

AMERICAN HISTORY X: Violence in Service to Ideology

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Remember, too, that before all that we said, that we had dealt with *what* must be said in stories, but that we had yet to investigate *how* it must be said?

Yes, I remember.

Well, this, more precisely is what I meant: We need to come to an agreement about whether we'll allow poets to narrate through imitation, and if so whether they are allowed to imitate some things but not others—and what these things are, or whether they are not to imitate at all.

Plato's *Republic*, Book III 394c-d ^[2]

As I sit down this morning to begin to organize my thoughts about the movie *American History X*,^[3] the news is filled with the account of Buford Furrow's reported confession to the recent and tragic shooting spree in California. By the time anyone reads this, Furrow's name may well be forgotten by those who suffered no direct loss at his hands, so inured to senseless and horrifyingly frequent shooting deaths do we seem to have become. Yet this morning Furrow's statements that he shot and killed postal worker Joseph Iletto because he thought Iletto to be "Hispanic or Asian,"^[4] and that his shooting attacks on 5 people at the North Valley Jewish Community Center, three of them against small boys, were meant to be a "wake-up call to America to kill Jews,"^[5]-- incomprehensible and obscene utterances to his victims and their families-- hang in the air, banners of hatred and shrouds over our civic life.

We are naturally saddened by the frequency with which violence accompanies us in our quotidian course, a shadow-companion of whom we are ashamed but with whom we continue to associate. Violence has been much studied.^[6] Yet in the whole sorry chronicle of human suffering, we hold a place of special sadness of heart for violence in the service of some ideology or other. First, violence in service of ideology is especially disheartening because it is reflective rather than reflexive, that is, the violence is premeditated, in some senses at least, even when the choice of specific victims or circumstances has not been. This violence is not the blow struck in the irrational heat of anger or the lashing out of a jealous passion out of control, as sad and terrible as those forms of violence are. Violence in service of ideology is more and it is worse. It is violence that targets others because of a philosophical or political system of beliefs. Sometimes the ideology directing the violence is sanctioned by the society at large and ratified by the legal machinery of government, as in times of war; sometimes it is only sanctioned by one person or a small group in violation of the laws of the society at large, as when murder is prerequisite to gang membership. This extra quantum of sorrow stems from our recognition and our shame that violence in service of ideology springs not from an angry moment but from a deliberate strategy.

Second, violence in service to ideology is even more disheartening when we confess to ourselves that we often consider it a necessary evil. We wish only to limit it to "appropriate" times and places but not to eradicate it altogether from this world. Few of us seem ever to have seriously considered a non-violent response to violent aggression in times of war or in any matter of self-defense; even fewer, perhaps, can actually envision ourselves turning the other cheek in life-and-death matters of survival. Yet it is this very recognition or characterization of violence as appropriate in ultimate questions of survival that carries with it the inevitable potential for error or for bad judgment or for abuse. Even if one chooses to believe that the state of war and the need for self-defense are exceptions to a general rule or sentiment that

violence is wrong and to be avoided whenever possible, when violence has occurred the law and the survivors are still left with determining after the fact whether it could have or should have been avoided or whether it was somehow justified or appropriate. We seem quite content to believe that people will all quite naturally interpret art and history and politics differently; yet we seem genuinely surprised that people also interpret what situations admit of violence differently.

Third, of course, are the various ideologies that espouse violence against some or all as a fundamental tenets of their philosophies. Violence in this regard is no longer viewed as an unfortunate expedient that can be sometimes be meted out when “justified” by dire circumstance but rather as an essential part of the ideology itself. When violence is both the ideological message and the means of its transmission, violent acts become even more horrific—just when one would have thought it were not possible for it to be so. Sadly history has not made it difficult to find illustrations of this third aspect of violence in service to ideology. The Third Reich’s program of extermination of Jews and Slavs was premised on horrific claims of “Aryan superiority,” propped up by a racist “eugenic” pseudo-science.^[7] The violence was not only the Nazi world-view but also at the same time the Nazi master-plan. More recently many states have changed their laws for criminal acts in which the victims have been selected because of ethnicity or religion or gender or sexual orientation—in short, “hate crimes”—in recognition of the added quantum of civic harm and intentional terror attendant upon such acts, which makes them different in kind and therefore deserving of greater punishment.

