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## How Does the U.S. Government Define the Difference Between a Protest and a Riot?

There are numerous definitions the government may rely on when determining how to characterize a gathering

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**Womens rights march** Protesters march on the Civic Center in San Francisco to demand equality and women's rights,...(more)

Generally speaking, a [protest](#) in the sense relevant here is “a usually organized public demonstration of disapproval” (of some law, policy, idea, or state of affairs), while a [riot](#) is “a disturbance of the peace created by an assemblage of usually three or more people acting with a common purpose and in a violent and [tumultuous](#) manner to the terror of the public” (both according to [Merriam-Webster’s Dictionary of Law](#)).

The term *protest* as used above is not formally defined in the [U.S. Code](#), as far as I know. The federal Anti-Riot Act (1968) defines the term *riot* in part as “a public disturbance involving...an act or acts of violence by one or more persons part of an assemblage of three or more persons, which act or acts shall [constitute](#) a clear and present danger of, or shall result in, damage or injury to the property of any other person or to the person of any other individual” ([Title 18, Chapter 102, §2102](#)). The Act prohibits interstate travel or the use of any “facility” of [interstate commerce](#), including “the mail, telegraph, telephone, radio, or television,” to incite or participate in a riot or to abet another person in doing so ([§2101](#)). Many states and municipalities have their own laws against rioting and incitement to riot based on similar definitions, while others prohibit the criminal elements of rioting (e.g., destruction of property, [arson](#), [looting](#), [assault](#), [disorderly conduct](#), [disturbing the peace](#), [unlawful assembly](#)) under separate laws against those [crimes](#).

The right to engage in peaceful protest is, of course, protected by the [First Amendment](#). Nevertheless, the [Supreme Court](#) has established that governments may limit protests through what are called “time, place, and manner” restrictions, *provided* that the restrictions are content- or viewpoint-neutral, narrowly tailored to serve a significant government interest (such as public safety), and so formulated as to allow demonstrators ample [alternative](#) channels by which to communicate their messages.

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## dazibao

poster

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**dazibao**, in the [People’s Republic of China](#) (PRC), prominently displayed handwritten [posters](#) containing complaints about [government](#) officials or policies. The posters typically [constitute](#) a large piece of white [paper](#) on which the author has written

slogans, [poems](#), or even longer [essays](#) in large [Chinese characters](#) with [ink](#) and [brush](#). The posters are hung on a wall or a post and often serve as a means of protest against governmental incompetence or [corruption](#). Because the posters are typically written anonymously, they are a popular means of expressing dissatisfaction with local officials who might be able to exact revenge if a complaint were made in a more public setting. Moreover, because of the low expense of creating a [poster](#), they effectively provide a mechanism for political [communication](#) and, if placed in a prominent place, such as a [university](#) bulletin board or a [city](#) wall, might be viewed by hundreds of people or even reprinted in an official press [venue](#).

Historically, *dazibao* have been influential in several important social movements during the [communist](#) era, including the anti-rightist campaign (1957), the [Cultural Revolution](#) (1966–76), and the [Democracy Wall](#) movement (1978–80). During the Cultural Revolution a poster which claimed that [Peking University](#) was controlled by antirevolutionaries came to the attention of [Mao Zedong](#), who had its contents republished nationally. The posters soon became common throughout the nation and typically attacked local officials. Officials who find themselves accused in a poster might be suspended from their positions, be placed under arrest, or even become the subjects of physical attack. The right to compose *dazibao* was guaranteed as one of the “four great rights” in the 1975 state [constitution](#) of the People’s Republic of China, but in 1980 the right was removed. During the [Tiananmen Square incident](#) (1989), and in spite of their illegality, *dazibao* again became a symbol of democratic [sentiment](#).

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Randolph Kluver

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## There’s a Riot Goin’ On: Riots in U.S. History (Part One)

How Americans exercised their right to assemble during the 18th and 19th centuries.

 Jeff Wallenfeldt  Britannica Editors  History

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Riots are in the news more than anyone would like to admit, and they have been since before there ever was a [United States](#). Everyone knows what a [riot](#) is, right? If it looks like a riot and sounds like a riot, it probably is a riot. Well, yes and no. There are [distinctions](#) between the terms that are commonly used to describe riotlike behavior.

