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Prisons and Punishment in Texas

Culture, History and Museological Representation

Hannah Thurston

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inner strength I have often envied, she is resilient in times of great pressure and she displays a kindness not found in many; a truly incredible woman. Thank you.

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Introduction

With more than 550,000 people under some form of criminal justice supervision, and having recently performed its 517th execution by lethal injection, the Lone Star State has a reputation for harsh judicial punishment. Similarly, while the Texan prison population has actually decreased (albeit marginally) over the past five years, the phrase 'Don't Mess With Texas' has nevertheless gained symbolic significance far beyond the anti-littering campaign for which it was originally contrived. Still heralded as one of the most punitive places in the Western world, Texas supposedly 'reigns supreme in the punishment industry' (Perkinson 2010, p. 4).

As this book will demonstrate lots of people are telling stories about Texas and within these stories the state governors are ruthless, executions are speedy, conditions of confinement austere and guilt not always determined. Indeed, one need not delve far into the literature on punishment in general and death penalty literature in particular to find the image of Texas being (re)produced as a place of particularly punitive punishment.

In *Peculiar Institution: America's Death Penalty in an Age of Abolition*, David Garland (2010) refers to Texas as a 'high-volume execution state' (p. 47); Texas is said to perform a 'remarkably high' number of executions

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each year (p. 68) and the retention of capital punishment is described as 'sustained and enthusiastic in Texas' (p. 192). Similarly, in the introductory pages of *America's Death Penalty: Between Past and Present*, McGowan (2011, p. 17) notes that there is a particular 'enthusiasm' for harsh punishment in the Lone Star State when compared to other US states. In addition, Andrew Hammel (2002, p. 107) constructs the image of Texas as a place of harsh punishment in *The Machinery of Death: The Reality of America's Death Penalty Regime*, when he refers to the Texan death penalty as a 'juggernaut'; a 'massive inexorable force' that will 'crush whatever is placed in its path'. Armstrong and Mills (2003, p. 103) suggest that executions by lethal injection have become something of a 'routine occurrence' in Texas. Koch et al. (2012, p. 150) tell us that Texas is the 'public face of execution' and Bessler (2003, p. 223) contends that Texas is the only state which 'regularly executes offenders'. In short, Texas is 'America's death penalty capital', and due to an apparent zeal for harsh justice, the state has 'emerged as particularly symbolic on all levels' (Randle 2005, p. 103).

So these scholars are all telling similar stories about Texas and within these stories the Lone Star State is portrayed as a place of particularly harsh punishment. It is easy to see how and why Texas has come to symbolise a particular style of justice and to reflect a particular approach to penal punishment. Responsible for around one third of US executions since the moratorium (which was lifted by the Supreme Court in the 1970s) and imprisoning more people each year than any other state, Texas continues to uphold its reputation for toughness in the penal sphere. Yet interestingly, criminologists regularly describe but rarely discuss Texas in specific terms—there are often only passing references to the Lone Star State and its execution behaviour. We see a number of scholars who continue to represent—and one might argue actively construct—the image of Texas as a place of harsh punishment without much suggestion as to why Texas seems to have broken away from the rest of the US. Moreover, these scholarly stories told about Texas can actually be understood as what Ewick and Silbey (1995, p. 197) have termed a 'hegemonic tale'; together they tell a story which reproduces a somewhat 'taken-for-granted narrative' about Texas and its relationship with punishment.

This book therefore seeks to provide a more nuanced examination of Texan penal practices by uncovering and analysing the stories Texas tells

about its own relationship with punishment. We will be investigating the stories of—as opposed to about—the Texan collective. The aim of this book is thus two-fold: firstly it will argue for a state-specific approach to the study of US punishment, and secondly it will offer an illustrative example of how this can be realised by investigating the stories Texas tells about punishment. This second aim is achieved by way of a narrative analysis undertaken in Lone Star punishment museums and tourist sites, something I will explain further in Chap. 2.

In its entirety then, the book draws on diverse work, including criminological scholarship about cultural representations of punishment and Southern cultural values, as well as research in museum studies, dark tourism and cultural memory. Together this scholarship will be used to argue that museums are under-researched sites of criminological significance. This book is thus also intended as a contribution to a new methodological paradigm within the social sciences in which museums are seen as environments of narrativity. While other authors have undertaken punishment museum analyses, we have yet to see a sustained and robust analysis of punishment museums undertaken in the 'execution capital' of America.

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Part I

Setting the Scene for Museological Research

2

The Significance of Stories in Museum Research

Stories are an important way in which we make sense of ourselves and those around us. They can be personal tales of conquest or defeat, political narratives of power or resistance, sensational reports of morality or depravity. Some stories encourage a subtle change in routine while others incite people to march the streets demanding change. Some become legends cemented in time, others are destined to be forgotten even by those who tell them. Whether they make us laugh or cry, angry or relaxed, stories are everywhere—from Charles Darwin's *On The Origin of Species* to the many infamous guests on *The Jeremy Kyle Show*; from the pedagogical parables of the Bible to my 'Nanny Enid' and her tales of my father's childhood escapades. Whether we tell our stories to a global, local or familial audience matters not. Indeed we may even tell our stories in complete solitude. Irrespective of who is listening we live in a storied world.

Moreover, we often use stories to explain our actions both to ourselves and to others because they are the best way of describing the social world as it is lived by us—the storyteller (Plummer 1995; Polkinghorne 1988). Groups can also tell stories, and these narratives of the 'collective' act as

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a resource from which to construct our own understanding of the self (Presser 2009). Gubrium and Holstein (2008, p. 255) have described the stories we hear about the collective as a set of 'narrative nesting dolls'; while any story told about ourselves is always (partially) local, it will also 'reverberate within larger social stories and circumstances'. Any story-of-the-self will be embedded within a number of stories told about the collective, and these 'narrative nesting dolls' vocalise together to construct both individual and collective identity. For the purposes of this research then, the stories Texas—as a collective—tells about punishment have the potential to reveal the Texan commitment to harsh justice in more nuanced ways, allowing us to view the social world from the perspective of the storyteller. As outlined in the Introduction, many criminologists are telling their own stories about the Lone Star State, but few are listening to the stories Texas is telling. This research seeks to understand the Texan self-identity and its relationship with punishment as a cultural insider.

So where, as a non-Texan, would a researcher find these social stories? Local news reporting about capital cases was an option, but local media rarely cover executions in any great detail (see Jacoby et al. 2008). Similarly, of all aspects of the criminal justice process, prisons and the Department of Corrections more broadly receive fairly limited coverage (see Chermak 1998). Likewise, interviewing individual Texans would not really suffice; it was never the aim of this book to examine individual preferences and attitudes toward punishment. Instead it was the punishment stories of the collective which were of interest and, more specifically, the cultural justification narratives which manifest within those collective stories. While it might have been possible to examine the underlying narratives of punishment found in local news stories or through interviews, it was a more stable longer-lived story of punishment I was seeking and after much searching I found it in a somewhat unlikely place; punishment museums.

Museums have long acted as research sites in other disciplines, yet criminologists are only now beginning to realise their potential as storied spaces (see for example Brown 2009; Piché and Walby 2010, 2012; Wilson 2008). As part of the research which informs this book, I visited tourist sites associated with law enforcement and punishment in Texas.

