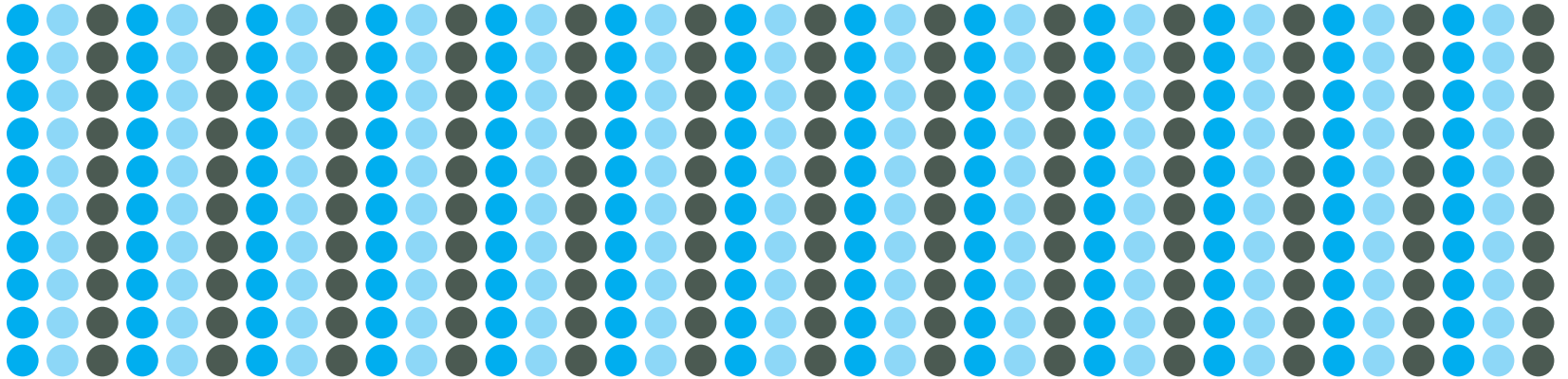


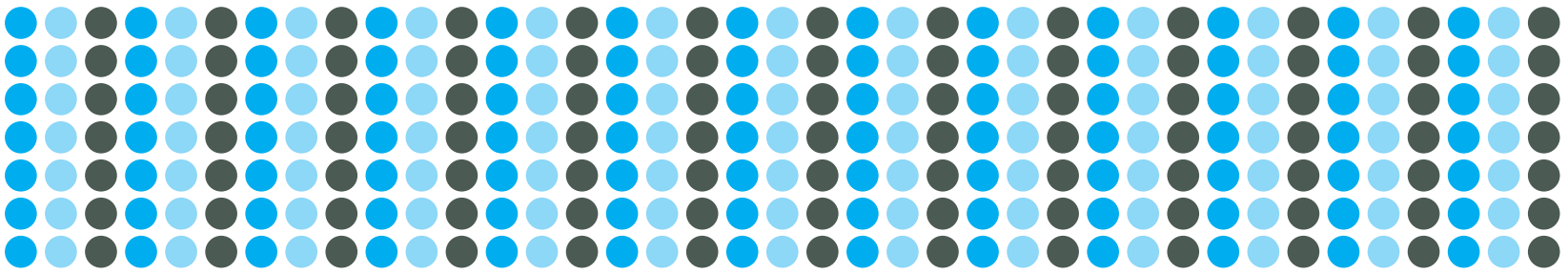
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Elements

Fall 2016





THANKS

We would like to thank Boston College, the Institute for the Liberal Arts, and the Office of the Dean for the Morrissey College of Arts and Sciences for the financial support that makes this issue possible.

QUESTIONS & CONTRIBUTIONS

If you have any questions, please contact the journal at elements@bc.edu. All submissions can be sent to elements.submissions@gmail.com. Visit our website at www.bc.edu/elements for updates and further information.

COVER

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PERIODICITY

Elements is published twice an academic year in the fall and spring semesters.

ELECTRONIC JOURNAL

Elements is also published as an open access electronic journal. It is available at <http://ejournals.bc.edu/ojs/index.php/elements>. ISSN 2380-6087

The information provided by our contributors is not independently verified by *Elements*.

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Elements, Undergraduate Research Journal, Volume 12, Issue 2, Fall 2016

Boston College, 140 Commonwealth Avenue, Service Building 103,
Chestnut Hill, MA 02467

Printed by Flagship Press, 150 Flagship Drive, North Andover, MA 01845

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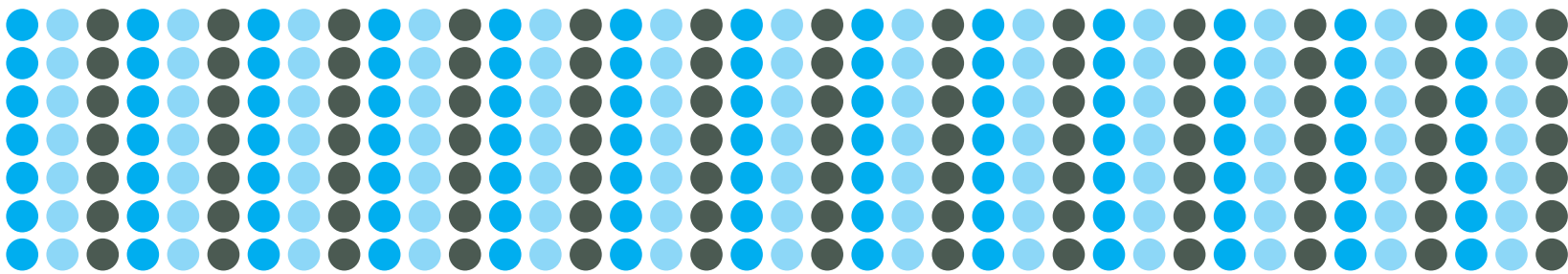
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EDITOR'S NOTE

Dear Readers,

As *Elements* continues to grow as a research journal in both print and digital forms, we hope it creates a platform for undergraduate students to showcase not only the content and outcomes of their studies, but also the various methods and formats in which research may be conducted and communicated. The articles selected to be in the Fall 2016 issue of *Elements* raise an array of important yet complex questions and approach them from interesting and original perspectives.

We have included three articles that highlight issues concerning race and racism in America, each with a unique focal point. The cover article, "Alternative Truths: The Construction of Narratives in the Rodney King Trial," centers on how the defense's presentation and contextualization of the video of the beating led the jury to a different interpretation of seemingly self-explanatory evidence. Author Soyeon Kim offers a detailed analysis of the images, metaphors, and rhetoric that the defense employed to construct a narrative of black criminality and police heroism that resonated with the jurors. Sarah Sullivan's article, "Extralegal Violence: The Ku Klux Klan in the Reconstruction Era," seeks to uncover the motivations and ideologies behind racial terror in a period that historians have often overlooked. Finally, to direct our attention back to the present day, Clare Kim critiques the one-dimensional portrayal of Asian characters on television in "The Blindspot: Asian Misrepresentation in *Orange Is The New Black*."

Juxtaposing two similar yet different objects of research can help illuminate the characteristics of both. In "Our Lady of Impossibility: Gendered Standards in Islam and Christianity," Lindsey Chou compares Mary's role in the two religious traditions and examines how this unattainable ideal impacts women of faith in society. In the meantime, Max Blaisdell's article, "Tunisian Exceptionalism or Constitutional Timing," identifies key elements of a successful democratic transition by contrasting the processes and actions undertaken after the Arab Spring in Tunisia, where the attempt was effective, with those in Egypt, where it has failed.

Oftentimes, ideas and techniques from another field or discipline can provide valuable insights on the focus of one's study. In the current issue, Madeline Leddy's "Myth or Truth: The Apollonian and Dionysian in *The*

Death of Ivan Ilyich" and Benjamin Flythe's "Dreams and Sexuality: A Psychoanalytical Reading of Klimt's *Beethoven Frieze*" both use the Apollonian-Dionysian dichotomy in Nietzsche's *The Birth of Tragedy* to interpret the work of another artist or author. In "Extra Point Under Review: Machine Learning and the NFL Field Goal," James LeDoux investigates the factors behind field goal success and kicker ability through the application of statistical models.

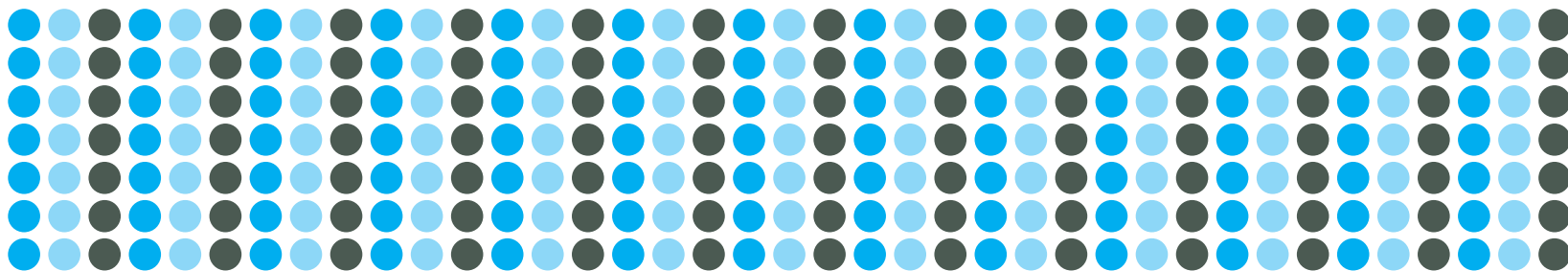
Furthermore, this issue includes two articles in which the effective use of storytelling and anecdotes makes the arguments more compelling and memorable. In "Meeting Henry Hills: Printer to the King's Most Excellent Majesty," Violet Caswell unveils the history and culture behind the Burns Library's copy of *The Life of St. Ignatius, Founder of the Society of Jesus* through the story of its printer. Last but not least, follow Natasza Gawlick into the emerging field of music therapy in "Thank You For the Music," as she examines case studies of children with autism that have benefited from musical activities.

"The unexamined life is not worth living." *Elements* seeks to encourage readers to engage in active reflection, investigation, and discussion on campus and beyond. Whether you have the opportunity to read all of the articles or only a few, we hope they can kindle your curiosity in the complex problems and enduring questions of our age, and demonstrate some techniques that may help you comprehend and dissect them.

Happy reading!

Best,

BETTY (YUNQING) WANG
Editor in Chief



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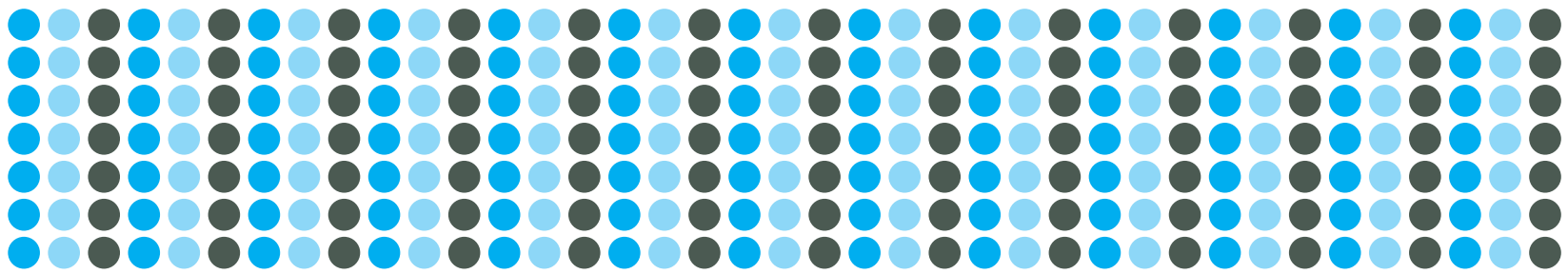
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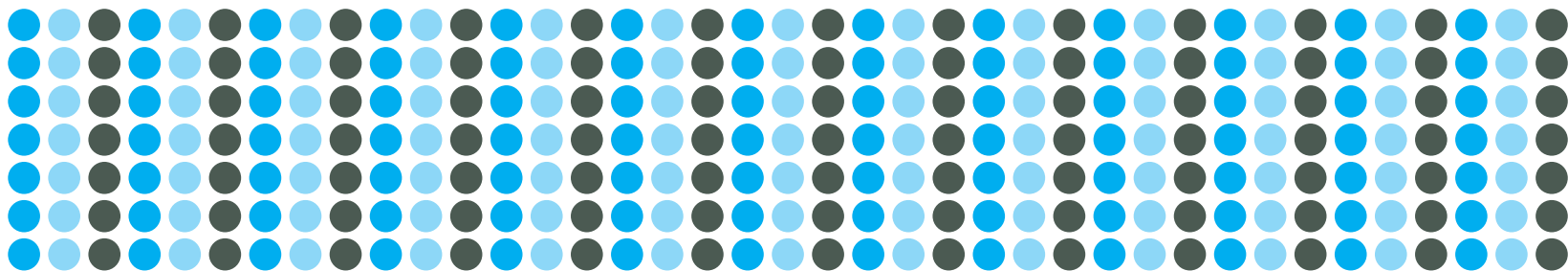
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OUR LADY OF IMPOSSIBILITY

Gendered Standards in Islam and Christianity

LINDSEY CHOU

IN BOTH CHRISTIANITY AND ISLAM, MARY REPRESENTS PERHAPS THE HIGHEST SOCIETAL IDEAL OF WHAT A WOMAN CAN STRIVE TO BE. THIS PAPER COMPARES THE CONSTRUCTION OF THAT STANDARD IN THESE TWO RELIGIOUS TRADITIONS AND ITS IMPLICATIONS FOR WOMEN. ADDITIONALLY, MARY IS COMPARED TO OTHER IMPORTANT RELIGIOUS FIGURES, SUCH AS THE PROPHET MUHAMMAD AND FÁTIMA. GIVEN HOW MUCH ATTENTION MARY'S BODY RECEIVES IN CHRISTIANITY AND ISLAM, A CRUCIAL PART OF THE DISCUSSION FOCUSES ON BODIES, SEXUALITY, AND PURITY AS A PHYSICAL AS WELL AS SPIRITUAL CONCEPT. THREE CONCLUSIONS CAN BE DRAWN FROM THIS INVESTIGATION: FIRSTLY, THE STANDARD PRESENTED BY THE VIRGIN MARY IS GENDERED IN THE WAY THAT IT IS APPLIED PREDOMINANTLY TO WOMEN. SECONDLY, IT IS INHERENTLY UNATTAINABLE. FINALLY, UNDER SUCH A STANDARD, WOMEN ARE SET UP TO FAIL AT PERFORMING AND ACHIEVING THIS IDEAL IN THEIR RESPECTIVE FAITHS. THE APPROPRIATION OF MARY'S LIFE AND LEGACY IS DISCUSSED AS A PATRIARCHAL FIXTURE WHICH SERVES TO EXPLAIN ONE CAUSE OF BOTH PAST AND CURRENT GENDER INEQUALITY.

Mary as an individual, idea, and influence is neither solely feminine nor solely Christian. Amy Remesnyder describes her as “mother, virgin, bride, apocalyptic messenger, inimitable paragon, model of femininity, punisher of sin, fountain of consolation, queen of heaven, and more...[a] shape-shifter who turns such diverse and even divergent faces toward her devotees.”¹ She is not just a woman, but a mystical figure across religious traditions; nor is she simply a role model for people of faith, but an unattainable yet mandated standard. The significance of her role is highlighted in Christian as well as Islamic traditions. This article will discuss the status of Mary and other models of faith as unattainable, gendered standards and examine its implications within both Christianity and Islam.

First, it is important to outline the respective Christian and Islamic accounts of Mary. The two depictions are in fact quite similar. In both traditions, Mary is a young, pious virgin who conceives and gives birth to Jesus. The differences are in the contexts and details of this narrative: In the Christian tradition, Mary’s story begins with her own immaculate conception and continues to the Annunciation of her role as the mother of God by the angel Gabriel. She gives birth to Jesus, the Messiah and Emmanuel, with the support of her husband, Joseph. She is finally assumed into heaven upon her death.² In Islamic tradition, on the other hand, Mary is safe from sin due to a prayer of her mother’s and lives a relatively isolated life of devotion to God. Joseph is her “zealous partner in prayer” rather than her husband.³ The angel Gabriel informs her that she will



THE VISIT OF THE ANGEL GABRIEL TO THE VIRGIN MARY
(COURTESY OF WIKIMEDIA COMMONS)

conceive and give birth to a son who is a prophet. Mary then gives birth alone and is supported by a voice which could be God’s, and her son Isa fulfills his role as prophet. Islamic tradition also maintains that Mary is in heaven.⁴ Maura Hearden presents a side by side analysis of these two accounts and argues that they each encourage different elements of the practice of faith. To Hearden, the Christian account of Mary emphasizes trinitarianism and community in the form of the Church.⁵ In contrast, the Islamic account highlights “God’s sovereign power and... one’s individual responsibility to submit” as well as having an “emphasis on individual activity” in general.⁶

Despite these differences, Mary is regarded as a standard of faith in both traditions. In a 1989 article that has been referenced in several other sources, Smith and Haddad identify Mary as a major female figure in the Quran.⁷ They describe how she was placed on the same level as Khadijah, Fátima, and Asiya, the three Muslim women to receive the highest level of honor.⁸ Placing Mary on the same level as them endorses her as a Muslim ideal, even though she has traditionally been known as a Christian one. Arguably, Islamic tradition considers her so special that she receives something of a “free pass” to exceptional status and regard, a privilege not conferred on the other women mentioned above. Smith and Haddad confirm this by pointing out that in certain interpretations, Mary and another woman are held above even the other two of the four.⁹

The two key elements of Mary in both traditions are her purity and obedience. Hearden outlines that in Islam:

The proper response to one’s Lord and Master is complete, unquestioning submission to God’s divine will. This is the primary focus of Mary’s story -- total submission to God’s power... The qu’ranic Mary is expected to believe and submit [at the Annunciation] without any explanation except that it is her Master’s will...In the Qur’an, God does not ask for Mary’s assent but assumes it, because she is bound to give it.¹⁰

Hearden distinguishes between the obedience of Mary in Islamic and Christian traditions, clarifying that Mary is portrayed as willfully choosing obedience in Christian texts.¹¹ Still, Mary’s obedience is a cornerstone of how her role is understood in both traditions, and is therefore crucial to the value placed on her. In terms of purity, which will be returned to later in this analysis, Hearden states simply that “Mary’s virginity of body, heart, and mind is a prerequisite for the birth of the Christ.”¹²

“Mary is lauded as being at her best, and modeling the best of what it is to be a woman, in being devoid of agency and sexual functioning.”

An interesting dimension to consider is the links made between Fátima and Mary. Muhammad’s daughter, Fátima is considered to be Mary’s Islamic counterpart by a number of sources, and their shared status approaches conflation into one superwoman. As Smith and Haddad put it, “in some cases Mary and Fátima seem almost to be abstracted into one person.”^{13, 14} Thurkill explains of Fátima:

[S]he never menstruates, and she bears her sons without blood loss or other contamination. Instead of exemplifying corporal integrity, Fátima’s status as virgin connotes paradisiacal perfection free from impurities. She is, by her essence, sacred.¹⁵

The melding of this standard set by Fátima with that of Mary blurs the boundaries between Christian and Islamic expectations for women. Mary and Fátima together serve as a quantitatively and ideologically massive standard which, by nature, crosses religious lines. This effect may be considered particularly strong for Muslim women — the similarities between two of the most revered women in Islamic tradition naturally result in mutual reinforcement of the standards set by each one.

This and other forms of attention given to Mary establish her as a figure to be admired in Islam, but the religious endorsement of her person solidifies her standing as a model of how one should perform faith. In “Mary of the Koran,” Geoges refers to texts describing Mary as “chosen” by Allah and says that as she was “[c]hosen and predisposed by God...Mary had to shine together with [Christ] as a prodigious sign [ayat] for all creation, and as a resplendent model [mathal] for all believers.”¹⁶ Smith and Haddad also make a point of mentioning that Mary is exceptional in receiving by-name recognition in the Quran, a point corroborated by Geoges.¹⁷ According to Geoges, “[i]t seems as though, in Mary’s presence, all other women were something amorphous, evanescent, inconsistent; as though Mohammad wanted deliberately to cast on them all a shadow, and then place in the limelight the only woman truly worthy of this name — Mary.”¹⁸ This further establishes Mary as the embodiment of a specifically religious standard in Islam, as she is in Christianity.

Despite the fact that nearly all of this discussion operates on the basis of Mary’s status as a woman and in comparison to other women, it is necessary to determine the extent to which the standard she sets is gendered. In a 2013 article, Axel Takacs, a Catholic man, sets forth the extended argument that Mary and Muhammad are simply analogs of each other. While not the aim of Takacs’s writing, his argument effectively erases any role or impact of gender on the significance of these figures in Christianity and Islam. However, I would argue that the religious standards set by both individuals are highly gendered, and this feature is of great importance to understanding how they affect believers and the practice of faith.

Takacs connects Muhammad and Mary on the basis that both serve as the “word-bearers” for their faiths and peoples.¹⁹ He refers to a scholar named Schimmel who asserts that their capacities for that act of bearing were made possible by their purity -- Mary in her virginity and Muhammad in his illiteracy.²⁰ This equation of virginity to illiteracy is repeatedly made and inherently problematic in its denial of the gendered elements of the situation:

In each Word-bearer, the receiving of the Word of God was an act of pure and sublime grace of God; Muhammad and Mary played no part in meriting such a mission. For Muhammad, his intellectual activity was not involved in reciting the Qur’an, while, for Mary, her sexual activity was not involved in the bearing of Jesus.²¹

The fact of the matter is that virginity cannot be considered the equivalent of illiteracy. Takacs’ comparison of Mary and Muhammad under this supposition is invalid. At the most basic level, virginity is a morally charged concept while illiteracy is not. In particular, Takacs’ statement that Mary and Muhammad “played no part in meriting such a mission” is negated by the gendered differences between the two individuals. According to Takacs, illiteracy, as a state unrelated to morality, can be treated as the passive absence of a quality which Takacs posits it as being. However, Mary’s virginity is not passive, but rather, as Hearden indicates, exactly that which “merits” her role as Jesus’

mother.²² Takacs' implication here is that sexual activity or literacy would somehow have 'earned' the roles of word-bearer for Mary and Muhammad. While this could be true of Muhammad becoming literate, Mary would not have earned anything but societal disapproval if she had become sexually active. The converses of each state also reveals deep differences between the two: a woman who is not a virgin is likely to be socially stigmatized and punished, whereas a man who is literate is likely to be among the most highly rewarded members of society. Muhammad's illiteracy was likely nothing more than circumstance and an unfortunate lack of education. While unfair, he was not morally or societally mandated to remain illiterate in the same way that women, of Mary's time and beyond, have been compelled to remain virgins before marriage. Furthermore, Mary was likely illiterate herself, while this symbol of "purity" which made Muhammad a "word-bearer" was insufficient in her situation.

This dichotomy reveals the emphasis on purity which demonstrates the truly gendered nature of Mary as a religious standard. Mary, as well as Fátima and other women, has been reduced solely to her purity. Thurlkill describes Mary and Fátima both as "vessels" and "undefiled containers."²³ Within this paradigm, the significance of Mary and women like her is emptied of all but their womanhood. This holds true no matter how one considers purity, as there is a consensus in the literature that both Christian and Islamic texts are referring to Mary's physical and spiritual purity.²⁴ Smith and Haddad reference a scholar named Al-Alusi who held that "God gave Mary the privilege of being pure from all uncleanness in the literal and figurative senses, both of the heart and of the body."²⁵ Furthermore, menstruation was understood to be decidedly impure - "defiling and in itself destructive of a state of purity."²⁶ The intimate tying of a woman's purity to the absence of sexual activity or menstruation affirms that the only relevant part of a woman is her womanhood itself. In this, the standard set by Mary is undeniably applied more to women than to men.

This standard is, by definition, gendered and impossible to attain. Though Takacs argues that it is possible for all people to "imitate Mary's virginity...by emptying themselves of their pretensions of pride and self-delusions," most women will inevitably menstruate.²⁷ Even if the physical purity were irrelevant, the spiritual purity Takacs and others speak of still amounts to a complete emptying. Mary is lauded as being at her best, and modeling the best of what it is to be a woman, in being devoid of agency and sexual

functioning. A lack of inner substance is ultimately the characteristic to which Islamic and Christian traditions attribute Mary's great worth. Additionally, the physical purity of Mary can never be anything but relevant -- it is treated as necessary proof of any other sort of purity she may possess, and her story would not exist in the same way were she not considered physically pure.

The gendered nature of Mary's example of purity is further supported by comparison to Muhammad. Takacs describes Muhammad's person as "son, orphan, merchant, arbiter, warrior, husband, father, and statesperson, and so he was able to incorporate "other-worldly" and spiritual attitudes into "this-worldly" actions...Muhammad himself is seen as purifying the sexual act."²⁸

This is important in several ways. As a man, Muhammad's actions have the power to set new standards about external actions, extrapolating value from recognition of Muhammad's intrinsic goodness. This is the exact opposite of Mary, whose worth and goodness are dictated by the same external factors over which Muhammad has power. While Muhammad's actions can define sex as pure, Mary has no choice but to be defined as pure by sex. This is evidence of a power structure in which men have power over social values, which in turn exert power over women. For all the respect she receives, Mary's status is at the mercy of societal values.

The unattainability of Mary in combination with the gendered and mandated nature of the religious standards built up around her is ultimately harmful to women. In her review of works on Mary, Remesnyder concisely states that



MUHAMMAD PREACHING TO HIS FOLLOWERS (COURTESY OF WIKIMEDIA COMMONS)

“No woman could ever achieve Mary and Fátima’s transcendence of the pollution inherent to the female body.”²⁹ Smith and Haddad concur, highlighting the impossibility of being like Mary or Fátima, and that menstruation results in women being “define[d]...out of the possibility of leadership in a house of worship.”³⁰ Smith and Haddad elaborate on what this unattainability results in:

Women can...be admonished through reference to Mary’s virtue in two limited but very significant ways. While ultimately not as pure as she was, they are expected to aspire to this ideal to the extent to which they reserve themselves for their husbands and come to them untouched and undefiled. And as Mary was the embodiment of perfect obedience, Muslim women are enjoined to be obedient not only directly to God, but indirectly through the obedience that they show to the men to whom they are unquestionably responsible.³¹

Mary’s significance as a woman is framed entirely within a patriarchal view that rejects the truth of cisgender femaleness. She is full of contradictions: the ultimate virgin and the ultimate mother; menstrual evidence of reproductive ability, yet having the ability to bear a child practically on command. As stated by the authors cited previously, and as common sense would indicate, no woman in real life can fulfill all of these. Thus, it is highly unlikely that the popular and religious understandings of Mary today could accurately represent her as an individual. The standards set by retellings of who she was are significantly lacking in recognition of who she was apart from the obedient virgin. This not only denies the realities of modern women’s experiences, but also subverts the life and actions of an iconic woman into the same sort of patriarchal standard under which she would have been confined. It means, above all, that female believers aspiring to be good women of faith will inevitably fail. The inclusion of purity in this standard is demeaning to all women as it is to Mary, who is considered important to a large extent for nothing more than the state of her body. The conclusion which follows from this is that a woman is, for the most part, just a body.

If the models of ideal faith are gendered, and those specifically gendered models are unattainable, then men and women have very different levels of access to successful and socially approved performances of faith. The impossibility of such standards means that female believers across multiple faiths would always fall short of religious ideals. This perpetual failure results directly from the gendering of religious standards, and women experience it in ways

that male believers do not. The standards of religious behavior for women set by Mary’s example are patriarchal at their roots. Given the acceptance of menstruation as “defiling,” the conflation of Mary’s virginity with her worth, and the reduction of her identity and value to being the obedient owner of a uterus, it becomes clear that the ways in which we affirm Mary matters are framed within the rules of what matters most for men. It cannot be ignored that this sets women up to fail — at faith, at goodness, and at ever gaining equality within a still-patriarchal world.

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TUNISIAN EXCEPTIONALISM OR CONSTITUTIONAL TIMING

A Comparison of Democratic Transitions in the Middle East

MAX BLAISDELL

THE ARAB SPRING PROTESTS WERE GREETED WITH EUPHORIA, BUT THE RESULTING INSTABILITY, SECTARIANISM, AND EXTREME VIOLENCE IN SEVERAL MIDDLE EASTERN STATES HAVE LED SOME TO BELIEVE THAT THE TOPPLED DICTATORS MAY HAVE BEEN THE LESSER OF TWO EVILS. WHILE TUNISIA'S SUCCESSFUL DEMOCRATIC TRANSITION LOOKS LIKE AN ANOMALY IN ITS CURRENT REGIONAL ENVIRONMENT, EGYPT ALSO ACHIEVED A SIGNIFICANT HISTORIC MILESTONE WHEN IT ELECTED PRESIDENT MORSI IN FREE ELECTIONS. HOWEVER, HIS SHORT TENURE AND EGYPT'S BROADER FAILURE TO DEMOCRATIZE PROMPTS QUESTIONS AS TO HOW DEMOCRATIC TRANSITIONS CAN SUCCEED AFTER DICTATORSHIPS. BY COMPARING THE TUNISIAN AND EGYPTIAN DEMOCRATIC TRANSITION PROCESSES, THE ARTICLE SEEKS TO ELUCIDATE THE CAUSES OF THE DIFFERENCE IN OUTCOMES OF THE PROTESTS IN THESE TWO STATES. NEW POLITICAL ACTORS AND CERTAIN ANCIEN RÉGIME INSTITUTIONS PLAYED CRITICAL ROLES IN OUSTING THE DICTATORS, BUT WHAT PROVED CRUCIAL TO THE SUCCESS OF THE TRANSITION WAS WHETHER DEMOCRATIC ELECTIONS TOOK PLACE BEFORE OR AFTER NEW CONSTITUTIONS WERE ADOPTED. THIS IS BECAUSE CONSTITUTIONAL TIMING DETERMINED WHETHER THE COUNTRY'S POLITICAL DESIGN WOULD BE DICTATED BY DIALOGUE AND DELIBERATION OR RUN AD-HOC BY THE POLITICAL ACTOR WITH THE GREATEST POPULARITY.

INTRODUCTION

If there is any incontrovertible theory in political science, it is that democracies do not go to war with one another. This democratic peace theory, whose origins lie in philosopher Immanuel Kant's theory of perpetual peace, argues that shared liberal values amongst democracies and the constraints put on leadership by democratic institutions greatly reduces the likelihood of inter-democracy violent conflict.¹ This theory was the linchpin underlying the Clinton Administration's policy of democratic enlargement.² Democracy promotion has not fallen out of favor with more recent administrations: President Bush's administration argued that building a democratic Iraq was a valuable goal after evidence came out that Saddam Hussein did not possess weapons of mass destruction and President Obama emphasized democracy and human rights as part of his foreign policy goals in his 2009 Cairo speech.³ Despite these rhetorical pledges, the United States' alliances with authoritarian regimes in the Middle East, whether based on oil or security concerns, undermined the realization of democracy in the region.

When the Arab Spring swept across the Middle East, from North Africa to the Persian Gulf, it seemed possible that democracy would autonomously emerge from the ashes of the long-standing authoritarian regimes. Recent examination of the causes of the Arab Spring underscores how decades of repression and corruption sowed the seeds for popular unrest in the Middle East.⁴ The protesters clamoring for regime change also augured new thinking about Arab political culture, which for so long had been defined by obedience to the whims of strongmen. The uprisings also illuminated the contradictions between the United States' priorities of democracy and stability in the region, pitting peaceful protesters against the police forces and militaries to whom the United States had given billions of dollars over the past several decades. Looking at the aftermath of the Arab Spring, with Egypt once again under repressive rule, and chaos and violence still raging in Syria, Yemen, and Libya, the democratic success in Tunisia seems to be an anomaly rather than a precedent for future democratic transitions in the Middle East.

The wide variation in outcomes of the protest movements of the Arab Spring is a quandary for political scientists, but this does not imply a lack of explanatory mechanisms. The failure of the Syrian revolt to topple longtime dictator Bashar al-Assad is in part attributable to the sectarian fault lines that exist in the country, causing ethnic groups who

did not necessarily approve of Assad's brutal actions to support his regime out of fear of the alternatives. Similarly, in Libya, the importance of clan and patronage ties under Muammar Gaddafi's regime created the conditions for a fractured state in which no single group holds a strong enough claim for legitimacy or the monopoly of force necessary to induce stability. Unlike these failed revolutionary movements, the Egyptian and Tunisian protest movements were successful in toppling their dictators. Subsequently, both held generally free and fair elections for the first time in their respective histories. Despite achieving this democratic milestone, Egyptians soon returned to the streets to protest their democratically elected president, which ultimately resulted in a popularly inspired coup by the Egyptian military on July 3, 2013. Tunisia, on the other hand, has witnessed a peaceful transfer of power through democratic elections, and a vibrant party system that incorporates the far-left and far-right.

What explains the divergence in outcomes between democratic transitions? What insights can be drawn and applied to future democratic transitions from the comparison of these two cases? Answers to these questions are of vital concern to policymakers who put credence in democracy promotion as a component of foreign policy. In the sections to follow, I first give a definition of democracy in order to clearly identify criteria and practices favorable to a democratic transition. Secondly, I examine existing theories of democratic transition, ranging from modernization to institutional theory. Thirdly, I compare the democratic transitions of Tunisia and Egypt in light of these existing



THE EGYPTIAN REVOLUTION IN TAHRIR SQUARE (COURTESY OF FLICKR)

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theories, and develop my own explanatory model for the divergence in outcomes in Tunisia and Egypt’s democratic transitions. I argue that a further nuancing of the politico-institutional approach which incorporates an analysis of time frame and chronological ordering of democratic transition processes is the best model for understanding the Tunisian and Egyptian outcome disparity. This model allows me to draw conclusions from this particular comparison to add insight and subtlety to the field of democratic transitions in the hope that policymakers and academics alike can learn how to better respond to future comparable situations in the Middle East.

THEORETICAL APPROACHES TO DEMOCRATIC TRANSITIONS

Juan J. Linz and Alfred Stepan’s book *Problems of Democratic Transition and Consolidation* provides a comprehensive definition of democratic transitions — “a democratic transition is complete when sufficient agreement has been reached about political procedures to produce an elected government, when a government comes to power that is the direct result of a free and popular vote.”⁵ Any paper that considers the workings of democracy should abide by a concrete definition, as this will determine what constitutes a threat or aid to democracy. This paper will follow Jurgen Habermas’ formulation of deliberative democracy, the basis of which lies in “citizens’ free and equal deliberations on the laws that should govern their life together in the polity.”⁶ This conception presents a synthesis between constitutionalism and democracy; it guards against the excesses of a majoritarian democracy, while also defending the principle that sovereignty resides in the public will. The importance of this theoretical understanding of democracy is that it includes all members within the polity in the process of deliberation, thus building consensus as to the rules of the political game. Deliberative democracy also protects against the tyranny of the majority because of its vigorous attachment to constitutionalism, human rights, and judicial independence.

This paper will examine and evaluate five theories of democratic transition, namely modernization theory, secularization theory, the elite and labor models, and the politico-institutionalist approach. It will begin with the modernization and secularization theories because they are the oldest and most prominent in the field. It will then proceed to examine the elite model, which was developed more recently in light of the Portuguese and Spanish transitions in the 1970s, as well as the labor model, which was developed in light of the second wave of African transitions in the 1990s. Finally, it will turn to the politico-institutionalist approach that provides the analytic framework with which this paper establishes its own theory of democratic transition.

Modernization theory, one of the most prominent theories of comparative politics, contends that economic development underpins democracy, by precipitating democratic transitions and solidifying the institutions of existing democracies. In his original formulation, Seymour M. Lipset argues that industrialization, urbanization, wealth, and education are the markers of economic development, which statistically correlates with democracy.⁷ This theory has not fallen out of favor amongst academics: Adam Przeworski also argues that as countries economically develop, their social structures become increasingly complex—the bourgeois class emerges, workers organize, and civil society grows—thus making it impossible for a dictator to remain effectively in command.⁸ This theory has faced criticism in recent years because of the persistence of economically developed authoritarian regimes like those in the Gulf States, which have extremely high indices of income per capita and yet remain under the thumb of dictatorship.⁹ However, the existence and persistence of developed dictatorships such as the Gulf States can be explained by their extreme economic reliance on valuable resources—in this case oil and natural gas—that allow them to co-opt opposition forces, buy off the public writ large, and employ expensive secret police forces.¹⁰ Additionally, authoritarian regimes receiving large sums of for-

foreign aid can use these transfer payments in a manner identical to resource-rich autocracies. These exceptions illustrate that the initial assumption that economic development and democracy are connected may be sound, but requires additional nuance to explore and specify the crux of the connection.

Other scholars, such as Ilter Turan, see secularization as a prerequisite for democracy. Secularization theory argues that members of a polity are unlikely to compromise over matters of faith, and thus it is necessary to see the political sphere as autonomous from the realm of religion in order to have a functional democracy.¹¹ The Iranian revolution and the takeover of the transition process by the radical Ayatollah Khomeini, exemplifies the concerns that fuel the argument that secularism is an absolute necessity for democracy and that Islamists are not democrats, but hijackers of would-be democratic transitions. Nevertheless, the theological underpinnings of the Ayatollah's rule are peculiar to Shia Islam and its hierarchical system, so it is unclear whether Sunni Islamists could garner the popular legitimacy to create a theocratic state in the same vein as Iran, although Saudi Arabia might beg to differ. Furthermore, viewing secularism as a unitary concept is problematic in light of the variety of existing interpretations, as illustrated by the differences between the U.S. and French conceptualizations of secularism.¹² Mark Lilla persuasively argues in *The Stillborn God* that secularism is a political theology in its own right that only emerged after several centuries of debate amongst thinkers of the Christian philosophical tradition, and therefore each religious tradition must establish its own interpretation that is compatible with its theological underpinnings.¹³

In Guillermo O'Donnell and Philippe C. Schmitter's seminal work, *Transitions from Authoritarian Rule: Tentative Conclusions about Uncertain Democracies*, initial elite compacts are regarded as central to democratic transitions.¹⁴ While important scholarship has emphasized the role of elites, Ruth Collier and James Mahoney contend that labor movements were critical to the success of democratic transitions in Latin America and southern Europe in the 1970s and 80s.¹⁵ Other scholars support this view with evidence from the "African wave" of democratization that points to the number of legally recognized labor unions as the single most important factor in explaining the variation in successful protest movements.¹⁶ However, two countries with the largest numbers of legally recognized unions in the Middle East, Morocco and Algeria, have witnessed relatively fruitless and isolated protests in recent times.¹⁷

While all of the theories above are logically plausible and supported by empirical evidence in certain cases, the politico-institutional approach is a uniquely comprehensive tool for analyzing democratic transitions. This approach emphasizes the distinctive institutional heritage of a country and the complex interactions that take place between structures and political actors.¹⁸ This mode of analysis is well-suited for unpacking the dynamics of democratic transitions, as it highlights how the institutions that outlive a particular dictatorship shape political actions, and how competing actors attempt to redesign the political rules in their favor. However, drawing on the Habermasian conception, democracy does not survive in an environment in which competing actors or vestigial institutions in a country attempt to alter the rules of the political game on the fly. Instead it is dialogue and consensus building amongst competing actors that determines whether or not they find an agreeable set of political rules and institutional designs. Enacting a constitution before major elections take place is therefore crucial to the success of a democratic transition, as it sets down a legally legitimate set of rules and procedures agreed upon by the political actors in the country to govern elections and institutional structures.