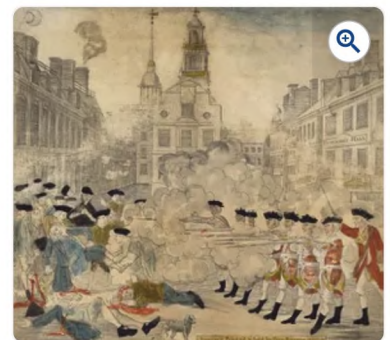
Take, for example, the term [unlawful assembly](#). Actually, let’s start with *lawful assembly*, as described in the [First Amendment](#) to the [U.S. Constitution](#), which prohibits the government from [abridging](#) “the right of the people peaceably to assemble” and which, over the years, the [Supreme Court](#) has ruled, includes the right to espouse all kinds of different viewpoints. Keep in mind, however, that local governments can require permits to be obtained before marches and rallies are held, provided that the requirement is the same for all groups.

Assembly becomes unlawful when persons gather to commit a [crime](#) involving force or a noncriminal act in a manner likely to terrify the public. Up the ante and you get a riot, which, according to the U.S. [legal code](#), is a public [disturbance](#) involving “an act or acts of violence by one or more persons part of an assemblage of three or more persons, which act or acts shall [constitute](#) a clear and present danger of, or shall result in, damage or injury to the property of any other person or to the person of any other individual.”

Riots usually spring from some sort of grievance and become a form of protest or an attempt to raise awareness about an issue, or they may be outpourings of frustration from the deprived, oppressed, or dispossessed. On the other hand, riots may also be more simply grounded in hate, anger, or [prejudice](#). Having scratched this surface, let’s turn to some notable riots in 18th- and 19th-century American history.

**Learn more:** [Riots in U.S. History \(Part Two\): The 20th Century](#)

### One Person’s Riot Is Another’s Boston Massacre (1770)



**Boston Massacre** British troops fire into the crowd in *The Bloody Massacre*, Paul Revere's famous coloured engraving o...[\(more\)](#)

More than a few riots in U.S. history have been labeled massacres. Perhaps the most famous of those is the [Boston Massacre](#), which occurred in colonial Massachusetts in March 1770. Following the British government's imposition of the [Townshend Acts](#)—which, in part, taxed lead, glass, paper, paint, and tea—Boston radicals (egged on by [Samuel Adams](#)) were in an uproar, especially after troops were sent from Britain to keep them in line. Troops and townspeople had been scuffling for a couple of days when a mob began harassing a British sentry on the night of March 5. The small [contingent](#) of troops that tried to rescue the sentry became the target of snowballs and taunts, as the mob (knowing the troops couldn't shoot until an hour after the Riot Act was read) dared the soldiers to shoot. In the confusion, the troops did shoot, killing three colonials immediately, including [Crispus Attucks](#), and wounding eight others (two of whom died later).





**Crispus Attucks** African American sailor Crispus Attucks, c. 1750. Attucks was killed during the Boston Massacre of 1770.

## Turmoil on the Civil War Home Front: 1863 Draft Riot and Richmond Bread Riot

“Rich man’s war, poor man’s fight,” was the rallying cry of those who couldn’t buy their way out of being drafted into the Union army in 1863, when volunteers were no longer enough to [sustain](#) the Union effort in the [Civil War](#). A \$300 “commutation” fee was too expensive for the foreign-born (mostly Irish) laborers who made up the bulk of [the mobs that ravaged New York City for four days in July 1863](#). Before the riots ended, the mobs had turned violently on the city’s African American population, whom they saw as competition for scarce employment. Spurred by the cry “Bread or blood!” a very different riot occurred in April of that year in Richmond, Virginia, the Confederate capital. There, in an atmosphere of deprivation and hoarding, a group of starving desperate women sought out the governor of Virginia for help. Receiving no satisfaction, they led a march that erupted in [the looting of stores and government warehouses](#), prompting no less a figure than [Confederate Pres. Jefferson Davis](#) to personally beseech them to stop.