In total I spent approximately six months travelling around the Lone Star State on Greyhound buses, and was able to visit, for example, the Texas Prison Museum in Huntsville; defunct jail cells in Beaumont and Eastland; the Houston Police Museum; the Border Patrol Museum in El Paso and the Texas Ranger Hall of Fame in Waco.

In addition, I also toured the top visited historical sites in Texas. These included the Story of Texas Museum (Austin); the Alamo Shrine (San Antonio); the Stockyards (Fort Worth); the San Jacinto Monument (Houston) and the State Capitol (Austin). Many criminological accounts which seek to explain punitive punishment in the Southern states draw an historical line between the past and the present. For example, Nisbett and Cohen (1996) discuss the influence of the history of herding; Perkinson (2010) the history of racial unrest; Zimring (2003) the history of 'vigilance values'; and Rice and Coates (1995) the history of gender roles. Taken together, this diverse collection of studies argues that the Southern past is a significant resource for understanding the Southern present.

However, as I have already made clear, my goal was a little different to those scholars cited above. I was less concerned with the *reality* of Texan history; instead my interest lay in cultural stories Texas uses to remember that history–the narratives of the collective. I wanted to explore the *representation* of a Lone Star past, and where better to look than the top visited historical sites in Texas. Indeed, as I will discuss further in Part IV of this book, the reputation Texas has gained as a place of harsh punishment was not confined to the stories told in punishment museums; this reputation for toughness likewise revealed itself in historical sites of the Lone Star memory.

The content of the stories told within both the historical and the crime/punishment related museums will provide the basis of subsequent chapters so I shall not dwell on them here. Instead, I want to take this opportunity to explain why (and how) I believe we should approach the museum as a research site. It is my hope that this can provide something of a template for future museum analysis, while simultaneously illustrating the importance of museums as 'repositories of cultural memory' (Crane 2000, p. 4). Museums are spaces in which national and regional self-identities are constructed and negotiated (Kaplan 1994), and as such

they could–and should–be of the utmost importance to criminologists interested in the cultural construction of meaning.

Cultural Criminology and the Importance of Meaning

The notion that criminologists should take a more overt interest in the construction of meaning is hardly novel. Hayward (2004, p. 259) has long argued that criminologists should seek to adopt an approach which prioritises the meanings that surround crime and crime control as 'creative constructs'. Indeed, this critical engagement with crime, crime control and punishment has developed into a growing body of research using a range of methods to examine an array of cultural phenomena. Both crime and punishment exist in a hall of mirrors, continually reflecting, and at times distorting, reality with each new image (Ferrell 1995). The task of the cultural criminologist then, is to explore these images, reflections, (re)presentations and performances in order to examine how they construct meanings, messages and metaphors about crime and punishment. Cultural criminology has therefore embraced the stories we tell. It is by listening to the 'quiet stories, dramatic stories, dangerous stories [and] desperate stories, depicting the span of human life' that cultural criminology is able to focus on the production of meanings (Presdee 2004, p. 282).

Similarly, in the past two decades the matter of culture has become much more significant within the study of punishment (Garland 1990; Jarvis 2004; Kudlac 2007; Massingill and Sohn 2007; Poveda 2000). Although the term 'culture' has been present in the sociology of punishment for some time (see Garland 2006), it is now widely accepted that any institution of punishment has important cultural meanings (An-Na'im 1995; Smith 2008; Vidmar 2000) and consequences (Sarat 2002; Sarat and Boulanger 2005), and that various aspects of culture play important roles in the shaping of penal practices and populist support (see Simon 2000, 2001, 2009; Whitman 2003; Zimring 2003).

Scholars have sought to develop and refine the ways in which punishment and control as a cultural practice–or as Brown (2009) calls it cultural

work–is theorised, researched, examined and explained. The 'cultural turn' has engendered analyses which are able to address the political, the structural, the organisational and the legislative as well as the nuanced and complex cultural position of the punishment process. Punishments such as the death penalty along with prison, public sex offender registers and chain gangs are recognised as institutions with a cultural character as complex as the legislation which seeks their abolition, retention or reform (see Pratt 2000).

Garland (2006) has reviewed the ways in which the concept of culture has been deployed in the sociology of punishment, and building on the work of Sewell (1999) he identifies two commonly used definitions. First, we find scholars speaking about culture as 'collective identity' (a culture) and second, there are those for whom culture is better understood as 'an analytical dimension of social relations' (the cultural). The two definitions have encouraged two different types of approach to the study of punishment in America: the first prioritises the examination of culture (usually the culture of the Southern states) while the second is more interested in exploring the cultural (that is cultural representations). Studies that employ the first conceptual meaning (a culture) therefore tend to explore the unified features of 'dominant value systems' (Garland 2006, p. 424), while those evoking the second meaning (the cultural) tend to deal with 'leisure time activities and products of the culture industry', such as media representations, art, film and literature (p. 426). However, while certain representational formats receive much attention within criminology–crime news for example–others seem to receive far less. Within this list of cultural products offered by David Garland, we also find the museum.

Using Museums as Sites for Criminological Research

Museums are important sites within the culture industry because as narrative environments they perform a variety of functions. These are best understood in terms of actions and objects. Unlike film, books, plays or TV shows, museums collect, preserve, study and communicate the

meaning of objects, providing the museum visitor with tangible elements enhancing the power of the narrative (Weil 1990). Indeed, the primary concern of the museum is the 'generation, perpetuation, organization and dissemination' of information (McDonald and Alsford 1991, p. 306). Arguably closer in narrative terms to documentaries or news reports, museums apply 'factual' knowledge to construct their stories. As Preziosi (2012) suggests, circulating knowledge using narrativity makes that knowledge accessible to a greater audience. However, what differentiates the museum from many other cultural products is that all of this is achieved within spatially defined boundaries; within the walls of the museum.

The experience of visiting a punishment museum or taking a jail cell tour, of 'experiencing' the stories told within them, is also important because unlike the stories told so often in films or books, museums are intended to be (re)presentations of reality. Rather than fictional accounts, as Prentice (2001) makes clear in his discussion about 'evoked authenticity', museums tell stories using images, objects and historians' accounts which serve to validate their own existence. This awards the museum-as-storyteller a level of authority that other cultural storytellers rarely achieve (Crane 2000). While this authenticity may at times be 'staged'–that is curated in highly specific ways, appearing to offer an entrance to a 'back-stage world'–the audience is still likely to *perceive* the experience as authentic (Walby and Piché 2015). In short, even when compared to cultural products which also purport to reproduce reality (notably news reporting) the museum tends to employ 'indicators of authenticity' and will thus likely be interpreted as factual or more accurate (Jamal and Hill 2004). Museums are understood by the visitor to portray *the* reality as opposed to *a* reality.

However, what makes museums particularly interesting is that while visitors may believe they are having an authentic experience, learning about *the* version of events, they are actually playing witness to a cultural construction; one which has gone through many processes of negotiation (Brockmeier 2002). Much like any other cultural story told about reality–be it found in a documentary, history class, news report or film 'based on a true story'–museum narratives are the final product of human intervention and interpretation (Brown and Davis-Brown 1998). By exhibiting

one object as opposed to another, by telling one person's story in place of somebody else's, certain events, people and places become marginalised or excluded entirely from the narrative.