It is my particular contention that vestigial authoritarian institutions are a threat to democratic transitions if they are not sufficiently delegitimized by revolutionary actors, and that labor unions can function as the broad consensus builders necessary for reaching a constitutional agreement if they remain non-ideological.

A COMPARISON OF THE POST-REVOLUTIONARY TUNISIAN AND EGYPTIAN TRANSITIONS

This paper will examine and compare the recent democratic transitions in Tunisia and Egypt to evaluate the politico-institutionalist approach and other competing models of democratic transition noted above. Tunisia's democratic transition can be characterized as successful because the Ennahda, the Islamist party of Tunisia, and the secularist forces were able to agree upon the set of political procedures to regulate an elected government in the form of a constitution. They then conducted a free and fair election in which Beji Caid Essebsi won and his opponent conceded defeat, rather than challenging the results or resorting to violence.¹⁹ This series of developments satisfies the criteria of the definition of a successful democratic transition previously given. On the other hand, Egypt's freely and

fairly elected President Mohamed Morsi was deposed by a coup d'état on July 3, 2013 and a military regime was installed in his place, thus bringing an abrupt end to the democratic phase of the Egyptian transition.²⁰ It remains an open question, however, as to whether the Egyptian military will return to the barracks and cede control of the government to civilian control, or if it will further consolidate its hold on the country in the long term.

Before proceeding with my analysis of the transitions using the politico-institutional approach, it is important to control for other potential explanatory factors, such as the neighborhood effect from the democratic domino theory, differences in levels of ethnic heterogeneity, or modernization theory's emphasis on macroeconomics.²¹ Both of the countries are situated geographically in North Africa, and before the uprisings there was no proximate democracy to either. This negates the potential explanation that the neighborhood effect had any role in Tunisia's democratic success or Egypt's failure. Tunisia and Egypt also have mostly homogeneous Arab Sunni populations, and their demographic similarity eliminates the alternative explanation that sectarian differences doomed the Egyptian case. According to the United Nations' Human Development Index, although neither country ranks particularly high—with Tunisia sitting in 90th place and Egypt in 110th—both still have medium to high human development statistics.²² Additionally, both Egypt and Tunisia maintained five to seven percent annual growth rates.²³ This evidence then rules out the importance of macroeconomic factors in explaining the variation in outcomes, and also underscores the need for greater nuance in modernization theory as an explanation for democratization. The politico-institutional approach is thus appropriate for analyzing the democratic transitions of Tunisia and Egypt because the secondary factors discussed above are removed from the foreground, while institutional struggles and structural transformations are placed under the spotlight.

AUTHORITARIAN REGIME CROSS ANALYSIS

The politico-institutional approach posits that the institutions that are left over from the authoritarian regime will structure the transition period. It is therefore important to examine the institutions that outlasted Mubarak and Ben Ali. Neither ruler relied solely on brute force to create a durable authoritarian state. In fact, they used the promise of democracy or the façade of democratic institutions to conceal their authoritarianism. In Egypt, Hosni Mubarak



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allowed the semblance of participatory politics to shield his regime from external criticism to co-opt members of the opposition, and to facilitate intramural competition amongst regime elites.²⁴ However, the 2010 parliamentary elections in Egypt exposed the farcical democratic institutions when Mubarak's National Democratic Party won 99% of the seats in a clearly rigged vote.²⁵ The Rassemblement Constitutionnel Democratique (RCD) performed a similar function for Ben Ali. The Tunisian National Assembly was filled with RCD members, with a small number of seats shared among the opposition parties as a nominal nod at multiparty politics.²⁶ In both countries, the dictators used the semblance of democracy to help legitimize their rule. The use of specious democratic institutions, such as rigged elections and parliaments, meant that the Arab Spring protesters' goal was not simply to overthrow a particular leader, but to completely reconstruct their political systems.

The police forces of Egypt and Tunisia were the main tools of repression employed by Mubarak and Ben Ali. Ben Ali was himself a former military police officer, who purposely kept his security forces powerful since he distrusted the military.²⁷ In Egypt, the police force was used not only to curb dissent, but also as “the chief administrative arm of the state, aggregating the functions of several agencies.”²⁸ Thus, in the wake of the protests, the police forces of Egypt and Tunisia became discredited institutions, as their elevated position had been based purely on loyalty to the now toppled dictator. So why is this important to the transition?

Perhaps justifying the regimes' mistrust of the military, during the protests, the Egyptian and Tunisian militaries refused to fire on protesters, defying orders from their respective dictators and thus sealing the fates of Ben Ali and Mubarak. This decision lent the militaries in both coun-

tries the protesters' goodwill and a potential role in the transition process. However, the considerable difference in the capacities of the Tunisian and the Egyptian militaries must be noted. Under Ben Ali in Tunisia, the military was professionalized, but also underfunded and under-equipped.²⁹ On the other hand, the military's share of the Egyptian economy was massive under Mubarak, with estimates ranging anywhere from 5 to 40 % of the economy. This large range in estimates is due to the fact that it is illegal in Egypt to report on military holdings, and an accurate figure is thus impossible to calculate.³⁰

The Egyptian military, under the aegis of the Supreme Council of the Armed Forces, sought to secure its extraordinary political and economic privileges after Mubarak's fall, which is in line with the politico-institutional theory that incumbent institutions will try to retain arbitrary discretion over rule changes in the transition period.³¹ The military was wary of Gamal Mubarak's neo-liberal policies and concerned about him potentially succeeding his father.³² This supports Shadi Hamid's contention that "Egypt's revolution, rather than representing a sharp break from the past, may be better understood as a popularly inspired military coup," in that the military acted soon after Mubarak's fall to ensure the continuity of their own institutional privileges.³³ It is easy to conclude that the Egyptian military's extensive power doomed the country's prospects for democracy, while the Tunisian military's impotence meant it played little to no role in the transition's outcome. This conclusion, however, lacks a causal link between powerful militaries and the failure to democratize. Looking at the Turkish case, it is clear that a powerful military can in fact encourage efforts to democratize. In the absence of such causal logic it is better to view the Egyptian military's role as structuring the process by which the transition unfolded, but by no means predetermining its outcome.

ANALYZING IMPORTANT POLITICAL ACTORS IN THE TRANSITIONS

Islamists scored electoral victories in Tunisia and Egypt in the uprisings' aftermath that put them in prominent positions to determine the futures of their countries. There are several reasons behind the Islamists' electoral successes. First, because the Ben Ali and Mubarak regimes had historically persecuted Islamist groups as either religious radicals or terrorists, the credentials as staunch opponents of the ancient regime were unquestionable.³⁴ Second, because they are not solely political groups but also religious ones, the authoritarian states could never fully root out

these Islamist organizations lest they destroy their own Islamic credentials, thus giving Islamist opposition a developmental advantage in comparison to secular opposition groups.³⁵ Third, the institutional resources and social networks of Islamist organizations allowed them to, "channel popular discontent in politically effective ways," which aided their turnout at the ballot box.³⁶ While Secularization Theory contends that the involvement of Islamists in a democratic transition jeopardizes its success because Islamists do not accept the strict autonomy of the political sphere from the religious one, the Ennahda party of Tunisia demonstrated a remarkable commitment to the democratic transition in its handling of several major crises during the transition period.³⁷ The Tunisian case demonstrates that Islamists are not inherently undemocratic, and that the failed transition to democracy in the Egyptian case was not predetermined by the victory of an Islamist to the Egyptian Presidency.

A comparison of the role of labor unions in the Egyptian and Tunisian cases highlights qualifications to Michael Bratton and Nicholas van de Walle's theory of democratization based on labor pluralism, instead suggesting that the goals of unions are relevant in shaping the political battles amongst revolutionary forces. Contrary to the supposition of Bratton and van de Walle's theory that democratization is based on the pluralism of recognized trade unions, the Tunisian uprising prevailed with critical support from the single legally recognized labor organization in Tunisia, the Union Générale Tunisienne du Travail (UGTT), and the Egyptian uprising succeeded in toppling Mubarak without significant involvement from the Egyptian Trade Union Federation (ETUF). The UGTT was critical to the success



A CHILD HOLDING A SIGN THAT SAYS, "FREE TUNISIA"
(COURTESY OF FLICKR)

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of the protest movement in two ways. First, UGTT members framed Boazizi’s self-immolation “not as a suicide resulting from the socioeconomic misfortune of an individual, but rather as a political assassination.”³⁸ Second, their leadership was critical in expanding the protests geographically, such that the police forces were too overextended to contain or quell the protests. In Egypt, factory strikes contributed in undermining Mubarak’s regime by causing a decline in the economy, but they occurred without orders from the ETUF leadership and reflected economic demands rather than political ones.³⁹ The important contribution of the UGTT to the success of the Tunisian uprising made it a significant force in shaping the country’s political future and its demands for “political reforms...to deepen democracy” shaped the parameters in which the secularists and Islamists debated the future design of the Tunisia.⁴⁰ The lack of formal involvement by the ETUF meant that labor did not frame a set of political goals for other revolutionary actors and instead left the door open to the popular Islamists to decide how the country would transition from military rule.

CONSTITUTIONAL PROCESS AND MAJORITARIAN DEMOCRACY

Democratic transitions require tremendous feats of political maneuvering and compromise. Indeed, “a country in Tunisia’s or Egypt’s circumstances must steer between the Scylla of outsized influence by erstwhile autocratic incumbents and the Charybdis of unconstrained new actors who seek to lock in newfound power.”⁴¹ However, the lack of a constitution before elections take place means that a stable consensus on the rules of the political game is not yet existent, and thus the legitimacy of the democratic project, and the checks necessary to preventing the personal consolidation of power by the next president are not yet in place, jeopardizing the country’s democratic transition.

Egypt’s transitional process exemplifies the pitfalls described here. The lack of a constitution polarized the disparate forces of the revolutionary movement at the major juncture of the democratic transition, the elections. In the

initial aftermath of Mubarak’s fall from power, the military suspended the 1971 constitution, leaving the door open for an entirely new political structure.⁴² The military, however, moved quickly to preserve the economic and political privileges it had enjoyed under Mubarak by appointing a special committee to propose amendments to the 1971 constitution, and lay out the path to transition away from complete military oversight. This committee was composed of three Islamists, none of whom represented secularist ideas.⁴³ The committee first called for parliamentary elections that would select the 100-person constituent assembly followed by a presidential election. Because the elected president was charged with overseeing the adoption of a new constitution, he hypothetically held the power to jettison the transition process or significantly undermine its democratic procedures.⁴⁴ These proposals were subject to approval by popular referendum scheduled for March 19, 2011. At this critical juncture, the combined opposition of the secularists and the Islamists could have severely undermined the legitimacy of this committee and the referendum. The military could not have sustained its pledge to represent the interests of the people and act as the guardian of the revolution had it blatantly ignored outcry from both sides of the revolutionary spectrum. Additionally, a crackdown against further peaceful protests representing a united revolutionary front could have sullied the reputation of the military and “increas[ed] the internal solidarity of the resistance campaign, [and] creat[ed] dissent and conflicts among the [military]’s supporters.”⁴⁵

Instead the Muslim Brotherhood, the Salafists, and other Islamists threw their considerable financial and organizational weight behind the constitutional amendments and the restoration of much of the 1971 constitution until the constituent assembly was formed. This decision reflected purely partisan interests and not a deliberative attitude towards democracy.⁴⁶ It also polarized the political spectrum, angering the liberals because two of their top presidential candidates were barred under the new selection criteria, and broke the nascent ties between the Islamists and the liberals that had developed in the revolution.⁴⁷ From this moment on, the liberals and the Islamists found them-

selves in a bitter political conflict over the spoils of the revolution, a conflict further enflamed by Morsi's heavy-handed tactics upon assuming the presidency and which ended only with his ouster.⁴⁸ This conflict was predetermined by the failure of the revolutionary movement to establish a consensus for a new constitutional system before the election of a president. Utilizing the existing constitutional framework left authoritarian levels of power in the hands of the executive and in such a setting, it is unimaginable how a constitution based on consultation and dialogue could have been written, given extreme imbalance in power between the Islamists and the liberals. The Egyptian case demonstrates that handing the keys of an authoritarian state to another man by an election does not necessarily yield democracy. Rather, it is absolutely indispensable that power-sharing structures be established before elections can ever take place.

By contrast, the constitutional process allows revolutionary actors of different strands to build trust and make concessions through dialogue and time, despite ideological disagreements over the structure of the future state and political crises. Similar to the military in the Egyptian case, the vestiges of Ben Ali's regime attempted to commandeer the revolution and reassert their privileges.⁴⁹ Unlike the Egyptian case, however, the secularists and Islamists remained united, participating jointly in demonstrations at the Casbah plaza to demand the ouster of interim Prime Minister Mohamed Ghannouchi, who not to be confused with the Ennahda's Rachid Ghannouchi, was a holdover from Ben Ali's ruling party, the Constitutional Democratic Rally (RCD).⁵⁰ This demonstration ensured the "dissolution of the RCD...[the] legalization of Ennahda, and that elections for the Constituent Assembly would be held."⁵¹ The Casbah protests illustrate how the Tunisian revolutionaries' were able to achieve concrete political objectives by remaining united against the vestigial regime forces attempting to break them up.⁵² Soon thereafter, the Islamist Ennahda party won the country's first free and fair election, sparking concerns that it would seek the spoils of political power just as the Muslim Brotherhood did in Egypt. Instead of confirming those fears, the Ennahda established a governing coalition in the Constituent Assembly and divided up leadership roles with the heads of the CPR and the Ettakatol, a power-sharing arrangement that was dubbed the Troika.⁵³ Despite the continued potential for political opportunism by the Ennahda, the party approached politics in a consultative manner, not letting divisive issues jeopardize the continuation of the talks. In an act of magnanimity, the Ennahda

made a decisive concession to the secularists with its announcement in March 2012 that the party would not insist on making Sharia *a* or *the* source of legislation.⁵⁴ Shortly after the counterrevolution in Egypt, though, leftist Tunisian MP Mohamed Brahmi was assassinated, which sparked a week-long protest that called for the end of the coalition government. Parallel to Egypt's transition, politically charged violence threatened the entire democratic enterprise, but thanks to dialogue between the leaders of the opposition and the Ennahda, a compromise solution was reached and the Constituent Assembly was able to resume and then complete its work.⁵⁵ The Tunisian Constitution contains numerous contradictions that will be open to interpretation and contestation in the years to come.⁵⁶ However, it is also a reflection of the emerging consensus between Ennahda and the secularists and the product of major concessions made by the Ennahda on the protection women's rights and the freedom of speech and religion.⁵⁷ By rejecting continuity with the authoritarian regime's institutions in favor of redesigning government, Tunisia's revolutionary forces averted the polarizing effects of presidential elections and created a constitutional structure viewed as legitimate by both sides of the political spectrum. The legitimacy of this structure was tested by the 2014 presidential elections, in which the Ennahda party candidate Moncef Marzouki portrayed opponent Essebsi's potential presidency as a reversal of the "Jasmine Revolution."⁵⁸ However, after the election results confirmed Essebsi's victory, Marzouki quickly conceded defeat, thus signaling that the Ennahda was accepting a transfer of power to the hands of the Nidaa Tounes and would not seek power outside of democratic means.⁵⁹

CONCLUSION

Democratic transitions occur in the aftermath of revolutions when the major political actors view democracy as the best form of governance for realizing their political objectives, but this is not enough to sustain democracy. Habermas's conception of democracy refines the understanding of what sustains and jeopardizes democracy, an important clarification when the very definition of democracy is a point of contention amongst competing political actors. While the military ended Egypt's democratic experiment and the UGTT framed the objective of Tunisia's revolution as democratic, the interests of these institutions did not predetermine the outcomes of the transitional period. Instead, the chronology in which presidential elections and the adoption of a constitution occurred contributed greatly to

the degree of polarization in the populace. This in turn affected whether political actors were willing to turn to extant institutions to facilitate a regime change away from the democratically elected administration. Egypt's failed transition to democracy illustrates how the presidential elections without constitutional reforms first taking place polarized the electorate and drove many Egyptians, who had previously called for a removal of the military from a supervisory role, to cultivate its support in toppling the newly elected president. On the other hand, Tunisian political actors made important concessions and overcame political crises during the transition period to develop a consensus and hold presidential elections because the constitutional process was deliberative and inclusive.

This paper indicates that the trust and deliberation necessary to build a functioning democracy cannot be constructed in a polarized environment, nor can it function when the rules of the political game are being decided solely by the will of the majority party. Additionally, the enormous sums of military aid that the United States gives to Arab dictatorships increase the political interests of the military, which then limit and threaten the autonomy of democratically elected civilians. If the United States is truly interested in spreading democracy to the Middle East, then it cannot continue buttressing the militaries of authoritarian regimes and preventing Islamists from taking power via elections. The Tunisian case suggests that rapprochement between secularist and Islamists is a possible and vital foundation for a future democracy. The United States should therefore not be overly wary of Islamist movements as prohibitive to democracy in the Middle East and be willing to provide sufficient economic aid to those countries transitioning to democracy. This is critical because many transitioning democracies struggle to provide their constituencies with real material gains in their first few years, which could in turn lead to counterrevolutionary movements that abruptly end the nascent democratic experiment underway.

Further research should investigate whether Tunisia's neighbor Algeria is well suited to transition to democracy. Their geographical proximity, shared ethnicity and language, and similar colonial history augurs that developments in one country will influence the other. For example, the brutal Algerian Civil War of the 1990s legitimated Ben Ali's repression of the Islamists in Tunisia, and this historical linkage suggests that future parallel democratic developments are possible. Another important topic for investigation is whether the instability that occurred in

Libya and Syria after popular protests deterred potential protest movements in other Middle Eastern countries from challenging their regimes. This could offer an additional explanation for the lack of widespread protest movements in Morocco and Algeria.

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DREAMS AND SEXUALITY

A Psychoanalytical Reading of Klimt's Beethoven Frieze

BENJAMIN FLYTHE

THIS ESSAY PRESENTS A PHILOSOPHICAL AND PSYCHOANALYTICAL INTERPRETATION OF THE WORK OF THE VIENNESE SECESSION ARTIST, GUSTAV KLIMT. THE MANNER OF DEPICTION IN KLIMT'S PAINTINGS UNDERWENT A RADICAL SHIFT AROUND THE TURN OF THE TWENTIETH CENTURY, AND THE AUTHOR ATTEMPTS TO UNVEIL THE INTERNAL AND EXTERNAL MOTIVATIONS THAT MAY HAVE PROMPTED AND CONTRIBUTED TO THIS TRANSFORMATION. DRAWING FROM FRIEDRICH NIETZSCHE'S *THE BIRTH OF TRAGEDY* AS WELL AS SIGMUND FREUD'S *THE INTERPRETATION OF DREAMS*, THE ARTICLE LINKS KLIMT'S EARLY WORK WITH WHAT MAY BE REFERRED TO AS THE APOLLONIAN OR CONSCIOUSNESS, AND HIS LATER WORK WITH THE DIONYSIAN OR THE SUBCONSCIOUS. IT IS THEN ARGUED THAT THE *BEETHOVEN FRIEZE* OF 1902 COULD BE UNDERSTOOD AS A "SELF-PORTRAIT" OF THE ARTIST AND USED TO EXAMINE THE SHIFT IN STYLISTIC REPRESENTATION IN KLIMT'S OEUVRE.

Proud Athena, armed and ready for battle with her aegis and spear, cuts a striking image for the poster announcing the inaugural exhibition of the Vienna Secession. As the goddess of wisdom, the polis, and the arts, she is a decidedly appropriate figurehead for an upstart group of diverse artists who succeeded in fighting back against the established institution of Vienna, a political coup if there ever was one. Coupled with the motif of Theseus' slaying of the Minotaur in order to end the slaughter of Athenian children, this reading could not be more appropriate. The man responsible for both the poster design and for leading the revolutionary charge was Gustav Klimt, a man who in his youth worked within the system he would eventually help to dismantle. We know little about Klimt's personal life, and what we *do* know comes to us via the secondhand accounts of those that he worked and interacted with. We must then ask why Klimt underwent such a radical shift in style between his youth and maturity, and what were the factors, both internal and external, that may have prompted such a shift?

Perhaps an appropriate place to begin with is the goddess Athena and her own evolution through Klimt's art. Klimt was obviously fascinated with her, having painted her on at least three occasions: as a decoration in the spandrels of the Kunsthistorisches Museum stairwell (1890–91), the poster previously mentioned (1897) and finally in a painting dedicated solely to the goddess, Klimt's *Pallas Athena* (1898). In the first piece, which was part of a series of spandrels that Klimt designed and executed for the Viennese art history museum, Athena is classically beautiful, naturalistically rendered as a stoic figure gazing coolly out from her lofty perch. She holds a winged Nike figure, symbolic of victory, perhaps referring to the triumphs of classical Greek art and architecture of which Athena is the patroness. But she is, for lack of a better term, boring — she is only a symbol, a reflection of herself, hardly even a shadow of the complex virgin-warrior-goddess of antiquity. Even the Athena in the poster for the first Secession exhibition is, despite the battle-ready nature of her appearance, somewhat restrained. But perhaps this is simply a result of the flattening of her form to its constituent lines which, as Carl Schorske explains, is “Klimt's new-found way of stating an abstraction. She sponsors a dramatic idea. Since it is not yet realized, it is treated as disembodied, allegorical, on the stage.”¹ We will explore this new means of representation at length later, and for the moment it will suffice to say that this is one of the first iterations of a theme in Klimt's work that will help us navigate the undeniable rift between his earlier and later works.

Pallas Athena (below), standing in stark contrast to both of these previous versions, takes their best characteristics and bridges the gap between them: she is softly modeled but still retains some of the poster's two-dimensionality (“a concept, not a concrete realization”²); the light in her eyes speaks to an internal fire that more accurately represents the truth of the goddess; and perhaps most importantly, the Nike she once supported has been replaced with a fully developed *Nuda Veritas* (as in Klimt's earlier illustration of the same figure for the Secessionist publication, *Ver Sacrum*). This tiny figure does not hold up a laurel wreath as her predecessor may have, but rather a mirror into which modern man may gaze introspectively. This pair of figures who turned their classical associations on their head and who established *new* associations are significant in that they fully embody the zeitgeist of the Secession: “*Der Zeit ihre Kunst. Der Kunst ihre Freiheit* [To the age, its art. To art, its freedom].” In the evolution of Athena from the cold, aloof icon to the impassioned, warrior goddess, we may begin to see a microcosm of Klimt's personal evolution. Athena served not only as the avatar for the Secessionists and their mission, but also in the same role for Klimt.

Friedrich Nietzsche, in his work *The Birth of Tragedy*, establishes a dichotomy which seems particularly appropriate in the present discussion: that which exists between the Apollonian and the Dionysiac. Apollo, the god of the



PALLAS ATHENA, 1898 BY GUSTAV KLIMT (COURTESY OF WIKIMEDIA COMMONS)

plastic arts, of order, and of the illusionism inherent in much of Western art, is diametrically opposed to the other god of art, Dionysus, whose unbounded and primal music speaks to chaos and a state most likened to human intoxication. Klimt's early work, such as the *Kunsthistorisches* Athena and other decorative works for the Ringstrasse developments, was historicizing in appearance, suitable for the Viennese society that commissioned it. After all, this was the same government that erected, in the program of the Ringstrasse itself, a veritable monument to disparate historical periods, the design of each building hand-selected to best express the function of the institutions housed within. The extent to which Vienna attempted to maintain the illusion of historicism and rationality in design can be seen as Apollonian. Klimt, working in tandem with them, would have had the same associations.

However, as we know, this would change radically at the end of the nineteenth century. Klimt would begin to break down those very illusions that sustained the Viennese conception of reality and allow the sentiment of the Dionysiac—not necessarily through its associations to music, but rather the suggestion of something intensely personal and subjective—to seep into and diffuse throughout the work of the modern period. There are hints of this trend before 1900: in particular, his *Music* panel in 1898 that decorated the music salon of Nikolaus Dumba. The abstract, geometric patterning of the background acts as a physical representation of the wholly intangible art of music, wild and untamable, but there is perhaps no better example in his early work than the controversy that surrounded the production of his three University panels, paintings that were to illustrate the disciplines of Philosophy, Medicine, and Jurisprudence. It is at this point that Klimt seems to undergo, as Schorske remarks, something of a “crisis of the liberal ego”³ that also functions as the effective rift between not only his early and later work, but also between his periods of Apollonian and Dionysiac work.

Looking first to the *Philosophy* panel (right), this crisis becomes painfully obvious. Far from the “Victory of Light over Darkness” originally desired by the faculty of the University of Vienna, Klimt's interpretation casts humanity into an uncertain void through which forms drift aimlessly, hopelessly, and all individual agency is superseded by the pull of an invisible, irresistible force: certainly not the rational, ordered universe that philosophy promises. Reflecting more closely the sentiments felt during the *fin-de-siècle* period, as opposed to classical philosophical

thinking, Gottfried Fliedl suggests that the “social impotence of the liberal middle classes was seen as embedded in a relentlessly regular cycle of nature in which the individual was relieved of the necessity to act, while at the same time becoming an observer of himself and the mysterious happenings of the world.”⁴ Moreover, as it pertains to the question at hand, Klimt manages to effect the dissolution of certain characteristics that one might define as Apollonian, notably the illusion of reality that art, at least up to this point, had desperately tried to maintain.

But as Nietzsche explains, the “Apollonian consciousness was but a thin veil hiding from him the whole Dionysiac realm.”⁵ Once Klimt began to tear the fabric of that veil, it was only a matter of time before the entire edifice could be taken down. If *Philosophy* was the beginning, it was with the third panel—which depicts the discipline of *Jurispru-*



PHILOSOPHY (DESTROYED), 1900, OIL ON CANVAS BY KLIMT (COURTESY OF WIKIMEDIA COMMONS)



PREPARATORY STUDY FOR JURISPRUDENCE, 1897-98 (LEFT) AND JURISPRUDENCE (DESTROYED), 1903-07 (RIGHT), BY KLIMT (COURTESY OF FLICKR AND WIKIMEDIA COMMONS)

dence—that we may observe most clearly the descent into the freeing madness that is the Dionysiac form. The final panel itself was born out of a whirlwind of intensely negative emotion; Klimt, after having presented both *Philosophy* and the second panel, *Medicine*, to the faculty of the University, was met with open hostility from as high up as the Austrian parliament. A copy of *Ver Sacrum* in which a preliminary sketch of *Medicine* had been published was confiscated, and Klimt was left reeling. The preliminary sketch of *Jurisprudence* is markedly different from that which was eventually delivered; the composition (noticeably the only of the three that would have taken into consideration the paintings' eventual home as ceiling decoration, the subject having been depicted *di sotto in sù*—as if seen from a lower vantage point) describes an airy, bright world in which the sole figure of Justice wields a sword with which she fulfills her role as arbiter of right and wrong. But through the anger and hurt brought about by the debacle surrounding the other panels, *Jurisprudence* underwent a transformation. The airy heaven of the first version is gone and in its place is a claustrophobic hellscape in which the University's ideas of “truth and justice” have been redefined as “crime and punishment.”

Jurisprudence represents a marked shift in Klimt's manner of depiction, as the figures of Truth, Justice, and Law, far removed from the main action of the foreground, are all cloaked in some of the first instances of the flattened, geometric patterns that would come to dominate and define the artist's mature style. Aside from this, the work is also worth noting as it coincides with an increased

tendency towards a more personally relevant, *psycho-sexual content*. Schorske has proposed, rather convincingly, an argument for associating the nude, male figure of the final University panel with Klimt himself, acting as something of an apologetic self-portrait, a *cri de coeur*. Sigmund Freud would likely have read phallic symbols into the octopus-like creature consuming the male figure, its tentacles standing in for the male genitals. The actual subject's genitals are obscured by his arrangement, turned away from the viewer. But, presumably, he has been castrated. That the subject's metaphorical castration was enacted by the female Furies is perhaps indicative of the role that female sexuality and its negative reception by the conservative Viennese population played in Klimt's internal crises. According to Schorske, “the iconography suggests that Klimt, under the lash of criticism, even while he fought back, partially internalized as personal guilt the rejection of his artistic mission to act as liberator of the instinctual life from the culture of law. His very defiance was tinctured by the spirit of impotence.”⁶ His transgressions were, at base, against his artistic and cultural “forefathers,” and by that token, suggestive of an Oedipal rebellion—the punishment of which is, according to Freudian psychoanalysis, castration.

Surely Schorske's suggestion is grounded in some factual evidence. The combination of the figures' blatant sexuality, the aesthetic presentation and stylization of form, and the psychoanalytical subtext of the era which absolutely colored the art produced therein all contributed to what might be considered a ‘questionable’ work. But could this serve as a complete explanation for the intensely negative reaction? Returning to Nietzsche and the tension between the Apollonian and Dionysiac, we may begin to approach a more comprehensive answer, one that accepts all of these disparate causes and holistically binds them. The Greeks, whose culture gave birth to the myths of both Apollo and Dionysus, “were keenly aware of the terrors and horrors of existence; in order to be able to live at all they had to place before them the shining fantasy of the Olympians.”⁷ In much the same way, it may be suggested that the Austrian Habsburg Empire, in order to hold together its disparate cultures and people, had no choice but to cling desperately to the order that reason and science promised. Therefore, Klimt's University panels, which effectively dismissed this view as trivial and outdated, were violently rejected. In positioning the Nietzschean and Schopenhauerian pessimistic worldviews as the new norm, Klimt was attacking not only the aesthetic and moral sensibilities of Austria, but also their entire conception of reality.

If Klimt's work leading up to the University Panels was merely a first foray into the dark and primal pleasure of the Dionysiac, what then might serve as the fullest expression of the concept? To answer that, it is necessary to look to the Vienna Secession and what has become easily their most widely-regarded and well known exhibition: the fourteenth, which celebrated the art of music through the titanic figure of Beethoven. The German artist Max Klinger had very recently completed a monumental, polychrome sculpture of the composer and, "intent on being the first venue for the statue's display, the Secession approached Klinger and proposed to venerate his masterpiece with a new, avant-garde style of exhibition..."⁸ Their proposal made use of the unique opportunity afforded them by the Secession building; called "*Tempelkunst*," they offered to feature Klinger's *Beethoven* in a space specially constructed so as to highlight the piece, paying homage both to the artist and Klinger himself—all the while highlighting, of course, the art of the Secessionists.⁹ It is my suggestion that Klimt's contribution to the fourteenth exhibition, the infamous *Beethoven Frieze* more so than nearly any of Klimt's prior or later works, is one that provides an absolutely critical key to understanding the psycho-sexual crisis that contributed to the artist's radical shift in style.

Occupying the upper half of three walls in the leftmost hall of the Secession building, the *Beethoven Frieze* was an impressive sight to behold. The entire work was conceived of as a visual interpretation of Beethoven's Ninth Symphony which, in turn, references Schiller's "Ode to Joy," particularly its chorus: "*Seid umschlungen Millionen!/ Diesen Kuß der ganzen Welt!/ Brüder—überm Sternenzelt/Muß ein lieber Vater wohnen* [Be embrac'd, ye millions yonder!/ Take this kiss throughout the world!/ Brothers—o'er the stars unfur'd/ Must reside a loving Father.]"¹⁰ Ernst Stöhr, a painter and lesser-known Secession artist, evidently helped Klimt devise the program of the *Beethoven Frieze*—and he almost certainly wrote the foreword to the exhibition's program.¹¹ Having little to do with Beethoven himself "as an historic figure or spiritual leader,"¹² Stöhr's description of

the *Beethoven Frieze*'s content from the exhibition program presents a *fin-de-siècle* interpretation of the composition of the Ninth Symphony and reads as follows:

The three painted walls constitute a coherent sequence. First long wall across from the entrance: the Longing for Happiness. The Sufferings of weak Humanity: their pleas to the powerful knight in armor as external, to pity and ambition as internal, driving forces which move him to take up the struggle for happiness. Narrow wall: the Hostile Powers. The giant Typhon, against whom even the gods fought in vain; his daughters, the three Gorgons. Disease, insanity and death. Debauchery and unchastity, intemperance [alternately "Lewdness, Lust and Excess"]. Gnawing worry. The longings and desires of mankind fly away over these. Second long wall: the longing for happiness finds appeasement in poetry. The arts lead across into the ideal kingdom where alone we can find pure joy, pure happiness, pure love. Choir of Angels in paradise. "Freude, schöner Götterfunke [sic]. Diesen Kuss der ganzen Welt!"¹³

Based solely on the textual description, we are presented with a narrative that outlines a journey of salvation, external (i.e. for an "other") but also intensely personal and internal. The Hostile Powers described are, aside from Typhon, all internal plagues to both the physical and psychological states of mankind. Visually, the content of the frieze echoes this second, internal, interpretation favoring a psychoanalytical reading of the piece; after all, when confronted with the nightmarish hellscape of the middle panel "inhabited by bestial monsters and deranged, erotic women,"¹⁴ one cannot help but think of Freud and his *Interpretation of Dreams*, originally published just two years earlier in 1900. Compared to *Jurisprudence*, which as Schorske reminds us, "was Klimt's boldest expression of narcissistic rage," the *Beethoven Frieze* was its opposite in nearly every way: "a manifestation of narcissistic regression and utopian bliss. Fight here, found its analogue in flight. Where politics had brought defeat and suffering, art provided escape and comfort. In style as in idea, the *Beethoven Frieze* marked a turning point in Klimt's art."¹⁵

"Klimt would begin to break down those very illusions that sustained the Viennese conception of reality and allow the sentiment of the Dionysiac...to seep into and diffuse throughout the work of the modern period."

As discussed in the context of his University Panels, much of the negative criticism Klimt received was directly linked to the content of his paintings, or in other words, to the blatant sexuality expressed by his female figures. Sexuality, particularly the new sexuality of the modern woman, is key to understanding the frieze. Representations of women in turn-of-the-century art across many cultures were often notably problematic and splintered in regards to the emotional valence of the artists' treatment of subject. Fliedl relates that, during the turn of the century, "there were four linguistic conventions" to express the various aspects of "female identity, which [had become] split up and disintegrated... *Weib* (a term of contempt), *Dame* ('lady'), *Hure* ('whore'), and *Mutter* ('mother'), words which reflected the social roles of women as well as the wishful thinking and anxieties of men."¹⁶ Nearly all of these are present in Klimt's frieze. Between the images of chastity and virtue in the side panels and the ominous threat of the Hostile Powers in the central panel, the frieze gives voice to a crisis of the artist's ego; it can be very easily argued that Klimt almost surely experienced a similar, internal division.

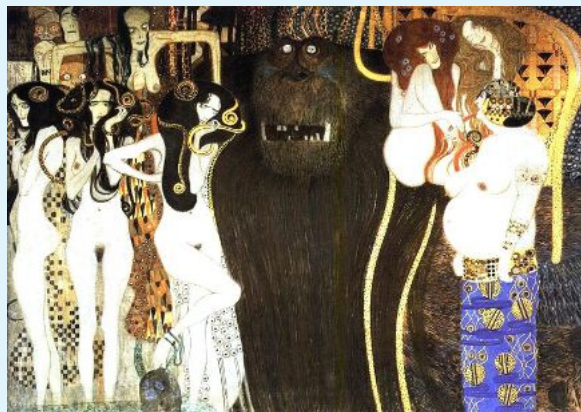
The full weight of Klimt's psychological presence can be most tangibly felt in his female subjects. He is, according to Marian Bisanz-Prakkan, "always latently present as observer or director; he is the invisible, stable male antithesis to the volatile female psychological state."¹⁷ As his models appear almost always in varying stages of "reverie or erotic ecstasy,"¹⁸ we must necessarily assume that these states of sexual intensity were of particular import to Klimt in painting the *Beethoven Frieze* and perhaps reveal something of the internal turmoil that marked the man. For example, the placement of the three figures of Lewdness, Lust and Excess centrally on the wall that would have been initially viewed by anyone entering the hall speaks to their corresponding centrality in any reading of the frieze. These women feature as the powers against which the knight, perhaps an avatar for Klimt himself, must struggle for the hope of eventual salvation. But this struggle is not physical; it is the moral struggle of the liberal male ego, confronted with the "ugly, repulsive and aggressive"¹⁹ sexuality of the female. This may be linked to a very real fear of syphilis (important as it is a sexually transmitted infection, and thus inextricably connected with women) and of which it is said that Klimt was "morbidly afraid."²⁰ But as so much of the interpretation of the frieze lies in the realm of the psychological, and because "each variant of this aggressive side of female nature is derived from anxiety fantasies,"²¹ it seems more appropriate to link the fear to their threat against the construct of 'maleness' itself.

