HENRY & SHORT, *SUICIDE AND HOMICIDE* (1954); Gold, *Suicide, Homicide and the Socialization of Aggression*, 63 AM. J. SOC. 651 (1958); Falk, *The Role of Social Class Differences and Horizontal Mobility in the Etiology of Aggression*, 33 J. ED. SOC. (1959).

²⁵ WARNER, *SOCIAL CLASS IN AMERICA* 15 (1960).

cal aggression and violence are socially approved and an "expected concomitant of certain stimuli."²⁶

Patterns of Violence

Crimes of violence, particularly assaults and homicide, tend to be concentrated in small but well known "trouble spots" within certain police districts.²⁷ In St. Louis these "trouble spots" turn out to be, for the most part, the segregated, highly disorganized areas inhabited by the newly arrived Negro migrant. These areas are characterized by poor, defective housing mixed with industry and business, and social cohesion is at a minimum. The neighborhood residents are highly transient; people do not get to know each other very well, and primary and secondary group behavioral control appear lacking.

The neighborhood of the weapons carrier is further characterized by a fear-and-force climate, a "tough culture,"²⁸ or a "sub-culture of violence,"²⁹ in which many patterns of crime develop as a result of the close interaction of persons and groups with one another and as learned ways of behaving in conflict situations. Group 6 in the Table manifested little belief in the basic goodness of man or in the value of discussion in the settlement of disputes. Differences tend to be settled by direct action on a personal face-to-face basis. This group seemed to feel that although one lacks full control of his life, nevertheless he has a right to control the area of survival, and his subculture supports this right.

Mistrust and Suspicion

The generalized mistrust, suspicion, and exaggerated ideas of personal rights of the Negro are very well documented in the literature.³⁰ The lower class Negro's personality is described as very sensi-

²⁶ WOLFGANG, *PATTERNS OF CRIMINAL HOMICIDE* 329 (1958).

²⁷ Bullock, *supra* note 15; Harlan, *Five-hundred Homicides*, 40 J. CRIM. L. & C. 736 (1950); Lottier, *Distribution of Criminal Offenses in Metropolitan Regions*, 29 J. CRIM. L. & C. 37 (1938).

²⁸ J. & J. M. Aresenian, *Tough and Easy Cultures*, 11 PSYCHIATRY 383 (1948).

²⁹ Wolfgang, *A Sociological Analysis of Criminal Homicide*, 25 Fed. Prob. 54-55 (No. 1, 1961).

³⁰ KARON, *THE NEGRO PERSONALITY* (1958); KARDINER & OVESEY, *THE MARK OF OPPRESSION* (1951); LEWIS, *op. cit. supra* note 5; *THE EIGHTH GENERATION* (Rohrer & Edmonson ed. 1960); *SOME NOTES ON NEGRO CRIME* (Atlanta Univ., Atlanta Ga., Pub. No. 9, 1904); Caldwell, *Personality Trends in the Youthful Male Offender*, 49 J. CRIM. L., C. & P.S. 405 (1959).

tive and touchy, with a marked tendency to avoid being taken advantage of, and with death wishes frankly verbalized. He feels that one may be forced to tolerate offensive behavior by the ingroup, but that one need not "take anything" from a fellow outgroup member. This group indicated that they had learned that to mistrust others has survival value, and that one is justified in anticipating attack and violence from others. They tended to act on the basis of their inferences about the probable behavior of others towards them. A term suggested to describe these personality characteristics is pseudo-paranoia.³¹

Urban Adjustment

The rural Negro migrant coming to the St. Louis urban area encounters adjustment problems and of course does not immediately lose his southern heritage on arrival.³² As compared with the northern Negro, the rural southern Negro expresses aggression more freely and has less respect for life and law. He encounters a major source of difficulty in urban adjustment, because of the different social and behavioral norms and expectations, requiring him to respect the property and personal rights and the peace of others, despite crowded living and impersonality. Old group ties have been broken and new ties have not yet formed. Close living can generate tensions which result in aggressive acts, and the reaction to such acts is usually quick counter-aggression. Under these conditions it isn't long before the new migrant interprets the city as a somewhat dangerous place to live.