Thus, using museums as research sites offers an opportunity to examine what is remembered by a culture about its history, or in the case of penal tourism what is remembered about punishment past and punishment present. In turn then, we are offered a window through which we can see how a collective chooses to represent itself to the public; we can explore museums as expressions of 'national or regional identity' (Macdonald 2012, pp. 274–83). While cultural forgetting is no doubt influenced by practical concerns such as funding, staff expertise, physical storage/display space and the ability to acquire or interpret objects, as Brown and Davis-Brown (1998, p. 17) suggest, this merely functions to reduce an explicitly political question of 'who' to the technically instrumental question of 'how'. The political–moral decision to forget becomes narrated as a non-political and non-moral strategic necessity. In short, the ability to exclude and to marginalise some stories while prioritising others makes both the museum and the museum narrative (that is the stories which make it into the representation) inherently moral and political stories.

In addition, museums perform an explicitly educational and pedagogical function (see Hooper-Greenhill 1994). In the case of this research, the penal museums seek to teach their audience about the reality of punishment in Texas. The authority awarded to museums as storytellers of the 'real' (Hein 1999) means that museum collections—the interpretation and organisation of exhibits within the museum spaces—are 'inextricably linked to identity' (McLean 2007, p. 109). In short, they are institutions able to (re)present and reflect stories about events, people and places, while simultaneously (re)constructing and (re)composing their narratives in order to provide the audience with a commentary on both national and cultural identity. Museums are a way of 'making sense of ourselves' (Kaplan 1994).

We have long known that history museums, along with history classes, movies, documentaries and TV dramas, are the cultural spaces in which memories of history are given meaning and significance (see Brockmeier 2002; Clemons 2008, Chap. 2; Fehr 2000). Punishment museums function in much the same way. As cultural sites they tell us stories about the

reality of punishment and give those realities meaning by placing them within narrative structures. Furthermore, punishment sites construct a place-based narrative of a social reality, and as Jamal and Hill (2004) suggest, that narrative then feeds back into the social reality by becoming part of the tourists' conception of place. Museums are—from a cultural criminological perspective—important sites because not only do they offer cultural stories about punishment, they are also sites which help to construct a social reality. The symbolic role of the museum is to be an expression of an imagined cultural identity (Macdonald 2012), or in Kaplan's (2004) words, museums have the potential to teach us about ourselves. How then should we—as criminologists—approach these sites of symbolic significance? What should we be looking for and where will we find it?

Approaching the Museum as a Researcher

Firstly, it is worth noting that museums tend to provide rich multi-dimensional narrative environments and thus their study will encompass objects, images, textual descriptions, interactive displays, experiential opportunities, tour guide stories, leaflets and spatial ascetics. The museums' employment of posters, film, music, audio recordings, logos, maps, even the use of space and lighting are likewise all visual data. These visual dimensions should be considered where appropriate because as Silverman (2011, p. 236) suggests, visual analysis need not just be the study of an image, it can instead be 'the study of the scene'.

Secondly, as with any qualitative method of data collection, it is best to document as much of the experience as possible. This is especially important if the museums are not local or if some of the exhibits you hope to analyse are temporary. Similarly, some museums do not allow photography, and thus field notes become an invaluable source, acting as a memory aid for the researcher during analysis. Much like an ethnographic study, I found that the hundreds of photographs, hours of recordings, countless pages of field notes and my floor plan sketches were vital once I had returned to the UK and I was preparing for the analysis.

Moving on to the analysis then, I found this also to share similarities with a more traditional ethnographic study in that it was a highly personal and interpretative process. For the purposes of this study, narrative analysis was considered most appropriate. I began by considering the 'meaning' or the 'internal content' of the museum story in detail (see Hooper-Greenhill 1994, Chap. 4). This process differed from site to site, but usually included reading and photographing the text which accompanied the objects; watching/recording all films; going on any walking tours; listening to/recording every audio display; collecting all tourist material available (leaflets, museum maps, etc.); and checking the online presence of the museum. Once this detailed collection of the narrative content was complete, as directed by Plummer (1995) and Presser (2009), I looked for the significance given to events, people and practices within the story as offered by the storyteller.

Secondly I analysed the structure of the narrative which has elsewhere been referred to as the form, the narrative trajectory, the plot or the sequence. Here my focus was on the way in which the story was put together. Using the detailed narrative content, I was able to identify thematic structures within the stories. For example, within the Texas Prison Museum many of the stories are temporally organised from past to present; the structure of these stories made them narratives of modernisation (please see Chap. 9 for a full discussion of this narrative motif). Moreover, by considering the stories told about recurring characters I was able to identify narrative trajectories by recognising the journey the characters go on within the museum story (the discussion of inmate identities can be found in Chap. 10).

Finally, as advised by Mishler (1995), I explored the 'interactional context' or performance of the narrative, similar to what Gubrium and Holstein (2008, p. 242) have termed 'narrative ethnography'. This describes the process a researcher undertakes in not only examining the content and structure of the narrative, but also in considering who is telling the story, where the story is told, and who the intended audience is. This is particularly interesting in the context of museum research because museums are awarded something of an authority when it comes to storytelling; 'who' is telling the story is of paramount importance. The ways in which the museum(s) authenticated themselves as site(s) of narrativity was thus also examined (interactional context is a theme which runs throughout both Part III and IV of this book).

In addition, I interviewed staff and curators at the museums and studied visitor behaviour. While the interviews were secondary to the museum narratives, they still proved helpful as the curators were able to inform me which displays received the most interest and whether any of the exhibits had received negative or controversial attention. While these transcripts were secondary to the data collected within and around the museum, they nevertheless further enhanced the museum analysis. The interviews also presented an opportunity to ask whether any external influences (such as benefactors or Boards of Directors) were involved in the telling of the museum stories, which proved helpful for the museum analysis with regard to 'who is telling the story'.

Conclusion

This chapter has sought to illustrate the importance of museums as cultural spaces in which self-identities are revealed. From a criminological perspective, punishment museums offer a fascinating opportunity to examine the ways in which a given collective narrates its own relationship with punishment. This is particularly interesting in the case of Texas because so many people are telling their stories about Lone Star justice with little consideration of how Texas—as a place—tells those same stories. We will soon move on to the museums themselves, but before we do I feel I should make clear that this book is of course itself a narrative. It is a story about stories if you will and so I—as the author—can never be removed from the act of telling it. It will likely be clear by now that what follows is 'my story', a narration of my journey. Moreover, by accepting that this book is a collection of narratives, I also emphasise that it is of a specific space and time; such is the nature of narrative.

In the chapters that follow, I will tell you many stories and while these are underpinned by rigorous data collection methods and informed by a lengthy interpretative analysis, I have to concede they are stories nonetheless. Indeed, the next chapter draws directly from my research diary and field notes; I have quite literally written the story of my travels in order to acquaint you with the museums and tourist sites I visited. In the following chapter then, I will describe some of the places I visited and some

of the people I met on my expedition in order to introduce you to Texas from my perspective. We will be analysing the stories told within the tourist sites in Part III of this book. For now, though, I would simply like to invite you to become a Texas tourist.

3

Becoming a Texas Tourist

In the summer of 2013, I left England to spend six months as a Texas tourist. The research trip, funded by the Christine and Ian Bolt Scholarship Fund (University of Kent), involved travelling around the Lone Star State to visit both punishment museums and tourist sites associated with history. In this chapter I will share with you some of my experiences in order to contextualise both the research sites and the stories told within them. More specifically though, this chapter will introduce you to the Texan punishment museums, the tourist sites associated with history, to Texas more generally as a place, and to some of the Texans I met while on my travels. The structure of the chapter follows the order in which I visited each of the locations. We will therefore begin our journey as I did, in Eastland.