In our discussion of Freud's psychoanalysis, we have almost lost sight of Nietzsche's philosophy. Nietzsche actually references Schiller's and Beethoven's "Ode to Joy" by name in direct allusion to the realm of the Dionysiac:

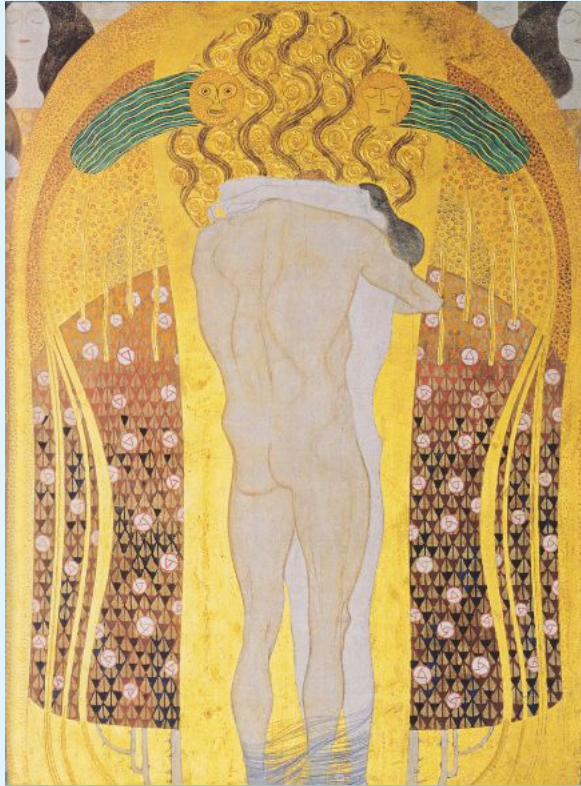
If one were to convert Beethoven's "Paeon [Ode] to Joy" into a painting, and refuse to curb the imagination when that multitude prostrates itself reverently in the dust, one might form some apprehension of Dionysiac ritual. Now the slave emerges as a freeman; all the rigid, hostile walls which either necessity or despotism has erected between men are shattered. Now that the gospel of universal harmony is sounded, each individual becomes not only reconciled to his fellow but actually at one with him...²²

Here, finally, we come to the truth that has up until now only been hesitantly felt in our observation of Klimt's *Beethoven Frieze*; regardless of its subjectivity—in fact, perhaps even as a result of it—the particular visual content of the frieze and its origins in the music of Beethoven, a veritable hero of art to Klimt's contemporaries, come together to express an otherwise inexplicable condition of humanity. That condition, which I believe that Nietzsche would corroborate, given the research that has been produced in the subject since his death, is the human subconscious, a realm every bit as awesome and terrifying as the philosopher's Dionysiac, perhaps even a substitute definition for the same concept.

Later in 1902, the Secession held their eighteenth exhibition, a Klimt retrospective. The last panel of the *Beethoven Frieze*—the so-called *Kuß der ganzen Welt*, the "kiss for the



BEETHOVEN FRIEZE ("THE HOSTILE POWERS"), 1902 BY KLIMT (COURTESY OF FLICKR)



BEETHOVEN FRIEZE (“THE KISS FOR THE WHOLE WORLD”), 1902 BY KLIMT (COURTESY OF FLICKR)

whole world”—was displayed under the title, “*Mein Reich ist nicht von dieser Erde.*” Though initially a reference to John 18:36, “Jesus answered, My kingdom is not of this world: if my kingdom were of this world, then would my servants fight, that I should not be delivered to the Jews: but now is my kingdom not from hence,” it is altogether more likely that Klimt appropriated this title from the writings of Richard Wagner. Wagner had, in an essay from 1870, used a variation of the quote to comment on Beethoven’s music, which he saw as emerging from the chaos of modern civilization: “Both proclaim to us: ‘our kingdom is not of this world’. That is to say: we come from within, you from without; we derive from being, you from the appearance of things.”²³ This sentiment defines, perhaps more clearly than anything else, precisely the same principles submitted by Nietzsche in the dichotomous relationship between the Apollonian (i.e. *fin-de-siècle* Austria: ordered, concerned solely with the illusion of things) and the Dionysiac (i.e. the Secession: burgeoning

modernism, the chaotic underpinnings of existence). Through Wagner’s comment, we can trace a clear path of thought from Beethoven all the way to Klimt, one that more satisfactorily explains the content of the frieze. Perhaps the *Beethoven Frieze* was not, as in Klinger’s sculpture, a monument to Beethoven himself. Perhaps it was instead a monument to philosophy, to giving oneself over to those forces—most perfectly conveyed through the art of Dionysus’ music—that have the potential to bind disparate peoples together in a time of uncertainty, when humanity needed to navigate the collective existential crisis posed by the modern world.

ENDNOTES

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2. *Ibid.*, 217.
3. *Ibid.*, 226.
4. Gottfried Fliedl, *Gustav Klimt: The World in Female Form* (Cologne: Taschen, 1997) 78.
5. Friedrich Nietzsche, *The Birth of Tragedy and The Genealogy of Morals*, (New York: Doubleday, 1956) 28.
6. Schorske, *Fin-de-Siècle Vienna*, 252.
7. Nietzsche, *The Birth of Tragedy*, 29 – 30.
8. Anna Harwell Celenza, “Music and the Vienna Secession: 1897 – 1902,” in *Music in Art*, Vol. 29, No. 1/2, *Music in Art: Iconography as a Source for Music History Volume 1* (Spring—Fall 2004), 207 – 208.
9. *Ibid.*, 208.
10. Friedrich Schiller, “An die Freude/Ode to Joy,” trans. by William F. Wertz, http://www.schillerinstitute.org/trans/schiller_poem/ode_to_joy.pdf
11. Celenza, “Music and the Vienna Secession: 1897 – 1902,” 208.
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13. *Ibid.*, 209.
14. *Ibid.*, 209.
15. Schorske, *Fin-de-Siècle Vienna*, 254.
16. Fliedl, *Gustav Klimt: The World in Female Form*, 108.
17. Marian Bisanz-Prakkan, “On the Drawings of Gustav Klimt,” in *Gustav Klimt: In Search of the “Total Artwork,”* ed. Jane Kallir, co-edited by Alfred Weidinger (Munich: Prestel, 2009), 48.
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20. Jean-Paul Bouillon, *Klimt: Beethoven: The Frieze for the Ninth Symphony* (Geneva: Editions d’Art Albert Skira S.A., 1987), 73.
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22. Nietzsche, *The Birth of Tragedy*, 23.
23. Richard Wagner, “Richard Wagner’s Beethoven (German text and English translation),” in *Richard Wagner’s Beethoven (1870): A New Translation* (Suffolk: Boydell & Brewer, 2014), 179.

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EXTRALEGAL VIOLENCE

The Ku Klux Klan in the Reconstruction Era

SARAH SULLIVAN

THIS ARTICLE IS A RESPONSE TO THE EQUAL JUSTICE INITIATIVE'S 2015 REPORT ON LYNCHING, WHICH AIMED TO PROVIDE A COMPREHENSIVE ACCOUNT OF RACIAL TERROR SINCE 1877. ALTHOUGH THE STUDY ENCOMPASSED THREE YEARS BEFORE THE COMMONLY USED BEGINNING DATE OF RESEARCH ON LYNCHING, THE AUTHOR ARGUES THAT IT OMITTED A GREAT NUMBER OF CASES FROM THE RECONSTRUCTION ERA (1865-1877). IN THIS ESSAY, SHE EVALUATES TESTIMONIAL EVIDENCE FROM THE 13 VOLUMES OF THE *REPORT OF THE JOINT SELECT COMMITTEE TO INQUIRE INTO THE CONDITION OF AFFAIRS IN THE LATE INSURRECTIONARY STATES* PUBLISHED BY THE U.S. CONGRESS IN 1872, CITING SPECIFIC CASES OF ATROCITIES COMMITTED BY THE KU KLUX KLAN IN THE YEARS FOLLOWING THE CIVIL WAR. A CLOSE EXAMINATION OF THESE REPORTS REVEALS THAT THE LEVEL OF EXTRALEGAL VIOLENCE INFLICTED ON AFRICAN AMERICANS IN THE RECONSTRUCTION ERA HAS BEEN SEVERELY UNDERESTIMATED. RESEARCHERS ARE CALLED TO EXTEND THEIR INVESTIGATIONS OF LYNCHING TO INCLUDE THIS PERIOD OF HISTORY IN ORDER TO DEVELOP A MORE TRUTHFUL ACCOUNT OF RACIAL TERROR IN THIS COUNTRY.

In February 2015, the Equal Justice Initiative proved the underestimation of racial violence with their report, “Lynching in America: Confronting the Legacy of Racial Terror.” Historians have attempted to count the number of lynchings since 1882, when *The Chicago Tribune* began publishing an annual list of lynchings. In 1995, sociologists Stewart Tolnay and E. M. Beck compiled what was considered to be the final inventory of lynchings in the country. The Equal Justice Initiative’s expansive research resulted in the finding of 3,959 victims in twelve southern states from 1877 to 1950. More importantly, the Equal Justice Initiative reported seven hundred names that have not been recorded on prior lists.¹ Clearly, the scale of this crime is a misunderstood aspect of our nation’s history that historians have failed to properly evaluate; ignoring the true scope of lynching prevents us from fully understanding past and current race relations and the justice system.²

The Equal Justice Initiative claims their report is necessary in addressing America’s legacy of racial terror in order to achieve racial justice.³ Yet, their research begins with the year 1877—three years before the commonly accepted beginning date of lynching research. Between 1865 and 1877 of the Reconstruction era, many victims of lynching are omitted from the Equal Justice Initiative’s report. In order to continue to work toward a more truthful narrative of our nation’s history of lynching and racial terror, the Reconstruction era must be fully analyzed and researched. If his-



RUINS OF ST JOHN ST FINBAR IN CHARLESTON, SOUTH CAROLINA 1865 (COURTESY OF WIKIMEDIA COMMONS)

torians can meticulously scrutinize Reconstruction violence, “Lynching in America: Confronting the Legacy of Racial Terror” will need to be updated.

At the end of the Civil War, southern whites realized their lives would never be the same. Historian Eric Foner characterizes whites as having expectations of being “treated with the same deference that they were accustomed to” before the war.⁴ They feared encroachment in the economic, political, and social realms. Organizations such as the Ku Klux Klan were established, which facilitated acts of violence for the purposes of defiance, self-preservation, and reestablishment of white supremacy.⁵ Historian Alan Trelease describes violence ranging from “individual assaults and minor street encounters through mob lynchings to pitched battles involving hundreds on either side.”⁶ Much of the violence committed by the Ku Klux Klan was considered punishment for black criminality. Crimes, whether real or imagined, demanded vengeance, said Klansmen. Expounding on the notion of extralegal violence, Trelease explains the community consensus, noting that killing blacks was “simply not a punishable offense.”⁷

Historian W. Fitzhugh Brundage considers lynching to be one of the least understood forms of lawlessness.⁸ Scholars, the National Association for the Advancement of Colored People (NAACP), anti-lynching organizations, and politicians all defined lynching differently. Historians, however, have used the conditions agreed upon at the 1940 summit conference for their investigations on lynching before and after 1940. The conference was a result of controversy surrounding antilynching activist Jessie Daniel Ames’s campaign for a lynch-free year.⁹ The NAACP also sought to campaign against lynchings, but its approach contrasted with those of Ames and the Tuskegee Institute. The NAACP wanted to count a broader range of deaths as lynchings, focusing on lynching as a symbol of the wider issue of white racism. If lynching was narrowly defined as a particular type of murder, the NAACP contended that a lynch-free year would not necessarily mean a year free of “prejudice, brutality, and violence.”¹⁰ Using the Tuskegee Institute’s more narrow definition, Jessie Ames declared a lynch-free year from May 1939 to May 1940. The NAACP disagreed, claiming Tuskegee’s definition of lynching omitted secret assassinations or killings by law enforcement officers.¹¹ In order to resolve the controversy, the NAACP and Tuskegee agreed to a 1940 summit conference that decided that “there must be legal evidence that a person has been killed, and that he met his death il-

legally at the hands of a group acting under the pretext of service to justice, race or tradition,” in order to classify a murder as a lynching.¹²

Brundage also considers the common elements of lynchings. He claims mobs executed their victims without proof of guilt and believes the lynching of blacks was intended to “enforce social conformity and punish individuals.” Brundage asserts that all lynchings have a degree of community approval and complicity, whether it is “expressed in popular acclaim for the mob’s actions or in the failure of law officers to prosecute lynchers.”¹³

Meanwhile, Christopher Waldrep connects lynching to the Ku Klux Klan. He argues that “Ku Klux” is synonymous with lynch law and that “Klansmen designed their killings to look like lynchings, hoping to win community support by making it look like they already had it.”¹⁴ While modern historians have denounced the Ku Klux Klan as lynchers, “the implications of the powerful language [lynching] used to label the Klan have yet to be explored.”¹⁵

This paper will investigate the link between lynching and the murders committed by the Ku Klux Klan and vigilante groups during the Reconstruction Era. It will not redefine the act of lynching; rather, it will seek to further explore and broaden established qualifications. It will not argue that all murders committed during the Reconstruction era can be classified as lynchings, although there was a class of murders that were extralegal in purpose. Through exploiting claims of alleged black criminality, murderers saw violence as an application of justice. Using the conditions from the 1940 summit conference, the murders committed by the Ku Klux Klan and other vigilante groups suggest that lynching’s prevalence precedes the commonly accepted date of 1880. With this essay’s examination, it is clear how black progress became a matter of life and death.

The transcripts of the KKK hearings pose challenges to the historian. It is important to note that those testifying could commit perjury. In addition, it is critical to account for the political bias within the questioning and answering. Obviously, the historian can only read a transcript of the account and thus lacks the ability to see body language or hear tone. The background noise and chatter that could have affected the line of questioning or the words of a testimony are lost. The historian must also consider witness intimidation taking place outside of the hearings and at the hands of the Democratic representatives tasked with

questioning. These Democrats may have even had Klan connections, instilling an extra level of fear in their witnesses. In analyzing a primary source, especially these KKK hearings, one must account for the unwritten and the unsaid. Only through bias-conscious analysis can one truly understand these reports.

During the Reconstruction, southern white Democrats criticized the inefficiency of the government and the justice system. This criticism helped to promote the belief that extralegal measures were necessary to punish alleged black crime. The government was perceived as corrupt and illegitimate. Whites believed there was no true government and that power was in the hands of the carpetbagger and the scalawag who were both “using the former slave as an instrument.”¹⁶ Additionally, whites believed that judges were politically motivated and that Republican governors would pardon black criminals. The Ku Klux Klan believed laws and punishments for particular crimes were ineffective. If blacks were guilty of petty crimes, such as theft, the punishment was viewed as too insignificant to deter future crimes. Therefore, the Ku Klux Klan took responsibility for implementing justice through their violent attacks, typically telling their victims the reasons they or their family members were being confronted with. The Klan felt it needed to ensure that victims knew they were being punished for their alleged crimes against society and violations of the law.¹⁷ A prosecutor against the Klan, G. Wiley Wells, believed the most significant aspect of the Ku Klux Klan was its method of convincing the community that the person outraged “was guilty of crimes, was a terrible enemy to society, and that, in fact, it was a justice to society that the party was killed.”¹⁸

Theft was a common crime for which the Klan murdered alleged offenders. The white community’s collective anger with black thievery can be traced back to the antebellum South, when theft was a method of slave resistance. White owners punished slaves for stealing by whipping, branding, and hanging. After the Civil War, whites feared that blacks operated on the belief that what belonged to their former masters also belonged to them. Nedon L. Angier, Treasurer of Georgia, believed that the majority of violence committed by the Ku Klux Klan was in punishment for black stealing and pilfering. Angier claimed blacks were “very much addicted to stealing” and in effect, he could “hardly keep garden tools or chickens about [his] lot.”¹⁹ William W. Humphries Jr. of Mississippi testified to the amount of theft taking place in his neighborhood. While

“The confiscation of white property threatened the same white power structure as alleged black thievery. Like lynchers, the Ku Klux Klan acted under the pretext of service to justice, race, and tradition.”

he claimed to have no knowledge of any Ku Klux Klan outrages, his tirade clearly represents the motive behind certain Klan violence. Humphries Jr. was alarmed by the theft and hyperbolically claimed, “all the hogs in the country are being killed and stolen, cattle are being stolen and killed up, and I might say that the country is without stock.”²⁰ Humphries Jr. alleged that blacks were responsible for the thievery but purposely did not steal more than twenty-five dollars worth of property so they could not be sent to the penitentiary for petty larceny. While he assumed that a recent pattern of fewer thefts was due to better schools for black children, it was more likely that it was attributable to the Klan’s violence and intimidation. Nevertheless, his statements reflected the belief that alternative approaches were more successful in controlling and curbing illegal conduct than the justice system.

While the Ku Klux Klan primarily punished thieves by whipping, some were murdered. Hampton L. Jarnagin offered an example of such a murder when he testified about a man who was “found dead in the Tombigbee River.”²¹ The unnamed man had already admitted to stealing C.W. Moore’s horse. He was sentenced to prison, but was removed from jail and killed before he could serve his sentence. The Klan either distrusted the justice system or believed a harsher sentence should have been imposed upon the alleged criminal. Clearly, Jarnagin’s example of murder portrays the Klan as imposing extralegal “justice.” Additionally, the murder represented the protection of white tradition. Whites supported President Andrew Johnson’s effective rejection of the promise of “forty acres and a mule.” The confiscation of white property threatened the same white power structure as alleged black thievery. Like lynchers, the Ku Klux Klan acted under the pretext of service to justice, race, and tradition.

Moreover, arson posed a more severe threat to white property than thievery. Typical accusations posed by the Ku Klux Klan included blacks burning houses, barns, ginhouses, and sawmills. Even though the Klan itself was guilty of arsons, especially of schoolhouses and churches,

the act was seen as a crime only when committed by blacks. Unsurprisingly, the Klan also tended to sensationalize the threat of arson. Whites reasoned that setting fire to property was merely the first action toward burning entire communities. Joseph Herndon of South Carolina acknowledged fires in his county but pointed to white fears of the town being “laid in ashes.”²² Herndon also connected the burnings to Loyal League meetings, believing that the speeches at these meetings encouraged blacks to be more insolent. He criticized the governor for being “very liberal” in pardoning criminals, claiming his actions left the whites feeling insecure. Herndon eventually revealed the shooting of Anderson Brown by the Ku Klux Klan. Brown was said to be the “principal man” of the party responsible for arson.²³

Blacks were not the only victims of the Klan’s extrajudicial targeting, as the Klan was also willing to punish white men who were connected to alleged black crimes. Robert W. Shand testified to the murder of a white man named Owens, a “dangerous” man who was guilty of “organizing negroes.”²⁴ Owens was murdered by the Klan because of a note, allegedly in his handwriting, threatening to burn the house of Dr. Wade Fowler, although Shand could not recall any proof that it was Owens’s handwriting. It is possible that Owens was a target and posed a threat to the Klan, and that the Klan would use any excuse to eliminate him.

As lynching typically represented supposed dissatisfaction with the inefficiency or incompetence of the justice system, it is logical that many of those whom the Ku Klux Klan murdered for arson had already been indicted or convicted of a crime. Dr. Pride Jones of North Carolina spoke of barn burnings and implied that only the Klan had the ability to “prevent the further commission of crime.”²⁵ Jones alleged that it was particularly difficult to try men for offenses such as arson in the courts. He cited five hangings in the county; three of the five were for barn burnings, and two of the parties who were hanged had already been arrested for the crime. Jones also mentioned a common ritual of the Klan: the attachment of notes to those who

were hanged, including messages such as, “you are hung for barn burning.”²⁶ In his opinion, the sole purpose of the Klan was preventing crime and protecting whites, similar to the purpose of lynchers.

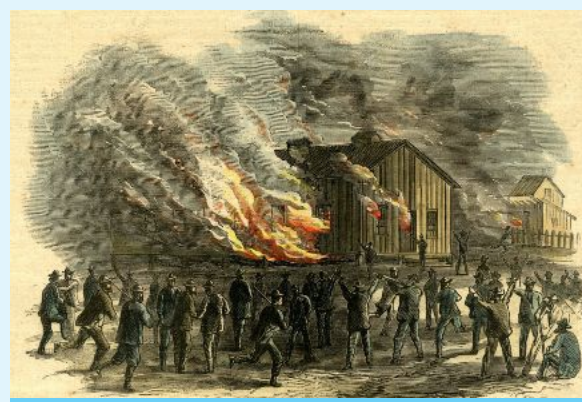
H.D.D. Twiggs, a judge from Georgia, spoke of two other murders in which blacks had already been arrested for the alleged crime of arson. He first mentioned the murder of a black man who was charged with the burning of a gin house and a mill and was in jail awaiting his trial.²⁷ The second murder Twiggs testified to was the killing of a man from a Sandserville jail who had been tried before a preliminary court for “arson in the night-time.”²⁸ The Klan shot the man and his body was found lying in a pond. In both of these cases, the Ku Klux Klan was able to obtain keys from jailers with little difficulty because they were unable to resist. Klansmen acquiring keys from jailers represents the literal taking of justice into their own hands. The Klan’s punishment of blacks for alleged arson was hypocritical, as evidence proves whites were equally guilty of arson. The overarching fear of a burned down town was associated only with arsons related to blacks. If a black man allegedly set fire to a gin-house, it was believed he would stop at nothing to burn the town. But, if a white man set fire to a church, it was seen as an act of justice. Like lynchers, the Klan reinforced and manipulated innate racism to justify their violence. While the Ku Klux Klan acted under pretext of tradition and justice when murdering for alleged arson, they primarily acted under a pretext of racial prejudice.

Similar to later lynchings, many of the Ku Klux Klan’s victims had violated the region’s racial codes by having relationships across the color line. Whites believed the purity of their race was at risk. Charles L. Stickney of Alabama argued that black women do not have “an appreciation of virtue that white persons have.”²⁹ Additionally, Nedon L. Angier testified saying, “Negroes have not been rightly trained morally.”³⁰ These two testimonies reflected a rampant fear of miscegenation. In his testimony, William Coleman mentioned the killing of Allen Bird, who was accused of “keeping a white girl.”³¹ Klansmen visited Bird in jail, beat him to death, and “shot a hole you could job your fist through.”³² Joseph Herndon of South Carolina testified of a man who was shot on the steps of his home for “living in adultery with two old maids -- two white women.”³³ Jasper Carter offered another example when he confirmed the murder of John Walthall. He carefully described the intricate torture that the Klan inflicted upon Walthall and his wife. Over the course of the attack, the Klansmen beat

their heads together, and Walthall was whipped three hundred times. Walthall, according to the Klan, was “always running after white women.”³⁴ During the attack, the Klan questioned when he was going to “sleep with another white woman.”³⁵

Black male victims were not the only ones who suffered from Klan violence in the punishment of interracial relations. Henry Lowther testified to the murder of Mat Deason, a white sheriff elected by the Republican Party who had a black woman for a wife. Deason was found with “five bullet-holes in his forehead” and the “back of his head was mashed in with a club.”³⁶ In addition, a black woman was killed, but Lowther’s testimony is unclear if this black woman was Deason’s wife. The sheriff, who was supposed to be an administrator of justice, was guilty of a severe societal transgression in the eyes of the Klan. White men could have intercourse with black women, but to marry or to live as husband and wife was against the code. Like lynchers, the Klan used its extralegal measures to maintain a racial hierarchy by ensuring the white race remained superior.

It’s important to note that the Klan was not consistent in its behavior, as racist-sexual etiquette only went one way. For example, Edward E. Holman and others testified about the murder of Solomon Triplett. Triplett’s former master, Jack Triplett, had children by Solomon’s wife. Jack Triplett “had an old grudge” against Solomon and his murder was Triplett’s way of “settling it.”³⁷ Holman also believed that the murder had to do with “putting him [Solomon] out of the way.”³⁸ In this case, the black man was not guilty of interracial relations. Rather, the white man had relations

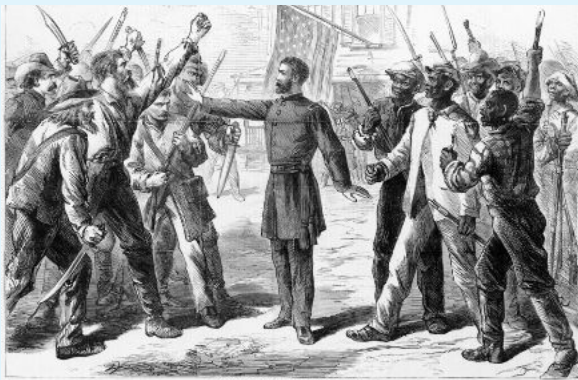


FREEDMEN’S SCHOOLHOUSE BURNS IN THE 1866 MEMPHIS RIOT (COURTESY OF WIKIMEDIA COMMONS)

with a black woman. The Klan, however, disregarded any notion of crime and left the white man untouched. Again, the Klan's actions are identical to those of lynchers, as they acted under pretext of tradition. During the time of slavery, it was common for white owners to have slave mistresses and to have children by them. Attempting to maintain an antebellum way of life was a driving motive of the Klan.

A more serious offense than interracial relations was rape, as an attack on white womanhood was also an attack on white manhood. Many black men lynched by the Ku Klux Klan were accused of raping or attempting to rape a white woman. Attacking a white man's wife or daughter was emasculating and deemed a capital crime. Nathan Bedford Forrest, believed to be the first grand wizard of the Klan, cited rape as one of the main reasons that the KKK formed.³⁹ Thomas M. Allen testified to the murder of a black man in Madison. He believed the man was murdered because he had attempted to rape a white girl. Additionally, Allen claimed that being sentenced to jail made it easier for the Klan to attack its victims, as "they would just go there and demand the keys from the jailer, and take him out and kill him."⁴⁰

Whites persistently contended that these rapes would continue if justice was not instituted.⁴¹ The Ku Klux Klan chose to be the bearers of "justice." In 1868, the Fayetteville Observer reported the lynching of an alleged black rapist. The newspaper described the lynching as "just and right."⁴² Additionally, it was reported that it was not known who committed the act, "whether the Ku Klux or the immediate neighbors, but we feel that they were only the instruments of Divine vengeance in carrying out His holy



A CARTOON OF FREEDMAN BUREAU HARPERS (COURTESY OF WIKIMEDIA COMMONS)

and immutable decrees."⁴³ John C. Norris told of one murder he had heard of because of an alleged rape. In 1866, a black man was accused of raping a sixteen-year-old white girl. The Ku Klux Klan tied the accused man to a stake and burned him to death before a thousand people, by Norris's estimates.⁴⁴ Not only did these murders by the Ku Klux Klan act under the pretext of justice, but they also acted without proof of guilt and with a degree of community support. The Klan used those accused of rape as scapegoats for wider proclamations of proven rape, stirring up fear in the community. The aforementioned murder is similar to lynchings of later years, referred to as spectacle lynchings. Sociologists Stewart Tolnay and E.M. Beck stated that spectacle lynchings involved "large crowds of white people, often numbering in the thousands" witnessing "pre-planned heinous killings that featured prolonged torture, mutilation, dismemberment, and/or burning of the victim."⁴⁵ Murders committed by the Ku Klux Klan for alleged rape included similar, and in some cases identical, characteristics of later lynchings.

The Ku Klux Klan also targeted blacks who threatened or attacked whites. Fears of a black uprising and of slave revolts existed in the antebellum South and even after the end of the Civil War, even though historian Eric Foner proves there were very few instances in which blacks attacked whites during those times.⁴⁶ Norris recalled the murder of Will Culver, who was shot to death because of an alleged incident between himself and a white man soon after the end of the war. Culver reportedly cut the white man across the face and was told that he would be killed "if he ever came back there."⁴⁷ Fines H. Little provides another example of murder for assault. Little discussed the murder of Joseph and Willis Flint. The Flints had originally been arrested for "an assault upon three white men" concerning the division of a corn crop.⁴⁸ One white man received a flesh wound on his shoulder. It was not likely the flesh wound that provoked the murder, rather the notion of assault on a white man.

Another act of Klan violence involved a man named Luke. Peter M. Dox testified to the killing of Luke because he had "instigated the negroes."⁴⁹ Whites feared that Luke's influence would cause blacks to "destroy their town [Cross Plains] and slaughter the people."⁵⁰ Dox claimed vigilantes executed Luke to appease those who did not want to wait for "the slow process of the law."⁵¹ The Ku Klux Klan perpetuated white perception of minor infractions as threats on their lives and acted as if they had no choice but to murder in the name of justice. Whites claimed they had an in-

efficient justice system in which it was impossible for blacks to be properly punished and threatened. Klansmen, like lynchers, used their murders to set a precedent for justice if a black were to assault a white.

Murders by the Klan for crimes of insolence are among the most shocking. Blacks who expressed their newly won rights and autonomy were simultaneously risking their lives. John C. Norris, who also testified to the aforementioned murder of Will Culver, testified to the murder of two black brothers. Norris could not provide any specific reason for their murder other than being “very bad negroes”⁵² and further defined this as blacks who “contended for their rights and were not much afraid.”⁵³ Being “very bad” does not necessarily mean a crime has been committed, but it seems that this status was a crime in and of itself in the Klan’s opinion. John M. Church divulged his known information of the murders of Dave Starrett, Lew McMillian, and Isaac Payne by stating that the three black men were publically shot and killed in the streets of Clarkesville. He claimed at least one man was killed because he had been drinking and “cutting up some there.”⁵⁴

Insolence was a broad term to classify black behavior that whites deemed unacceptable. Jefferson Falkner of Alabama argued that the mission of the Ku Klux Klan was “to get at persons who had been guilty of flagrant violations of law and public morals, especially where colored men had insulted white ladies.”⁵⁵ He cited one example of the murder of a black man, implying the reason as being insolent to a white woman. Thomas M. Graham offered an example of a man killed in his home for being a “bad man.”⁵⁶ This phrase was used to describe a black man who lived on a public road, had liquor, and was always surrounded by other blacks. Graham explained that the law would not adequately punish for offenses, such as vagrancy or liquor, which necessitated the extralegal measures taken by the Ku Klux Klan. Freedmen’s Bureau assistant commissioner, Thomas W. Conway, offered an accurate portrayal of vagrancy, stating, “A poor white man is deemed industrious till proved a vagrant; a poor black man is deemed a vagrant until proved industrious.”⁵⁷ The prevalence of poor black men likely means many were accused of and suffered the consequences of vagrancy.

It is difficult to understand how acts of insolence became crimes against the law. Mack Tinker identified the murders of Mike Dunn and Isham Ezell. Whereas the former was murdered because he “talked too much” and effectively threatened the Ku Klux Klan,⁵⁸ the latter was murdered

because of “a woman he took down” and for “cursing the white people.”⁵⁹ An Alabama overseer shot his black worker through the heart because the black man “gave him sarse [sic].”⁶⁰ The Texas Freedmen’s Bureau recorded the reasons for some of the one thousand murders of blacks by whites between 1865 and 1868. Reasons included not removing one’s hat, refusal to give up a whiskey flask, and using insolent language.⁶¹ An examination of alleged black insolence proves whites found any excuse to denounce blacks. In effect, the Ku Klux Klan used any reason to punish a black man or woman. As in later lynchings, whites of the Reconstruction era used murder as the extreme method of preventing and rejecting black progress and civil rights.

Not all murders committed by the Ku Klux Klan were lynchings. A majority of killings were strictly political in nature. For example, the murder of Jack Dupree, a president of a Republican club, was for a political purpose.⁶² Testimony states that Dupree had no other crimes charged against him besides being boisterous. Yet, even political assassinations could be linked to crimes: South Carolina Republican state senator Benjamin Franklin Randolph was assassinated, and an attack on Randolph was an attack on black suffrage, black schooling, and black autonomy. Randolph was “charged” with crimes of “misleading Negroes, alienating the two races, and advocating for social equality.”⁶³ It seems that being a Republican or advocating for radical policies was just as criminal as a black man refusing to yield the street to a white man.

Like many lynchers, the Ku Klux Klan was mostly able to elude legal justice. The inability to prosecute stemmed from community support for the Klan, Klan intimidation tactics, and the inherent secrecy within the Klan. With beliefs that criminal law in the country was not executed to the best of its ability and that too many people escaped punishment, whites saw organized vigilante justice as indispensable. The Klan represented the expeditious fix that whites yearned for, using extralegal methods of violence to properly implement “justice.” In his testimony, B.F. Tidwell of Florida implied that the community approved of Klan violence so long as parties were accused of crimes.⁶⁴ From what he understood, whites complained of “no law” and “no protection to their property” but chose to not invoke lawful ways to seek solutions.

The community was not only pleased with extralegal justice, but with the negative effects the Klan’s violence had on blacks in the economic, political, and social spheres.

“With beliefs that criminal law in the country was not executed to the best of its ability and that too many people escaped punishment, whites saw organized vigilante justice as indispensable.”

Whites supported Ku Klux Klan efforts in controlling black labor. For example, blacks were less likely to disrespect their white employers if there were looming fears of Klan retaliation. Southern white Democrats were not likely to seek prosecution of the Klan, as they benefited from the Klan’s results and effects. The Klan forcibly prevented and intimidated blacks from voting for the Republican Party. Votes not cast for the Republican Party were indirectly votes cast for the Democratic Party. Seeking a return to antebellum normalcy, whites supported any means, including Klan violence, of overturning the decisions of Radical Reconstruction. Whites supported any actions that resulted in less “provocative” behavior among blacks and that taught blacks their place. While blacks had won their freedom, it was difficult to express their newfound rights if it meant meeting death. There was simply no legal protection against the Klan.⁶⁵

Through their violence, the Ku Klux Klan was able to intimidate not only their victims, but also their communities. Fear of Klan retaliation was a deciding factor in reporting outrages. When studying statistics involving Ku Klux Klan violence, it is necessary to note that many outrages went unreported. In cases of murder, victims could not testify for themselves and reporting relied on hearsay and witnesses. A Webster Shaffer cites a pertinent example of a man who refused to provide his statement because his name would be associated with an accusation of the Klan’s whipping. Before he learned that his name would be mentioned in the report, he was willing to swear to the Klan’s illegality. Once he learned his name would be used, he feared that the Klan would “burn him out,” a customary Klan reaction to those who attempted to bring them to justice.⁶⁶ Trembling and frightened, he stated to Shaffer, “there were one hundred men that were whipped and mutilated and burned who did not report, to one who did.”⁶⁷ Klan members continued to evade justice in the Joint Select Committee’s hearings. William L. Saunders, Ku Klux Klan chief organizer, refused to answer any questions or acknowledge the existence of the Klan to avoid incriminating himself.⁶⁸

Klansmen went to great lengths to protect their identities. Costumes not only provoked terror, but also provided secrecy. Costumes typically included gowns and headpieces with matching disguises for their horses. Costumes could also include cheap facial cloth or animal horns, ears, and tails.⁶⁹ Andrew Cathcart testified to his experience during a Klan attack, recalling “every time I would look him in the face, he would slap me.”⁷⁰ If victims survived the attack, they would be more likely to report the outrage if they were able to positively identify their attackers. Even with name identification, it was difficult for accusations against a Klan member to hold up in court. During Cathcart’s testimony, Democratic representative Van Trump argued that knowledge of “shape and make” was not enough to prove guilt.⁷¹ Additionally, Van Trump contended that tempers, voices, and dress were also inaccurate methods of assigning guilt.

Southern Democratic congressmen helped Klansmen dodge prosecution. In the Joint Select Committee’s investigation, questioners were relentless in repeating similar or exact questions in the hearings. If there was even a slight inconsistency in the answers, the questioner would effectively repudiate the validity of the witness. Democrats also attempted to uncover political bias and/or party allegiances of those testifying. Van Trump questioned Spencer Snoddy, for example, about his political background and his history of “making speeches,” likely for a Union League or other Republican coalition.⁷² If a questioner could convince the committee that the testimony was fabricated for a political purpose, their statements would be disregarded.

When examining the reasons victims faced the Klan’s wrath and the methods whites used to defend the Klan’s actions, a pattern of extralegal violence emerges. The evidence proves that a certain sect of murders committed by the Ku Klux Klan during Reconstruction do, in fact, fit the 1940 definition of lynching. Some lynchings acted under the pretext of justice, others race, and some tradition.

More importantly, many lynchings done by the Ku Klux Klan acted of the pretext of all three.

Yet, lynchers did not view themselves as criminals. Lynching reflected a “corrupt popular will.”⁷³ Extralegal violence was seen as appropriate and necessary: it was deemed a right of the American people to combat an allegedly inept criminal justice system.⁷⁴ Lynchers used public support to elude prosecution. Christopher Waldrep, a scholarly expert on lynching, contends that community support is necessary to classify murders as lynchings. Waldrep does not define the Ku Klux Klan as a lynching organization, arguing that this classification depends on the level of white southern approval for extralegal violence. On the other hand, Waldrep does not argue that Klan killings were not lynchings: “Testimonies by the victims of Klan violence confirm its lynch-like character.”⁷⁵

W. Fitzhugh Brundage classifies four categories of lynch mobs based on size, organization, motivation, and extent of ritual. Lynch mobs are classified as terrorist mobs, private mobs, posses, and mass mobs. While specific Klan lynchings could be the work of posses and terrorist mobs, the majority of violence would have been enacted by private mobs and mass mobs. Lynchings done by posses were typically “public events that had the power to fuse entire communities,” unlike the secretive and night activities of the Klan.⁷⁶ Terrorist mobs were secretive and defended “traditional codes of morality,” similar to the Klan.⁷⁷ On the other hand, terrorist mobs were typically condemned and prosecuted, contrasting with the community’s reaction to the Klan.

Klansmen can be defined as private mobs. Private mobs enacted “private vengeance” for alleged criminal offenses and were adorned in costumes or disguises to uphold their clandestine nature.⁷⁸ They typically victimized those who had been charged with a crime but had not been yet punished by the community, especially those who were already in jail. Klansmen also encompass the qualities of mass mobs. Mass mobs were made up of hundreds who acted with local approval and “didactic aims” in their lynch-

ings.⁷⁹ Many of the lynchings done by mass mobs included mutilation, hanging, and burning. The Klan was most similar to mass mobs in their effect of “creating a climate in which other lynchings could seem legitimate.”⁸⁰ The Ku Klux Klan started the pattern of lynching that existed throughout Reconstruction and our country’s later years.

Justifications for the Ku Klux Klan’s extralegal violence parallel justifications for lynching. Most importantly, justification was centered on a belief that the Radical government did not provide a system to prevent and punish black criminality. Southern whites wished for the Klan to succeed in keeping blacks submissive and working. Southern whites were frightened by the possibility of racial equality and miscegenation. In their minds, society was literally black and white. Whites saw Reconstruction and black progress as apocalyptic and a degradation of the white race.⁸¹ A Mobile newspaper editor seethed “Whenever you determine that your ignorant, brutal, filthy, and licentious negro, has a right to obtrude into white people’s houses, in their church pews, theatre boxes, &c., you make an issue of instant life or death.”⁸² The Klan was referred to as “regulators” of law and was praised for intervening to punish alleged offenders.⁸³ Others believed the Klan should not be prosecuted, as it was the Klan, not the justice system, that maintained law and order. Reuben O. Reynolds of Mississippi claimed that common opinion was in favor of lynch law for any man who had committed a crime. Reynolds further stated that “it is not only reasonable, but probable,” that men should assemble for the specific purpose of lynching.⁸⁴ The Klan also claimed to be philanthropic in nature, helping impoverished Confederate widows and orphans, which helped gain support in the white community.⁸⁵

It is likely that community support for lynchings depended on the locality, ratio of blacks to whites, and the efficiency of the local government. The 1940 summit conference did not include community support as one of its qualifications for the classification of a murder as a lynching. Instead, the condition states that murders must have acted under pretext of service to justice, race, or tradition. Clearly, mur-

“New perspectives on lynching may draw new conclusions regarding segregation, the Civil Rights struggle, and race issues facing the nation now.”

ders committed by the Ku Klux Klan for extralegal purposes fall under the pretext of justice, race, and tradition. The Klan did not lack community support, but it is difficult to generalize the exact level of support that the organization had throughout the entire country. Hon. WM. W. Paine of Georgia claims that his community accepted the Klan's lynch law as it was done for the "purpose of having such depredations [alleged crimes] stopped."⁸⁶ During the Memphis riots of 1866, the community believed that murder and savagery were justified in the name of white civilization. There was little possibility of any public opinion that argued against the bloodshed of blacks.⁸⁷

Bryan Stevenson, the executive director of the Equal Justice Initiative, believes that our country has not yet "confronted the legacy of our history in a meaningful way."⁸⁸ If the end of the Civil War unleashed such an "unprecedented wave of extralegal violence," then why is the Reconstruction era continuously omitted from lynching reports and studies?⁸⁹ There is no doubting lynching's prevalence during the Reconstruction era; 1880 should no longer be the date that historians begin their research on lynching. By omitting such an influential era in recording our history, we are not only doing an injustice to the victims of Klan lynchings, but also an injustice to the study of history.