**Draft Riot of 1863**



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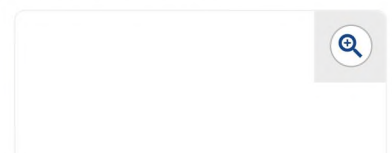
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## Massacres in Memphis and New Orleans (1866)

In a society shaped by more than 200 years of [slavery](#) and marked by the repeated collision of the pursuit of change and the refusal to change in relation to [civil rights](#), it may come as little surprise that [race riots](#) have been rampant in American history. Right after the Civil War, in 1866, as [Black Codes](#) were being enacted in the South in an attempt to replace the social controls of slavery and assure the continuance of [white supremacy](#), race riots erupted in [Memphis \(in May\)](#) and [New Orleans \(in July\)](#), in which groups of whites attacked newly freed [African Americans](#). In Memphis numerous homes, churches, and schools were burned, 46 African Americans were killed, and more than 70 were wounded; in [New Orleans](#) 35 African Americans were killed and more than 100 were wounded.

## An Old Story, “They’re Taking Our Jobs”: Rock Springs Massacre (1885)

[Ethnicity, bigotry](#), and economic competition were at the root of [a riot-turned-massacre in Wyoming in 1885](#). Immigrant Chinese laborers had helped build the [transcontinental railroad](#), but by the 1870s some whites were convinced that the Chinese were stealing their jobs. In Wyoming, white coal miners became enraged with their Chinese



coworkers, who were willing to work for less than their unionized white counterparts. Two Chinese workers were badly beaten (one of them fatally), when a fight broke out between white and Chinese miners in [Rock Springs](#) on the morning of September 2, 1885. By noon [mobs](#) of whites had descended on the mine where the fight had occurred and on the section of town where the Chinese lived. By the time the riot that ensued had ended, Rock Springs's Chinatown had been looted and burned to the ground, 28 Chinese were dead, and 15 were wounded.



**Massacre at Rock Springs** “The Massacre of the Chinese at Rock Springs, Wyoming,” wood engraving by Thure de Thulstrup..(more)

## Call It Labor Unrest: Great Railroad Strike of 1877 and Homestead Strike of 1892

In 1877 [a series of strikes by railroad workers](#) across much of the United States flared into a riot in Pittsburgh on July 21, with shots fired by both the Pennsylvania National Guard and a mob. When the shooting was over, 5 guardsmen and some 40 members of the mob and onlookers were dead. The Pittsburgh area was the site of [another strike-related riot](#) on July 6, 1892. That night, striking members of the [Amalgamated Association of Iron and Steel Workers](#) and non-union coworkers who had been fenced out of the Carnegie steel plant in Homestead did battle with some 300 [Pinkerton](#) detectives who been brought in by barge to protect the plant. The fight ended the next afternoon with the surrender of the Pinkerton men and the takeover of the plant by the workers—but not before three detectives and nine workers had been killed or fatally wounded.



**Great Railroad Strike of 1877**

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## A Bomb at Haymarket Square (1886)

In Chicago on May 3, 1886, one person was killed and several injured as police intervened to protect strikebreakers and intimidate strikers during a union action at the McCormick Harvesting Machine Company that was part of a national campaign to secure an eight-hour workday. To protest [police brutality](#), [anarchist](#) labor leaders called a mass meeting the next day in Haymarket Square. That gathering was pronounced peaceful by Chicago Mayor Carter Harrison, who attended as an observer. After Harrison and most of the demonstrators departed, a contingent of police arrived and demanded that the crowd disperse. At that point [a bomb was thrown](#) by an individual never positively identified, and police responded with random gunfire. Seven police officers were killed and 60 others were wounded before the violence ended; civilian casualties have been estimated at 4 to 8 dead and 30 to 40 injured.



**Haymarket Affair** Wood engraving of the Haymarket Riot by Thure de Thulstrup, published in *Harper's Weekly* on May...(more)

Jeff Wallenfeldt, The Editors of Encyclopaedia Britannica

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## The Riots of the Long, Hot Summer

In many parts of America the summer of 1967 was a summer of rage against racial injustice and discrimination.