Lack of Legal Protection

Another factor related to the Negro's carrying weapons is his feeling that inadequate protection is available through police and courts, and that consequently he must protect himself and settle his own disputes. In the South, White court policy, with its leniency in Negro inter-racial crimes,³³ encourages the Negro to take the law into his own

³¹ THE EIGHTH GENERATION, *op. cit. supra* note 30, at 153.

³² Frazier, *The Cultural Background of Southern Negroes*, in INSTITUTE OF CULTURAL PATTERNS OF NEWCOMERS 1-14 (Welfare Coun. Met. Chicago, 1958); HANDLIN, *THE NEWCOMERS* ch. 4 (1959); Omari, *Factors Association With the Urban Adjustment of Rural Southern Migrants*, 35 SOCIAL FORCES 47 (1956); MYRDAL, *op. cit. supra* note 21.

³³ For one study pointing to evidence of such leniency, see Bullock, *Significance of the Racial Factor in the Length of Prison Sentences*, 52 J. CRIM. L., C. & P.S. 411 (1961).

hands.³⁴ The formal machinery of justice takes care of Negro grievances much less satisfactorily than of the Whites, compelling the Negro to enforce his own law with fellow Negroes. His environment can be considered a kind of frontier where the law is weak and each person must defend himself. In St. Louis there is considerable difference in court treatment in cases of homicide, depending on whether a Negro kills a Negro or a White,³⁵ with lighter sentences for inter-Negro homicides.

The important element here is that the group considered its police protection inadequate, whether in fact it was or not. When police, courts, and prosecution fail to hold minorities responsible for their offenses, as is apparently true in St. Louis,³⁶ resentments felt about the ingroup can be more freely expressed upon members of one's outgroup, tending to magnify the psychology of displacement. It may be that the rate at which the lower class Negro carries weapons is directly proportional to the amount of police protection he feels he has in his neighborhood.³⁷

CONCLUSION

The small size of the Negro weapons carrying sample restricts the drawing of inferences from the statistical and case material to any great extent. This group of 50 cases cannot be considered a truly representative sample of the weapons carrying universe of the Negro for obvious reasons. What impressions can be derived relate only to the sample studied. These impressions about the Negro weapons carriers, despite different motivations for carrying them, include:

(1) Weapons carriers come from all ages (17 to 75), and this offense is not predominantly one of youth or the delinquent.

(2) The Negro weapons carrier is of the lower-class, is poorly educated, performs unskilled or semi-skilled work, and is a resident of the deprived areas of St. Louis. The upper class Negro considers weapons carrying as strictly a lower class trait.³⁸

³⁴ Powdermaker, *The Channeling of Negro Aggression by the Cultural Process*, in PERSONALITY IN NATURE, SOCIETY AND CULTURE 473-84 (Kluckhohn & Murray ed. 1950); MYRDAL, *op. cit. supra* note 21, at 976; DOLLARD, *op. cit. supra* note 5, at 271-74.

³⁵ Newsom, *Court Treatment of Intra and Inter-Racial Homicide in St. Louis* (unpublished Ph.D. thesis, Sociology Dep't, Washington University, St. Louis, Mo., 1956).

³⁶ MO. STATE ADVISORY COMM., REPORT TO THE COMMISSION ON CIVIL RIGHTS 353 (1961).

³⁷ KEPHART, *RACIAL FACTORS AND LAW ENFORCEMENT* 67 (1957).

³⁸ DRAKE & CAYTON, *BLACK METROPOLIS* 561 (1945).

(3) The Negro weapons carrier is primarily a migrant from the rural South.

(4) Most weapons carriers have prior criminal records with stable patterns of crimes of violence against the person, rather than property offenses. This finding reinforces a previous study in St. Louis.³⁹

(5) The Negro is not to any appreciable degree a razor carrier. Chief choice of weapon (86%) was the loaded gun concealed in the pocket.