The Ku Klux Klan represents an embarrassing and painful time for our nation and therefore, the organization must be truthfully and accurately represented. The better we understand history, the better we understand the present. New perspectives on lynching may draw new conclusions regarding segregation, the Civil Rights struggle, and race issues facing the nation now. Remembering that lynching represents extralegal "justice," a better understanding of lynching's scope and history could prove helpful for searching for solutions to the fragmented and imbalanced criminal justice system. The Equal Justice Initiative's report on lynching mentions support for memorials. The Equal Justice Initiative contends that "public acknowledgment and commemoration of mass violence is essential not only for victims and survivors, but also for perpetrators and bystanders who suffer from trauma and damage related to their participation in systematic violence and dehumanization."⁹⁰ Acknowledging our history is the best mechanism for ensuring that our nation's mistakes do not repeat themselves.

ENDNOTES

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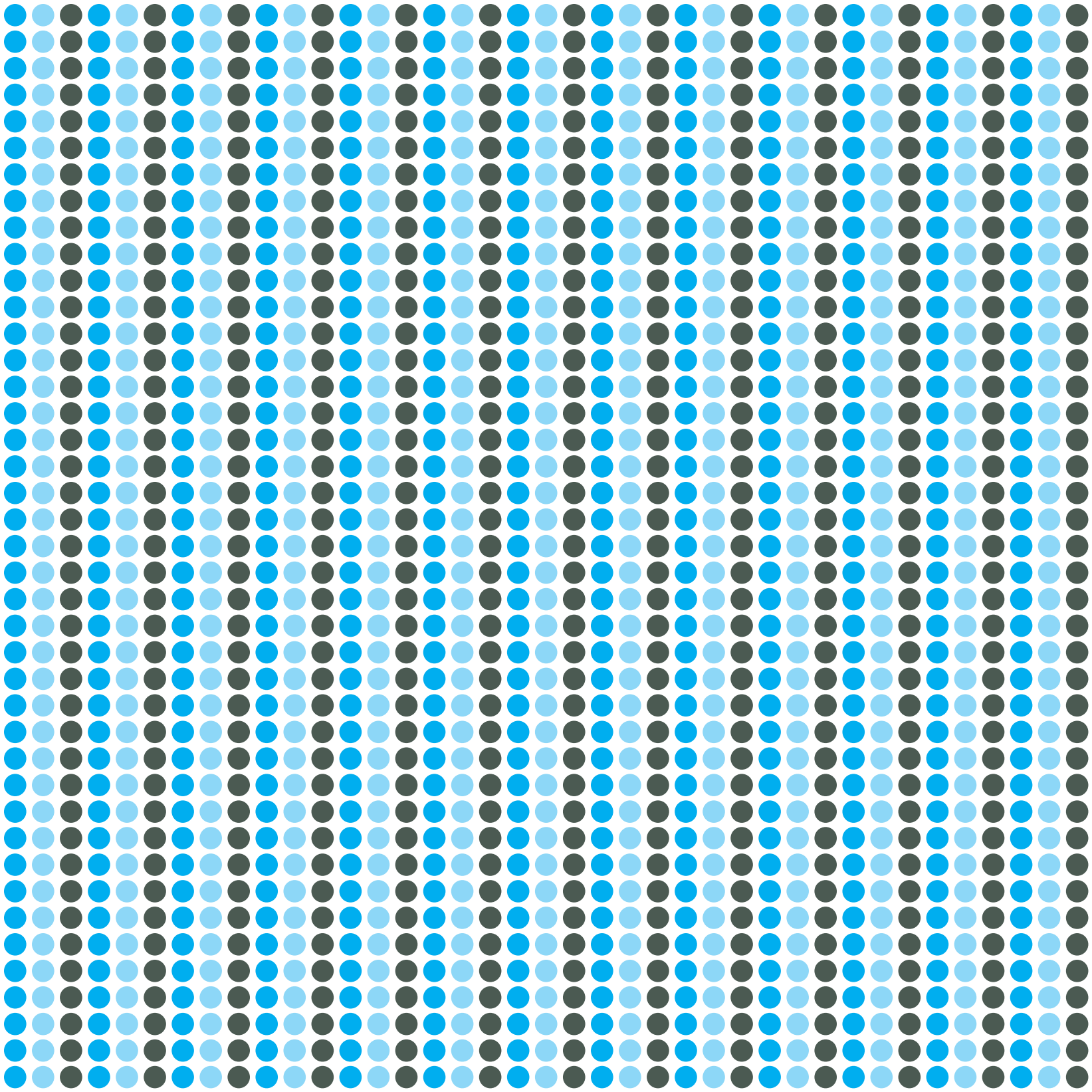
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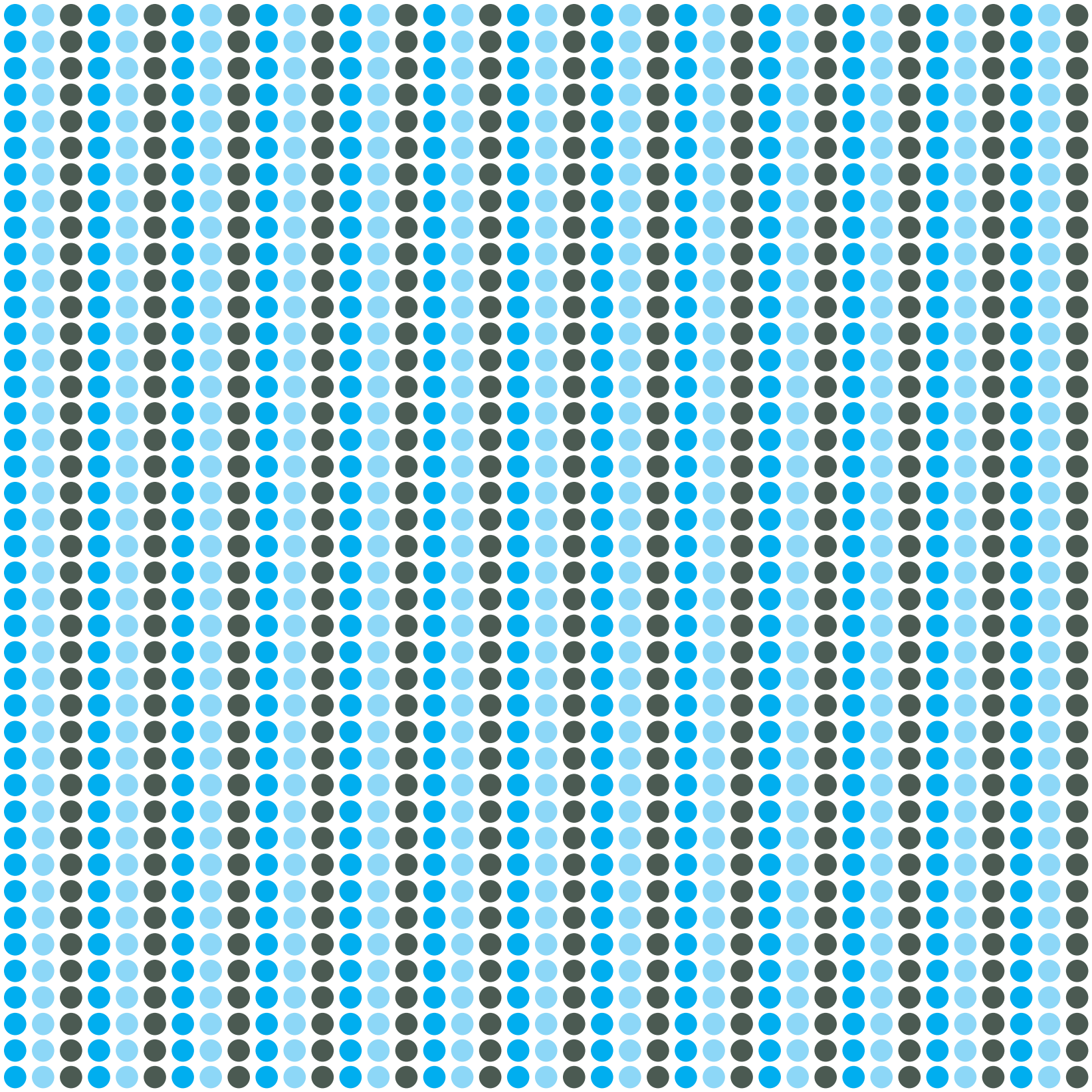
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MYTH OR TRUTH

The Apollonian and Dionysian in The Death of Ivan Ilyich

MADELINE LEDDY

IN *THE BIRTH OF TRAGEDY*, FRIEDRICH NIETZSCHE USES CLASSICAL GREEK TRAGEDIES TO BREAK DOWN THE HUMAN EXPERIENCE INTO TWO DICHOTOMIC CULTURES: THE APOLLINIAN AND THE DIONYSIAN. THE APOLLINIAN CULTURE REPRESENTS HUMANITY'S TENDENCY TOWARD ORDER, PATTERN, AND RATIONALISM, WHILE THE DIONYSIAN CULTURE REPRESENTS HUMANITY'S SIMULTANEOUS URGE TOWARD CHAOS AND EMOTIONAL INTUITION. WHEREAS CLASSICAL GREECE ALLOWED FOR BOTH TO COEXIST AND AUGMENT ONE ANOTHER THROUGH GREEK TRAGEDIES, WESTERN THINKING AND CULTURE ALLOWS FOR NO SUCH FRUITION; INSTEAD, WESTERN SOCIETY HEAVILY EMPHASIZES THE APOLLINIAN OVER THE NECESSITY OR ACKNOWLEDGEMENT OF THE DIONYSIAN. IN *THE DEATH OF IVAN ILLYICH*, LEO TOLSTOY TAKES THIS CULTURAL PRACTICE A STEP FURTHER, GIVING READERS A GLIMPSE INTO A SOCIETY THAT DENIES THE DIONYSIAN ENTIRELY. THROUGH THE DEMORALIZING DECLINE AND EVENTUAL DEATH OF IVAN ILLYICH, TOLSTOY SUGGESTS THAT REJECTING THE DIONYSIAN NOT ONLY OBSTRUCTS SOCIETY'S TRUE UNDERSTANDING OF HUMAN NATURE, BUT MAKES IT WHOLLY UNPREPARED TO HANDLE HUMANITY'S MOST ESSENTIAL TRUTH: ITS MORTALITY.

In *The Birth of Tragedy*, author Friedrich Nietzsche analyzes the beginnings of Greek tragedy in order to reflect on the nature of human society, particularly that of Western thinking. He claims that Greek tragedies—and Classical Greece in general—accomplished what contemporary society has yet to achieve, which is the synthesis of Apollonian and Dionysian culture. Whereas both Classical and Western thinking exalt humanity’s need and desire for order and rationalism (i.e., Apollonian culture), only Classical thinking respects the necessary chaos and emotional instinct (i.e., Dionysian culture) that must also be acknowledged to form a complete picture of the human experience. In his novella *The Death of Ivan Ilyich*, Leo Tolstoy exemplifies the consequences of glorifying the Apollonian at the expense of the Dionysian by portraying the slow and demoralizing death of his titular character Ivan Ilyich. The Apollonian culture of the story is so incognizant of Dionysian culture that it continuously disguises, and even rejects, the existence of human suffering and death. As a result, both Ivan and the people around him are unprepared, and largely unable, to face the harsh reality of mortality, adding much misery and fear to the end of Ivan’s life.

To begin, let me first set the stage by putting Nietzsche’s terms in their historical and cultural context. Nietzsche grounds the Apollonian/Dionysian dichotomy in the “excess of life” of Grecian culture from which the two symbolic godheads sprung. As opposed to the “moral eleva-



APOLLO (TOP) AND DIONYSUS (BOTTOM) (COURTESY OF FLICKR).

tion” of Christianity or other theologies, Olympians provided “nothing but the accents of an exuberant, triumphant life in which all things, whether good or evil, are deified.”¹ All characteristics of human life, all human impulses, were lauded and idolized in Classical Greek society, regardless of any moral judgment or reading of their worth. The deities were as complex, hypocritical, and prone to vice as any human being, leading Nietzsche to conclude, “thus do the gods justify the life of man: they themselves live it.”² With the gods of the day themselves representatives of humanity’s extremes, ordered Apollo and chaotic Dionysus were able to live as fundamental opposites without being in direct conflict. They could exist if not in harmony, then at least with mutual respect, allowing reason and instinct, order and disorder to hold the same amount of cultural weight. As a result, Greek society, and particularly Greek art, was able to foster an atmosphere in which both forces could exist as complements of each other, without the diminishment or invalidation of either.

Amidst this inclusive cultural climate, Nietzsche gave name to the two different, dichotomic subcultures at work. To understand the nature of the Dionysian culture, it is perhaps best to look at the ritualistic ecstatic dances and music that played during festivals in honor of Dionysus, the god of wine and fertility. As Greeks danced to the primal and rhythmic music of the festivals, losing themselves in the celebration, “all of nature’s excess in pleasure, grief, and knowledge became audible, even in piercing shrieks.”³ Nietzsche claims that through such festivals, the Greeks were able to acknowledge the integral and inescapable part chaos plays within human life. Rather than shy away from “the terror and horror of existence,” the Greeks willingly entered into a primal unity with it, where the most basic truths and instincts of nature and humanity were revealed. Nietzsche also concedes, however, that solely existing in such a “substratum of suffering and knowledge” ignores humanity’s additional impulses toward beauty and reason and would inevitably lead to death and pessimism.⁴ Just as Dionysus’ deification encouraged the emotional instinct and disorder of human life, Apollo’s prominence gave rise and validation to rationalism, beauty, and aesthetic order. Nietzsche writes, “Out of the original Titanic divine order of terror, the Olympian divine order of joy evolved through the Apollonian impulse toward beauty, just as roses burst from thorny bushes.”⁵ The Greeks understood that it is in the face of pain and suffering that humanity’s need for art and meaning becomes that much more intense, and that much more valued. Apollonian culture—including its

“Even life itself became the battleground on which the two halves of the dichotomy struggled, and continue to struggle, for total control. “

emphasis on self-knowledge, proportion, moderation, and beauty—is essential to balancing out the extremes of the Dionysian culture; it is the thing that makes life worth living, the “rapturous vision, the pleasurable illusion” humanity requires for “its continuous redemption.”⁶

Therefore, it is through the combination of the Apollonian artistic reason and the Dionysian impulse that the Greeks were able to produce the highest and truest of art forms: the Greek Tragedy. As Nietzsche writes, “the Dionysian and the Apollonian, in new births ever following and mutually augmenting one another, controlled the Hellenic genius.”⁷ Yet, this synthesis did not last. The “mutual augmentation” of the Apollonian and the Dionysian became more and more elusive in Greek tragedies, as each culture began to seek dominance over the other. Even life itself became the battleground on which the two halves of the dichotomy struggled, and continue to struggle, for total control. Nietzsche reflects, “And so, wherever the Dionysian prevailed, the Apollonian was checked and destroyed. But...it is equally certain that, wherever the first Dionysian onslaught was successfully withstood, the authority and majesty of the Delphic god exhibited itself as more rigid and menacing than ever.”⁸

It is exactly the latter of these realities that Tolstoy problematizes in his novella *The Death of Ivan Ilyich*, showcasing the need for both to exist in tandem. Through Ivan’s life, the reader is able to discern the Apollonian societal values he embodies. Ivan has one goal: to live life “just as life ought to go— easily, pleasantly, decently.”⁹ Within his personal life, Ivan seeks order, respectability, and polite pleasantness, as society expects of him. He enjoys marriage insofar as he enjoys the idea of marriage, while, at the same time, he appreciates the social status that accompanies it, thus “appealing to his superiors and their sense of propriety.”¹⁰ Yet, quickly he learns that marriage does not always fit that mold, as it does not “always mean enjoyment and decency, but...often disrupted them, and it was therefore necessary to guard against such disruptions.”¹¹ With the use of the delicate and polite word “disruption,” and the evasive structure of the sentence, Ivan textually

avoids naming or defining the problems in his marriage that stem from the Dionysian, therefore symbolizing society’s denial of its existence. Instead of recognizing and working through the chaos of marriage—intense emotions, erotic love, and even degrees of suffering—Ivan chooses to ignore them. They simply do not fit properly into society’s Apollonian conception of the union.

Just as the Apollonian dominates the Dionysian in his relationships and family life, so too does it control Ivan’s approach toward his work. Though Ivan works within the court system as a judge, he cares very little about justice, compassion, or truth. He enjoys his job because he enjoys the “knowledge of the power he wielded, the possibility of ruining anyone he fancied ruining,” afforded to him by a society that does not care about, nor is able to empathize with the suffering and chaos Ivan is employed to judge.¹² In fact, whenever faced with a potential breach of that strict order between the Apollonian and the Dionysian, “he felt strong enough...to reinstate the distinction between the official and the human by discarding the latter.”¹³ Though Ivan has the ability to connect with people on a more basic, empathetic level, he chooses to deny that Dionysian impulse; instead, he defines himself as the “official,” the embodiment of an ordered, rational Apollonian culture. Ivan is the “virtuoso performer,” always calculating and rationalizing, and as such he does not leave any room in his approach toward life to understand the irrationalism of his eventual suffering and death.¹⁴

Ivan is not alone in his inability to face mortality, however. Ivan’s friends and family also lack the capability to view Ivan’s misery outside of a self-centered, Apollonian lens. Throughout the latter half of the story, others around Ivan characterize his death and suffering as a “poison” and “oppression” affecting their lives; mortality is something entirely “indecent” and “unpleasant” that is somehow in his control, and, as his wife believes, “his fault.”¹⁵ Ivan realizes, “no one had any pity for him because no one had the slightest desire to understand his situation.”¹⁶ Because they have so relentlessly denied the Dionysian, they can only interpret his suffering and death as a break from the

Apollonian norm, rather than as a very natural and integral part of human life. Furthermore, instead of using Ivan's experience to contemplate their own mortality, they "otherize" his pain and suffering, depicting their unwillingness to understand the Dionysian impulse behind it, while perpetuating their continued inability to ever truly understand or empathize with it. As a result, Ivan's friends and family are only able to handle his impending death by rejecting its existence and significance entirely. To the very end of Ivan's life, they lie about the fundamental, human truth behind Ivan's suffering and death, "reducing the solemn act of his death to the same level as their social calls, their draperies, the sturgeon for dinner."¹⁷

The Apollonian culture is so ingrained into Ivan and the society around him that it is only in the last few moments of his life that he is able to face the Dionysian roots of humanity—suffering and death—and move past his crippling fear of death. After weeks of denial, Ivan begins to understand the emptiness of the Apollonian-centered life without the Dionysian to balance it out. He realizes, "This vindication of his lifestyle was holding him down, preventing him from moving on, and causing him the greatest suffering."¹⁸ Without the awareness of his inherent mortality, Ivan is unable to comprehend or move past the shock and supposed meaninglessness of his suffering. Thus, it is only when he faces his death, when he directly acknowledges his fear and then recognizes its uselessness, that he experiences his first moment of true joy; Ivan is finally able to exclaim "Oh bliss!"—just as the Greeks screamed in ecstasy in a similar recognition of the primal unity during Dionysian festivals.¹⁹

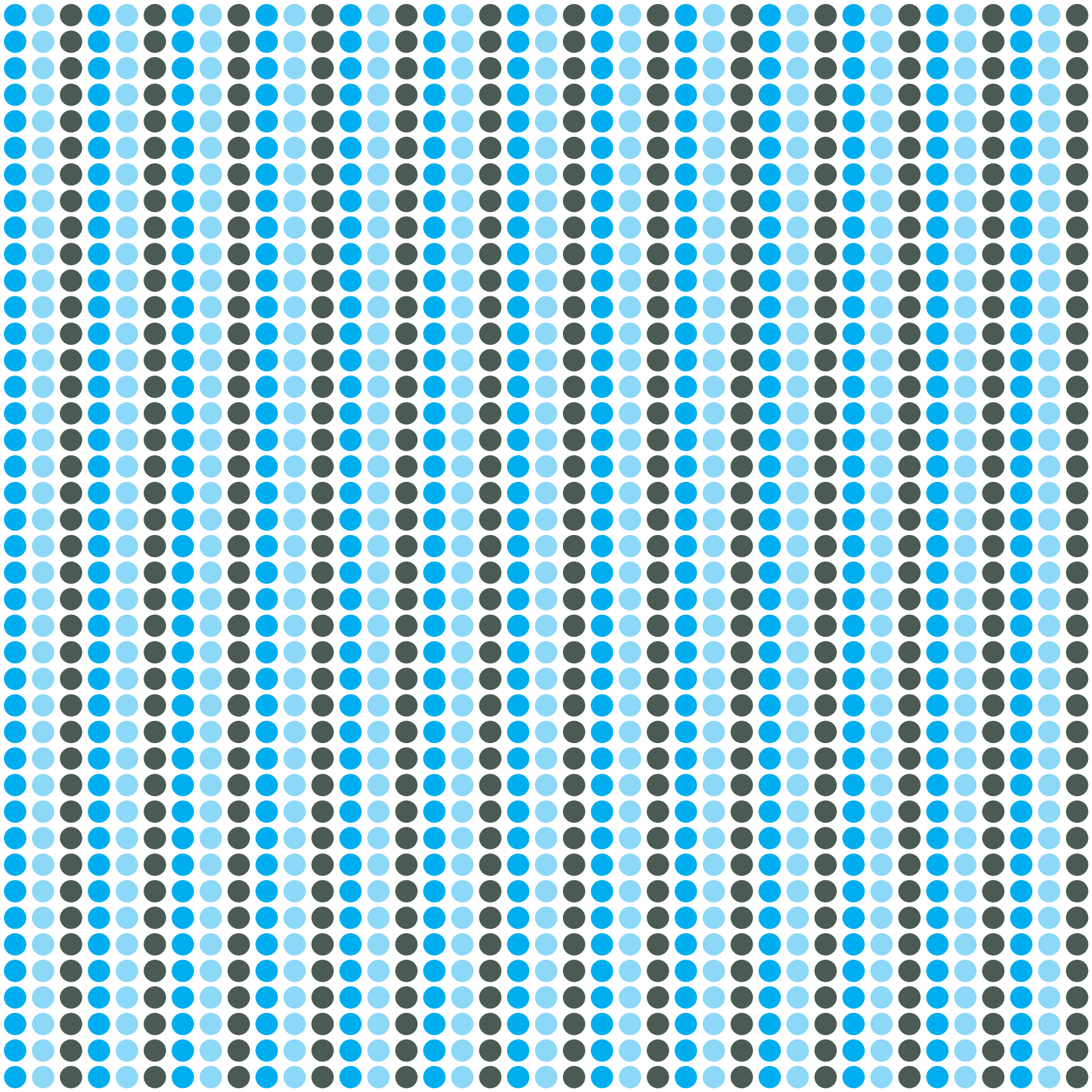
Yet, Tolstoy makes certain that he does not give us, the readers, any easy answers; we do not know, nor does Tolstoy give any guesses to the reason behind the "bliss," or the origin of the "light" Ivan sees in his final seconds for that matter.²⁰ Instead, Tolstoy abruptly forces us to enter into our own conceptions and imaginations of death and a potential afterlife to complete the picture, to round out Ivan's final experience. He compels us to ask ourselves if we have effectively reflected on our mortality, our Dionysian roots, enough to truly grasp the end of the book. As Nietzsche explains, it is only in the moment when we reconcile with the Apollonian and the Dionysian that we are truly able to learn any truth about humanity.

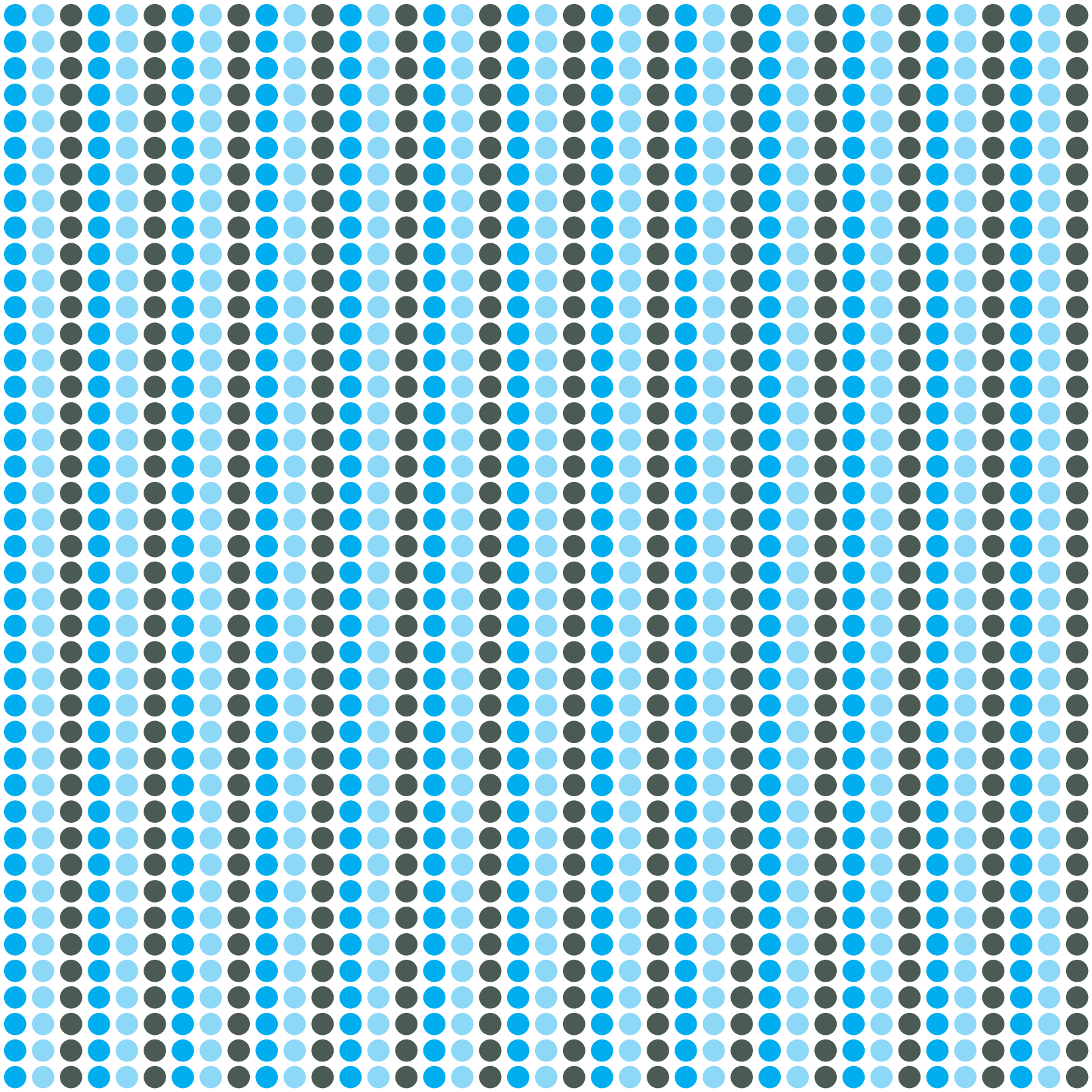
ENDNOTES

1. Friedrich Nietzsche, *The Birth of Tragedy*, trans. Walter Kauffman (New York: Vintage Press, 1967), 41.
2. *Ibid.*, 43.
3. *Ibid.*, 46.
4. Nietzsche, *The Birth of Tragedy*, 45.
5. *Ibid.*, 43.
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7. *Ibid.*, 47.
8. Nietzsche, *The Birth of Tragedy*, 47.
9. Leo Tolstoy, *The Death of Ivan Ilyich*, trans. Ronald Wilks et al., (London: Penguin Books, 2008), 179.
10. *Ibid.*, 170.
11. *Ibid.*, 171.
12. Tolstoy, *Death of Ivan Ilyich*, 173.
13. *Ibid.*, 179.
14. *Ibid.*
15. Tolstoy, *Death of Ivan Ilyich*, 187, 188, 196.
16. *Ibid.*, 199.
17. *Ibid.*
18. *Ibid.*, 216.
19. Tolstoy, *Death of Ivan Ilyich*, 217.
20. *Ibid.*

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- Nietzsche, Friedrich. *The Birth of Tragedy*. Translated by Walter Kauffman. New York: Vintage Press, 1967.
- Tolstoy, Leo. *The Death of Ivan Ilyich*. Translated by Ronald Wilks, Anthony Briggs, and David McDuff. London: Penguin Books, 2008.





EXTRA POINT UNDER REVIEW

Machine Learning and the NFL Field Goal

JAMES LEDOUX

THE NEW NFL EXTRA POINT RULE FIRST IMPLEMENTED IN THE 2015 SEASON REQUIRES A KICKER TO ATTEMPT HIS EXTRA POINT WITH THE BALL SNAPPED FROM THE 15-YARD LINE. THIS ATTEMPT STRETCHES AN EXTRA POINT TO THE EQUIVALENT OF A 32-YARD FIELD GOAL ATTEMPT, 13 YARDS LONGER THAN UNDER THE PREVIOUS RULE. THOUGH A 32-YARD ATTEMPT IS STILL A CHIP SHOT TO ANY PROFESSIONAL KICKER, MANY NFL ANALYSTS WERE SURPRISED TO SEE THE NUMBER OF EXTRA POINTS THAT WERE MISSED. SHOULD THIS REALLY HAVE BEEN A SURPRISE, THOUGH? BEGINNING WITH A REPLICATION OF A STUDY BY CLARK ET. AL, THIS STUDY AIMS TO EXPLORE THE WORLD OF NFL KICKING FROM A STATISTICAL PERSPECTIVE, APPLYING ECONOMETRIC AND MACHINE LEARNING MODELS TO DISPLAY A DEEPER PERSPECTIVE ON WHAT EXACTLY MAKES SOME FIELD GOAL ATTEMPTS MORE DIFFICULT THAN OTHERS. ULTIMATELY, THE GOAL IS TO GO BEYOND THE PREVIOUS RESEARCH ON THIS TOPIC, PROVIDING AN IMPROVED PREDICTIVE MODEL OF FIELD GOAL SUCCESS AND A BETTER METRIC FOR EVALUATING PLACEKICKER ABILITY.

DATA SELECTION

The data used in this experiment comes from Armchair Analysis, covering every field goal attempted from the 2000 through 2013 seasons, roughly 14,000 attempts in total. It contains the binary outcomes of field goal attempts, atmospheric conditions at kickoff time (temperature, precipitation, humidity, wind speed), and various situational variables, such as kick distance, time left in the game, the game's score, and whether the kicker was iced. While there is no way to predict probability with perfect precision, the size of this data set allows certain models to form predictions that are reasonably close to the true value on this 0-to-1 scale of make or miss.

Here is an overview of the most significant information in the data set:

Distance:

Distance is the most important variable in this data set. The distances in the data range from 18 to 76 yards, with the inner quartile range being from 25 to 45 yards, and the median distance being 37 yards. The distribution of distances in the data set is more or less uniform from 20 to 50 yards, but sparse beyond 55.

Stadium Factors:

The data also includes the stadium in which the kick took place, whether it took place on turf or natural grass, and whether this happened at a home or an away game. Most of these situational factors proved insignificant, and specific stadiums were not included in the final models. There was, however, significant proof to support the much-discussed "Mile-High Effect," under which kickers experience significantly increased range capabilities while playing in the high altitude of the Denver Broncos' Mile High Stadium.

Climate Factors:

Among the climate factors measured were temperature, humidity, wind speed, and precipitation. The distributions of these factors are presented below:

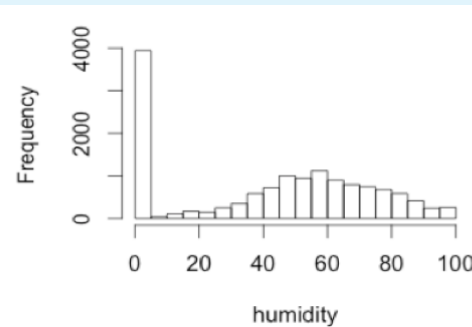


FIGURE 1. TEMPERATURE DISTRIBUTIONS IN THE DATA

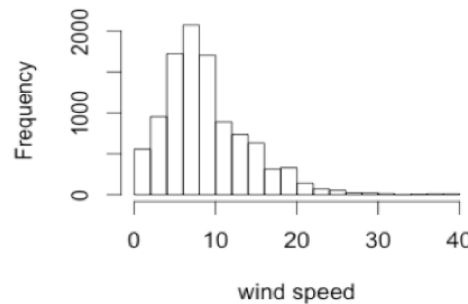


FIGURE 2. WIND DISTRIBUTIONS IN THE DATA

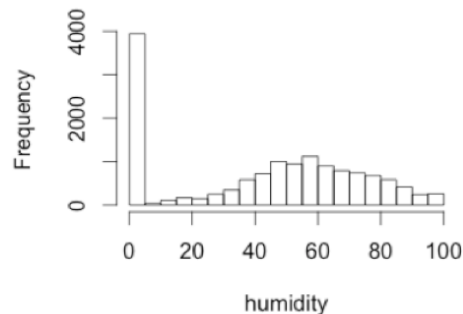


FIGURE 3. HUMIDITY DISTRIBUTIONS IN THE DATA

Given these distributions, I carried out similar feature engineering to that done in the Clark paper, creating a binary "cold" dummy variable for temperatures under 50°F, a "windy" variable for wind speeds greater than 10 mph, and a "humid" one for humidities greater than 60%. The cold and windy dummy variables are useful because both wind speeds and temperatures vary throughout games, while the measurements in this data set are only those recorded

at kickoff time. Converting these measurements to categorical variables limits the number of cases that are misclassified due to this limitation in the data set. It should be noted that I do, however, use continuous temperature as a variable in certain later models, with temperatures typically being stable within a reasonable range to make the continuous variable useful despite its time-of-measurement flaw. Humidity was not significant in any of the models, and was dropped.

Also noteworthy is that the data set contained a variety of classifications for weather conditions such as “rain”, “snow”, “light rain”, “stormy”, “foggy”, “clear”, and so on. To reduce the ambiguity, I lumped all rain and snow-containing conditions into a single dummy variable called “precipitation.” Of this, the set has 847 instances with precipitation, and 13,144 without.

There were many other variables to test in the data set, but these proved to be the most important to the end-models. The individual effects of each of these variables on the final predictive models can be seen in the appendix, exhibit B.

BINOMIAL LOGISTIC REGRESSION MODELS

The first model I tested was a logistic regression model, replicating that used by Clark et al., and experimenting with some slight adjustments.

Logistic regression is a non-linear translation of the standard MLR function, measuring probability between the only two possible field goal outcomes of a make and a miss (1 and 0). This probability is calculated by the function displayed at the bottom of this page.

The Clark paper removes all regressors not statistically significant at the 5% level (P value < .05). This leads it to only include distance and a series of environmental factors, omitting all situational ones such as point spread, the kicker being iced, the home field, and etc. I tested three models, the first being a perfect replication of the Clark model, the second including the icing of the kicker, and the third including statistically significant home-field advantages.

Variable	Coefficient	Std. Error	P-Value
Intercept	5.5232	0.1215	0.0000
Distance (yards)	-0.1024	0.0027	0.0000
Cold (<50°F)	-0.2430	0.0690	0.0004
Precipitation	-0.3205	0.0944	0.0006
Windy (≥10 mph)	-0.2040	0.0509	0.0000
Turf	0.2809	0.0487	0.0000
Altitude (≥4000 ft.)	0.6068	0.2709	0.0250

TABLE 1. CLARK REPLICATION REGRESSION OUTPUTS

Model 1: Clark Replication

My first task was to replicate the Clark study with more recent data. Clark’s model uses data from 2000-2011, so I replicated this with the 2012 and 2013 seasons included to see if there were any significant changes. The coefficients were all close to those from the original study, and each of the variables either became more significant or remained the same. The outputs are shown in Table 1 and can be compared to the originals in exhibit C.

Model 2: Icing the Kicker

After replicating the study, I included the variable of icing the kicker. This is a binary variable equal to one when the opposing team had called a timeout just before the field goal was attempted in a potentially game winning or tying situation, and equal to zero in all other cases. This was excluded in the Clark model because it did not meet the significance level of 5%. Although this is still the case in my model, I argue that a 9.1% significance level is sufficient

$$P(\text{make} = 1) = \frac{1}{1 + e^{-(\beta_0 + \beta_{\text{dist}}X_1 + \beta_{\text{cold}}X_2 + \beta_{\text{precip}}X_3 + \beta_{\text{windy}}X_4 + \beta_{\text{turf}}X_5 + \beta_{\text{altitude}}X_6 + \beta_{\text{iced}}X_7)}}$$

“Field goal kicking, however, being the isolated component of play that it is, has the potential to be one of the first great leaps in the quantification of the ways that coaches, scouts and fans view the game.”

for a binary variable such as this one, given the importance of icing kickers to the outcomes of games. This model is discussed in greater detail below.

Model 3: Home Field Advantages

For model 3, I regressed all of the previously mentioned variables as well as the individual stadium dummies on field goal outcomes in order to see which home fields were the most significant. I then iteratively removed the least significant stadiums until I arrived at a list that met the 10% significance level, relaxing my significance levels slightly in order to get a better view of home field advantages in the data set.

The stadiums that were significant at the 10% level and their coefficients are: Adelphia Coliseum (-.3567), Giants Stadium (-0.5444), Network Associates Coliseum (-0.6063), Paul Brown Stadium (-0.2335), Ralph Wilson Stadium (-0.3736), Texas Stadium (-0.3096), and Veterans Stadium (-0.1536).