Eastland

I arrived in Eastland around noon and was surprised by how small it seemed. Eastland is technically a city but in the UK it would more likely be considered a town. I'm told by locals that the city's most popular

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tourist attraction is a horned toad named 'Old Rip'. Sadly Old Rip is dead, but his body has been laid to rest in a wooden, velvet-lined, glass topped coffin in the County Courthouse. The toad first became famous in 1928 when the old County Courthouse was demolished and he was discovered in a time capsule. The capsule had been sealed and buried for 31 years, but when re-opened Old Rip the toad was still alive. Old Rip passed away in 1929, but he has since become something of a mascot for Eastland. After paying my respects to Old Rip I made my way to the Sheriff's Office, a short walk from the Courthouse, in order to be shown around the Old Eastland Jail and Museum.

As I arrived I noticed that the Texan and American flags were being flown at the same height outside the County Sheriff's Office. I had been told on countless occasions during my trips to Texas that the Lone Star State is the only state in America which can fly the flags at equal height. All other states must fly their state flag at a lower level. This is apparently because the state flag shares its design with the Republic of Texas flag, chosen to represent the Lone Star State after successfully winning independence from Mexico in 1836 (discussed further in Chap. 12). Indeed, the Lone Star flag is a powerful symbol of independence all over Texas. From supermarkets to churches, schools to strip bars, firearms to push-chairs, the flag is a very pervasive part of the Texan experience.

I walked past the flags, through some glass double doors and into the Sheriff's Office. There was a reception area so I introduced myself to the lady behind the desk, explaining that I was there to see the museum. She politely informed me that the Sheriff was out but that Brandon—a Deputy Sheriff—would happily show me around. I went through to meet Brandon who was sitting at his desk, cluttered with family photographs, mountains of paperwork, some empty fruit juice cartons and a small wooden sculpture of his name.

He extended his hand and removed his cowboy hat, resting it on his chest. 'Miss Hannah ain't it? Nice to meet you', he said in a welcoming Southern accent. I had already called ahead to let them know I was coming, so Brandon was ready for my arrival. We chatted for a minute or two and I signed a piece of framed chipboard in his office which all museum visitors are asked to sign. The board was crammed full with kind wishes and sentiments of appreciation. Brandon replaced his cowboy hat,

gathered his phone along with a large set of keys and led me out of the building. We walked across the street and within a few seconds we were outside the old county jail house. The jail house was a square building, three stories high with bars over all the windows. The sign outside read: *Tours by appointment through the Sheriff's Office. Old Eastland County Jail and Museum. Built 1897, out of service 1980.* I should also say that later on that day the County Sheriff—Wayne—returned to the office, so I also took a tour with him.

> Research Diary: Wayne is the one who originally decided to create the museum. He has worked in Eastland for some time now and he believes part of his role as Sheriff is to preserve the County's penal past. It was lovely to hear him speak about the preservation process, and the care he takes when deciding how to present the objects. I had assumed that the tour would be quite rushed;, I was after all taking Wayne away from his day job as Sheriff, but I think he rather enjoys it, chatting about times gone by. I can't blame him really. Eastland does have a pretty unique (punishment related) claim to fame.

Both of the tours began with us entering the room which had originally been the living quarters of the Eastland jailer. There was a small kitchen and Brandon told me that this was where the jailer's wife would have cooked meals for herself, her family and the inmates who resided in the cells above. From here we moved into a smaller room, still on the ground floor, which had one glass cabinet against the back wall and a desk in the far corner. Upon the desk was a 'charge book' which was used to register the arrival of each new inmate when the jail was operational. While looking at the charge book, on Brandon's tour, he told me that

> the arresting officer would sign them in and the charge would go here [points to a column in the book] some go back as far as the 1920's. The Sheriff went and got the book and had it all re-done. There's a lot of history there and we think it's really important to keep that kind of history safe. If no one makes the effort then it gets lost forever.

We turned around to look at a glass box, the focal point within which was a coiled piece of rope. Wayne informed me that the rope was a

significant part of Texan penal history because it was the noose 'used by the mob when they lynched Marshall Ratliff, and that was the last official recorded lynching in the state'. Ratliff had robbed a bank on 23 December 1927 dressed as Father Christmas which earned him the nickname of 'Santa Claus Robber'. There was also a four-shelf glass cabinet next to the rope which displayed paperwork, handcuffs, ankle manacles, photographs of Ratliff, beating paddles and a set of brass knuckle-dusters. The paperwork was too faded to read, but both guides described its relationship to the 1927 Santa Claus Robbery, explaining that it included Marshall Ratliff's death certificate and official police reports of the lynching event. Moving to the back corner of the room I was encouraged to look up at the corrugated iron ceiling to see a single bullet hole. Wayne told me,

> nobody's really sure who fired the gun that left the bullet hole up there. It was either during a scuffle between Ratliff and a jailer before the mob got here, or sometime when the mob came to take Ratliff away.

We then walked up to the first floor. There were five cell spaces on this level (Fig. 3.1). One was a communal area and the other four were where the inmates would have slept. Within the central cell (the communal area) there was a washbasin and toilet. One cell in particular was pointed out as significant because of the graffiti on the wall. The graffiti, which was scratched into the stonework, showed the names of two of the Santa Claus Robbers, Henry Helms and Robert Hill.

Fig. 3.1 Eastland standard cell

Research Diary: The cells are truly austere places. On one floor there is a centrally positioned sit-in bath, next to a toilet—essentially a rust-stained metal bucket with a pump. Whilst the room is airy, I try to imagine how that place would have smelt in heat of the summer. It is relatively cool today considering the time of year but I have felt the heat of a Texas summer, and it is hot. The bars are rusty, the floor cement and when inside the cells I recall images of how penned cattle are kept.

We then went up another flight of stairs onto the top floor. Here there were more cells. On one side of the room were three adjacent cells, each with bathroom facilities and a double bunk. Opposite these was a padded cell. Neither of the guides knew how long the padding had been there but as Wayne pointed out, 'it's likely been there a fair while I'd say, looking at it I mean. We think it is probably the original stuff.'

Once the tours had finished I conducted brief interviews with Wayne and Brandon. Wayne even gave me an iron-on Sheriff's patch and a bible as parting gifts. Both Brandon and Wayne had been excellent guides, and Wayne in particular had really surprised me. He was very knowledgeable about Eastland's past and had undertaken extensive research in order to ensure the interpretation of the items on display was as accurate as possible. There was a genuine passion for preservation and ensuring the County's penal history was not lost. I had enjoyed my tours of the Eastland jail house very much but it was time to say my goodbyes. I thanked Wayne and Brandon for their kind hospitality then returned to Dallas in order to make the short journey to Fort Worth.

Fort Worth

A city located in North Central Texas, Fort Worth is packed full of things to see and do. The focus of the downtown area is Sundance Square. At night—between the restaurants and bars that spill onto the sidewalks—outdoor musicians perform and entertain for the appreciative crowds. On warm summer nights visitors can watch a movie on the outdoor big screen which is erected for the Stars under the Stars free movie series. Or, if you arrive later in the year the square becomes home to the massive

50-foot Fort Worth Christmas Tree, decorated with lights from top to bottom.