These then are the three facets of violence in service to ideology that make it especially troubling: it is the result of some form of deliberation and not simply of passion, even if it is triggered by passion; it is thought to be at least sometimes necessary and justified—and hence perennial; and it can sometimes be transformed and amplified even further into an even more monstrous and destructive entity when it specifically intends as part of a political and philosophical message a targeted civic harm designed to terrorize, dehumanize, or annihilate some part of the populace. These are the characteristics that make it so dangerous and problematic, and these characteristics form the ground of the movie, *American History X*. It is an intensely disturbing film of startling power. One is naturally careful about how one conceptualizes the purpose of a work of art, lest one delimit the work through one’s own limitations.^[8] Yet it is clear to me at least that *American History X* consciously seeks to demonstrate the effects of racist ideology and to examine violence in service to racist ideology. It also seeks to provide some measure of hope, and perhaps of redemption, in the transformation of its main character, Derek Vinyard, and the final words of Derek’s brother, Danny, but that hope is difficult to hold onto through the violent and tragic end of the story.

One criticism that might fairly be made of *American History X* is that, in seeking to show that violence in service to hatred begets only more hatred and more violence, the movie itself has employed explicit scenes of nauseating violence.^[9] So in essence, to demonstrate the corrosive and tragic effects of violence the film requires us to participate in brutally violent imagery. As the quotation from Plato’s *Republic* above makes clear, the debate about what limits should be placed on an artist concerning *mimesis* in the telling of a story to avoid damaging the audience is long-standing. That art as an educational tool has the power to misinform as well as to inform, to destroy as well as nurture, has been understood by artists and critics (and rulers) since Plato (if not before). One might add only that since film is such a direct medium, since the experience of film or of television does not seem to be mediated as it affects or enters consciousness in the way books or poetry or even plays are by critical thought, its power for good or ill may be much stronger than other, less hypnotic media.

On balance, since I believe the essence of *American History X* to be didactic, designed specifically to show how Derek Vinyard, a young white man, could be seduced by an American neo-Nazi ideology after the murder of his father by a drug dealer, and how he came to realize only after committing crimes of hatred, chief among them two murders, that the ideology was a terribly tragic and empty lie that brought nothing but sorrow and destruction, I can more easily assent to the film’s intensely graphic depictions of violence than I might otherwise be able to do. But be forewarned that the scenes of Derek leading skinheads on a destructive raid to humiliate immigrant workers in a supermarket, of the brutal murder of a would-be truck-thief whom he has already shot, for which Derek is convicted and imprisoned, of Derek’s subsequent

rape in prison by his erstwhile allies of the Aryan Brotherhood, and of his brother Danny's murder and blood-bespattered corpse are not easy to sit through. For this is not the mythic, contrived violence of "professional" wrestling or of the struggle to topple an oppressively evil empire a long time ago in a galaxy far, far away. It is instead the violence of our daily lives and nightly news writ large and clearly over the landscape of contemporary America, leaving behind the silent but palpable sense of pollution and corruption that is its true residuum in realms less than mythic.

One could make the argument, I suppose, that the graphic detail of the violent acts was not only permissible but that it was actually necessary to create the very feeling of revulsion and sorrow the director desired to create. (This same question was raised concerning the opening sequence of Steven Spielberg's *Saving Private Ryan*. Although the period of *Private Ryan*'s violence is more removed in time and the reason for the violence it portrays was sanctioned by a declaration of war, the revulsion and horror it creates is very similar to [although more protracted than] that created in *American History X*.) Yet one might also fear at the same time that the decision to depict the violence so starkly in *American History X* belies an American audience whose sensibilities have already been so sullied by the wide-spread use of violence in film, television, and music videos in the last decade that only more and more graphic scenes can be expected to have any impact.