The reason most stadiums were insignificant appears to be the high correlation between many stadiums and their associated weather conditions. Lambeau Field, Soldier Field, and Gillette Stadium, for example, were all storied stadiums with reportedly difficult crowds to play against. These stadiums also, however, have high levels of precipitation and historically cold temperatures. This problem with collinearity led me to discard this model altogether, with the intuition that each stadium dummy is going to be highly correlated with its home-city's climate conditions and the type of surface of its playing field.

Of the three logistic regression models tested, I found the second model, with icing the kicker included, to be the most useful. Though it does not quite meet the same standard of significance as the Clark model, the importance of icing the kicker and the explanatory power it offers in game-winning and tying scenarios—one of the most enticing times to use such a model—makes this a worthwhile

sacrifice. Additionally, one sub-10% significance level is certainly not problematic in a model such as this one, where everything else meets a high standard of proof.

With this established as my model of choice, the regression output is as follows:

Variable	Coefficient	Std. Error	P-Value
Intercept	5.5089	0.1361	0.0000
Distance (yards)	-0.1026	0.0030	0.0000
Cold (<50°F)	-0.2170	0.0780	0.0053
Precipitation	-0.3264	0.1062	0.0021
Windy (≥ 10mph)	-0.1730	0.0573	0.0025
Turf	0.3301	0.0548	0.0000
Altitude (≥ 4000ft)	0.8225	0.3213	0.0104
Iced	-0.1730	0.1024	0.0913

TABLE 2. MODEL 2 REGRESSION OUTPUT

When tested against data it had not seen before, here is the layout of the model's predictions measured against their distances:

Figure 4 shows that the presence of the various environmental factors and the icing of the kicker creates a considerable spread in field goal difficulties, even within the same distance-levels. A 50-yard field goal, for example, can

have anywhere between a 41 and 72 percent probability of success given this wide array of non-distance factors.

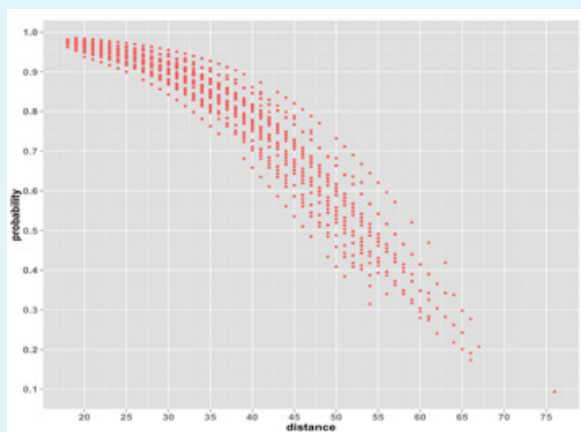


FIGURE 4: LOGISTIC REGRESSION MODEL PREDICTIONS (PROBABILITY THAT A FIELD GOAL IS SUCCESSFUL). FOR A LARGER VIEW, SEE EXHIBIT D

CONSIDERING FIELD GOAL DIFFICULTY WHEN RATING KICKER ABILITY

The most common metric used to evaluate kicker performance is “make percentage.” While this is an acceptable surface-level measurement, it makes the false assumption that all kicks are created equal, which is simply not the case. Based on team strategy and quality, some kickers may attempt a greater portion of their field goals from longer distances than others. Also, due to climate factors, a kicker in New England will typically have a more difficult job than one in Oakland, all other variables held equal. Because of factors such as these, make percentage is a lacking metric; a statistic taking field goal difficulty into account would tell a deeper story.

Such a metric can be formed using the logistic regression model created above. To do this, one simply takes the difference between each field goal’s outcome (0 for miss, 1 for make) and its predicted probability of success, as determined by the model, and multiplies this by 3, the number of points that the field goal is worth if successful. This creates a “points added” metric, showing the number of points that the kicker has generated for his team above the expected value, or, in other words, the value that the kicker has created above that which would be generated by a perfectly average replacement. This standardized-points measure punishes kickers greater amounts for missing “easy”

field goals than it does difficult ones, overcoming the shortcomings of using the make percentage statistic alone.

$Points\ Added = (\text{field goal success} - \text{probability of success}) \times 3$. This metric, measuring field goal outcomes against their difficulty level, will provide an unbiased assessment of a kicker’s skill.

Who are the best kickers of the modern era?

Using this statistic, one can determine not only who have been the best kickers of the modern era, but also the most underrated, taking the difference between kickers’ rankings according to the points-added statistic and those determined by make percent.

Kicker	Points-Added Per Attempt	Pct. Made	Points-Added Rank	Percent Rank (FC%)	Degree Underrated	Attempts (2000-2013)
Justin Tucker	0.372615842	0.923	1	1	0	78
Dan Bailey	0.304864407	0.908	2	2	0	98
Kai Forbath	0.30107944	0.875	3	4	1	40
Blair Walsh	0.282920419	0.898	4	3	-1	69
Greg Zuerlein	0.198175934	0.830	5	24	19	59
Rob Bironas	0.19545974	0.855	6	10	4	283
Connor Barth	0.187260008	0.841	7	19	12	120
Robbie Gould	0.166262695	0.863	8	7	-1	278
Steven Hauschka	0.15511815	0.872	9	5	-4	125
Dan Carpenter	0.145006194	0.838	10	21	11	192

TABLE 3: BEST KICKERS BY POINTS ADDED, FG%, AND DEGREE UNDERRATED

Sebastian Janikowski and Stephen Gostkowski are two of the great stories of this metric.

Gostkowski is widely touted as the best kicker in the game today. Much of his praise is well earned: he is consistently among the most accurate kickers in the NFL as measured by field goal percent (in the two most recent seasons not in this data set, he scored on 94.6 and 91.7% of his attempts). However, Gostkowski also plays for the high-powered New England offense, and part of his high make percentage appears to result from him being set up for large amounts of easier field goals. Because of this, while he is ranked 8th in field goal percentage, he is only 23rd in points-added, making him overrated by 15 positions on the list. Granted, given his successful 2014 and 2015 seasons, it is likely that these ranks have improved since 2013.

Kicker	Points-Added Per Attempt	Pct. Made	Points-Added Rank	Percent Rank	Degree Under rated	Attempts
John Carney	-0.031961265	0.829861111	42	25	-17	288
Garrett Hartley	-0.046479034	0.825688073	46	29	-17	109
Mike Vanderjagt	0.032939242	0.850961538	28	12	-16	208
Stephen Gostkowski	0.047780284	0.859848485	23	8	-15	264
Gary Anderson	0.013872664	0.844262295	31	16	-15	122
Morten Andersen	-0.021497815	0.82967033	41	26	-15	182
Matt Bryant	0.034029428	0.848387097	27	14	-13	310
Matt Stover	0.069996328	0.868656716	17	6	-11	335
Mike Nugent	-0.061526922	0.8125	48	37	-11	208
Lawrence Tynes	-0.092412104	0.805555556	53	42	-11	252

TABLE 4: WHO IS MOST OVERRATED? (RANKED HIGHER BY FG% THAN BY POINTS ADDED)

Kicker	Points-Added Per Attempt	Pct. Made	Points-Added Rank	Percent Rank	Degree Under rated	Attempts
Sebastian Janikowski	0.094237196	0.801339286	14	44	30	448
Randy Bullock	-0.021045149	0.742857143	40	63	23	35
Caleb Sturgis	0.01259131	0.764705882	32	54	22	34
Josh Scobee	0.064687163	0.808118081	19	40	21	271
Greg Zuerlein	0.198175934	0.830508475	5	24	19	59
Connor Barth	0.187260008	0.841666667	7	19	12	120
Dan Carpenter	0.145006194	0.838541667	10	21	11	192
John Kasay	0.122759211	0.838509317	11	22	11	322
Ryan Succop	0.043994456	0.813333333	25	36	11	150
Mason Crosby	0.001348368	0.794354839	36	47	11	248

TABLE 5: WHO IS THE MOST UNDERRATED? (RANKED HIGHER BY POINTS ADDED THAN BY FG%)

Janikowski, on the other hand, plays for the woeful Oakland Raiders, who have struggled offensively throughout the past several seasons and relied greatly on Janikowski's powerful leg during the period tested. As a result, he was set up with a disproportionately high amount of long field goal attempts, and his 80% field goal accuracy from 2000-2013 (ranked 44th) does not tell the full story of his impact. Due to his ability to convert from 50+ yards, his points-added score is quite high at .09/attempt, making him underrated by 30 positions on the list.

Who had the best seasons?

Finally, one can also use this statistic to measure which

kickers have had the greatest impacts on individual seasons. Taking the sum of a kicker's points added by year gives his total points added for each season, showing exactly how valuable a kicker was to his team each year. Here are the greatest single-season performances according to this measurement:

Kicker	Season	Team	Points Added	Season Attempts
Neil Rackers	2005	ARI	19.684	42
Sebastian Janikowski	2009	OAK	18.926	29
Sebastian Janikowski	2011	OAK	17.371	35
Mike Vanderjagt	2003	IND	16.595	40
Steven Hauschka	2013	SEA	15.781	43
Justin Tucker	2013	BAL	15.726	41
Stephen Gostkowski	2013	NE	15.591	42
Rob Bironas	2011	TEN	15.340	32
Phil Dawson	2013	SF	15.161	42
Blair Walsh	2012	MIN	14.574	39

TABLE 6: WHICH KICKERS HAVE THE GREATEST IMPACTS ON INDIVIDUAL SEASONS

All of the above kickers were crucial to their teams' offenses these seasons. As you can see, one reason many people appear on this list is high kick quantity, which is to be expected – kickers who are relied upon more heavily have increased chances of accumulating points-added for their teams. This makes it all the more impressive that Sebastian Janikowski's 2009 season makes number two on this list with only 29 attempts. Although the Raiders were a losing team this season, they would have been far worse off had it not been for Janikowski bailing out their poor offense from beyond the 50 yard line multiple times over, netting an additional 19 points that the Raiders would not have secured with a replacement kicker.

IMPROVING PREDICTIONS WITH MACHINE LEARNING

Finally, while there is a great deal to be learned from the logistic regression model and the measurements that follow from its predictions, I could not resist the temptation of taking this a step further to see what additional insight machine learning models could provide in this situation. Using the same data, I tested random forest, neural network, multiple linear regression, and hybrid models to see how they fared against the logistic regression benchmark.

Random Forests

A “random forest” is an ensemble-learning algorithm that uses a resampling method called “bagging” to take a single data set and break it into several overlapping sets. With one data set now broken into many, the algorithm can train an entire “forest” of decision trees rather than just one, and uses the output of each tree as a “vote” toward what the forest’s output should be. By taking the average of the many “decision trees” outputs, the random forest model achieves a lower model variance than an individual decision tree while maintaining a similar level of bias, meaning that it is both more stable and equally accurate. In this case, however, the random forest underperformed the other models tested, and did not prove useful for prediction improvement. This may be due to a combination of unreliable measurements in the explanatory variables and the fact that the majority of explanatory variables were categorical rather than continuous, restricting the decision breaks available to the forest. Additional methods that could be tested for improving this model are breaking continuous variables into buckets rather than binary variables, and further tuning the parameters for tree depth and number of observations required per leaf node.

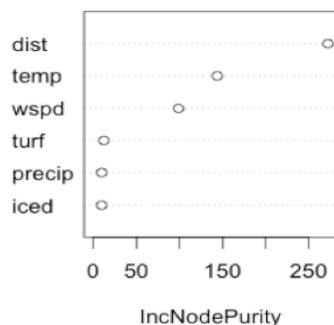


FIGURE 5: RANDOM FOREST FEATURE IMPORTANCES

Neural Networks

Neural Networks were the next type of model tested. This class of model loosely imitates the structure of neurons in the brain, beginning with one node per variable in the outer layer, a number of “hidden” nodes in the inner layers, and then an end node for the model’s output. The model uses logistic activation functions to determine which nodes in the network will activate, and assigns network weights between nodes that determine its output. The network uses a backpropagation algorithm to determine the optimal weights between its nodes, which allows it to improve the accuracy of its outputs. These models have gained a great deal of support in machine learning for their ability to gain deep insights on the patterns within data.

Although I tested deeper networks, this simple $7 \times 3 \times 1$ network proved most effective:

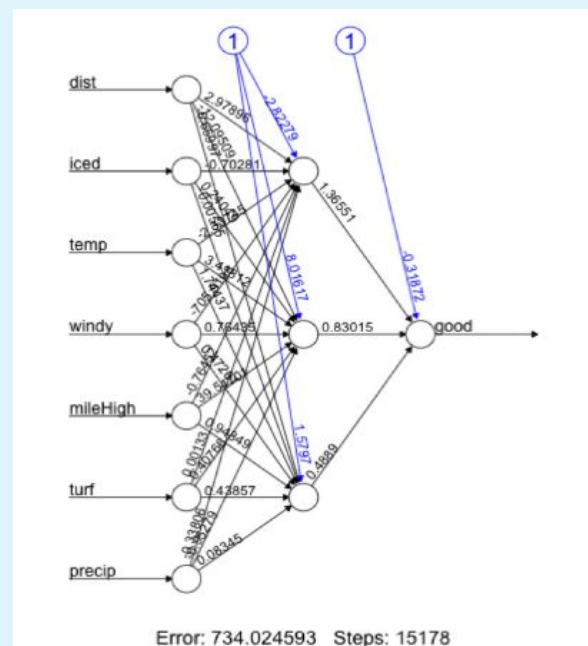


FIGURE 6: $7 \times 3 \times 1$ NEURAL NETWORK ARCHITECTURE

While this was by far the most time consuming model to train and implement, it also yielded the best results of any individual model tested. This model’s success was likely due to its allowance for flexible interactions between features. Whereas a linear model such as a logistic or linear

regression applies a single function to transform input features into outputs, the neural network has intermediary hidden layers that allow features to interact before being transformed into an output. The result is a model that learns its own features, as opposed to other models which are constrained to the features that a user feeds them. The slow learning of this model, however, poses a significant problem for testing and improvement, making parameter-tuning and model evaluation methods such as cross validation time consuming in the absence of improved computing resources.

Multiple Linear Regression

Finally, I tested a multiple linear regression model. Because of the logistic nature of the relationship between distance and field goal difficulty (the difference between the difficulty of a 55- and 65-yard field goal difficulty is much larger than that between a 25 and 35-yard attempt), simply throwing all the above variables into a standard MLR model will not fit the data well. Adding the log of the distance into a model with all of the previously used variables, however, yielded quality results, with an MSE measurement beating that of the random forest model and the original Clark logistic model. This MLR model allows for the non-distance variables to be linear intercept variables, and also makes for the highest ease of interpretation of all the models used, using the standard MLR model at the bottom of the page. Table 7 shows the regression output.

Different Models, Different Predictions

It should not come as a surprise that different models yield slightly different predictions. The regression outputs and error measurements mentioned up until this point in the paper, however, do not display model patterns well. Because distance is such a strong predictive factor in this particular set of models, simply showing probabilities graphed against distance seems to do the trick for illustrating probability patterns. The final models are displayed in Figures 7, 8, 9, and 10.

And the winner is...

While logistic regression is the standard for probabilistic measurements such as this, it was not the most precise of those tested. The best performing model in this situation is actually one that has not been mentioned yet. While the neural network performed best among all the models al-

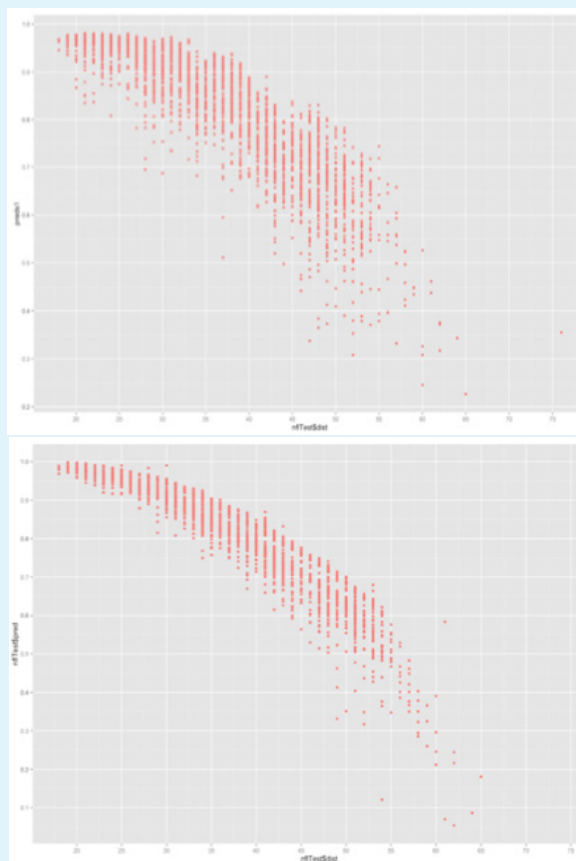


FIGURE 7 (TOP): RANDOM FOREST

FIGURE 8 (BOTTOM): NEURAL NETWORK

Variable	Coefficient	Std. Error	P-Value
Intercept	-0.3806	0.2146	0.0762
Distance (yards)	-0.0318	0.0024	0.0000
ln(distance)	0.6473	0.0850	0.0000
Temp (°F)	0.0008	0.0002	0.0001
Precipitation	-0.0398	0.0147	0.0069
Windy (≥ 10mph)	-0.0222	0.0076	0.0037
Turf	0.0417	0.0070	0.0000
Iced	-0.0272	0.0146	0.0629

TABLE 7: MLR MODEL OUTPUT

$$P(\text{make}) = \beta_0 + \beta_{\text{dist}}X_1 + \beta_{\ln(\text{dist})}X_2 + \beta_{\text{cold}}X_3 + \beta_{\text{precip}}X_4 + \beta_{\text{windy}}X_5 + \beta_{\text{turf}}X_6 + \beta_{\text{alt}}X_7 + \beta_{\text{iced}}X_8$$

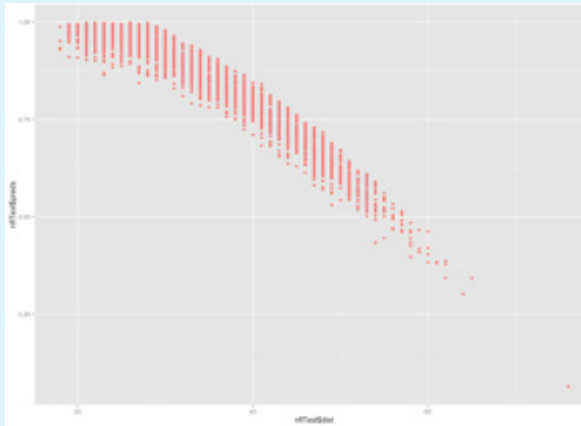


FIGURE 9: MULTIPLE LINEAR REGRESSION

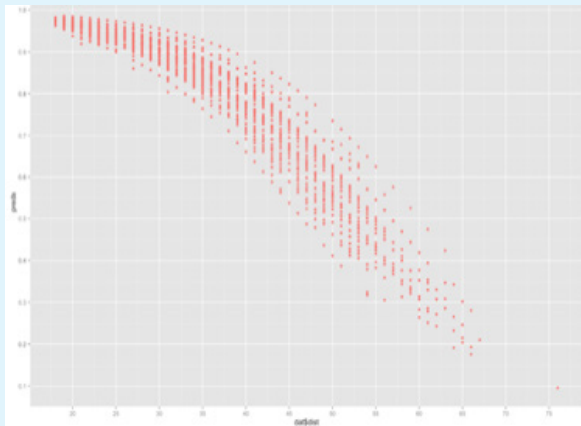


FIGURE 10: LOGISTIC REGRESSION

ready discussed, the best performer was one that combined the results of this and the second logistic regression model, taking the average of the predictions of the two. Table 8 shows how all the models compared in terms of MSEs (mean squared errors).

MSE is an error measurement taking the average squared distance between the predicted values (from the model) and their true values (1 if made, 0 if missed) across all predictions made. The smaller the MSE score, the more accurate the model. The error measurements in this case offer little descriptive significance as there is no true method for evaluating the accuracy of an observation's probability estimate. The scores serve merely to rank the models against one another.

While the neural network, MLR model, and logistic regression model with icing included were able to beat the logistic regression benchmark set by Clark, the best model of all was that which combined the predictions of the top two performers.

WHY DOES THIS MATTER?

I present two scenarios to illustrate how the analysis presented may be relevant to decision-making in NFL games.

The first took place on January 19, 2002, when the New England Patriots were playing the Oakland Raiders in the AFC divisional playoff game. The Patriots were down 13-10 when Adam Vinatieri lined up for a 45-yard attempt with time running low. In 19-degree weather and heavy snow, Vinatieri's kick went through the uprights with only 27 seconds left, and the Patriots went on to win the game in overtime on another Vinatieri field goal.

This snowy field goal has gone down in NFL history as one of the greatest clutch kicks of all time. It also happens to be an excellent example of one of the worst possible conditions to kick a field goal in, showing the need for models such as those discussed in this paper. The probabilities of Vinatieri's kick going in had the game been in Oakland vs. in New England are illustrated in Figure 11.

Had the game taken place in Oakland with its temperate climate, Vinatieri's 45-yard attempt would have had a very reasonable 71% likelihood of succeeding. In the New England blizzard, however, it had much riskier odds, at 54%. Though the kick was ultimately good, this model goes to show just how high the stakes were that Sunday afternoon, and the amount of pressure that Vinatieri, the coaching

Rank	Model	MSE
1	Neural Net and Logistic #2 Combined	0.1301
2	Neural Network	0.1302
3	Logistic #2 (icing included)	0.1303
4	Multiple Linear Regression	0.1303
5	Logistic #1 (Clark replication)	0.1317
6	Random Forest	0.1322

TABLE 8: MSE OF DIFFERNT MODELS

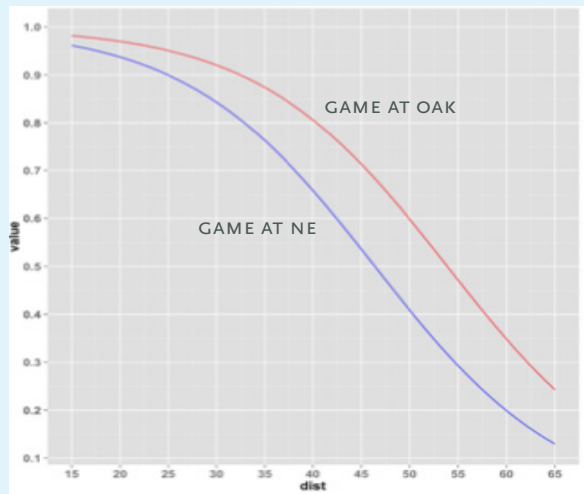


FIGURE 11: IMPACT OF WEATHER CONDITIONS ON THE SNOW BOWL GAME.

staff, and the New England fan base must have felt as they waited for the result.

The second situation is one that has not happened yet, but one that every NFL coach should be concerned about: a kicker's missed extra point costing his team the game. Moving the extra point back 13 yards may still seem like an easy conversion, being a 32-yard attempt, but as these models show, there is a noticeable decline in the probability of success in going from a 19 to a 32-yard kick. The result of this decreased likelihood was seen across the league this season, with extra point conversion percentages decreasing from 99.6 to roughly 95 percent with the implementation of the new rule. While nobody has lost a game due to this rule change just yet, this new area of risk is a perfect example of the importance of understanding field goal likelihoods for making effective coaching decisions. This increased risk will make two-point conversion attempts increasingly appropriate in the NFL.

As is seen in these two scenarios, understanding field goal conversion likelihoods is crucial to a coach's decision-making process. Understanding not only that distance, climate factors, and situational pressure have tangible impacts on field goal success likelihoods, but also to what extent they do, could make all the difference in weighing the risk and potential reward of a crucial coaching decision.

To conclude, this study has two main findings:

First, that field goals follow predictable patterns, allowing their probabilities of success to be modeled to a useful degree. This can and should be taken into consideration by coaching staffs during their evaluations of game time decisions.

Second, that good kickers really do matter. Finding a great one like Rob Bironas or Sebastian Janikowski can make all the difference in a 16-game season where playoff outcomes are not determined until the very last week, or in a playoff game where a single point added above average replacement is all that stands between being a runner-up and a Super Bowl champion.

While baseball has been thoroughly transformed by sabermetrics and the Moneyball revolution, football still has a way to go in its acceptance of statistics as the governing dynamics of certain aspects of play, given its smaller sample sizes because of its 16-game seasons. Field goal kicking, however, being the isolated component of play that it is, has the potential to be one of the first great leaps in the quantification of the ways that coaches, scouts and fans view the game. Through the acceptance of methods and models such as those discussed in this paper, NFL organizations can make great strides in improving their abilities to make data-informed decisions and maximize the potential values of their rosters.

APPENDIX

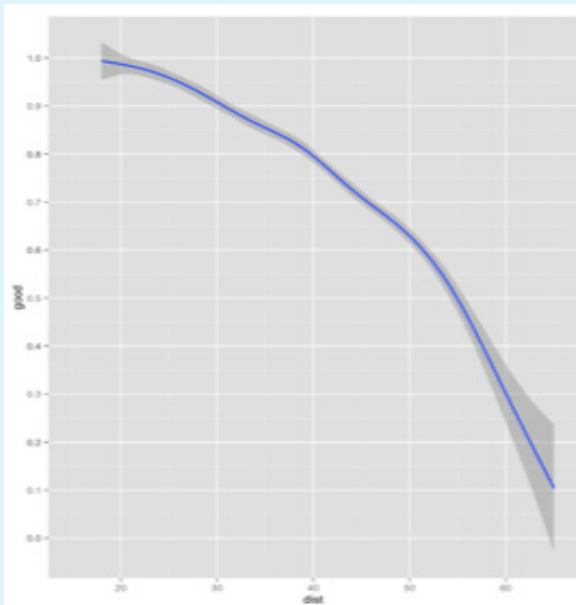


EXHIBIT A: LEAGUE-WIDE FC% BY DISTANCE, 2000-2013

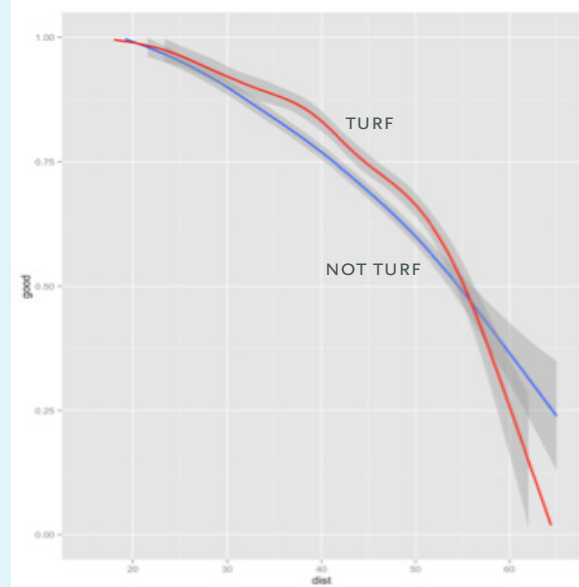


EXHIBIT B2: EFFECTS OF PARAMETER CHANGES — TURF EFFECT

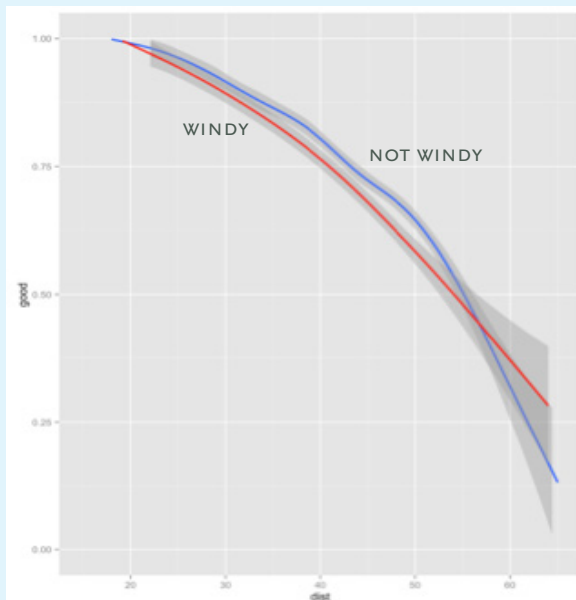


EXHIBIT B1: EFFECTS OF PARAMETER CHANGES — WIND SPEED EFFECT

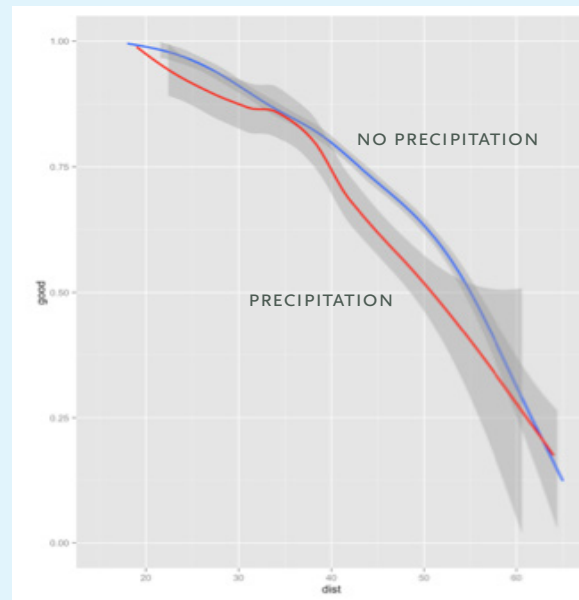


EXHIBIT B3: EFFECTS OF PARAMETER CHANGES — PRECIPITATION EFFECT

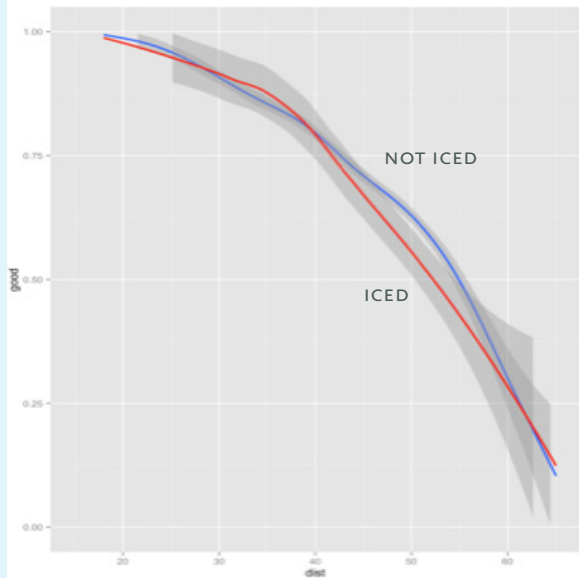


EXHIBIT B4: EFFECTS OF PARAMETER CHANGES — ICING THE KICKER

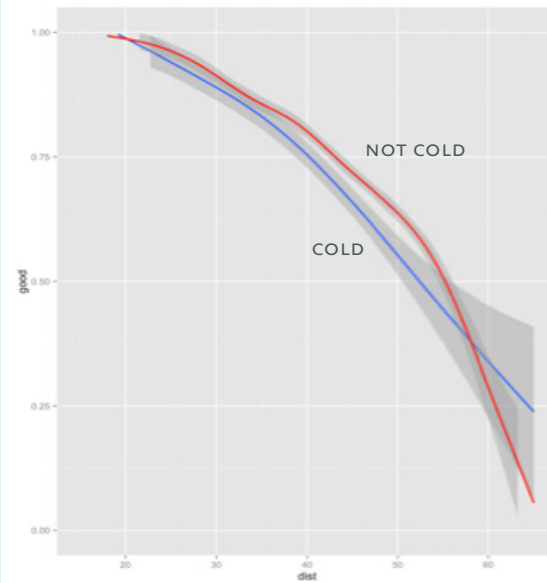


EXHIBIT B6: EFFECTS OF PARAMETER CHANGES — COLD WEATHER EFFECT

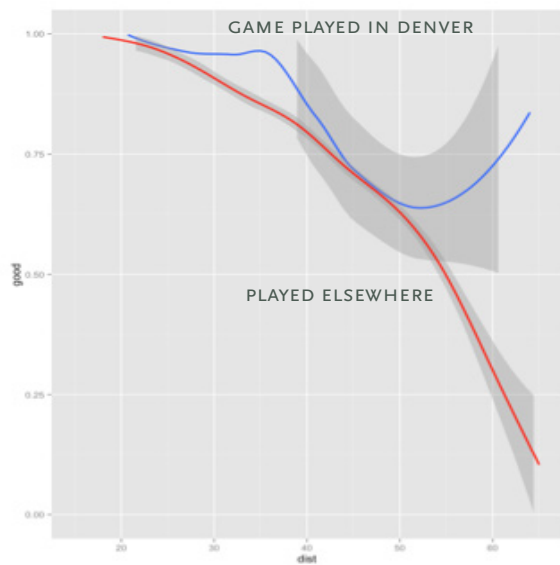


EXHIBIT B5: EFFECTS OF PARAMETER CHANGES — MILE-HIGH EFFECT

Variable	Coefficient	Std. Error	P-Value
Constant	5.953	0.220	<0.0005
Distance (yards)	-0.106	0.003	<0.0005
Cold (<50°F)	-0.341	0.061	<0.0005
Precipitation	-0.280	0.099	0.005
Windy (≥10 mph)	-0.140	0.055	0.011
Turf	0.299	0.053	<0.0005
Altitude (≥4000 ft.)	0.694	0.157	<0.0005

EXHIBIT C: ORIGINAL STUDY COEFFICIENTS.

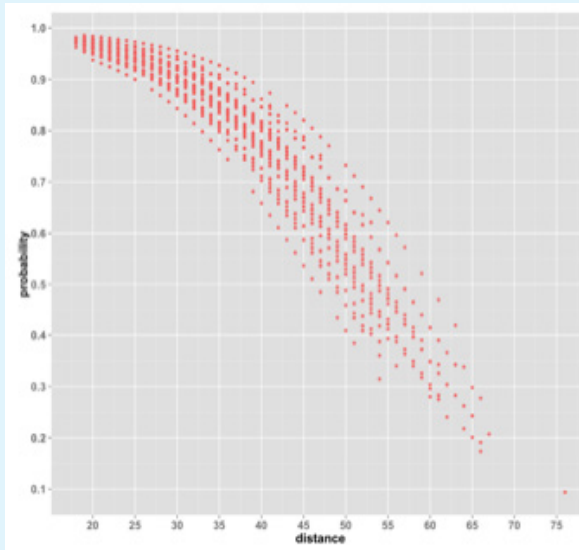


EXHIBIT D: PROBABILITY PREDICTIONS FROM LOGISTIC MODEL 2

ENDNOTES

1. Torin, Johnson, and Stimpson, "Going for Three: Predicting the Likelihood of Field Goal Success with Logistic Regression."
2. *Affordable NFL Data Plans*, Armchair Analysis.
3. Brian, "Altitude and Field Goals."
4. Torin, Johnson, and Stimpson, "Going for Three: Predicting the Likelihood of Field Goal Success with Logistic Regression." *NFL.com.*, "Stephen Gostkowski."
5. Matt, "A Step by Step Backpropagation Example," March 17, 2015.

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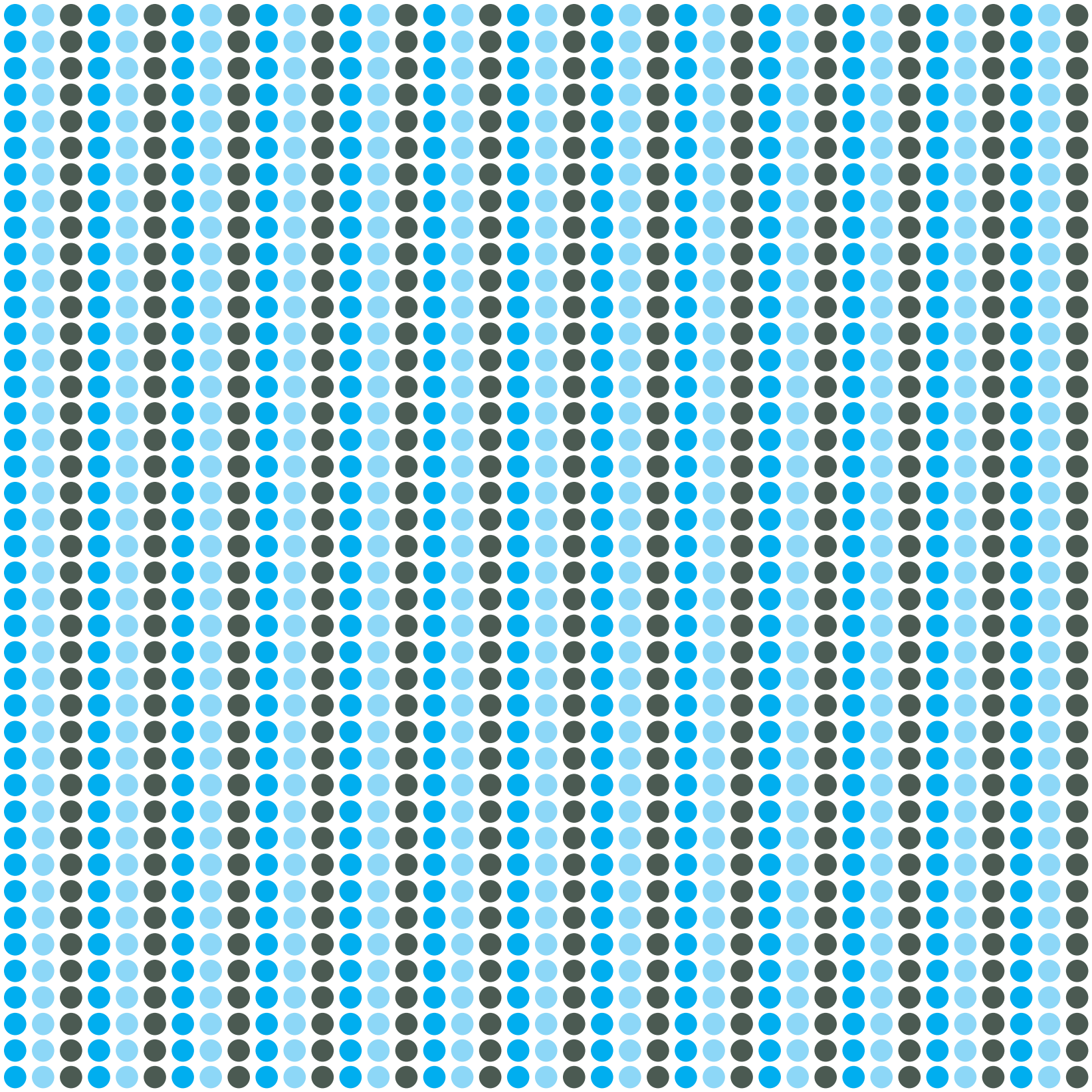
Clark, Torin, Aaron Johnson, and Alexander Stimpson. "Going for Three: Predicting the Likelihood of Field Goal Success with Logistic Regression." MIT Sloan Sports Analytics Conference (2013). Accessed January 11, 2016.