> Research Diary: Fort Worth is so entirely different from Dallas. In Dallas I stayed on the 129th floor of a skyscraper; in Fort Worth the receptionist bakes fresh cookies every morning. In Dallas, upon leaving the hotel a group of at least 5 cab drivers would heckle for my business; in Fort Worth the shuttle bus driver Steve will happily leave his cup of coffee to take you wherever you need to go. Of course one was a hotel and the other a motel, but I have stayed in motels in Dallas and they were the polar opposite, devoid of the warmth and friendliness of my motel in Fort Worth. While staying at a Dallas motel I heard gunshots in the car park followed by sirens; in Fort Worth two rocking chairs adorn the porch where visitors sit and chat till the early hours.

After spending some time in the Cultural District and Sundance Square, I headed for one of the most visited historical sites in Texas: the Fort Worth Stockyards. The Stockyards is a collection of different experiences which spread over fifteen square blocks. Patrons can enjoy a drink in the White Elephant Saloon, where the walls are decorated with antlers of longhorn cattle and countless Stetsons autographed by country music legends. Foot-tapping country music fills the air and carries outside into the afternoon sun of the Rodeo Plaza, a shopping precinct which sells many souvenirs and larger items made by local artisans. Also in the Plaza is Billy Bob's Texas, a performance venue with a seating capacity of 6,000 which is equipped for traditional bull riding and rodeos.

Opposite the White Elephant is the Stockyards Hotel, with a lobby decor described in one guide book as cattle baron baroque (Dar and Fox 2009). Filled with deer antlers, worn armchairs and artwork depicting the stockyards in their glory days, the Stockyards Hotel is a tribute to the all things Western. Walking along East Exchange Street visitors will find the Texas Cowboy Hall of Fame and the Livestock Exchange Building. Surrounded by extensive gardens, the Exchange Building has a cream-coloured facade with eleven archways framing the entrance. A single longhorn, high above the central archway, watches over. In the lobby of the building there is a chuck wagon which—draped in an American

flag—acts as a photographic backdrop for visitors. The Stockyards Museum can also be found here, open every day except Sundays. The museum displays an eclectic mix of objects and you can feel that it is much loved. It reminded me of my grandma's house, cluttered but cosy.

Tourist Information, the departure point for walking tours of the site, is situated opposite the Livestock Exchange Building. Well worth the $6 price, the tour begins with a twelve-minute video called The Spirit of the West that recounts the history of the stockyards. A Wrangler Tour Guide then walks you through the area sharing their historical stories. Continuing along East Exchange Street, visitors will find Riskys BBQ, Trailboss Burgers and Habanero's Grill & Cantina. All located within the old Stockyards Station, the restaurants' decor is in keeping with the rustic Old West environment—red-and-white checked tablecloths, old neon signs and inviting menus that promise to satisfy the biggest of appetites.

> Research Diary: While interviewing Claire, the Stockyards Museum Director, over lunch in Riskys BBQ she told me about the cowgirl poetry she writes in her spare time, a hobby which has earned her the title of 'Cowgirl Poet of the Year'. She recited a poem from her new CD 'The Cowgirl Way' and it was lovely to hear the passion in her voice. Claire lives on a ranch with her husband Rob in Parker County and is a regular at her local Cowboy Church. She also travels far and wide to attend and compete in Chuck Wagon Cook-offs with her own restored chuck wagon. For Claire, wearing a Stetson is not just a performance for the tourist gaze, in her own words: 'I've always known I was born in the wrong era. The Old West is a part of me. No that's wrong it's all of me—that simple.'

Twice daily, visitors to the Stockyards begin to line either side of East Exchange Street. Cameras at the ready, they await the Fort Worth herd of longhorn cattle. Between eight and ten cattle drovers in traditional garb herd the sixteen longhorns from their pens within the maze, down East Exchange Street, around the Rodeo Plaza and then back to their pens (Fig. 3.2). The cattle drive only takes around 15–20 minutes but the tourists seem to enjoy every second of it. Visually the longhorns are quite a sight, but added to this are the sounds of the whistling horseback cowboys and cowgirls, and the heavy, slow rhythm

Fig. 3.2 Longhorn Stockyards

of obedient cattle hooves. The tourist leaflets suggest the cattle drive is an unforgettable performance of the Old West memory, and I would have to agree.

> Research Diary: The thing that sticks with me from visiting the Stockyards is how much everyone I came into contact with seems to love their job. From the walking-tour guides who are incredibly enthusiastic about Fort Worth history, to the security guard who joked with patrons about public intoxication, to the servers at the White Elephant Saloon that sing along at the top of their voices to the country music playing. The numerous people dressed in traditional cowboy attire, presumably on a break from the Jersey Lilly Photo Parlour, sit outside smoking a cigarette and laughing with customers, and the Stetson-wearing security guard told me at length about two stray kittens which he found in the Stockyards and has since adopted. As a tourist destination it is easy to see why the Stockyards are so popular.

I was sad to say goodbye to the friends I had made in Fort Worth and I wish I could have stayed longer. Claire had invited me to one of the cook-offs she was competing in during the following month, but I needed to get back to Dallas ready for an onward journey. I boarded the Trinity Rail Express, sat back on the comfortable seats, rucksack beside me, and reviewed my onward journey details. My next stop was the Dallas Greyhound Station.

I had been to the Dallas Greyhound Station a couple of times before on pilot trips and I was not looking forward to returning. The building itself is actually quite nice, clean and new with a small cafe in one corner, but as a lone female traveller it can be a little intimidating. As I sat and waited for my bus to be called a man approached me and asked 'Where you headed? Can I come too?' I thanked the gentleman but politely declined his offer of a chaperone. Upon hearing my English accent he smiled and sat down; apparently he liked English girls. I moved to another part of the station but found myself spending the next ten minutes attempting to avoid the amorous advances of a very excited, very intoxicated, very large Texan man. Luckily my bus was soon announced and I made my way to queue number six, ready to board for a journey to Huntsville; a place Massingill and Sohn (2007) refer to as 'Prison City'.

Huntsville

After checking into my motel I took a walk to Huntsville city centre. Much like other small Texan cities Huntsville has a well-kept Courthouse, a cafe or two, a Greyhound stop and a few motels. But unlike anywhere else in Texas, Huntsville is also home to the Texas State Penitentiary Huntsville Unit and the execution chamber. Known to locals as the Walls, the prison has become part of the city's cultural architecture. Billboards line the streets of Huntsville and its surrounding areas, advertising employment in the prison as a worthwhile career that pays well and gives good holidays. The roads are peppered with Texas Department of Correction vehicles, transporting their cargo to and from the Walls. Shops display signs telling newly released prisoners that checks can be cashed within.

> Research Diary: Sat in a shady spot in the town square, outside the Texas Cafe waiting for my grilled cheese sandwich to arrive. To my left, a row of beautifully quaint antiques shops. Having already spent the morning wandering them I can safely say that 'Southern hospitality' is no myth. The people inside are as welcoming as the shop fronts, adorned with beautiful hanging baskets and well-worn rocking chairs. To my right, however, is a very different vista. The courthouse lawn is being tended by six inmates. Whilst they are free to move around unconstrained, the sight is somehow reminiscent of chain gang photographs. All are young black men, wearing prison attire and they are watched intently by two white prison guards. While the guards have found a shady spot the inmates must surely be sweating profusely in the near unbearable Texan heat.