Edward Norton, always a good actor,^[10] gives the performance of a lifetime, fully measuring up to the power of David McKenna's story. Norton's Derek Vinyard is a monster, but one who never quite lets the audience give up on him -- no small feat when playing a skinhead group-leader. Derek's father's pointed and bigoted remarks form the root onto which Derek grafts his fully leafed-out Nazi ideology. Instead of seeing his father's bigotry as a scar he himself need not wear, Derek seizes it as a badge, which he then proffers to the world until he is finally covered in Nazi tattoos. Perhaps what makes Norton's performance so chilling is that he keeps Derek from becoming one dimensional despite our overwhelming desire to see him that way. One would like to reduce him to an evil and vicious criminal and be done with him; that Norton, due in no small measure to the brilliance of McKenna's screenplay, does not allow us to do that is disquieting, for it begs the question of our need to see others, especially criminals, as substantially different from ourselves. We know with even cursory investigation that labels such as "criminal" or "Nazi" or "skinhead"--even when correctly applied--are inherently reductionist. The human beings to whom we affix these labels are more than the labels, more than the categories we have chosen to describe them. Yet it is easier for us to focus primarily on the quality or category signified by the label and to treat the category or quality as though it were the person. This is in no way to argue that we should not punish crime or seek to control violent neo-Nazi groups so that they do not harm us physically or psychically. It is only to say that we seem to want to see human beings, who are essentially dynamic and multi-faceted, as static entities of relatively fixed disposition and personality instead.^[11] Why we should want to deal with others this way, that is, to reduce them to categories, to "personalities," is not clear to me. Perhaps it is a way to create the illusion of a more stable and controlled world than may actually exist. Perhaps the labels and categories serve to keep others at bay as "others."

Norton is accompanied in his tour de force by an exceptionally talented supporting cast. The story is told often through the memories of Derek's younger brother, Danny, also played well by Edward Furlong, whose remembered images are rendered in black and white rather than the full color imagery used for the main movement of the story. Derek's resolve in prison to leave the skinheads behind and to keep Danny from making the same mistakes he made and, at the same time, Danny's loyalty to Derek and to what he still believes to be his brother's ideology pull the story to its final tragic conclusion, where Danny is gunned down in the bathroom of his school in retaliation for a racially-motivated slight to another student's sense of honor--blowing smoke in the student's face. Beverly D'Angelo plays their mother; Elliott Gould provides a brief but important role as Danny's teacher. Stacy Keach plays the neo-Nazi mentor, Cameron Alexander, who corrupts first Derek and then Danny. Avery Brooks provides an impassioned and pivotal performance as Danny's (and formerly Derek's) high school principal, whose caring and compassion for Derek, in spite of Derek's racist ideology and violent crimes, help Derek to see the emptiness and error of his former life and create in Derek the belief that change is possible and finally the desire to change.

we expect that the members of our society will be able to differentiate those circumstances when violence has been found to be justified by the law from those when it has not, and to internalize those differentiations as reasons for and against violent action. We hold this expectation regardless of differences of societal position or of societal status, regardless of questions of distributive justice. Yet as lawyers we know all too well that members of the general public do not know the law well. We also know that many in our society do not believe that the legitimacy of our system of laws flows from anything more than the traditional canonization of a dominant political ideology. For others the current system of laws is seen as a vast conspiracy opposed to religious truth.^[12] The historical reasons for political separateness both within a nation and between nations very often turn out to be differences of religion, race, ethnicity, class, etc. Such differences have provided convenient lines of demarcation for both political power and for self-definition, and, of course, for discrimination and for violence.^[13] We also know that the legal categories we use to describe our states of mind are often simply conclusory and may bear no relation to what someone's subjective mental experience may actually have been. No matter, we say, for ignorance of the law is no defense and the norms proscribing violent behavior are the bedrock rules of our society. But this posture is not proactive or preemptive; it classifies and justifies behavior only after it has happened—in short it does not stop violent behavior but rather just analyzes it after the fact. Avery Brooks's character, Dr. Sweeney, the high school principal with two Ph.D.s and who could be safely teaching in a college someplace, tells Derek in prison that he is asking the wrong questions in response to the pain and suffering of the world. Derek then asks him what the right questions are. Sweeney responds: "Has anything you've done made your life better?" It is only then that Derek begins to admit to himself that he can see the holes in the Nazi ideology he had previously espoused. At that moment he realizes that, while responsible for his actions, he has been used by Cameron Alexander and the skinhead philosophy. Derek confesses later to Danny in his attempt to convince Danny to leave Alexander's sphere that he cannot be a part of the skinheads any longer because all of the ideology is just "bullshit" and that because of it he has killed two people.

American History X ends with Danny's murder at the hands of an African- American schoolmate whom he has offended. The horror in the eyes his murderer as he surveys what he has done cannot be mistaken for pride or satisfaction, but of course, it is then too late. Our sadness deepens as we realize that the end of the story is ambiguous in regard to Derek's future. After all he has been through, we are uncertain whether his compassion, so dearly won and so recently found, can withstand the blow of his brother's murder. The film leaves us with the stark realizations that the only end to violence is to forego retaliation and that retaliation, while born of anger and suffering, is largely driven by ideology. Its message could not be more timely or more difficult.