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Burke, Brian. "Altitude and Field Goals." Advanced Football Analytics. Accessed January 11, 2016.

"Stephen Gostkowski." NFL.com. Accessed January 11, 2016.

Mazur, Matt. "A Step by Step Backpropagation Example." March 17, 2015. Accessed January 11, 2016.



MEETING HENRY HILLS

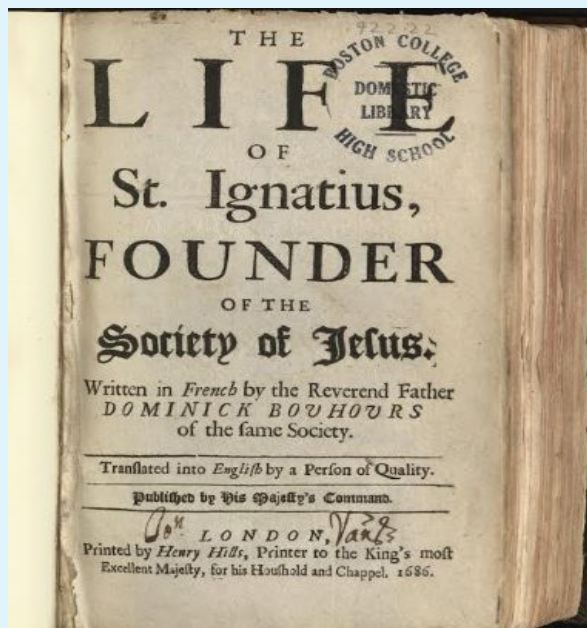
Printer to the King's Most Excellent Majesty

VIOLET CASWELL

WHAT DOES IT MEAN TO STUDY A BOOK? IN THE EARLY MODERN PERIOD, PRINTED BOOKS CATALYZED THE DISSEMINATION OF INFORMATION, IDEAS, AND CULTURE. THIS INK-STREWN REALM PROVIDED A SPACE FOR THE DISSATISFIED TO MAKE THEIR VOICES HEARD AND FOR RULERS TO QUELL THE RUMBLINGS OF REBELLION. A BOOK NOT ONLY CONTAINS WORDS, BUT ALSO CARRIES WITH IT THE STORIES OF A HOST OF INDIVIDUALS, INCLUDING PATRONS, PRINTERS, AND APPRENTICES. LIBRARIANS, ARCHIVISTS, AND CONSERVATORS WORK PAINSTAKINGLY WITH EARLY AND RARE BOOKS TO PRESERVE THESE INVALUABLE STORIES. THIS ARTICLE BEGINS WITH AN EXAMINATION OF THE 1686 COPY OF *THE LIFE OF ST. IGNATIUS, FOUNDER OF THE SOCIETY OF JESUS*, HOUSED IN THE JOHN J. BURNS LIBRARY AT BOSTON COLLEGE. THROUGH THIS BOOK, THE AUTHOR BRINGS US INTO THE WORLD OF HENRY HILLS, THE WILY CRAFTSMAN WHO REMAINED OFFICIAL PRINTER TO THE CROWN THROUGHOUT THE EXTRAORDINARILY DIFFERENT REIGNS OF CHARLES II, OLIVER CROMWELL, JAMES II, AND QUEEN ANNE.

The 1686 copy of *The Life of St. Ignatius, Founder of the Society of Jesus* housed in the John J. Burns Library at Boston College seems, at first glance, unremarkable. As an English translation “by a person of quality” of Dominique Bouhours’ 1679 *Vie de Saint Ignace, fondateur de la Compagnie de Jesus*, the book appears to be an ordinary seventeenth century work with few noteworthy features or anomalies worth studying. Only the publisher’s imprint, which reads, “Printed by Henry Hills, printer to the King’s most excellent Majesty, for his household and chapel,” hints at the book’s larger historical significance.¹ Far from being an ordinary book, this copy of *The Life of St. Ignatius* is an enduring testament to the ways in which James II, England’s last Catholic monarch, attempted to use the printed word to bolster his legitimacy in the volatile years between the Restoration and the Glorious Revolution. It also invites an examination of the life of Henry Hills, his official printer, whose opportunism and business acumen earned him a degree of notoriety experienced by few contemporary members of the book trade.

The King’s Printer was a significant player within the crowded and competitive printing industry in seventeenth century London. During their reigns, English monarchs customarily appointed multiple printers to work concur-



THE 1686 COPY OF *THE LIFE OF ST. IGNATIUS, FOUNDER OF THE SOCIETY OF JESUS* (TAKEN BY THE AUTHOR)

rently in the royal printing house. These master printers shared the position as equals, and each could refer to himself as the “King’s Printer,” on all works produced.² In the 1680s, Henry Hills, whose publisher’s imprint appeared on the title page of *The Life of St. Ignatius*, worked out of a Printing House located “on the Ditch-side in Black-Fryers,” with his partner Thomas Newcomb.³ These men were not the holders of an honorific title but were rather active employees of the King, enjoying exclusive rights to printing royal statutes, proclamations, and injunctions.⁴ Both Charles II and James II kept their printers busy, commissioning works with such titles as *A proclamation for the apprehending of robbers or highway-men, and for a reward to the apprehenders* and *A proclamation, whereas upon information we have received against Charles Earl of Macclesfeild, we have thought fit to direct our warrant for apprehending the said Earl for high treason*.⁵ The sheer volume of letters, parliamentary proceedings, speech transcripts, and other kinds of governmental documents that they required would have kept any printing house in business.⁶

Outside the walls of the royal printing house, the King’s printers found themselves embedded within a large and diverse community of book tradesmen. In the 1680s, London was home to an estimated 55 printers whose shops tended to cluster together on certain streets and neighborhoods. The printing industry thrived in the central London neighborhood surrounding the King’s Printing House in Black-Fryers, located a few blocks north of the River Thames and northwest of the Tower of London.⁷ Although the King’s Printing House dominated the industry as one of four printing houses that produced forty-four percent of all of the city’s printed material, its printers were by no means the only ones profiting from royal patronage. Indeed, King’s printers constantly interacted with other book printers, binders, and sellers and often collaborated with their fellow tradesmen.⁸ Henry Hills, for instance, sometimes printed books for private booksellers and occasionally even entered into partnerships with them.⁹ Moreover, upon completing a text block, he likely followed the conventional practice of “sharing operations” by sending pages to a separate bindery for completion.¹⁰ Of course, in addition to being a collaborator, Hills was a competitor, albeit one whose unique position all but ensured the survival of his business.

The King’s Printing House had, and still has, the sole authorization to print the King James Bible and the Book of Common Prayer, which have historically been two of England’s best-selling books. Hills’ position as the official

“The types of books that James II commissioned during his reign are evidence of his struggle to balance his position as the traditional head of the Church of England with his own Catholic faith.”

printer to the King therefore entitled him to the printing industry's most lucrative royal patents. The patent to the King James Bible, or the Authorized Version of the Bible, was the most sought-after in the industry. Printers that were able to produce this 774,746-word book in various sizes without a single error would certainly attain industry-leading reputations. The rights to the Book of Common Prayer containing the authorized form of the Church of England's liturgy were also coveted, since the book was frequently used in public and private worship. The profits secured from the production of these two expensive, high-demand texts were among the most significant and reliable in the printing industry.¹¹ The bible patent was, for Henry Hills, the *raison d'être*. He understood that the King's Printer was in a unique position to make the most money in the book trade, even if the reigning monarch was not a Protestant. During his tenure as official printer to King Charles II, an Anglican who converted to Catholicism on his deathbed, Hills printed several bibles for the Church of England. Surprisingly, he continued to print these Bible editions, which do not contain the deuterocanonical books of Sirach, Tobit, Wisdom, Judith, Maccabees, and Baruch, throughout the reign of the Catholic monarch James II.¹²

The types of books that James II commissioned during his reign are evidence of his struggle to balance his position as the traditional head of the Church of England with his own Catholic faith. Even as the monarch continued to allow his official printer to print Anglican bibles and Books of Common Prayer, he began to patronize distinctly Catholic books such as *The Life of St. Ignatius*. James II used the printed word as a medium to demonstrate to his subjects that his faith was in continuity with his predecessor's religious beliefs. In 1687, Hills printed “by His Majesties Command” *Copies Of Two Papers Written By The Late King Charles II*, a book which claimed to contain evidence that Charles II was secretly a Catholic long before his death in 1685. In an unusual attempt to influence public opinion, James II presented two diary-like essays filled with Catho-

lic devotion, as he wrote, “This is a true Copy of a Paper I found in the late King my Brother's Strong Box, written in His own Hand.”¹³ Hills faithfully published this book, despite its questionable veracity, along with the medley of other Catholic and Protestant books that the King commissioned. Ever the opportunist, he recognized that “printing to both sides” increased his pool of potential buyers and, consequently, his profits.

That Henry Hills managed to get appointed King's Printer in the first place was a testament to his business expertise and his ability to conform his own religious and political beliefs to those endorsed by the monarch. Like James II, Hills was a professed Catholic in the year 1686, when he printed *The Life of St. Ignatius*. In addition to lives of the saints, he printed liturgical books, including prayer books and breviaries.¹⁴ During the late seventeenth century, when theological debates on controversial religious doctrines were waged in the realm of the printed word, Henry Hills' name appeared time and again on the title pages of passionate defenses of Catholic dogma.¹⁵ Yet it is unlikely that Hills' desire to print these books originated from a sense of personal devotion. He had, after all, only converted to Catholicism in January of 1686 in order to be appointed to the office of King's Printer.¹⁶

No one who knew Henry Hills in his early life could have predicted that the young printer would one day produce a work like *The Life of St. Ignatius*. Hills, who was “known for his republican sentiment” during the 1650s, was a friend of the famous Leveller leader John Lilburne.¹⁷ Not only was Lilburne against any kind of monarchy, but he was also a staunch opponent of monopolies. In 1645, he spoke out against the issuing of an exclusive Bible patent—a practice Hills would engage with later—calling the practice “soulstarving” and “murdering.”¹⁸ He would have been disgusted by Hills' appointment to the office of King's Printer, which promoted elitism and strangled free enterprise. Still, Lilburne knew that Hills was ambitious, and had watched his friend place profits above principles

“The book is an enduring testament to the ways in which he managed to ‘reinvent himself’ with each wave of political and religious change and to conform his own views to those endorsed by the nation’s ruler.”

between 1653 and 1654, when, in partnership with William Dugard, he served as official printer to Oliver Cromwell, Lord Protector of the Commonwealth of England.¹⁹

In the early 1650s, Hills initiated a business practice he would continue throughout his life. First, he would identify a prestigious patron: a prominent person or group with power and influence. Then, he would adapt his religious and political principles to those of his target patron. One can trace the origins of this pattern to 1651, when the Anabaptist Congregation of England appointed Hills as its official printer, but only after Hills claimed to find the faith in the wake of an adultery scandal.²⁰ Shortly after this, Hills left his position with the Anabaptists in order to be appointed official printer to a Puritan, Oliver Cromwell. He printed the same kinds of materials for the Lord Protector that he would later print for the restored monarchy, including volumes such as *A Collection Of All The Proclamations, Declarations, Articles, And Ordinances, Passed By His Highness The Lord Protector*.²¹ After the restoration, Hills scrambled to switch religious faiths yet again in order to obtain the position of official printer to the Anglican Charles II. In doing so, he also noted his necessary previous expertise in bible printing, having successfully printed an edition of the King James Bible with John Field in 1656 when there was no monarch to issue a bible patent.²² Finally, in 1686, he converted to Catholicism in order to be appointed official printer to James II, swallowing his hatred for “papists” in order to retain his prestigious position.²³ The 1686 *Life of St. Ignatius*, then, is as much a symbol of Hills’ opportunism as it is of the monarch’s religious faith.

Hills faced a great deal of derision for building his success upon his cunning practices. In 1736, *Gentleman’s Magazine* published a satirical epigram recalling Hills’ opportunistic “conversion” to Catholicism during the reign of James II. According to the story, in order to demonstrate the sincerity of his contrition, Hills declared he would do penance by walking five miles with peas in his shoes. Yet, the account

mocks, the printer boiled the peas first to soften them: “the sly sinner / Resolved to stand upon his dinner; / so boil’d his penitential pease to give both feet and conscience ease.”²⁴ This story, almost certainly apocryphal, was published 23 years after Hills’ death. It speaks to his legacy, and to the fact that Londoners remembered him as an unscrupulous businessman who would have done or said anything to make money. It is also evidence of the printer’s notoriety, since the epigram identified him only as “Hills,” assuming the reader’s knowledge of Hills’ reputation.

Whether or not Hills’ conversion was sincere, he paid dearly for it when William and Mary landed in England and overthrew James II. Hills fled the country after an anti-Catholic mob attacked his Printing House in Black Friars in December of 1688.²⁵ His subsequent fate is difficult to trace due to conflicting accounts. According to a twentieth century dictionary of printers, “Hills fled for his life to St. Omer, where he died shortly afterwards, his will being proved on January 21st, 1689.”²⁶ A Victorian-era dictionary, though, places him in London two decades later, claiming that “Henry Hills and Thomas Newcomb were for a short time (from January 10, 1709) printers to Queen Anne.”²⁷ Newspaper accounts seem to support the latter version of events. One 1713 advertisement announced the imminent publication of a treaty that was “printed by John Baskett, Printer to the Queen’s most Excellent Majesty, and by the Assigns of Thomas Newcomb and Henry Hills, deceased.”²⁸ Newspaper articles still referred to books “newly printed” by Hills even as late as 1710.²⁹ Additionally, advertisements detailing the sale of Hills’ estate indicate that he returned home to Black Friars before his death.³⁰ If this evidence is accurate, the printer from Black Friars managed to retain his position as King’s Printer through the reigns of three English monarchs.

It cannot truthfully be said that Hills’ exceptional skills as a printer merited his lengthy tenure as King’s Printer, and possibly Queen’s Printer. Hills’ critics not only attacked his moral character, but also questioned his professional

work. C.H. Timperley's dictionary of printers described Hills as "a great retailer of cheap printed sermons and poems, which he pirated, and printed upon bad paper."³¹ Examinations of some of Hills' surviving printed books support this description. *The Life of St. Ignatius*, for instance, is not particularly lavish. Its font, while perfectly legible, is of a standard Roman type. Its text is not enlivened by colored ink or supplemented by engraved or woodcut images, as is befitting such a prominent book. Vegetal drop caps at the beginning of each chapter serve as its only ornamentation.³² Even the books that Hills clearly printed for James II's personal use, such as the John J. Burns Library's copy of *Short Prayers For The Use Of All Good Catholics In The Hearing Of The Holy Mass*, are not especially impressive. This book copy, which has the monarch's seal in the center of its ornately gilded cover, contains several careless mistakes. On some pages, the text is crooked; on others, the catchwords at the foot of the page have been cut off.³³ One would expect finer work in a book intended for a monarch, printed by the holder of London's most prestigious printing office.

The John J. Burns Library's 1686 copy of *The Life of St. Ignatius, Founder of the Society of Jesus* derives its importance not from its content or format but from its historical context. Only when the book is considered for its significance as a Catholic book printed by the King's Printer in a traditionally Protestant country does it seem worth examining. Henry Hills, "printer to the King's most excellent majesty," lived through some of England's most turbulent decades. The book is an enduring testament to the ways in which he managed to "reinvent himself" with each wave of political and religious change and to conform his own views to those endorsed by the nation's ruler. Was he an Anabaptist or a Leveller? A revolutionary or a loyalist? A Catholic or a Protestant? Perhaps the only thing that we can know for certain is that Hills was a businessman who was willing to abandon his own convictions and endure the scorn of society in order to secure the most lucrative printing positions.

ENDNOTES

1. Dominique Bouhours, *The Life of St. Ignatius, Founder of the Society of Jesus*. (London: Henry Hills, 1686).
2. Hills worked at various times with Thomas Newcomb, John Field, John Bill, and Christopher Barker; see for example, *Anno Regni Caroli II Regis Angliae, Scotiae, Franciae, & Hiberniae, Tricesimo at the Parliament Begun at Westminster the Eighth of May, Anno Dom. 1661, in the Thirteenth Year of the Reign of Our*

Sovereign Lord Charles, by the Grace of God, of England, Scotland, France, and Ireland, King, Defender of the Faith, &c. : And by Several Prorogations and Adjournments There Continued to the 15th Day of July in the 30th Year of His Majesties Reign, on Which Day the Following Acts Passed the Royal Assent., (London: John Bill, Christopher Barker, Thomas Newcomb, and Henry Hills, 1678).

3. For a description of the Printing House's location, see *The Office of the B.V. Mary in English : To Which Is Added the Vespers, or Even-Song, in Latin and English, as It Is Sung in the Catholic Church upon All Sundays and Principal Holy-Days throughout the Whole Year : With the Compline, Rosary, Hymn and Prayers That Are Sung at the Benediction of the B. Sacrament : The Prayers for the King, Queen, Etc. : The Ordinary of the Holy Mass; the Sequence, Dies Irae, Dies Illa, That Is Sung at Solemn Mass for the Dead, All in Latin and English : Together with Several Other Devout Prayers in English*. (London: Henry Hills, 1687). At. Hereafter "Office of the B.V. Mary."; for information on Hills' partnership with Newcomb and others, see P. M. Handover, *Printing in London: From 1476 to Modern Times; Competitive Practice and Technical Invention in the Trade of Book and Bible Printing, Periodical Production, Jobbing &c.* (Cambridge, Harvard University Press, 1960). 87-89.
4. Handover, *Printing in London: From 1476 to Modern Times; Competitive Practice and Technical Invention in the Trade of Book and Bible Printing, Periodical Production, Jobbing &c.* 73-74.
5. Charles II, *By the King. A Proclamation for the Apprehending of Robbers or Highway-Men, and for a Reward to the Apprehenders* (London: John Bill, Christopher Barker, Thomas Newcomb, and Henry Hills, printers to the Kings most excellent Majesty, 1677); James II, *A Proclamation, Whereas upon Information We Have Received against Charles Earl of Macclesfeild, We Have Thought Fit to Direct Our Warrant for Apprehending the Said Earl for High Treason James R.*, (London: Henry Hills and Thomas Newcomb, 1685).
6. See, for example, *Anno Regni Caroli II Regis Angliae, Scotiae, Franciae, & Hiberniae, Tricesimo at the Parliament Begun at Westminster the Eighth of May, Anno Dom. 1661, in the Thirteenth Year of the Reign of Our Sovereign Lord Charles, by the Grace of God, of England, Scotland, France, and Ireland, King, Defender of the Faith, &c. : And by Several Prorogations and Adjournments There Continued to the 15th Day of July in the 30th Year of His Majesties Reign, on Which Day the Following Acts Passed the Royal Assent*; James II, *His Majesties Most Gracious Speech to Both Houses of Parliament, on Friday the 22th of May, 1685. Published by His Majesties Command.* (London: Henry Hills and Thomas Newcomb, 1685).
7. Map 2.3 in James Raven, *Bookscape : Geographies of Printing and Publishing in London before 1800*, (London: The British Library, 2014).
8. James Raven, *The Business of Books* (New Haven: Yale University Press, 2007). 14-17; 47.
9. In 1686, the year that he printed *The Life of St. Ignatius*, all of his books were "to be sold next door to his House in Blackfryers, by Richard Cheefe." For another example of Hills "sharing operations" see Lewis Sabran, *An Answer to Dr. Sherlock's Preservative against Popery. Shewing, That Protestancy cannot be Defended, nor Catholic Faith Opposed, but by Principles which make*

void all Reform, Faith, Fathers, Councils, Scripture, Moral Honesty. (London: Henry Hills, 1688), “to be sold at Lime-Street Chappel Door.”

10. For a description of the “division of labor” in the book trade see Raven, *The Business of Books*. 351-372.
11. Gary Kelly editor, Joad Raymond editor, and Christine Bold, *The Oxford History of Popular Print Culture* (Oxford ; New York: Oxford University Press, 2011). 499; Handover, *Printing in London: From 1476 to Modern Times; Competitive Practice and Technical Invention in the Trade of Book and Bible Printing, Periodical Production, Jobbing &c.* 73-74.
12. An example of a bible printed during the reign of Charles II is *The Holy Bible Containing the Old and New Testaments. Newly Translated out of the Original Tongues: And with the Former Translations Diligently Compared and Revised.* (London: J. Bill, T. Newcomb and Henry Hills, 1682); an example of a King James Bible printed during James II’s reign is *The Holy Bible Containing the Old Testament and the New / Newly Translated out of the Original Tongues and with the Former Translations Diligently Compared and Revised by His Majesties Special Command ; Appointed to Be Read in Churches.*, (London: Charles Bill, Henry Hills, and Thomas Newcomb, 1687); For information about the religious beliefs of Charles II and James II, see Steve Pincus, 1688: *The First Modern Revolution* (Yale University Press, 2011). 91-117.
13. Charles II, *Copies of Two Papers Written by the Late King Charles II : Together with a Copy of a Paper Written by the Late Duchess of York : Published by His Majesties Command.* (London: Printed by Henry Hills, 1686). A1, 2.
14. Larry Kreitzer, “The Prodigal Printer Henry Hills - The Baptist Publisher of the King James Bible” (Campbellsville: Campbellsville University, 2011).
15. *A Dialogue between a New Catholic Convert and a Protestant Shewing the Doctrine of Transubstantiation to Be as Réasonable to Be Believ’d as the Great Mystery of the Trinity by All Good Catholics.*, (London: Henry Hills, 1686); John Goher, *An Answer to A Discourse against Transubstantiation*, (London: Henry Hills, 1687).
16. Kreitzer, “The Prodigal Printer Henry Hills - The Baptist Publisher of the King James Bible.”
17. Leona Rostenberg, *Literary, Political, Scientific, Religious & Legal Publishing. Printing & Bookselling in England, 1551-1700: Twelve Studies.*, vol. 1, Burt Franklin Bibliography and Reference Series, No. 56 (New York, B. Franklin, 1965). 148; Handover, *Printing in London: From 1476 to Modern Times; Competitive Practice and Technical Invention in the Trade of Book and Bible Printing, Periodical Production, Jobbing &c.* 87.
18. Handover, *Printing in London: From 1476 to Modern Times; Competitive Practice and Technical Invention in the Trade of Book and Bible Printing, Periodical Production, Jobbing &c.* 73-74.
19. Rostenberg, *Literary, Political, Scientific, Religious & Legal Publishing. Printing & Bookselling in England, 1551-1700: Twelve Studies.* 148.
20. “Henry Hills, Official Printer,” *The Baptist Quarterly* 6, no. 5 (January 1932): 215-17; for Hills’ own account of the scandal, see Henry Hills, *The Life of H.H. with the Relation at Large of What Passed Betwixt Him and the Taylors Wife in Black-Friars, according*

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21. Oliver Cromwell, *A Collection of All the Proclamations, Declarations, Articles, and Ordinances, Passed by His Highness the Lord Protector and His Council and by Their Special Command Published, Begining Decemb. 16, 1653, and Ending Septem. 2, 1654* (London: Henry Hills, 1653).
 22. Handover, *Printing in London: From 1476 to Modern Times; Competitive Practice and Technical Invention in the Trade of Book and Bible Printing, Periodical Production, Jobbing &c; The Holy Bible Containing the Old and New Testaments. Newly Translated out of the Original Tongues & With the Former Translations Diligently Compared and Revised.*, (London: John Field and one of His Highness’ printers, 1656).
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 24. Charles Henry Timperley, *A Dictionary of Printers and Printing: With the Progress of Literature, Ancient and Modern; Bibliographical Illustrations, Etc. Etc* (H. Johnson, 1839).
 25. Henry R. Plomer, “HILLS (henry), Sen., Printer in London, 1641-89.” *A Dictionary of the Printers and Booksellers Who Were at Work in England, Scotland, and Ireland from 1668 to 1725* (Oxford: Oxford University Press, 1922).
 26. *Ibid.*
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THE BLINDSPOT

Asian Misrepresentation in Orange Is The New Black

CLARE KIM

AS OUR NATION AND SOCIETY ATTEMPT TO INTRODUCE THE NOTION OF POST-RACIALITY IN THE TWENTY-FIRST CENTURY, IT BECOMES CLEAR THAT THIS IDEALISTIC VIEW OF RACE RELATIONS IN THE UNITED STATES CAN ONLY BE SEEN AS VALID WHEN WHITENESS IS CONSIDERED TO BE “NORMAL” OR “NEUTRAL.” THIS PRIORITIZATION OF WHITENESS CAN BE EASILY IDENTIFIED THROUGHOUT POPULAR CULTURE, ESPECIALLY WITH THE TENDENCY OF MAINSTREAM FILM AND TELEVISION TO WHITEWASH CASTS. HOWEVER, ONE OF THE MOST PROMINENT SHOWS OF THE CURRENT AGE, *ORANGE IS THE NEW BLACK* (*OITNB*), HAS A CAST THAT CHALLENGES THE BLINDLY ACCEPTED HEGEMONIC STANDARDS BY BRINGING MARGINALIZED COMMUNITIES TO THE CENTER OF ATTENTION. WHILE IT SHATTERS MANY PRECONCEIVED STEREOTYPES DEALING WITH RACE, CLASS, AND GENDER THROUGH ITS DIVERSE ARRAY OF CHARACTERS, THE SHOW’S HANDLING OF ITS ASIAN CHARACTERS SEEMS ONLY TO PERPETUATE RACIST TROPES. THIS ESSAY EXAMINES WHY WE HAVE DEVELOPED A BLINDSPOT FOR ASIANS WHEN DEALING WITH RACE AND RACE RELATIONS BY USING *OITNB* AS A QUINTESSENTIAL MICROCOSM OF SOCIETY AT LARGE.

Since the show's release in 2013, *Orange Is the New Black* (*OITNB*) has become one of the most popular television series of the twenty-first century. Receiving countless awards and nominations, as well as being Netflix's most watched series, the show plays a major role in shaping the ideologies perpetuated by mainstream media today. It is unprecedented and downright groundbreaking for such a popular series to be comprised of an all female cast that also shows rich intersectional diversity in terms of race and sexuality. By featuring a cast that challenges the normal hegemonic idea of whiteness and heterosexuality, *OITNB* deconstructs dominant ideologies regarding race and sexuality that have become normalized by society and internalized by individuals. Although the show initially begins by following the narrative of a white upper-class protagonist, Piper Chapman, she soon disappears into the peripherals of the plotline as the rest of the racially diverse cast develops into interesting and multidimensional characters, rather than the familiar position of token minorities. With an extremely diverse cast the show plays an influential role in bringing the marginalized groups of society into the spotlight, and then deconstructing the oppressive stereotypes that society has normalized. *OITNB*, however, is problematic in the way that it reinforces racist ideologies through its poor representations of Asian Americans.

Upon Piper's arrival at Litchfield, a minimum-security women's prison, the viewers have no choice but to identify with her because she is the only person to which we have been exposed to. Since all of the inmates are introduced to us through Piper's perspective, we perceive them as she would—with the racial sightlines of a privileged and wealthy white woman. According to Guterl in *Seeing Race in Modern America*, racial sightlines are “a persistent and



THE ORANGE IS THE NEW BLACK LOGO (COURTESY OF WIKIMEDIA COMMONS)

prescribed reading of an image sustained by the history of racism and race relations.”¹ Although the other inmates seem to reinforce these racial sightlines, the viewers' initial perceptions are challenged and deconstructed as the show progresses, and the characters are further developed into complex, multidimensional individuals.

A quintessential example of the show's shattering of preconceived notions of race and racial stereotypes is seen through Black Cindy, played by actress Adrienne Moore. Even her nickname, “Black Cindy,” marks her as an other. Another inmate named Cindy was already at the prison, so “Black Cindy” received her nickname—but why wasn't the other Cindy labeled “White Cindy” instead? As for her personality, Black Cindy is portrayed as a caricature-like embodiment of many of the stereotypes that society holds about black women. She is originally portrayed as a stereotypical black ghetto girl through her very loud personality, tough exterior, and seemingly lower class and uneducated background. Even when we learn about her background story as a young struggling mother, it does not do much to challenge her role as an embodiment of dangerous black stereotypes.

It is not until Season Three when Black Cindy begins her conversion to Judaism and undergoes a religious enlightenment that breaks her out of the conventional role that has bound her for the preceding seasons. Although her original incentive to convert was simply to be able to get the more appetizing kosher meals from the cafeteria, she undergoes an authentic religious enlightenment somewhere in the process. This unexpected turn of event allows us to empathize with Cindy and finally look past her character as simply a caricature. For the first time, the tough girl façade that Cindy has been upholding by masking her emotions with witty humor is dismantled as she gives an emotionally raw and tearful speech in the season Three finale. In that episode, “Trust No Bitch,” she explains how Judaism helped her find a purpose in life, which dramatically transforms Cindy from a stereotype into a complex human being.

In addition to phenomenally deconstructing popular stereotypes regarding African Americans, *OITNB* does the same for the Latina population. By featuring eight different leading Latina roles, the series depicts a refreshingly complex spectrum of Latina women. It is rare and unparalleled for a popular television show to feature more than one Latina that is not a stereotypical trope of the commonly held view of Latina women as hypersexual and provoca-

“Although society as a whole is gradually becoming more conscientious and aware of modern day racism, it seems that it has developed a blind spot towards Asians.”

tive. Many shows such as *Modern Family* feature one Latina woman that directly plays into the hypersexual stereotype, reinforcing “the presumed ethnological texture of the single body with the supposed character of an entire race.”² Although almost every popular television series or movie features a cast made mostly of multidimensional white characters and their complex relationships with each other, this is seldom done with minority groups, especially Latinas. This lack of representation in mainstream media may explain why racial stereotypes follow “a story of persistence and consistency, of less change over time than we might expect or hope for.”³ However, by having multiple developed Latina characters, with their own complex backstory and personal narrative, *OITNB* does not allow the burden of representation to fall on a single woman. For example, one of the Latina inmates, Flaca, perfectly addresses the importance of Latina diversity while flipping through an underwear catalog. When another inmate comments on how none of the models seem to be Latina, Flaca responds, “If you’re talking about Latinas, there’s like twenty different countries that all look different. See this blond chick? She could be Latina. We just don’t know.”⁴ This line shatters the misconceptions of Latina women as one monolithic ideal, as well as showing off the agency and intelligence that Flaca, as a Latina character, asserts in this situation.

Although the show is inclusive and conscientious of highlighting many marginalized groups, including African Americans, Latinas, lesbians, and trans people, it fails to do so in its poor representation of its two Asian characters, Chang and Soso. Because Soso does not join the show until season 2, Chang was the only Asian character for the entirety of the first season. This lack of Asian representation is not an isolated problem that applies just to *OITNB*, but it is something that pervades the media. A study done at the University of Southern California examined the top 100 grossing movies of 2013 and found that only 4.4% of speaking characters were Asian.⁵ This underrepresentation is extremely detrimental because when individuals of a marginalized group do not see themselves represented in the media, it reinforces the notion that they do not matter. For example, a study published by Communication

Research examined the effects that underrepresentation has on children and found that “television exposure predicted a decrease in self-esteem for white and black girls and black boys, and an increase in self-esteem among white boys.”⁶

In the rare occasions when Asians are actually represented, they are often given tokenized and stereotypical roles. Chang, the single token Asian character for the first season of the show, reinforces the notion of Asians as perpetual foreigners. She hardly speaks and when she does, it is in a very thick accent. Chang is inarguably the show’s most underdeveloped character—we know nothing about her until halfway through Season Three in an episode titled “Ching Chong Chang.” Even the title of the episode is grossly racist, drawing upon a commonly used pejorative to mock the Chinese language, culture, and the people themselves. When I first saw the title, I gave it the benefit of the doubt in the hopes that the episode would reference it and challenge the racist ideologies that underlie it. Unfortunately, it seems to be just another joke made at the expense of Asians, which is seen frequently throughout the show.

Asians are often at the receiving of racist jokes, both in television and real life. Although society as a whole is gradually becoming more conscientious and aware of modern day racism, it seems that it has developed a blind spot towards Asians. Perhaps the myth of the model minority has instilled the ideology that Asians are highly successful and their degree of socioeconomic achievements somehow negates any other forms of oppression. This suggests the notion that Asians are not a marginalized group in many aspects, so racism towards Asians is neither offensive nor problematic. This is perpetuated in *OITNB* in many ways, but the most striking and blatant occurrence was in an episode from Season Three. In the electric shop, Piper asks Luschek, the electrical manager, if he ever worries about leaving the computers with the inmates, to which he responds, “Maybe if any of you were technically savvy. Or Asian. But, uh, we screen for that.”⁷ Nicky, one of the other inmates, then turns to Piper and pulls her eyes back to make them squinty. This scene served no

meaningful purpose to the plot, and was arguably added simply to insult and stereotype Asians. Even worse, neither Chang nor Soso were present in the scene to respond or defend themselves, thus denying them a voice in this reinforcement of racial prejudice.⁸

In some aspects, Soso's character initially seems to challenge the racism towards Asians that had been embodied and perpetuated through Chang throughout the first season, in that she is more multidimensional and complex than Chang's wallflower role. Her ethnic ambiguity, being Scottish and Japanese, combined with her progressive views, educated background, and very outspoken personality allow her to embody a matrix of complexities rather than remaining as a stagnant background role. However, she is quickly marginalized upon arriving at Litchfield. This process of othering begins in Soso's very first scene when she introduces herself to the other inmates. As soon as Soso says her name, one of the inmates, Lorna, instinctually laughs and says "No, no, no, I said what's your name?"⁹ This short and seemingly insignificant exchange lasts for about ten seconds, but is an extremely harmful microaggression that implies that names that are non European or Anglican are improper and up for ridicule. Another similar instance occurs later on in the same episode when Piper tells Soso that she cannot say her "name with a straight face."¹⁰ The subtlety of this bigoted and racist behavior goes easily unnoticed, normalizing and reinforcing the racist hegemonic ideas.

OITNB harmfully reinforces stereotypes about Asians through the sexual dimensions of both Chang and Soso's characters. According to a research study done at the University of Michigan, "the Asian or Asian American male is perhaps best known for his absence in the colonizer's sexual hierarchy" which "strikes a sharp contrast to the colonizer's perception of the Asian female as an embodiment of excessive sexuality."¹¹ Chang's physicality is particularly masculine, emphasized by her short spiky hair and lack of makeup. This masculine gendering and her Asian background intersect as she is depicted as asexual, playing off of the commonly held view of Asian men as desexualized. Chang also seems to evoke the stereotype of "the Asian male as sexually impotent voyeur or pervert" as she takes the role of the scorekeeper for two inmates'—Big Boo and Nicky—competition in sexual pursuits.¹² Because she seems to lack any of her own sexual agency, she does not participate in the game, but clearly derives some sort of pleasure in overseeing it.

In stark juxtaposition, Soso's character embodies the other end of the spectrum of representations of Asian sexuality as Big Boo and Nicky quickly fetish her and compete to see who can have sex with her first in their "Bang-Off." Big Boo objectifies Soso as she labels her as "the hot one of the Asian persuasion," reinforcing the often fetishized portrayals of Asian women in the media.¹³ This hyper-sexualized depiction of Asian women upholds the phenomenon of what is often referred to as "yellow fever", which is largely problematic in that "it doesn't see [Asian] women as fully-formed individuals, but as the living embodiment of offensive stereotypes."¹⁴ Big Boo becomes very predatory in her pursuit of Soso, who clearly exhibits her discomfort when around Big Boo. In this way, *OITNB* fails to challenge the recurring trend in television and film of either desexualizing or fetishizing Asians.

OITNB's very poor representation of Asians on-screen translates into the promotional marketing of the show as well. Not a single promotional photo of the very diverse cast includes either Chang or Soso. It would be understandable if they were left out of the group photo for season 1 as Chang is far from being a developed character and Soso was not even at Litchfield yet, but neither of the subsequent seasons' promotional photos include them. In one of the chapters of *Seeing Race in Modern America* titled "Platoon Harmonics," Guterl analyzes the importance and functionalities of the multi-racial nature of the mixed platoon. A group's racial diversity is emphasized as the individuals are "arranged in complementary racial sequence" where "every racial part has a purpose."¹⁵ The image of the platoon has become so familiar and expected that it is "possible to see any unmixed pairings as backward and even racist."¹⁶ If the whole purpose of a platoon is to highlight racial inclusivity and diversity, then it is oddly contradictory and racist for *OITNB* to exclude both of its Asian cast members.

When analyzed from a contemporary racial context, *Orange Is the New Black* acts as a microcosm for society at large. Recent events, such as the immeasurable accounts of police brutality rooted in the racial profiling of African Americans as dangerous criminals, have helped start a much needed conversation about race, as well as create a more knowledgeable and racially conscientious society. Activist movements such as Black Lives Matter have especially helped bring issues like deeply rooted institutional and systemic racism to the forefront of society, while progressively paving a path towards eradicating racism by fostering a culture of knowledge. However, society seems to

have developed a blind spot for Asians and Asian Americans, as seen in *OITNB*. Amazingly enough, the show both underrepresents and misrepresents the Asian characters, embodying two very different but equally insidious stereotypes. This ignorance is reflected in the media as well. In *Rolling Stone's* list, "25 Best TV Shows of 2015," the writer mixes up the two Asian characters, accidentally referring to Soso as Chang. A prominent blog, *Angry Asian Man*, highlights how absurd it is that someone actually confused Lori Tan Chinn, a Chinese American actress in her sixties, and Kimoko Glenn, a multiracial Japanese American in her twenties by writing, "I guess people can handle one Asian on a TV show...but if you put two, there will be confusion."¹⁷ Although *OITNB* phenomenally shatters many antiquated stereotypes about race, gender, and sexuality, it regresses when dealing with Asians and Asian Americans.

ENDNOTES

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2. Guterll, *Seeing Race in Modern America*, 36.
3. Guterll, *Seeing Race in Modern America*, 3.
4. *Orange Is the New Black*, "Ching Chong Chang," 2015.
5. Smith, Choueiti, and Pieper, "Race/Ethnicity in 600 Popular Films: Examining On Screen Portrayals and Behind the Camera Diversity," 2015, 5.
6. Lee, "Study Examines Television, Diversity, and Self-esteem," 2015.
7. *Orange Is the New Black*, "Empathy Is a Boner Killer," 2015.
8. Builder, "How 'Orange Is The New Black' Fails Its Asian Characters," 2015.
9. *Orange Is the New Black*, "Hugs Can Be Deceiving," 2014.
10. *Ibid.*
11. Kee, "(Re)sexualizing the Desexualized Asian Male in the Works of Ken Chu and Michael Joo," 2015.
12. *Ibid.*
13. *Orange Is the New Black*, "A Whole Other Hole," 2014.
14. Matthews, "Here's What 'Yellow Fever' Really Means," 2014.
15. Guterll, *Seeing Race in Modern America*, 106-7.
16. Guterll, *Seeing Race in Modern America*, 123.
17. Yu, "All (two) Asians Look Alike on 'Orange Is The New Black?'" 2015.