The Walls Unit is a short walk from the main square and Courthouse building. The entrance to the Walls, situated on 12th Street, seems to blend into its surroundings. It is a simple, but elegant red brick building with a clock on the front and high walls that stretch up into the sky. But the walls stretch outwards too, for at least three city blocks. With no doors or windows it becomes easy to see how the Walls got its nickname. At night it is lit from below and were it not for the ominous barbed wire, the entrance could be mistaken for a motel. Tourists are not allowed to enter the Walls but they are able to see and hear the story of the Walls—and the Texas Correctional Institutions Division—in the Texas Prison Museum which is a 10-minute drive away.

The Texas Prison Museum is located just off Interstate 45, which runs between Dallas and Houston. On the approach to the museum down a long gravel path, there is a tall, needle-like monument (Fig. 3.3). The monument is framed either side by the Texan and US flags, flying at the same height. The inscription at the base tells us that the monument 'honors the men and women who valiantly served the state of Texas in the correctional system as well as those serving now and in the future'. Within the grounds around the monument there are trees planted in commemoration of officers who have died in the line of duty.

On entering the museum, tickets are on sale at the gift ship. There are usually one or two members of staff around the till area who are either talking to each other or with patrons. Sometimes Jim Willet (museum

Fig. 3.3 Texas Prison Museum Monument

director and ex-warden of the Walls Unit) can also be found there, drinking a coffee and offering to sign copies of his autobiography—a great read called *Warden*—which is sold in the museum gift shop. I had read the book before visiting the museum, so meeting Jim and talking about his experiences as warden was a wonderful way to pass an hour or so. When I first arrived, there were also a few volunteers restocking the gift shop and they too had worked in the Walls before retiring and joining the museum staff. While we chatted a delivery of prisoner-made items arrived, leather goods mainly, and the volunteers explained that these types of items tended to sell really well.

It was clear that the museum acted as a kind of social meeting point for prison staff past and present, somewhere for people to drop in for a coffee if they happen to be passing. Much like the Sheriff in Eastland, preserving Huntsville's penal past seemed like more than just a hobby; the museum

had become part of the social dynamic created by shared experiences of working in the prison. The Museum website reflected this, offering short biographies of the staff: 'Charlie Combs and Jim Willett are retired prison employees with 60 years of prison experience … Dorothy had 36 years' service … Betty W. had 15 years with the prison system … Carolyn was there seven years … Jerry had 23 years', and the list goes on. After spending a few hours in the museum on different days it is clear that the building is more than just a tourist site. A meeting place for correctional officers past and present, it is a space to share stories and stay in touch with the rhymes and rhythms of the prison.

The Museum itself is all on one floor and a simple rectangle; it is not unlike a small aeroplane hangar. The floor is concrete, the walls (where visible) are white or red brick and the ceiling is black. There are no windows other than at the entrance; light instead is provided by a series of fluorescent strip lights and the cabinets, many of which are illuminated from within. Museum admission is $4 for adults and $2 for children. When paying to enter the museum, guests are also told how to get to the Joe Byrd Cemetery, so after touring the museum I took a cab to see it for myself. The cemetery is on the outskirts of Huntsville and as I'd learnt from a poster in the museum, it is where the unclaimed bodies of those who have been executed and those who have died whilst serving their prison sentence are laid to rest (Fig. 3.4). I'd spoken to Jim Willet about the cemetery too, and he told me that

> We've buried just over 2,000 [inmates] in the Joe Byrd at last count. It used to be more cases when no-one claimed the body. You know, either the family disowned them or they didn't have no family. More recent though, is the cases when the family just can't afford the burial and funeral costs. We worked out it's about twenty-five percent of deceased inmates get buried there. It's a simple funeral but it's respectful. It costs over nineteen hundred dollars a time.

My cab ride from the Prison Museum to the Joe Byrd Cemetery had been both enjoyable and informative. My driver's name was Carl, and we became quite good friends while I was in Huntsville. There was only one taxi company and on most of my journeys it was Carl who arrived to take

Fig. 3.4 Joe Byrd Cemetery

me to my destination. As usual, we chatted all the way there. He told me he knew all about the prison system and a little about the cemetery too. This was because Don, Carl's brother, is a correctional officer. Carl had attended an inmate's funeral with his brother a couple of months previously. He explained they went because Don 'knew the guy a bit':

> Don said he [the inmate] was alright, no hassle you know? So he wanted to pay his respects … Was a real nice service. The guy's mum was there so we talked with her for a bit. Made sure she got home OK. He [her son] might not have turned out quite like she would've liked, but it was still her son you know? No mother should have to go through that, burying a kid must be heart-breaking.

Carl also told me that the 22-acre site is often referred to as Peckerwood Hill by both locals and inmates. I asked him why it had such a strange

nickname: 'Peckerwood? Oh, it means someone that's poor you see—and hasn't had no schooling to speak of.' 'So that's who ends up here?' I replied. 'Yes ma'am, the inmates who can't afford a funeral, and the ones who haven't got no-one to come collect them.' I paid Carl the taxi fare and told him I'd be ready for collection in an hour or two—whatever suited him. Travel plans were all very relaxed in Huntsville. Carl had my mobile number and tended to call me when he was ready rather than the other way around.

> Research Diary: This place is eerily similar to a field of fallen war heroes … some of the stones have names, many I see just numbers. There are approximately 2,000 graves here and minimal evidence of personal tending or love. None of the knee-height tombstones are crowded with teddy bears, flowers, notes or trinkets. There are fresh flowers next to a few, dead flowers next to some but most have nothing. I see an elderly woman kneeling beside a grave and remember Carl's story.

After visiting the Texas Prison Museum and the cemetery a few more times, I said my goodbyes to the museum staff and Carl the taxi-driver. Jim Willett had kindly given me his card so I could get in touch if I needed any further information. Like Wayne in Eastland he was incredibly knowledgeable about the Texas Correctional Institutions Division, and not just because of his professional experience. Jim had read many of the academic texts cited in this book and I enjoyed debating with him about them. Before I knew it though, I was back on a Greyhound and this time I was heading for Houston.

Houston

It is hard to capture in words just how big Texas feels when travelling around. Whole parts of the state seem to have been forgotten. The road stretches ahead and behind for miles without any sign of life. There are no people, no houses, no road signs, just more Texas. People live hundreds of miles apart with little access to the conveniences of modern living. Yet what surprises me is the diversity within and between places; the

contrast of rural and urban Texas is quite astounding. From the wide open roads of the dusty Texas plains, I was heading for the shiny skyscrapers of downtown Houston.

> Research Diary: I thought Houston would be similar to London in terms of vibe and when I arrived, it was indeed bustling; sandwich shops have queues that reach out the door, there's standing room only on the tram and the Macy's sale has the department store packed full of people hunting for bargains. But at night downtown Houston is actually really quiet. In the evening you can walk down Main Street and not see anyone—the bars shut early, the car parks are half empty and the neon signs blaze their messages to an absent audience. Unlike other big cities, Houston sleeps at night.

The site of interest to me in Houston was the San Jacinto Monument which is located around twenty miles from downtown and receives in excess of one million visitors each year. The monument commemorates the decisive battle in the Texas Revolution against Mexico (1835–6). It was in this battle, known as the Battle of San Jacinto (21 April 1836) that Texas won its independence—at least in theory—from Mexico. The battle was particularly significant because Texas went on to declare itself a Republic and on 2 March 1936, fifty-eight delegates signed the Declaration of Texan Independence; the Republic of Texas was born.