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**Detroit Riot of 1967** People rioting in Detroit, 1967.

The “Summer of Love” in the [United States](#) took place alongside rising racial tensions in many of the country’s cities. Nearly 160 [riots](#) occurred across the United States in the summer of 1967. While young white Americans traveled to [California](#) and other locations to push against one set of cultural boundaries (such as [drug use](#), sexuality, authority, etc.), [black Americans](#) were pushing against much more fundamental ones in their own [communities](#). Although the country had made great strides toward racial equality in the courts, black Americans still lived in a country where [racism](#), [segregation](#), and [discrimination](#) remained overt and mainstream.

In what became known as the “long, hot summer” of 1967, injustice stemming from the frustrations of [poverty](#) and [unemployment](#), the systematic denial of employment opportunities by white-owned businesses and city services by white-led municipal governments, and mistreatment by white or mostly white [police](#) forces led to explosive confrontations between black residents and the forces that oppressed them. The deadliest and most destructive riots took place in [Newark](#), [New Jersey](#), and [Detroit](#), Michigan. However, even smaller cities, such as [Cambridge](#), Maryland, experienced unrest. What follows are brief sketches of the violent episodes that gripped each of these cities during the summer of 1967.

On the evening of July 12, the largest of the year’s riots began in Newark. A black taxi driver, John Smith, was pulled over by police after he passed a double-parked police car. Officers beat him in front of incensed onlookers from a nearby housing project and took him to the local police station. According to their report, Smith was arrested on several charges, including tailgating, wrong-way driving, and assault. The city’s police force was well known for their harsh treatment of the city’s black population, and after a false rumor spread over taxi radios and through the crowd that the driver had been killed while in police custody, neighborhood residents gathered around the police station. Despite appeals for calm by [community](#) activists, some of whom attempted to organize a peaceful protest, some in the crowd began to hurl bricks and Molotov cocktails (bottles of inflammable liquid) at the police station, and others began to loot storefronts. In the five-day period of looting, [arson](#), and rioting—the most destructive such episode in New Jersey’s history—the [U.S. National Guard](#) was called to assist police officers. Some 26 people were killed, more than 700 were injured, and more than 1,000 residents were arrested.

On July 24 the working-class town of Cambridge, where Black and white residents seldom mixed with one another, also became the setting for [arson](#). Having been invited to the city to speak by Gloria Richardson, a local Cambridge activist who advocated for [equal rights](#) in the town during the early 1960s, Black Power activist H. Rap Brown spoke to a group of 500 black residents. He quipped, “If Cambridge doesn’t come around, Cambridge got to be burned down.” Shortly after the end of the speech, during what police say was a march along the street that divided black and white neighborhoods, police and black residents traded gunfire. Later that evening a fire that started in an elementary school in central Cambridge spread, destroying 15 nearby buildings. Although no one died, Brown was hit in the face with buckshot. He left town soon after being treated.

By far the most well-known [riot](#) of the summer began a day earlier in Detroit, when police raided a party at an illegal drinking club called the Blind Pig, located near the corner of 12th Street and Clairmount, in the wee hours of the morning. Police arrested all 82 people in [attendance](#), who were celebrating the return of two black servicemen from the [Vietnam War](#), and witnesses in the neighborhood protested the arrests. Some of the protestors vandalized and looted local businesses and set fire to nearby vehicles and buildings. To limit the damage, police set up a blockade around the neighborhood. However, the riot quickly spread to other parts of the city. Police and fire services soon became overwhelmed as rioters pelted them with bricks and stones, and by 5:30 PM the next day, the city’s mayor, Jerome Cavanaugh, requested that the National Guard be brought in to help contain and stop the violence. Throughout the five-day riot, some 9,000 members of the National Guard were [deployed](#), assisted by 800 Michigan state police and nearly 5,000 paratroopers from the U.S. Army’s 82nd Airborne Division, who were sent by Pres. [Lyndon B. Johnson](#). When the violence subsided, some 7,200 people had been arrested, and 1,200 people were injured. The riot claimed 43 lives; 33 of those killed were black residents of the city.

**Related Topics:** [riot](#)

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