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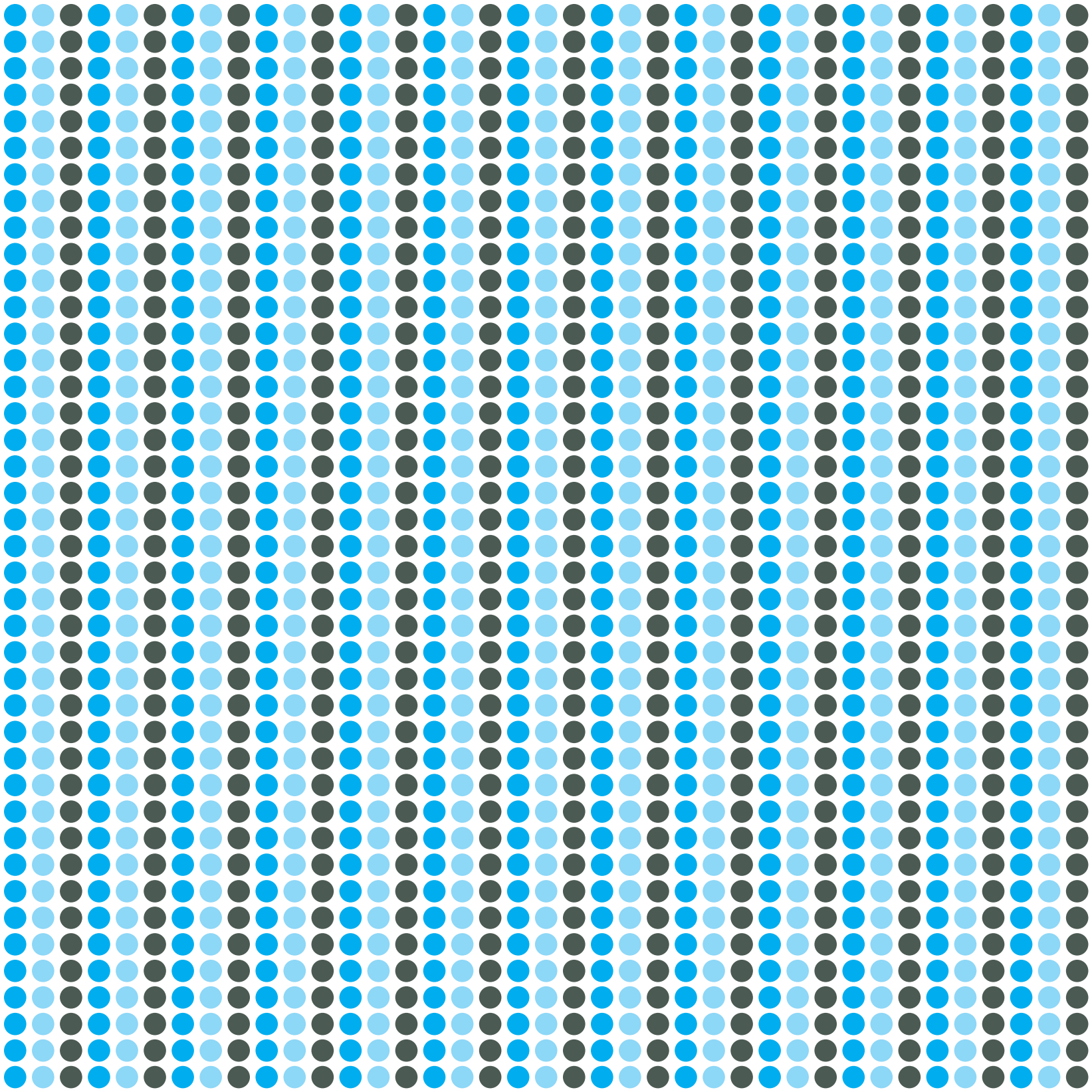
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ALTERNATIVE TRUTHS

The Construction of Narratives in the Rodney King Trial

SOYEON KIM

THIS PAPER EXPLORES THE EXPLOITATION OF NARRATIVE, CHARACTER, AND IDEOLOGY TO RECONSTITUTE THE VIDEO EVIDENCE IN THE TRIAL OF RODNEY KING, IN WHICH FOUR LAPD OFFICERS WERE INDICTED FOR VIOLENTLY BEATING THE DEFENDANT. THROUGHOUT THE TRIAL, THE PROSECUTION CHOSE TO LET THE VIDEO EVIDENCE OF THE BEATING SPEAK FOR ITSELF TO ALLOW THE JURY TO JUDGE THE POLICE OFFICERS AS LIARS RATHER THAN COMBAT THE NARRATIVE OF THE DEFENSE. CONVERSELY, THE DEFENSE RECONSTRUCTED AND RECONSTITUTED THE FORM AND CONTENT OF THE VIDEO, ILLUSTRATING AN 'ALTERNATIVE TRUTH' THROUGH THE USE OF METAPHORS, RHETORICALLY IDENTIFIABLE CHARACTERS, AND PROFESSIONAL DISCOURSE. IN THE END, THE NARRATIVE OF THE DEFENSE—WHICH DEPENDED ON THE STEREOTYPICAL DEPICTIONS OF THE DANGEROUS, ANIMALISTIC BLACK MAN (RODNEY KING) AND THE RIGHTEOUS HEROES (THE WHITE POLICEMEN)—RESONATED WITH THE RACIST IDEOLOGY OF THE SIMI VALLEY JURORS, AND, MORE BROADLY, WITH WHITE AMERICA.

OVERVIEW OF TRIAL

Around 12:45 A.M. on March 3, 1991, Rodney King, a 25-year-old motorist, was severely beaten by three officers of the Los Angeles Police Department (LAPD). A sergeant and 17 other officers looked on as King suffered his beating. The California Highway Patrol (CHP) and the LAPD had been in a high-speed car chase for approximately 15 minutes as they tried to stop King, who had run several stop signs. Once he stopped, King was “kicked at least seven times, shot four times with an electric Taser gun of 50,000 volts, and struck 56 times with nightsticks.”¹ King was black. According to the original report, he suffered “several facial cuts due to contact with asphalt. Of a minor nature. A split upper-lip.”² After he was thrown onto the ambulance and sent to the hospital, he would realize he also suffered nine skull fractures, a broken leg, injuries to both knees, a shattered eye socket and cheekbone, a partially paralyzed face, kidney damage, and permanent brain damage. He was never charged for running the stop signs.

Unbeknownst to the officers, local resident and amateur cameraman George Holliday videotaped the entire incident once King had halted, including the 81-second beating. Failing to get the LAPD to accept the tape, Holliday sold it to a local TV station for \$500.³ The video then aired repeatedly on local and national television to the shock of the American people, and was painted as a prime example of police brutality in America.⁴ A year later, a criminal trial was held, in which the policemen were charged with filing a false report, assault with a deadly weapon, excessive use



SCREENSHOT OF THE VIDEO TAPING RODNEY KING'S BEATING (COURTESY OF FLICKR)

of force as a police officer, and acting as an accessory after the fact. The defendants were Sergeant Stacey C. Koon and Officers Laurence Powell, Theodore Briseno, and Timothy Wind.⁵ The jury for the trial, on the other hand, consisted of ten white jurors, one Asian juror, and one Hispanic juror. Rodney King was unable to testify for the prosecution due to problems with short-term memory, in addition to fear and confusion since the beating.

Despite the video evidence, three of the defendants were acquitted of all charges, while the jury was deadlocked on whether Officer Powell used excessive force. These verdicts were received with outrage by the people of Los Angeles and the rest of the nation, and have been universally attributed to triggering the Los Angeles Riots of 1992. The six-day period of rioting saw 53 people dead, 2,300 injured, and over a billion dollars in damages to the city of Los Angeles.⁶ In response to the riots, King famously appeared on television to plead, “Can we all get along?” The riots finally stopped when the military intervened. While the initial beating of King reaffirmed the racial tensions between white policemen and black civilians, the Los Angeles riots showed the deep-seated racial issues across multiple races in Los Angeles, including Hispanics and Asians.

With the rise of smartphones and video cameras, similar cases of police brutality—Eric Garner and Walter Scott, for example—have recently been filmed and circulated through social and national media. Yet, the video of King’s beating in 1992 was the first time that the problem of police brutality appeared on the national radar, though many black people contend that this problem of police brutality existed long before 1992 and that the Rodney King case was only the first time it was caught on tape.⁷ Thus, the local and national outrage at the verdict was unsurprising: the video “clearly” showed that the beating was a case of police brutality, that excessive force was used against Rodney King, and that King consequently suffered a multitude of injuries—and yet, all four policemen in the Rodney King case were not convicted. How could this be?

This paper seeks to explore the exploitation of narrative, character, and ideology to reconstitute the video evidence in the first criminal trial involving Rodney King. Throughout the trial, the prosecution relied on the video evidence of the beating to speak for itself. In this way, the prosecution’s strategy rendered the jurors passive fact-finders in order to expose the police officers as liars rather than construct its own narrative to combat the narrative of the defense. Conversely, the defense reconstructed and reconsti-

tuted the form and content of the video through metaphors, rhetorically identifiable characters, and change in discourse to illustrate an ‘alternative truth’ by which the video could be interpreted; according to the defense, the police officers heroically followed a detailed procedure to contain an aggressive and threatening criminal. As a result, the narrative of the defense, which depended on the stereotypical depictions of the dangerous, animalistic black man in Rodney King and the righteous heroes in the white policemen, resonated with the racist ideology of the Simi Valley jurors, and more generally, with white America.

THEORETICAL FRAMEWORK

A rhetorical approach will be taken in analyzing the closing arguments of the assault trial of Rodney King. According to Foss, the main questions that students and critics have about rhetoric can be divided into three main categories.⁸ One is the relationship between the rhetoric and its context. This relationship can refer to the reconstruction of the context for the rhetorical artifact, such as the impact of the setting, audience, or occasion in which the rhetorical artifact occurred. The second question is how the message of the rhetorical artifact constructs a particular reality for the audience. Narrative criticism and metaphorical criticism are two methods that can be used to answer this question. The third question is how the artifact is an expression of the narrator’s interpretation of the world, which suggests the narrator’s motives for the rhetoric. Foss emphasizes that although these three key categories highlight different aspects of the rhetorical process, none of these categories act independently.⁹ Both the context of the rhetorical artifact and the way its message generates a particular worldview inherently reflect the rhetorical culture of the artifact, as archetypal images, metaphors, characters are socially constructed.¹⁰

Alper defined the narrative process as constructing and telling stories to create a rhetorically imagined world that gives the story its point.¹¹ One of the obvious reasons narrative is important is that it is a basic tool of humans to assign meaning to an observation or experience. It is how people make sense of the world, as they reconcile the expected with the unexpected, with respect to what they believe is the proper course of life. Alper also discussed the importance of narrative in the contexts of litigation and the courtroom. Litigators realize that certain narratives channel the interpretative decoding process of understanding narratives in the juror’s minds. Thus, litigators work within this process to persuade the jurors of a particular ver-

sion of these facts. To do so, they expand or change the scene as the audience—in this case, the jurors—understood it. As people employ narrative to make sense of an experience or observation, that narrative ultimately tells them how the story should end. The same is seen in the courtroom, where jurors apply this everyday sense-making process to ascertain the facts from the evidence, and narratives influence and often decide the verdict of the case.¹²

In the case of the Rodney King trial, the attorneys were responsible for making sense of the main evidence—the video—for the jurors. The jurors, like everyone else, watched the images throughout the video and had an initial reaction of shock and anger, but left the courtroom believing that King was the one who was dangerous.¹³ “The cops were simply doing what they’d been instructed to do,” a juror was quoted as saying. “They were afraid he was going to run or even attack them.”¹⁴ In order for the defense attorneys to successfully turn the media narrative on itself, an interpretive framing of these images, which set the foundation for the discourse, narrative, and characters that they would use, proved to be key.

Hasian explained that “‘forming one’s character’ means creating a persona that places oneself within communities of discourse that share cultures, interests, and languages. Judicial actors may at times claim that they are merely ‘interpreting’ the law promulgated by a legislator, but as human creatures caught in the maelstrom of life, they are often simultaneously performing prudential characterizations that are taken out the broader ‘rhetorical culture.’”¹⁵ The concept of character is undoubtedly related to broader ideologies, as it is the ideology of that culture that determines the significance and meaning of that character. As it relates to law, characters are especially important during trials because they allow for the process of evaluating the narratives that contain the legal as well as the cultural issues. However, the characterizations used in stories and trials often unfairly become accepted as accurate descriptions of a group of people, which influence the way we think about purpose and agency in society.¹⁶

The significance of these socially constructed meanings of images, characters, and metaphors rely on the ideology of this culture. Ideology, according to Hall, “refers to those images, concepts, and premises which provide the framework through which we represent, interpret, understand, and make sense of some aspect of social existence.”¹⁷ Ideologies are the articulation of different elements into a distinctive set or chain of meanings rather than isolated and

separate concepts. Hall also said that ideologies represent a collection set of practices, structures, and discourses rather than those from individual human beings. Therefore, although ideological statements can be made by individual people, ideologies cannot. Racism, as an ideology, is no exception. Ideologies work through the transformation of discourses and the transformation of subjects-for-action. The transformation of discourses refers to the articulation and re-articulation of ideological elements, while the transformation of subjects-for-action refers to their fracturing and re-composition. The way people see themselves and others is particularly important as it pertains to ideology because it informs their actions and practices. In the same vein, the way the jurors would come to see the video and the way the police experienced the events in the video were at least partly due to the way they saw themselves and others—as white people in society. Due to the immense media attention that the controversy received, the officers requested that the court location be moved from racially diverse Los Angeles county to the predominantly white suburb of Simi Valley, California, which the public has often attributed to the verdict in the defense's favor. The change in venue, of course, changed the racial composition of the jury from potentially having a few black jurors to having none at all, which influenced the way the images in the video were perceived.¹⁸

Common sense tells us that images lend themselves to transparent interpretation due to their representational quality. Messaris supported this view, claiming that “film and TV conventions appear to be constructed on the basis of preexisting cognitive principles for the perception of our physical and social environment.” Images, according to Messaris, “are not merely another form of arbitrary signification.” In other words, people do not need previous images to understand another image. The public thought the same about King’s video. “The tape is the tape. They can’t argue with that,” a resident of Atladena, California said during the news coverage of the trial.¹⁹ This viewpoint illustrates that the meanings of some images are self-evident—they are either indexical (making material connections between the image and the referent) or iconic (structurally resembling the objects they represent). But even the most apparently self-evident images need the viewer to participate in the interpretive process of meaning-making.²⁰

The meaning-making process of images helps explain the reactions to the videotape of Rodney King’s beating. The jury’s and the public’s perceptions depended on the con-

nections between their knowledge based on their experiences and the symbolic level of those images. What symbols people perceive images to be are based on cultural conventions and practices, and if the level of symbolism is strong enough, they become a character within the rhetorical culture of that group. For example, as it pertains to this case, an LAPD officer symbolizes peace, order, and security to a white juror from a predominantly white suburb, while a black man symbolizes danger and crime. The primary obstacle for the defense due to the videotape, which was that the symbols in the video so departed from what was culturally expected of those symbols, could actually be seen as an advantage because “images that radically depart from invariant expectations compel further processing effort.”²¹ Because the contents of the video so defied the expectations of the jurors, it left them more open to other ways of interpreting the video. Additionally, since the defense was seen as “underdogs” due to the media coverage that excoriated the officers, they were given the advantage of lending drama to their testimony and protecting the sanctity of generic LAPD policies and procedures. Therefore, this combination of narrative, character, and ideology naturally set up the success of the defense, as the prosecution stubbornly argued for objectivity rather than create these narrative qualities in its own argument. .

ANALYSIS AND INTERPRETATION

The defense in the Rodney King trial understood these intertwining factors of ideology, narrative, and character and consequently exploited them to reframe the interpretation of the events in the videotape. Throughout the trial, the defense employed the narrative of “the heroic team of rov-



A CARICATURE OF RODNEY KING IN A PRESS CONFERENCE (COURTESY OF FLICKR)

“By fragmenting parts of the video while playing it in slow motion, Duke justified the violence of the officers as a response to an ‘escalation of force’ shown by King.”

ing police officers defending civilized society against the rampaging hordes of wild inner-city barbarians and barely holding their own by a combination of courage, discipline, skill, strength, and teamwork.”^{22,23} In order to maintain and establish the foundation for this narrative, the defense had to reconstruct the video in form and in content.

One of the themes in the defense throughout the trial was that the officers had experienced the events of the video differently and that their experience was an alternative truth. Dwight Powell’s attorney, Michael Stone, consequently encouraged the jury to watch the video “not through the eye of the camera but through the eyes of the police officers who were at the scene.”²⁴ By proposing the idea of alternative truths, the defense also opened the jurors’ interpretive process to a new way of viewing the video. Because the original video had blurry and ambiguous images, the defense casted doubt on the quality of the tape and its value as a representation of reality. Through this justification, the defense reconstructed the original video evidence to form a new piece of evidence. To do so, they employed five different techniques to construct a new reality, an alternative truth.

The first method used by the defense to reconstruct the video was manipulating the speed at which they showed the video. When they wanted to emphasize that the officers took time to develop a reasoned response to King’s movements, for example, they would slow the video down. What happened in a split second in real time would appear to be enough time to reason out the best response to King’s “aggression.” This method of slowing down the video to illustrate that the officers had enough time to think was crucial, for the narrative of the defense was not that the officers were so fearful of King that they did not know what to do, but rather, that the officers were right and reasonable in their actions. However, the defense also increased the speed of the video when it supported their argument, as when they sped up the video to skip over unflattering moments. Similarly, they used real time speed when it served their argument as well, including employing real time speed to show how fast King moved despite having just been hit with high electricity from the Taser.²⁵

Another strategy used to reconstruct the video was stopping the video for certain segments to provide analytic commentary. The defense would run the tape in slow motion, and then interrupt the projection to ask their “use of force” expert witness, Sergeant Charles Duke, to explain and interpret the fractional parts of the video in the context of police work. Duke would then pair one of King’s “threatening” movements to a later strike that the police took to contain him. By fragmenting parts of the video while playing it in slow motion, Duke justified the violence of the officers as a response to an “escalation of force” shown by King. If the video had been in real time speed and not fragmented, King’s actions would have looked like nothing more than resting on his elbows or kneeling, rather than an “escalation of force.”²⁶

The third method used by the defense was alternating between the entire original version of the video and the still frames of individual parts of the video. They were aware that one of the prosecutors, Prosecutor Terry White, had shown the original video in its entirety in his opening statement, not just the 81-second clip shown by the media, and that the defense’s version of the video extensively used small extracts from the video. As a result, they did not want to be accused of doing exactly what they were criticizing the media of doing: distorting events and taking them out of context. To eliminate such accusation and to appear more comprehensive than the prosecution, the defense played an “FBI enhanced” tape during its opening statement and replayed this tape after their experts had analyzed certain isolated segments of the video to explain each blow and strike taken by the officers. It appeared, therefore, that the defense was allowing the jury to “double-check” and confirm for themselves whether the blows occurred for the reasons the expert claimed they did. However, the perception of the jurors’ had already been conditioned to the defense’s analysis because the “FBI enhanced” version had been shown after the prosecution’s analysis.²⁷

The final technique that the defense used to reconstruct the old video was converting the original video into individual stills, forming a new body of texts. By remaking the

“Because of the media and the insistence by the jurors to view the new video from the officers’ perspectives, the line between fiction and reality had become blurred for the jurors as well.”

video into single-page images, the visual scene changed from the chaos of the continuous video to order in this array of static photographs. They then made a sort of flip book out of the video, creating a series of discrete images that gave the impression of movement when flipped in sequence, but could be stopped at any moment to analyze a single page. Thus, rather than a whole that represented one thing—i.e., the police brutally beating Rodney King—the video became a series of distinct images and events, from the police’s perceived signs of aggression from King, to the police making the reasoned decision to contain this threat, to the strikes with the batons themselves.²⁸ These still images made King appear more active than in the video, and therefore gave the jurors an illusion of movement and power to King, which they were quick to believe due to their ideology.

The defense additionally distilled each individual photograph by putting overlays that had crayoned outlines on top of the photos. These outlines and a pointer were utilized by the defense and the “use of force” experts to focus the jury on King rather than on the officers. Just as lines connect selected stars into a constellation, these outlines turned what had been blurs into a concrete shape for the jurors. The defense thus allowed the jurors to engage in the interpretive process, while outlining clearly King’s position relative to the officers, which was not as obvious in the quickly paced video.²⁹ The white crayoning used to foreground King also shows the implicit racism used throughout the trial, as the defense continually contrasts King, a black man, with the white police officers, the jurors, and the white crayoned outline. Richard Sherwin noted that the media have made it more and more difficult for people to distinguish between “fiction and reality... [to] draw the line between historic events and their visual representations.” By making this new video, the defense changed reality in the original into fiction through altered and reconstituted versions of the incident in the form of overlays, diagrams, and photos. Because of the media and the insistence by the jurors to view the new video from the

officers’ perspectives, the line between fiction and reality had become blurred for the jurors as well.³⁰

The defense realized that they needed the jurors to reject the old text—the original video. In reconstructing and reconstituting the video, the defense allowed the jurors to perform their role as meaning-makers through a “tabloid-like construction of the truth.”³¹ The defense guided the jurors to the verdict by presenting the scenes from the perspective of the police and encouraging the jurors to connect those scenes to their own reality, one in which police officers are moral and black men are associated with crime. At the same time, however, the defense acknowledged that the prosecution’s reality existed, and that the video was, in fact, violent:

Mr. Mounger: How do you view looking at this videotape, sir?

Sgt. Koon: It is violent and it is brutal.

Mr. Mounger: Was this anything that you enjoyed?

Sgt. Koon: No.

Mr. Mounger: Why was it done?

Sgt. Koon: It is done to control an aggressive combative suspect and sometimes police work is brutal. That is just a fact of life.³²

Yet, the defense added to this reality by insisting that there was also the reality of the officers, that they were following the procedures of their job, which they showed by breaking down the video into extemporal images. In doing so, they justified this violence and provided a new frame for the narrative they would use throughout the trial.

In addition to reconstructing the video in terms of form, the defense would also reconstruct its narrative substance. By combining these two strategies, the defense framed the prosecution’s “objective truth” as one that was a “nonsensical, incredible tale too full of inconsistencies and loose ends to withstand the onslaught of reasonable doubt.” The new video was the medium through which they explained their narrative, and they did it in the context of the profession of the police. This combination allowed the defense to

show the jurors that while experiences change according to perspective, the prosecution's "objective truth" did not make sense.³³ Just as they did to formally reconstruct the video, the defense employed several major techniques to reconstruct it narratively as well.

First, they needed to change the discourse used to explain the video. Rather than continuing the discourse established by the news media, which was through the lens of civilians outside of the police force, the defense contextualized the video through the professional discourse of the LAPD. By doing so, they also used a coding scheme that transformed the way their clients understood the world into categories and events that were according to the lives of the LAPD. This professional discourse of the police allowed the jurors to interpret the video in a way that coincided with their cultural expectations as white people from a white suburb, thereby consolidating the narrative for the defense and providing the foundation for the "alternative truth" as experienced by the officers. However, this reasoning and discourse would not have been as effective if the racist ideology of the policemen had not overlapped with that of the jurors—that is, the way they viewed black men as threatening and the policemen as morally right. This overlap in ideology allowed the jurors to more easily believe the fear explained by the officers. Sergeant Stacy Koon, a defendant, used this professional discourse in his testimony, saying that "this was a managed and controlled use of force. It followed the policies and procedure of the LAPD, and the training."³⁴ Thus, he provided the jurors a linguistic filter through which they watched the tape while helping to legitimize the framing of the video: they were doing their jobs as law enforcers.

This discourse was continued further when the defense called forth the main witnesses for the defense in trial, the "use of force" expert Charles Duke. This discourse, combined with the already reconstructed video, served to specifically detail the procedures the police took in response to the actions they perceived from King. In the segmented, slowed-down images of the beating, they introduced an "escalation/de-escalation" framework to interpret each movement by King on a "spectrum of aggression" from escalation, to de-escalation, to assessment, to escalation, and again to de-escalation. Thus, what looks like, to a person outside of this discourse, the police striking, the victim reacting, the police then deciding whether to strike again, the police striking again, and then the victim reacting again, becomes only a measurement of where Rodney King lies on this spectrum

of aggression. In this discourse, King's self-protective actions become signs of aggression, while this illusion is amplified through the slowed down, cut up images in the new video. As a result, simple actions by King such as bending down or resting on his elbows were repeatedly described by the officers as King being "on the rise." Duke, in contrast to the media portrayal of the video, was free to give agency to whomever he pleased due to the perspectival nature of the defense's argument. Because of this escalation/de-escalation framework that portrayed King as the aggressor, the agency shifted from the officers to Rodney King. Therefore, the framework not only changed the discourse for describing King's actions, but also changed who had agency in the situation—indeed, most of King's actions were described in the active language, while the officers' were in passive language. While Koon only "activated" the Taser rather than shot it, the smallest head movement from King—even though it was after Powell had knocked him to the ground—was described as renewed aggression. It is because of this jargon that the defense came to the conclusion that "Rodney King, and Rodney King alone, was in control of the situation."³⁵

By explaining the video in the professional discourse, as Charles Goodwin explains, Duke, the expert, "[taught] the jury how to look at the tape and how to see relevant events within it... He provided them with an ethnography of seeing that situated the events visible on the tape within the worklife and phenomenal world of a particular community."³⁶ Therefore, one of the implicit arguments the defense makes by bringing in an "expert" to interpret the video is that the jurors did not know the language and vocabulary with which to watch this video, and that there is important information outside of the average juror's sphere of knowledge that only a person within this discourse would know. Consequently, Duke "walked them through" an elaborate chart of police "tools in escalation." These "tools" began with "verbalization and presence," or letting the criminal know of the police's presence, and elevated to the chokehold and use of deadly force. After delineating these tools, Duke correlated the policeman's actions and matched them with the tools of escalation, to show that they were following police procedures. For example, he pointed to the stills on the video, perceived King's movements as a "charge at an officer," and subsequently reconstructed Officer Powell's first blow—the one that knocked King to the ground—through a choreographic demonstration that was "an appropriate weapon to use to stop [the charge]." Thus, Duke continued to characterize King's movements as signs of aggression and danger, and consequently charac-

terized the actions of the officers as reasonable and just. This justification continued to form the characters of King and of the officers, thereby continuing to establish the narrative of the heroic policemen following procedures to protect society from “threats” like King.³⁷

Duke’s testimony was important also because it contextualized the testimonies of defendants Sergeant Koon and Officer Powell. Because they were the most experienced officers on the scene, they also became the “experts” on the scene, embodying the same level of “professionalism” as Duke. To establish their experience, they opened up their own testimonies by listing their extensive résumés. They also exemplified the professional jargon to distinguish their more knowledgeable perspectives from the jury’s: “Mr. King went down on what I could call a one-point landing on his face,” Koon said to describe a still of the video. He continued this jargon: “Officer Powell had what I would call kind of a pulsated back to evaluate.”³⁸ This use of technical jargon by the police again emphasized to the jurors that there was an alternative truth to the beating, as it introduced them to a new way of defining and looking at the events of the video.

Because the prosecution’s main argument centered on the “objective truth” of the video, Duke’s testimony sparked several problems for the prosecution. They could and did counter with their own expert witness, but doing more than that would risk conceding that the video required higher interpretation, and that the police possessed the expertise needed to do so. Additionally, when experts disagree in a criminal trial, the burden-of-proof rule is supposed to work in favor of the prosecution (how could we as laypeople know beyond a reasonable doubt when even the experts can’t decide?), but the prosecution found itself at an atypical disadvantage: because the defendants were police officers who enforce the law, this usual advantage was offset. In addition, had the prosecution stuck purely to their argument—which was that the video speaks for itself and that, therefore, the officers were not excessively forceful—it would appear as if they had no counterargument to Duke’s interpretation of the video. If the prosecution had not argued for the single truth of passively watching the video, and instead provided a narrative of its own, they would not have encountered these issues.³⁹

Another method the defense utilized was emphasizing the events that preceded the contents of the video. “Rodney King refused instructions to stop, drove at over 100 miles

per hour, refused instructions to assume a felony prone position, resisted attempts to determine whether he had a weapon, repelled four officers who grabbed his limbs, withstood 100,000 volts of electricity and lunged at Officer Powell,” said Michael Stone, Dwight Powell’s lawyer. While the media had largely shown only the 81-second video and emphasized its shocking nature, the defense illustrated that much had built up to necessitate, in the policemen’s perspective, the procedural use of force to contain Rodney King. “How much force is needed to subdue this unruly, PCP-crazed giant?”⁴⁰

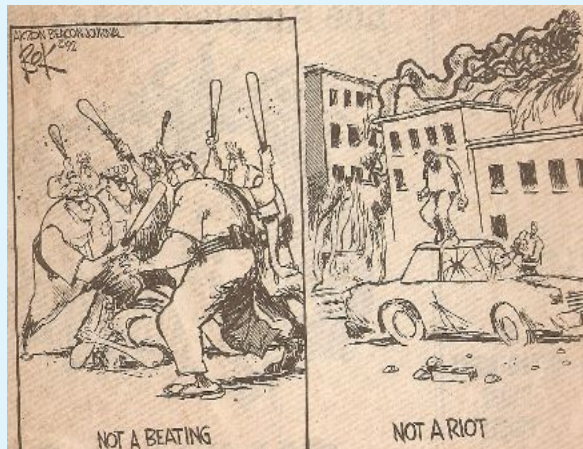
Referring to King through descriptions such as an “unruly PCP-crazed giant” that the officers “needed to subdue” exemplifies the effectiveness of the language used by the defense throughout the trial. In this situation, “effective” language for the defense would be that which reaffirms the racist ideology of the white suburban jurors, and therefore, supports their narrative and further establishes the characters they have created. To form King’s character as a threatening, uncontrollable, all-powerful criminal that was insensate to pain, the defense used animal and gun metaphors—both symbols that elicit qualities related to stereotypes of big, black men according to the racist ideology of the jury.⁴¹

One of the claims all the officers made was that they believed King to be under the influence of PCP, a drug that would have made King exceptionally immune to pain, thereby endowing him with superhuman strength. By attaching this quality to King, the defense could now use hyperbolically dehumanizing imagery to highlight King’s character. Darryl Mounger, Koon’s lawyer, did so by likening him to King Kong: “But rather than causing Rodney King to fall down, you are going to hear that Rodney King rose up to his feet and groaned, ‘Ahh, Ahh’ and started advancing toward Koon, and Koon ordered him again, ‘Get down, get down,’ but Rodney King kept coming.”⁴² The continuous use of King’s full name without the use of pronouns makes King out to be the name of a creature, while Koon appears to be accusing King even further through the repetition of his full name. By avoiding to use the pronoun of “he,” Mounger seems to purposely implant the thought of King as a creature rather than a human in the minds of the jury. The loaded language supports this characterization as a lifeless, harmful creature and produces the image of a threatening creature like King Kong approaching an innocent, heroic policeman who was only doing his duty to protect society.

This animal metaphor proceeds to be seen in Mounger's direct examination of Koon, as the officer repeatedly describes King as "pumped up." According to Koon, after Tasing King a second time, King "repeated this, uh, this groan, like similar to a wounded animal... I could see the vibrations on him, that he seemed to be overcoming it."⁴³ Here, King is quite literally compared to an animal, which again implicitly invokes the stereotype of black men as subhuman brutes. The officers' vivid details, such as the vibrations on King to the groan of a wounded animal, gives authenticity to their experience, which in turn, highlights the importance of alternative truths—that what was caught on camera could be different from what the officers had seen. Mounger emphasized this concept and again criticized a way of thinking that believes in only one experience of events:

You are going to hear that Rodney King displayed the objective symptoms of being under the influence of something, and Sergeant Koon will tell you, "I knew he was under the influence of something. I saw a blank stare in his face. I saw watery eyes. I saw perspiration. I saw that he swayed. I saw that he was slow to follow the command of the officers. I saw him looking through me."⁴⁴

This description again paints the image of King's character to allow the jurors to vicariously feel the threat the officers claim they felt when facing King, while Mounger explicitly devalues the "objective" experience people think they see when they watch the video without any context.



A CARICATURE OF THE 1992 LOS ANGELES RIOTS (COURTESY OF FLICKR)

Michael Stone later extended this metaphor of an animal using an officer's own words:

But her husband, Timothy Singer, what did he say? He wasn't even involved in this and he said, "I was scared. This was like something out of a monster movie. This man, Rodney King, got up, and I could see the - the muscles in his face convulsing from the electricity and it was like right out of a monster movie."⁴⁵

Once Stone began to believe King was under the influence of PCP after he had been Tased twice, he again used similarly dehumanizing imagery: "And Officer Powell went up, grabbed his wrist and tried to move it back to a handcuffing position, and King began to laugh and suddenly he went into a push up position and with the full body weight of Officer Powell [193 lbs.] on his back he pushed up and Powell rolled off and all of the officers scrambled away."⁴⁶ The image of King beginning to laugh at Officer Powell's failed attempt to put King into a handcuffing position attaches a demonic quality to King, while transferring the victimization from King to the officers. As expected of the cultural conventions of white suburbia in America, King became the villain rather than the victim. King's actions described by Stone not only hinted that King dared to disrespect the policeman, but also amplified the sense of danger emanating from King's character, justifying the measures the police would initially take to "subdue" King. Stone further dehumanized King by using language that seemed to describe a zombie:

"Did King respond? Not really. He continued to pat the ground and make strange noises. Mr. King chose to do that. Now, at that point every officer at the scene concluded, we got a duster on our hands and there is no doubt about that. There is no doubt about that. Their perception was this guy is under the influence of PCP, and oh, boy, look at how big he is. We have got problems"⁴⁷

Another metaphor used by the defense to enhance the imagery of Rodney King was weapon metaphors. What looked to everyone else like King helplessly flopping and flailing his legs and arms in response to the blows, Koon and Powell repeatedly described as King having his leg "cocked" or his arm "being in a trigger position." Hence, King's body had become a gun. The fear that the danger of a weapon elicits in people, as well as the criminality associated with guns, again point to the defense's deliberate effort to match the events of the video with the jury's stereotypes of black men. As Vogelmann notes, this

characterization of King could not be broken because King himself did not testify.⁴⁸

The defense attorneys juxtaposed their characterization of King with that of the officers to cement their characters and, thus, the narrative that mirrored the cultural expectations of the jury. While justifying the violence of the video, the defense highlighted the “bravery” of the police officers taking measures to subdue King, who was made out to be an aggressive, threatening character. Stone alluded to the duty and heroism of the police officers in their closing arguments: “These are not Robocops, ladies and gentlemen. They hurt, they feel pain, bleed, and they die, just like everyone else. And we leave it to them to take care of the mean streets so that we can safely enjoy our lives.” By distinguishing the officers from the popular culture icon “Robocop,” the defense again calls forth the experiential knowledge and the meaning-making process for the jurors. Stone continued, “These officers, these defendants, do not get paid to lose street fights. They don’t get paid to roll around in the dirt with the likes of Rodney Glenn King. That is not their job. That is not their duty.” Stone thus highlighted that, in spite of their vulnerability to danger because of their humanity, the officers courageously risked their lives to protect the rest of the world from “the likes of Rodney Glenn King.” Because the defense had already established King’s character as an animal and menace to society, they utilized this character to contrast with the humanity of the officers. Timothy Wind’s attorney, Paul DePasquale, also continued this characterization: s

The job that these law enforcement officers, these cops, are hired to perform and the job they perform is to constitute a line between the uncontrolled chaotic behavior of a person who drives wildly, who conducts himself wildly without thought for his own or other people’s safety. That is a job that falls to these police officers, the line between chaos and society.⁴⁹

DePasquale as well as Stone, therefore, appealed to the cultural convention that the police represent the “thin blue line” that separates society from chaos, from “the likes of Rodney Glenn King.” Ironically yet unsurprisingly, it was conveniently ignored that, just like the officers, King can also “hurt, feel pain, and die.” DePasquale’s words, and the jury’s agreement with this narrative after the trial, illustrated that for both the officers and the jury, Rodney King did not represent their society.

Rather than create his own narrative and form his own characters for King and the officers to combat the defense’s

narrative, Prosecutor White simply asked Powell, “[King] wasn’t an animal, was he?” to which Powell answered, “No, sir, just acting like one... because of his uncontrollable behavior.”⁵⁰ Although White’s intention, in addition to again emphasizing the “facts” of the case, was to delegitimize Powell’s account of the events, this kind of questioning served no real purpose other than giving Powell the opportunity to repeat King’s uncontrollability. Thus, White himself contributed to forming King’s character as an exaggerated form of the stereotypical big, black man: animalistic, uncontrollable, monstrous, and dangerous. White and his co-counsel, Alan Yochelson, would stubbornly stick to what the videotape had shown without any context or further interpretation. Their preoccupation with the “facts” deterred them from winning over the jury, as the inclination of the juror, as aforementioned by Alper, is to make sense of the video in a way that resonated with his cultural expectations, ideology, and reality.⁵¹ In the end, the prosecutors shared the same viewpoint as Messaris: that some images speak for themselves. White continued to express this viewpoint in his closing arguments:

And what more could you ask for? You have a videotape in this particular case which shows objectively, without bias, impartially, what happened that night. This videotape is the central piece of evidence in this case. We don’t need to rely on Stacey Koon’s words. We don’t need to rely on Lawrence [sic] Powell’s word. We don’t need to rely on what they said happened that night. We don’t need to rely on what Mr. King says happened that night. We have the videotape and the videotape shows conclusively what occurred that night and it is something that can’t be rebutted. It is there for everyone to see. It is the most objective piece of evidence you can have.⁵²

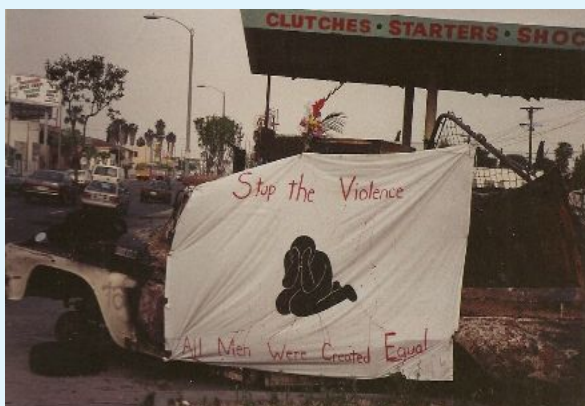
This position not only underestimated the interpretive nature of the juror by demanding the jurors to be passive watchers of the video, but also failed to negate the defense’s narrative and the professional discourse of the police used to substantiate that narrative.