The San Jacinto monument is a tall needle-like structure which reaches 173 metres into the sky making it double the height of the Statue of Liberty (Fig. 3.5). The base of the stone obelisk can be reached by climbing stairs on all four sides. As you reach the top of the large stone steps, inscriptions on each side of the base become visible. Together these inscriptions describe the chronology of the Battle at San Jacinto. The museum, a movie theatre, some offices, a second separate exhibit hall and the gift shop are all housed within the base of the obelisk, which gives some indication of how large the moment is. As a space the museum itself is somewhat less opulent than one might expect, given the monument's impressive exterior. While the theatre is incredibly ornate (long velvet curtains, deep red velvet seating, decorative brass fixtures) the museum—with its white walls and brown marble floor—is relatively plain, resembling a shopping mall or doctors surgery.

Fig. 3.5 San Jacinto Monument (Source: Mike LaChance, Flickr (https://www.flickr.com/photos/mjl816/19651936763) (licensed CC BY))

The museum also adopts an odd use of space. The ceilings are high so the room has the potential to feel spacious, yet the artefacts and exhibits are housed in glass cabinets, each of which stands around eight feet tall. These cabinets have few gaps between them so they act as walls, creating the feeling of corridors. The museum's displays are also a little confusing. Rather than focusing solely on the Battle of San Jacinto, the museum

hosts all manner of eclectic objects relating to the Texan past and present. There are many displays about Texan independence and those who fought for it, but visitors can also see an exhibit about the Texan invention of barbed wire, a display about the hurricane that destroyed parts of Galveston in 1900 and a collection of photographs which depict the construction of the monument.

There is also a gift shop as you exit the museum which sells a collection of items usually found in these types of large tourist sites. Such items include postcards, key chains, baseball caps, shirts, magnets, bumper-stickers, pens and pencils—many of which have the San Jacinto monument upon them. Toy rifles, Texan history books, 'Lone Star Sheriff' pins and Texas Ranger badges are also on sale. After touring the San Jacinto Monument and making a few purchases in the gift shop it was back to downtown Houston and from there on to Beaumont.

Beaumont

Beaumont is a city in Jefferson County, located on the coastal plain of South East Texas, near the Louisiana–Texas state line. I arrived in my Beaumont motel just after 3 p.m. but my first tour of the museum there was not until the following day, so I decided to spend the afternoon looking around the city.

> Research Diary: Beaumont is a welcome change from Houston. I enjoyed Houston but by the end of my stay I was ready for some more 'small town Texas' living. Beaumont has a similar vibe to Fort Worth, Eastland and Huntsville; local and friendly but still lively. I even got the chance to go to a 'BBQ Cook Off' which was a night of good food, cold beer and country dancing. Houston was more like Dallas; both are huge cities and at times felt like unfriendly places. The big cities of Texas are a world apart from the much celebrated Beaumont BBQ Cook Off.

The next day I went to meet Doug, a serving police officer and one of my guides for the Beaumont Police Museum. I visited the site on three occasions, each with different people accompanying me. The dynamics of the tours changed substantially each time. When it was just Doug and I, we spoke much more about his opinions of punishment and law

enforcement. When we were joined by a couple from Houston we spoke more about how the UK differed from Texas (specifically what weapons the British Police have access to and when the death penalty was abolished). And when the group included a family from Louisiana, the guide was much more enthusiastic about Texan styles of policing and punishment, speaking at length about his job satisfaction.

The Beaumont Police Museum is in the basement of the Police Station, so when tourists arrive they are told to get the elevator down three floors. As you exit the elevator there are a series of corridors and offices which have been converted into museum spaces. The first corridor is lined with black-and-white photographs of Beaumont Police officers from the 1800s and early 1900s, and the first room focuses on communication equipment. The second room is filled with uniforms past and present, including cowboy hats and different styles of police badges. Then you come to a room with three cabinets, each displaying items that have been seized from offenders (primarily drug paraphernalia) as well as a large cabinet with an extensive display of weapons used by the police over the years. The weaponry was what first encouraged Doug to create the Beaumont Police Museum:

> I love these old guns, aren't they neat? That's actually why I started the museum—cause they were going to be destroyed and I just couldn't let that happen. They're history you know? It's kind of a hobby of mine, restoring them up. It's important to me, to protect them and make sure they're still around when I'm not.

Doug's hobby has also led him to develop a course in firearms training for the general public. Citizens are invited to come to the Beaumont Police Department training classrooms and learn about the laws that relate to gun ownership. The guests are then taken to the Police Department's firearms range and taught to shoot using simulation scenarios. On my first tour Doug asked me if I would be able to attend one of the training days:

> You should come along Hannah. I bet you'd enjoy it! Shouldn't think you've ever even fired a gun have you?—ha ha—I reckon you'd be a good shot though. It's a fun day, plus it's educational—teaches you how and when to defend yourself. … Like I say, we can fix you up if you want?

I was unable to attend the workshop as the next one was not until November, at which point I would be in El Paso—a three hour flight away from Beaumont. (I did, however, get the chance to shoot a rifle later that day, on a friend's farm located between Beaumont and Houston. Suffice to say I was not a good shot, missing by some distance an empty can that was less than 15 feet away.)

We then moved down the corridor and into the now decommissioned cells (Fig. 3.6). Tourists are encouraged go inside the cells and have their pictures taken if they wish. While we were inside Doug spoke about the

Fig. 3.6 Beaumont cell

locking mechanism which was housed in a large lockable box. There is no natural light in the cells, which are located three floors below ground level in the basement. Once visitors have finished asking questions about the daily life of inmates, they are ushered to the last stop on the Beaumont Police Museum tour. This final room houses a long cabinet displaying mugshots of prisoners from early to the mid-1900s. Many of the pictures have a statement beneath them which describes the offence for which the person was arrested. Doug directs tourists' attention to one in particular: 'Look here, there's some woman that looks like she could be ya great-grandmother or something, and she was in for narcotics!' After chatting for around 5–10 minutes Doug leaves the tour party and goes to his office (which is on the same floor as the museum). Tourists are left to wander the museum again if they wish.

I really enjoyed my stay in Beaumont, and Doug had been an excellent guide. Like Wayne in Eastland and Jim in Huntsville, Doug has vested much time and energy into the museum, sourcing outside funding and locating more objects to tell Beaumont's story. He is passionate about his role as curator and feels a responsibility to preserve the past as best he can. I would have liked to spend longer in Beaumont because, while I had toured the museum many times, I had not seen all that much of the rest of the city. Sadly though, it was soon time to move cities once again. After Beaumont I returned to Houston for one last time and then transferred to a bus heading for Austin.

Austin

The journey from Houston to Austin was much like any other trip in Texas; six-lane highways, huge trucks that would struggle on even the biggest of English motorways, and of course the never-ending stream of roadside Wendys, Walmarts and Whataburgers. But as always, what sticks in my mind are the vast amounts of undeveloped land Texas has to offer. Between cities, skies take on a whole new character; they appear free, no longer forced to accommodate the shiny skyscrapers of the Houston skyline. The view is now unrestricted and it's one that goes on for miles. Yet

that feeling of freedom slowly transforms as if in unison with the scenery. First it's the roadside billboards, selling what Austin has to offer; that then morphs into row after row of ranch houses; and finally downtown Austin approaches.