(6) In St. Louis the police need reasonable grounds to make an arrest before a search of the person can be made. By far the major offense leading to such a search was peace disturbance (76% of the cases), usually involving intoxication of the offender and/or victim, and physical violence or threats thereof. However, the offense of peace disturbance is one of the most misleading in police nomenclature; it can include anything from waking ones neighbors through noise to serious assaults that fall just short of homicide.

How many Negroes carry weapons cannot be determined, but the number appears higher than police records would indicate. It is also unknown why other Negroes, subjected to the same conditions as were the 50 in this study, chose other methods of handling self defense. It is further unknown whether weapons carrying constitutes a sub- or contra-cultural behavioral norm for a large percentage of lower class Negroes, or if it is in keeping with local mores, but certainly the offense clashes with the legal requirements of the larger society as manifested by its institutions of police and courts and its values, i.e., the enforcement of the weapons laws.

If weapons carrying represents a norm for this group, the individual is less likely to have question or conflict about it than if his feeling and functioning were at variance with his reference group. The Negro slum area develops a special cultural climate favorable to the carrying of weapons. The central feature of such a culture is its support of behavior which is often openly hostile and inconsistent with the norms of the conventional society and its expectations. Such behavior is difficult to influence by the usual police, court, and correctional policies. It appears futile to offer correctional treatment, particularly that of an individual-psychological nature, to weapons carriers in Group 6, when they

³⁹ Peterson, Pittman & O'Neal, *Stabilities in Deviance: A Study of Assaultive and Non-Assaultive Offenders*, 53 J. CRIM. L., C. & P.S. 44 (1962).

ultimately return to the very culture that gives rise to, and reinforces, the need for this form of deviancy.

The usual correctional programs of probation, prison, and parole are better equipped to cope with Groups 1 through 5 in the Table. Group 6, consisting of 70% of the total group studied, used a deviant method (weapons carrying) to achieve what is considered a normal goal (self protection). Thus 70% were carrying weapons for what is not usually thought of as a criminal purpose or use. This finding strongly suggests that the weapons laws are not the crime prevention panaceas that the legislators of the 1920 and 1930 period assumed them to be.⁴⁰

It appears that society has four alternatives to the weapons carrying situation with reference to Group 6.

(1) It can legitimize weapons carrying. This is acceptable only to gun and hunting clubs and some civil liberties groups, but tends to violate the values and ideals of the larger society.

(2) Society can legitimize the carrying of weapons for only *purely* defensive purposes. The Model Penal Code has suggested this solution by defining weapons as "anything readily capable of lethal use and possessed under circumstances not manifestly appropriate for lawful uses which it may have."⁴¹ Certainly one's self protection in areas of violence is lawful if not an obligation. The Code purposely leaves open the possibility of the weapons carrier persuading police, prosecutor, or court that the weapon was carried for self defense only.⁴² This raises the question of how properly to define "self defense."

(3) Society can choose to place large numbers of police in areas where crimes of inter-personal violence are highest. This, over a long period, may afford some protection to area residents, but is supplementary and provides a small degree of restraint or control over the rate and form of anti-social behavior. Most altercations involving the group who "anticipated attack" are so spontaneous, and the participants so emotionally involved, that they, in most cases, would probably be oblivious to their surroundings, including the police officers.

(4) Society can develop agencies and services

⁴⁰ BEMAN, *OUTLAWING THE PISTOL* (1926); McADOO, *WHEN THE COURT TAKES A RECESS* 93-133 (1924).

⁴¹ MODEL PENAL CODE §5.06 (Tent. Draft. No. 13, 1961).

⁴² *Id.*, §5.06, comment at p. 70.

dedicated to protecting the integrity of sub-communities and individuals within them, calling for maximum contributions from local and city wide resources to the slum areas. The larger conventional society must offer more opportunity, better schooling, and social services in its effort to rectify the value conflicts and major differences between itself and the Negro slum.

Each society has the crimes it creates, condones, or fails to prevent. There appears a need to clarify and improve the host of ways in which the larger society objects to and suppresses crime, the methods by which values and personal controls are developed and modified, and the manner in which society teaches its members to respond to the chosen values and behavioral norms.