As we can see from the Rodney King trial and the resulting verdict, although we may think that “a picture is worth a thousand words,” words can be used to change what that picture means.

Thus, instead of taking an approach that was about the tape, the whole tape, and nothing but the tape, they could have tried to beat the defense with their own narrative. While acknowledging that the video did require further interpretation, the hypothetical narrative of the prosecution

could have impressed upon the jury the frightening consequences of the means by which the defense arrived at their interpretation. With this approach, the prosecution would have maintained the juror's role as active meaning-makers rather than passive fact-finders while questioning the kind of meaning they wanted to assign the events of the video, in which Rodney King was beaten by the police who justified every strike according to their procedures. The conclusion that the defense's argument was reasonable was based on the fact that it adhered to the LAPD's rules pertaining to the escalation and de-escalation of force to subdue the threat that King symbolized.⁵³

What lay in this subtext was that the jury, according to their worldview, could not deny their city the police protection that it perceived to be necessary against the movement of crime and drugs among black carriers from Los Angeles. The difference between the defense's narrative and the prosecution's narrative, however, was that in all likelihood, the characters and narratives portrayed by the prosecution departed from the worldview and ideology of the Simi Valley jurors. Naturally, they would have had to depict the officers as reprehensible characters. To counter Duke's technological professionalism and the professional discourse he used to establish the defense's narrative, the prosecution could have formed a narrative that exposed this "professionalism" as belying common morality. Hence, the use of force throughout the beating would change from a reasoned response to an outrageous over-reaction in the context of common morality. Alper proposed a concrete narrative that the prosecution could have utilized throughout the trial:



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The use of force that Duke attempted to justify - and Duke's own defense of it - could have been depicted as an outrageous over-response to Rodney King's minor infractions of the law by a runaway police machine so obsessively programmed to overwhelm the slightest resistance that it was likely to destroy the very social order it existed to protect.⁵⁴

This narrative would not be denying Duke's professionalism while simultaneously guiding the jurors to see that they can buy into that vision of the police, but only at a price that does not use force against society so easily.

CONCLUSION

Although the Rodney King trial was the first case involving police brutality to receive such national attention, the legal aspects of the narratives, characters, and discourse are familiar due to the ideology that gave those specific aspects significance. The reason that the video was so shocking to begin with was that, out of context, it had so deviated from the public's cultural expectations of police officers. As a result, it was covered by the media as an awful aberration, but with the video evidence clearly in everyone's minds, the task of the defense was to reinterpret the video in a way that corresponded with the ideology of the Simi Valley jurors.⁵⁵ Their method was diametrically opposed to that of the prosecution, which emphasized the objective viewing of the video, de-valued the interpretive process, and did not construct any ideologically appealing narratives or characters. Instead, the defense emphasized alternative truths—that there was more than one way of understanding the events of the video.

Consequently, the defense constructed its own video, one that portrayed the officers' reality during the incident. They manipulated the original video by altering or maintaining its speed depending on what supported their narrative, and converted the video from a continuous clip to a virtual flip book that gave the illusion of movement while allowing the defense to analyze each moment. This reconstruction of the video allowed for the reconstruction of the narrative, that the policemen heroically followed the procedures according to their jobs despite the danger presented by the "animalistic" and "unruly" Rodney King. By slowing down and analyzing each moment, the defense was able to make virtually any of King's movements, even those that were in response to being attacked, to be viewed as signs of aggression to the police. Because the racist ideology of the white police officers coincided with that of the Simi Valley jurors, this made more than enough sense to the jury. It

was due to the defense's narrative that the jurors were able to reconcile the deviation of expectations that were presented in the original video with their own reality that was constructed while living in a white suburb.

The professional discourse the defense used throughout the trial amplified both the new video evidence as well as the alternative truth narrative of the heroic police officers vs. the barbaric criminal. This discourse not only shifted the agency from the officers to King, but also reminded the jurors of the likelihood of the alternative truth, as the jurors had not been a part of the discourse that allowed them to interpret the video the way the defense did. While the professional discourse established the context through which to view the video, the words of the officers and their attorneys also were influential in the metaphors they used to form the characters of Rodney King and of the officers. These characters of the overall narrative again reflected the ideology of the policemen and the jurors, as shown by the use of weapon and animal metaphors to encapsulate King's superhuman strength, subhuman nature, and criminal tendencies, thereby justifying the fear and violence of the police. Conversely, the police were portrayed as humans who were brave enough to take the risk of being in danger on a daily basis for the sake of society, and when faced with such a situation, promptly followed the violent procedures that their jobs entailed. The effectiveness of these characters, and therefore the narrative, again depended on the ideology of the jurors. Unfortunately, the jurors would not fail the defense team, as the verdict held that all four of the officers were not guilty. Despite the video evidence that was shown all over the nation, the meaning of those images was not as clear as the public thought. The public and the prosecution believed that as the old saying goes, "a picture is worth a thousand words." As Rodney King's criminal trial showed, however, with enough words and contextualization, the meaning of that picture can change.

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THANK YOU FOR THE MUSIC

Musical Activities as Therapy for Autistic Children

NATASZA GAWLICK

MUSIC THERAPY, DEVELOPED OVER THE YEARS BY NUMEROUS MUSICIANS AND EDUCATORS, SUCH AS CARL ORFF, JACQUES-DALCROZE, AND KODALY, HAVE PROVEN TO STIMULATE SOCIAL INTERACTION, IMPROVE SELECTIVE ATTENTION AND AID IN NUMEROUS OTHER DEVELOPMENTAL MILESTONES. THESE FINDINGS ARE NOT ONLY IMPORTANT FOR PARENTS AND SCHOOL CURRICULA, BUT ALSO HAVE PROFOUND MEANING FOR CHILDREN WITH AUTISM. NUMEROUS STUDIES, INCLUDING WORK DONE BY KOELSCH, AS WELL AS WINSLER, DUCENNE, AND KOURY, FOUND THAT CHILDREN WHO PARTICIPATED IN A MUSIC AND MOVEMENT PROGRAM DEVELOPED GREATER SELF-REGULATION SKILLS, SUCH AS PRIVATE SPEECH, SHOWED GREATER IMPROVEMENT IN COORDINATION, AND FOSTERED POSITIVE SOCIAL INTERACTION BETWEEN RESEARCHER AND SUBJECT. AUTISTIC CHILDREN WHO WERE EXPOSED TO MUSIC THERAPY HELD EYE CONTACT LONGER, ENGAGED IN DIALOGUE, AND REDUCED NEGATIVE BEHAVIORS SUCH AS HEAD-BANGING, AVOIDANCE, OR SELF-STIMULATORY BEHAVIORS. DIVERSE METHODS OF MUSIC THERAPY, INCLUDING PLAYING INSTRUMENTS, LISTENING TO SOUNDS, AND OTHER MUSICAL ACTIVITIES, COULD GREATLY IMPROVE THE SOCIAL, EMOTIONAL, AND EDUCATIONAL DEVELOPMENT OF AUTISTIC CHILDREN.

Music is an extraordinary medium because of its rare capacity to affect both young and old, to connect people from different cultures, ethnicities, and backgrounds, and even to shape behavior. The music therapy movement began in 1892 with Emile Jaques-Dalcroze, a professor who created the practice of Eurhythmics—a combination of improvised and structured movement in response to music. Soon after, composer Carl Orff applied Jacques-Dalcroze’s principles to his own method; children learned musical concepts such as rhythm, melody, harmony and texture through the use of basic instruments such as drums, triangles, and voice. These exercises not only helped children in their musical context, but also taught them how to regulate their behavior and emotions in other settings, such as at school or in public spaces. Numerous other musical approaches developed in following years, including the Kodaly concept, the Bonny Method of Guided Imagery and Music, and more recently, the Nordoff-Robbins technique.

Studies over the years, including work done by Winsler & Ducenne and Lobo & Winsler, have proven that music fosters social interaction, phonological processing, memory, selective attention, and many other developmental milestones in children.¹ This knowledge influences the way education systems are—or should be—structured, how parents raise children, and how interventions are used in clinical practice. Music therapy, particularly involving both improvisation and structured activities, is especially important and beneficial for children with autism. Listening to music, playing an instrument, and other musical activities help autistic children develop emotion recognition, experiences with others, and motor coordination.² This paper will address common music therapy techniques, their effects on a control population (children who develop normally and are not diagnosed with any disorder), and conclude with the positive impact music therapy can have on autistic children’s social behavior and development.

EFFECTS OF MUSIC THERAPY ON CONTROLS (CHILDREN WITH NO DIAGNOSED DISORDER)

Music is an indispensable mode for promoting better language, motor, and spatial development in children. Most music therapies use a combination of songs appropriate for a given age group (“Row Your Boat” for children) as well as advanced, classical music (Dvorak’s “Slavonic Dances” or Beethoven’s “Piano Sonatas” for

more mature ages). Coordinating movement to musical pieces and sounds produces better motor performance and precision; movements such as running, jumping, and walking can all be expressed through music. Children learn to listen to the tempo, dynamics, and pitch, then adjust their movements accordingly. Unlike spoken or demonstrated directions to jump, run, or move a certain way, music forces the child to listen, differentiate between sounds, and change their movements according to what they hear. For example, children tiptoe or move slowly when they hear a soft, slow passage; they run, skip, or twirl when they hear a fast, loud sequence. In this way, children become aware of their own body within space and in relation to the peers around them; they adapt to others’ movements and learn to inhibit their own actions (e.g. knowing when to wait their turn to sing/play an instrument, or dance with/mimic others).

By listening, children become attuned to emotional colors expressed through the music and can then use the sound to identify their own affective state. Koelsch found that music activates key regions in the amygdala, like the nucleus accumbens and hippocampus.³ As the brain’s center for emotion regulation, the amygdala is a powerful component for reward, motivation, and learning. Koelsch’s findings prove that music is not only a highly rewarding stimulus, but that the brain can detect changes in the music’s tone color (sad vs. happy). If music stimulates shared experiences, promotes emotional identification, and improves motor coordination, then it can immensely benefit children with autism.

In a study done by Winsler, Ducenne, and Koury, children who participated in a music and movement program based



CHILDREN GATHERING FOR A MUSIC LESSON (COURTESY OF WIKIMEDIA COMMONS)

“[M]usic fosters social interaction, phonological processing, memory, selective attention, and many other developmental milestones in children.”

on Orff’s method (called Kindermusik), which included “percussion movements (clapping, tapping floor with foot), readiness and reaction movements, and improvisation and creative movement,” showed greater improvement in balance and coordination than the control group.⁴ Furthermore, children who participated in Kindermusik developed greater self-regulation skills, such as private speech, where children give themselves verbal directions in order to complete a task. For example, when trying to figure out a game or puzzle, the children in the study often muttered to themselves to remember details or unscramble clues.⁵ Another component of the study included leaving the subject in the room with a goody bag in the corner (behind the child) for several minutes, and telling the child to wait quietly for the researchers’ return without looking in the bag. Children who participated in Kindermusik hummed or sang songs and only peeked at the bag from a distance. Those who had no music training often called out to the researcher several times and even approached the bag several times. This shows a marked difference in inhibitory control and executive function between children who participate in music activities and those who do not. This study among hundreds of others demonstrates the positive and valuable effects of music on children’s cognition and behavior.

EFFECTS OF MUSIC THERAPY ON CHILDREN WITH AUTISM

As previously mentioned, music therapy can have profound effects on building interpersonal relationships and increasing emotional expression, particularly in autistic children. Children with autism often display unusual behaviors, such as performing repetitive movements (e.g. hand flapping, rocking back and forth), self-injurious actions, and/or extreme tantrums if a set routine is interrupted or changed. They often do not make contact or engage socially with peers and adults (even family members), and have minimal or delayed development of speech. These developmental delays not only affect intellectual functioning, but also make it difficult to form meaningful social relationships. Through

music therapy, autistic children can learn to connect emotionally with others and replace self-injurious or stimulatory behaviors with songs or rhythms.

The infant-caregiver attachment is a critical step in early development; the mother and child interact in numerous different ways, with the child learning to reciprocate and understand emotions as well as initiate communication. Music therapy strives to mimic this back-and-forth exchange to teach autistic children how to effectively communicate in social settings. In Kim, Wigram, and Gold’s study, the researchers studied ten autistic male children and an equal number of control participants to evaluate their emotional engagement after therapy with toys or music.⁶ Each child participated in both types of therapy, but were randomly assigned to have toy therapy first and music therapy second, or vice versa. Sessions of music/toy therapy were divided into two 15-minute periods of free play (directed by the child) and activities directed by the therapist. The therapist would introduce new games or turn-taking activities by modeling the desired behavior (e.g. saying “Sarah’s turn” and playing on a keyboard). The researchers evaluated five target behaviors: joy, emotional synchronicity, initiation of engagement, compliant response, and no response.⁷

Kim, Wigram, and Gold found that the frequency of joy events steadily increased over the course of 12 sessions in music therapy conditions, whereas joy events remained stable at zero in toy play sessions.⁸ Similarly, children initiated engagement with the therapist more in music therapy than in toy therapy. Emotional synchronicity was measured by observing moments when “the child smiles and laughs, and the therapist simultaneously shows congruent behavior.”⁹ These synchronized moments occurred more often in the undirected music condition, when children could guide play. Thus, music proves to be a powerful medium to share experiences and affective states. Since autistic children often do not respond with warmth and intimacy to their parents, music serves as a perfect mode to connect with their parents, understand emotions, and become familiar with patterns of social engagement.

“Ron Fang’s observations proved how beneficial and even crucial music can be in helping autistic children understand others’ emotions...”

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In a case study done by Elizabeth Ron Fang, the researcher worked closely with an autistic child, Mike, to assess his functioning and monitor improvement. Mike’s life revolved around music; he played piano in the school orchestra, completed theory assignments on the computer, took piano lessons, and played several other instruments. The researcher stated: “Mike is very responsive and attentive during musical engagement in comparison to his normal responses at lunch or non-music classes.”¹⁰ Although Mike was usually reserved and unemotional, he became more social and motivated when music was involved. The researcher observed Mike playing video games that used instruments (guitar, keyboard, etc) with friends. Despite the subject’s predominantly nonverbal communication, he made eye contact more frequently and smiled at their collective success in the game.¹¹ Because of music, Mike could connect with peers and share experiences with them.

Ron Fang also conducted a case study on Ryan, a six year old boy with autism. The subject’s parents reported that Ryan had difficulty recognizing and understanding facial expressions. To help with this challenge, Ryan’s parents used a combination of words and songs to help him understand directions, as well as their emotions. The parents noted that, “not only did music help others understand him, music also provided a way for him to understand the speech of others. Music helped Ryan grasp the meaning of words.”¹² Though no direct clinical intervention was used in either of these case studies, Ron Fang’s observations proved how beneficial and even crucial music can be in helping autistic children understand others’ emotions and regulate their own.

Music therapy not only facilitates emotional awareness and communication in autistic children, but it can also directly promote positive social behaviors such as eye contact and taking turns in an activity. Finnigan studied frequency and duration of positive social response behaviors (eye contact for at least 3 seconds, imitation of researcher’s behavior, and turn-taking) versus avoidant behaviors (gaze aversion, pushing toys or adults away, or getting up and

leaving) in Anna, a four year old autistic female.¹³ The therapist and Anna met twelve times, alternating between music and non-music sessions. During music sessions, the therapist engaged Anna with three toys, accompanied by singing simple melodies, playing guitar, or showing her games, such as taking turns playing a drum. For example, the researcher would say “Emily’s turn”, play, and then hand the mallets to Anna to see if she would engage in the social activity.¹⁴ The non-music condition used three similar toys and two-person activities as well, with the exception of musical factors.

During baseline testing, where Anna and the researcher played freely and in non-music conditions, eye contact did not occur. In 5 of 6 music sessions, however, one to three instances of eye contact were observed. Eye contact increased when music was used, but returned to baseline zero eye contact during non-music sessions. The researchers also found that “imitation increased steadily from 36.7% to 100% and remained stable at 100% for the final four [music] sessions,” which indicates that music conditions were successful in increasing imitative behaviors.¹⁵ Lastly, though the non-music condition helped Anna with turn-taking behaviors, her positive turn-taking interactions increased from 37% (no music) to 100% when music was introduced. “Anna displayed a higher frequency of all three social responsive behaviors (e.g. eye contact, imitation, and turn-taking) during the music condition com-



CHILDREN LEARNING HOW TO PLAY THE GUITAR
(COURTESY OF WIKIMEDIA COMMONS)

pared to the non-music condition.”¹⁶ This shows that music is an effective, positive intervention for children with autism; it can teach them not only to regulate and recognize emotions, but also to improve positive social behaviors and interactions while minimizing avoidant ones.

Though each of these studies have shown the benefits of music therapy interventions with autistic children, each of the studies also concede that the results were only temporary and depended on continual music engagement to maintain the child’s development. The therapist or caretaker must always remember to tailor music therapy methods to the child’s personal needs; each individual responds better to certain activities than others, and has different abilities and attention span. Nevertheless, music has proven to be an effective way of teaching and connecting with children with disabilities. As shown in the above-mentioned research and case studies, improvisation combined with structured musical activities work best in fostering appropriate social and emotional growth in autistic children.

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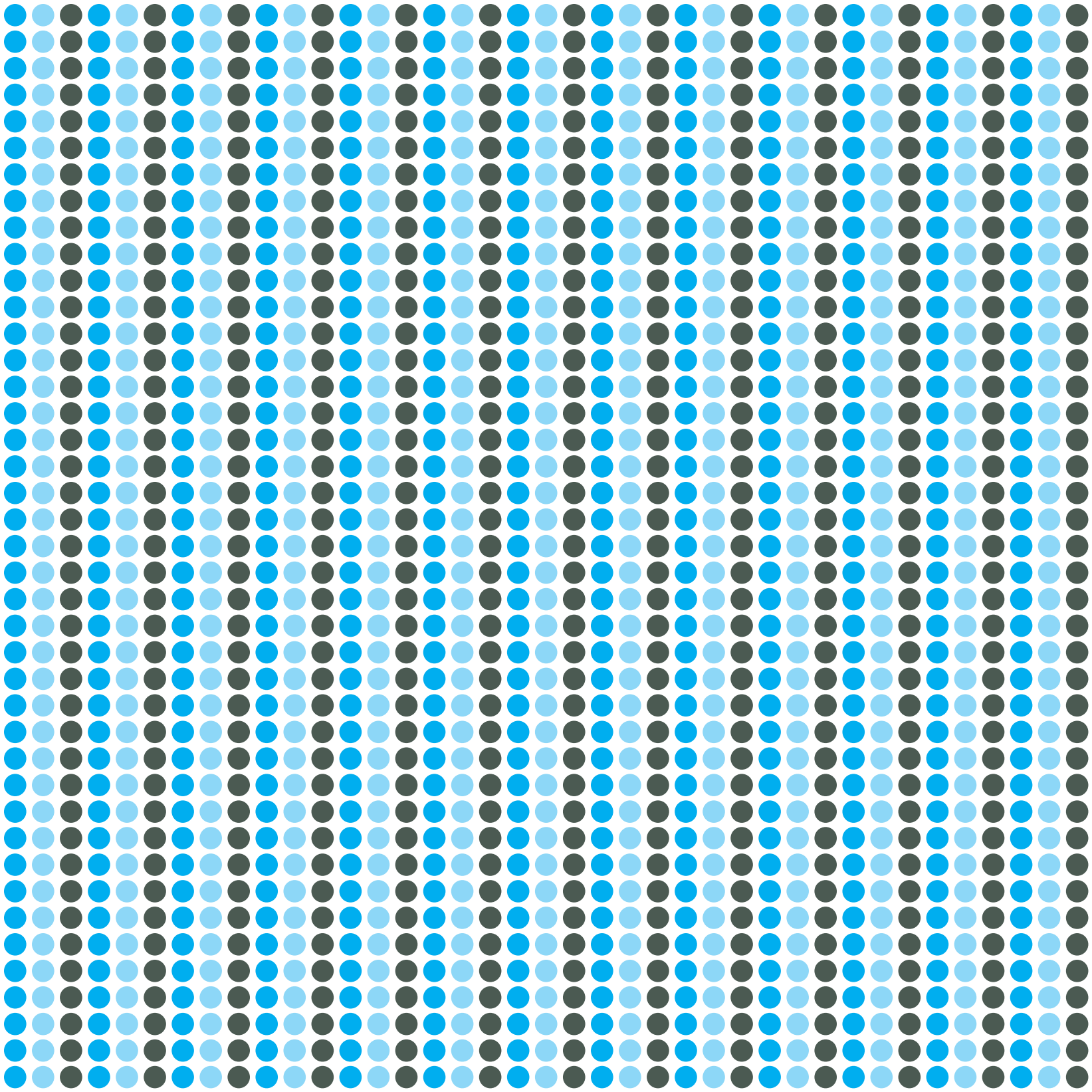
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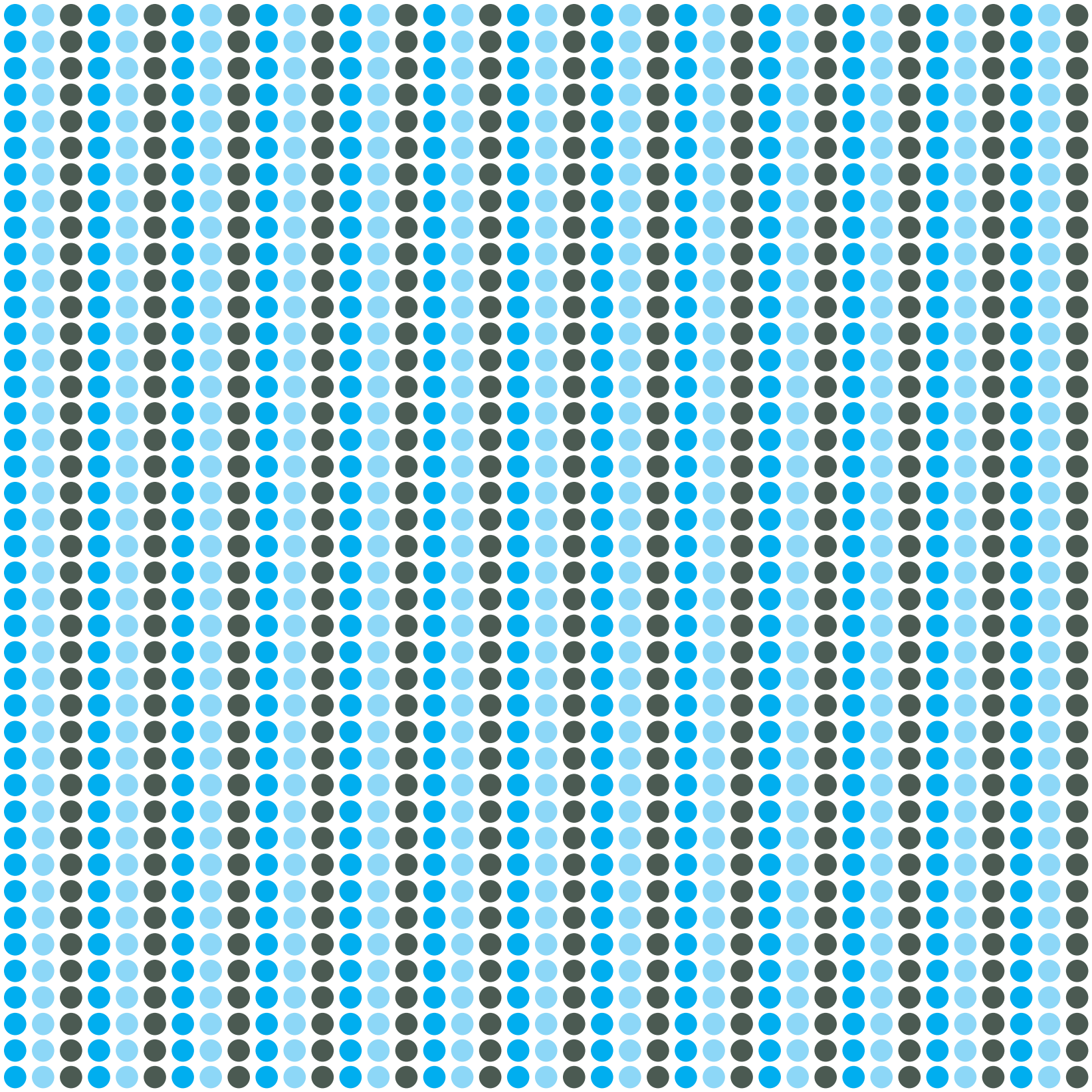
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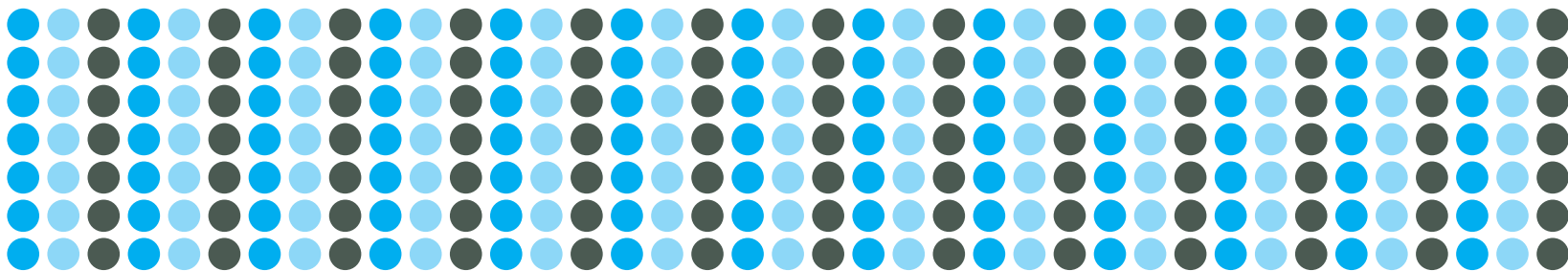
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AUTHOR BIOGRAPHIES



MAX BLAISDELL

Max graduated in the spring of 2016 and is now working in San Francisco as a paralegal for Leiff Cabraser Heumann & Bernstein. He graduated cum laude with a major in International Studies and minors in Math and Political Science. Max worked as an undergraduate research assistant at the Boisi Center for Religion and American Public Life while at Boston College. His interests include comparative democratic transitions, the political philosophy of liberalism, and issues with integration in Europe. Max plans to continue his studies in graduate school and go on to pursue a career in academia.



VIOLET CASWELL

Violet is a senior at Boston College majoring in History and minoring in Theology and international studies. She is interested in religious history, faith elements in conflict, and public history. Currently, she is working on a Scholar of the College thesis about Dighton Rock, a forgotten piece of her hometown's history. After graduation, she hopes to attend graduate school and pursue a career in archival studies. She would like to thank the wonderful Dr. Virginia Reinburg for encouraging her to publish in Elements.



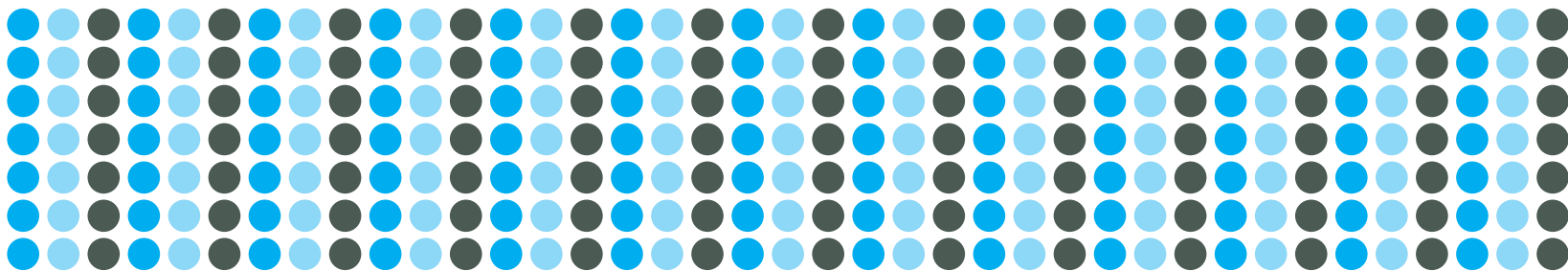
LINDSEY CHOU

Lindsey is a member of the Boston College Class of 2017. She is a lifelong resident of Massachusetts, where she lives with her parents and brother. She is currently pursuing a Bachelor's degree in Applied Psychology & Human Development, with minors in English and Women's and Gender Studies. Having attended a Catholic high school, followed by a Catholic university, the intersections of religion and feminism are of significant academic and personal interest to her, as depicted in her essay in this journal.



BENJAMIN FLYTHE

Benjamin is a fine art photographer and freelance graphic designer living and working in Boston, MA. Having graduated from Boston College in 2016 with a degree in Art History, Ben's fields of study include fin-de-siècle Europe—particularly Symbolism and Art Nouveau—as well as pop art and the Dutch Baroque. His personal art draws heavily from the theatricality of this last artistic era and his portraits have been compared to those of Rembrandt, especially with respect to the quality of his light and the emotion present in his sitters. While Ben hopes to be able to exhibit work both in Boston and elsewhere, he continues to develop his passion for art as an intern at the Abigail Ogilvy Gallery in Boston's SoWa district.



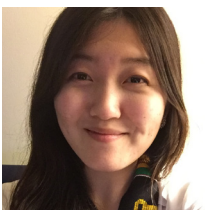
NATASZA GAWLICK

Natasza graduated from Boston College in May 2016 with a bachelor's degree in English and Psychology. In her time at Boston College, Natasza served as President of the English Association for two years, played in numerous chamber music ensembles, was accepted into the Creative Writing Concentration, and worked as an intern for Teen Ink Magazine. For her senior project, while under the mentorship of Professor Susan Roberts, she wrote a creative thesis and a collection of fictional short stories. Natasza was awarded the Cardinal Cushing Award for best fiction printed in a Boston College publication. She hopes to attend graduate school for English Literature and Creative Writing in the fall of 2017.



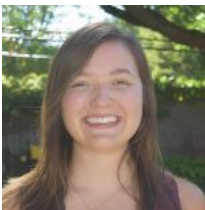
CLARE KIM

Clare is a junior in the Morrissey College of Arts and Sciences majoring in Communication and minoring in American Studies, with a concentration on Race and Ethnicity. She discovered her passion for social justice, especially with issues regarding race, after taking the introductory course to American Studies with Professor Lori Harrison-Kahan. Since then, Clare has joined the council for FACES, an organization that seeks to educate the BC community on issues of race through dialogue. On campus, she is the publicity director of WZBC, Boston College's student-run radio station, and works at Media Technology Services in the photography and graphics departments. Aside from academics, Clare enjoys art and hopes to pursue a career in the creative field.



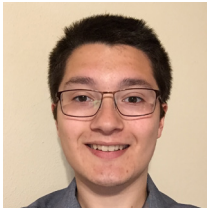
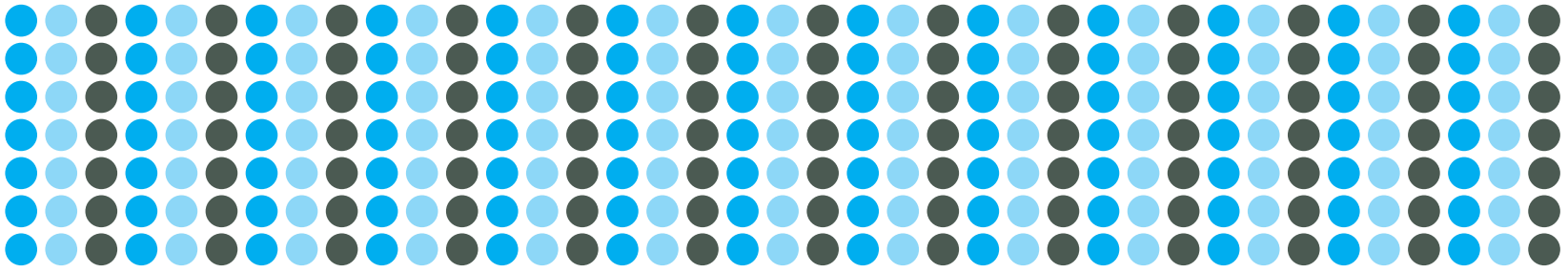
SOYEON KIM

Soyeon graduated from the Morrissey College of Arts and Sciences in 2016 with a Bachelor of Arts in Communication and a minor in African and African Diaspora Studies. After witnessing a case of police brutality and volunteering with underprivileged communities, she concentrated her studies on issues of social justice, especially those related to racism. Soyeon's research has been focused on the rhetoric of race in law and media studies, and she was a co-facilitator for Dialogues on Race at Boston College. This fall, she will be serving as an urban education fellow at Great Oaks Charter School in Newark, NJ for a year before pursuing a graduate degree in social work.



MADLINE LEDDY

Madeline is a junior in the Morrissey College of Arts and Sciences majoring in English with a minor in International Studies. Her academic interests include Gothic literature, twentieth-century literature, and war and conflict in the twentieth-century. On campus, she has worked as an Undergraduate Research Fellow in the Irish Studies department, as well as a moderator for Boston College's Lean In chapter and is a member of the University Choral of Boston College. She is a native of Cleveland, Ohio and is very pleased with the results of the 2016 NBA Finals; however, she is spending her junior year abroad in the UK studying English and History at Mansfield College, Oxford University.



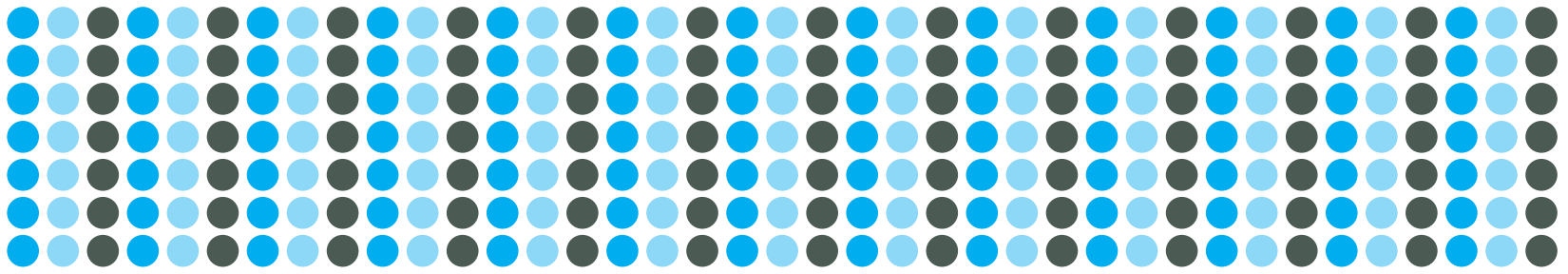
JAMES LEDOUX

James is a senior majoring in Economics with a minor in Computer Science in the Morrissey College of Arts and Sciences. His academic interests include statistical modeling, machine learning, and distributed computing. His background in research includes an Undergraduate Research Fellowship in the Department of Economics at Boston College and a series of independent projects, such as that displayed in this article. Professionally, he has spent time in technology and finance, serving as a data analyst at Unum Insurance as well as a support specialist at Google. He will continue his research during the 2016-17 academic year by writing a senior economics thesis under the guidance of Professor Chris Maxwell.



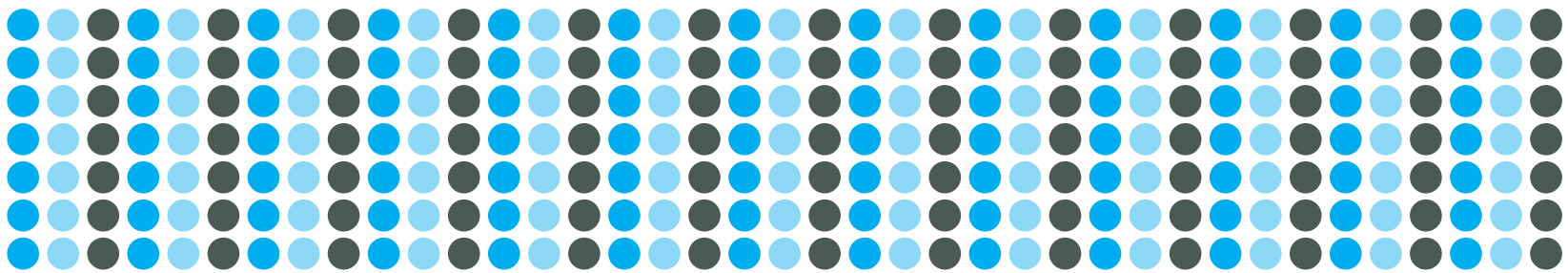
SARAH SULLIVAN

Sarah is a junior in the Morrissey College of Arts and Sciences double majoring in History and Psychology. She hopes to utilize and combine her knowledge in both areas for a potential career in the field of law. She is spending her Fall semester abroad at the University of Melbourne in Australia. In her spare time, Sarah enjoys writing for The Rock at Boston College, visiting art museums, and petting dogs.

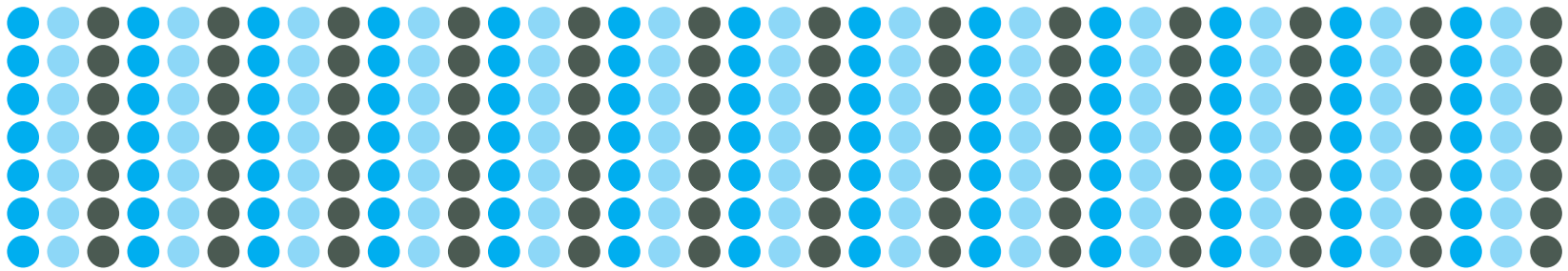


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