Democracy don't rule the world,
You'd better get that in your head.
This world is ruled by violence
But I guess that's better left unsaid.

from *Union Sundown* by Bob Dylan

[1]. Director of the Law Library and Professor of Law, Capital University Law School.

[2]. PLATO, REPUBLIC 70-71 (G.M.A. Grube, trans.; revised by C.D.C. Reeve 1992).

[3]. Copyright 1998 by New Line Productions, Inc.

[4]. http://www.asianweek.com/2001_02_02/news2_furrowpleadsguilty.html

[5]. <http://www.berkeleydailyplanet.com/article.cfm?archiveDate=01-25-01&storyID=3148>;
<http://archives.cnn.com/2001/LAW/01/24/furrow.plea.crim>.

[6]. See, e.g., JEFFREY H. GOLDSTEIN, *AGGRESSION AND CRIMES OF VIOLENCE* 2d ed. 1986); *AGRESSION AND VIOL INTERACTIONIST PERSPECTIVES* (Richard B. Felson & James T. Tedeschi eds., 1993); *PANEL ON THE UNDERSTANDING , BEHAVIOR, COMMITTEE ON LAW AND JUSTICE, COMMISSION ON BEHAVIORAL AND SOCIAL SCIENCES,NATIONAL RESE/ UNDERSTANDING AND PREVENTING VIOLENCE* (Albert J. Reiss & Jeffrey A. Roth, eds. 1994); JOHN KEANE, *REFLECTION PREVENTING VIOLENCE IN AMERICA* (Robert L. Hampton et al. eds. 1996); VALERIE JENNESS & KENDAL BROAD, *HATE C MOVEMENTS AND THE POLITICS OF VIOLENCE* (1997); *THE LEGITIMIZATION OF VIOLENCE* (David E. Apter, ed. 1997); *VIOLENCE EXPLAINED ; THE SOURCES OF CONFLICT, VIOLENCE AND CRIME AND THEIR PREVENTION* (1997); FRANKLIN *YOUTH VIOLENCE* (1998);MICHAEL PATRICK GHLIGLIERI, *THE DARK SIDE OF MAN ; TRACING THE ORIGINS OF MALE V*

[7]. Freidemann Pfafli, *The Connections Between Eugenics, Sterilization and Mass Murder in Germany from 1933 to 1945* (1986)(delineating the movement from sterilization for "eugenic" purposes to "euthanasia" for sick and infirm concentra outright mass murder).

[8]. "We should conceive of poetry worthily, and more lightly than it has been the custom to conceive of it. We should conceive of it as capable of higher uses, and called to higher destinies, than those which in general men have assigned to it hitherto. More and more mankind will discover that we have to turn to poetry to interpret life for us, to console us, to sustain us." MATTHEW ARNOLD, *The Study of Poetry*, in *ESSAYS IN CRITICISM, SECOND SERIES* (1888),*reprinted in* MATTHEW ARNOLD, *SELECTED PROSE* 340 (P. J. Keating ed., Penguin Books 1970).

[9]. Indeed this seems to be one of the points of contention that caused the film's director, Tony Kaye, to petition the Director's Guild of America (unsuccessfully) to have his name dissociated from the final version of the film. Another reason for Kaye's ire seems to have been the degree of control New Line accorded Edward Norton in the editing and rewriting of many scenes.

[10]. *Primal Fear* (1996) (Oscar nomination, best supporting actor); *The People vs. Larry Flynt* (1996); *Everyone Says I Love You* (1997); "Rounders" (1998); *American History X* (1998) (Oscar nomination, best actor); *Fight Club* (1999).

[11]. See, e.g., Lu-in Wang, *The Complexities of Hate*, 60 OHIO ST. L.J. 799, 830-899 (1999)(questioning our assumptions that hate-crime perpetrators are merely animus-driven deviants whose only intent is to inflict harm on target groups and that hate crimes do not admit of mixed motives).

[12]. See, e.g., Mark Juergensmeyer, *Christian Violence in America*, 558 ANNALS AM. ACAD. POL. & SOC. SCI. 88, 90-92 (1998).

[13]. See, e.g., Jose E. Alvarez, *Crimes of States/Crimes of Hate : Lessons from Rwanda*, YALE J. INT'L L. 365, 369, 387-402 (1999)(discussing oversimplification in our efforts to understand the genocide in Rwanda and the world's failure to avert it).