Austin, in central Texas, is the fourth most populated city in the state, and is unlike any other city I had (or would) visit in Texas. There is a much bigger night-time economy and there is a holiday atmosphere which I did not find in Houston or Dallas. Friends eat outdoors in big groups, people sit alone reading in the sun and families congregate on Congress Avenue Bridge, waiting in anticipation of the thousands of bats which fly from beneath it each evening at sunset.

The first historical site I visited in Austin was the Texas State Capitol Building and Museum which attracts in excess of half a million visitors each year (Fig. 3.7). A short walk from Sixth Street, the Texas Capitol

Fig. 3.7 Texas State Capitol (Source: J. D. Hancock, Flickr (https://www.flickr.com/photos/jdhancock/3722028021) (licensed CC BY))

building is the largest of all state Capitols, and is second in total size only to the National Capitol in Washington, DC. The building is set within extensive, well-maintained gardens and surrounded by fountains and statues. The building is magnificent, both inside and out. As you enter the Capitol, giant oil paintings hang upon the walls in the most ornate gold frames. Together these pieces of striking artwork depict scenes and characters from Texan history, primarily associated with the Texas Revolution. Passing between two life-size marble statues—one of Stephen F. Austin, the other of Sam Houston—you enter the main rotunda of the building. Whether looking up to the massive domed ceiling with a centred gold star, looking down at the marble floor mural representing Texan history, or to the ornate spiral staircase and oil paintings of Texan governors past and present, the space is grand.

> Research Diary: The tour guide regularly drew our attention to the fine details of the State Capitol Building. Every brass door hinge and door handle—and there must be hundreds in total, if not thousands—is elegantly engraved with the words Texas Capitol and a single Lone Star. Each set of elevator doors has the state seal subtly engraved upon them and there are countless wooden beams which likewise have the Texas state seal carved into them. The building is wonderfully decadent and unmistakably Texan.

A short walk from the state Capitol, three blocks or so, is the second site in Austin I wanted to visit; the Bob Bullock Story of Texas Museum (hereafter the Bullock). The Bullock has received over one million visitors each year since 2001. As you approach the museum, which according to the Texas State Preservation Board website is 175,000 square feet, there is a statue of a Texas Lone Star which stands 35 feet tall. The building has six flags outside—three either side of the entrance—which represent the nations that have governed Texas throughout the state's history. These six countries, each of which have held sovereignty over the Lone Star State, are Spain (1519–1821), France (1685–90), Mexico (1821–36), the Republic of Texas (1836–45), the Confederate States of America (1861–5), and finally the United States of America (firstly before the civil war, 1845–61; and then again after the Union defeated the Confederacy in 1865). As you walk up the stone steps and between these flags, which fly

high in the sky on fifty-foot flagpoles, you approach the entrance. Once through the oversized double doors you enter a large rotunda called the Grand Lobby, and it is indeed grand. Looking down, the floor is white granite and contains a mural which is so large it is difficult to see until you reach the observation decks on each of the upper floors. Looking up, the rotunda is three stories high with a domed glass ceiling. Moving forward towards the beautiful granite and oak ticket desk, you walk over a large polished map of Texas set within the granite floor.

> Research Diary: This is an amazing museum. Firstly, it is absolutely huge and secondly, not a single space within it is anything less than opulent. From the lobbies (of which there are three) to the exhibition areas, from the cafe to the staff uniforms, from the movie theatres (again there are three) to the women's toilets, it is a truly magnificent space. It feels as though this building is here to tell an amazing story, to preserve the memory of something really quite special. When you enter, you know it holds stories you'll want to hear. With no expense spared this is by far the most opulent museum I have ever stepped foot in.

From the Grand Lobby guests can access the IMAX theatre which plays current blockbusters, as well as a feature film all year round called *Texas: The Big Picture*. There are exhibition spaces on each of the three floors and while some parts of the museum are chronologically ordered, others are not. Instead, the three floors of exhibits are theme related. The first floor in entitled 'Encounters on the Land', the second is 'Building the Lone Star Identity' and the third is 'Creating Opportunity'.

After touring the Bullock several times over a six-day period, it was time to leave Austin and head to San Antonio. I had been looking forward to seeing San Antonio because I would finally see the Alamo. I had heard much about the Alamo already on my travels. Without asking, taxi drivers in Dallas and Houston had told me the story; two women I met in Beaumont had become very animated when I told them it was on my itinerary; even Jim Willet the Texas Prison Museum Director had said that I'd 'feel something' when I went there, adding 'you can't not feel something—it's a really sacred place'. So with a mix of anticipation and excitement I boarded my bus to San Antonio.

San Antonio

San Antonio is located at the edge of the South Texas Plains. It is the second most populated city in Texas and its majority Latino population is the largest of any US city. The major industries are tourism and the military, two things which often collide in the performance of massive military parades which can last for hours. Downtown San Antonio is famed for The River Walk, a system of walkways along the banks of the San Antonio River which run one storey below street level and cover approximately five square miles. Many of the best hotels in San Antonio are located on the River Walk and have both a street and river entrance. The main River Walk is a loop which encloses much of the city centre (Fig. 3.8).

> Research Diary: Every type of cuisine lines the River Walk in San Antonio. From Moroccan to Mexican, steak to sushi, tapas to the traditional Texas burger the River Walk caters for all palates. White fairy lights

Fig. 3.8 San Antonio River Walk (Source: Eric Coulston, Flickr (https://www.flickr.com/photos/elmas156/3812916911) (licensed CC BY))

> twinkle in the trees, gondolier-style boats full of wide-eyed tourists, and restaurants spilling onto the riverside pavements; it comes alive when the sun sets. Yet while it is no doubt beautiful there is a somewhat artificial feel to the experience. That is not to say it is unpleasant, on the contrary, in many ways it is quite magical. But magical in the sense of visiting Disneyland or seeing an elephant in a zoo; it is a kind of false beauty. Its charm seems contrived; created by man for man. This area is not for the poor, the homeless or the drunks; it is for the desirables. This makes it pure, clean, almost sterile; a sanitised refuge from the real world. The River Walk is both romantic and enchanting, no mistaking that, but I was left feeling like it was a photoshopped version of the Texan reality.

One of the busiest parts of the River Walk's underground walkways is the steps which lead above ground to the Alamo Shrine. The site is—like the San Jacinto Monument—one of the former battlegrounds of the Texas Revolution (1835–6); the war in which Texas won independence from Mexico. However, unlike the San Jacinto monument, which was built retrospectively in commemoration, the Alamo is the original stone building in which the Texans came under siege from the Mexican army. Located in what is now downtown San Antonio, the Alamo attracts more than two and a half million visitors each year making it the most popular tourist site in the Lone Star State. When I visited the Alamo, it had already been officially designated 'A Shrine to Texas Liberty', yet the site has more recently been awarded another status. In July 2015 the United Nations named the Alamo as a World Heritage Site, meaning that the building and surrounding area was deemed to have outstanding universal value.

The Alamo itself is a building at the corner of East Crockett Street and South Alamo Street, with a lawn at the front which is well kept but inaccessible due to large burgundy ropes attached to brass stands. There are three parts to the Alamo experience; a guided walking tour, an IMAX film and the Alamo Shrine which has a handheld audio tour—I decided to begin with the Shrine tour (Fig. 3.9). Having seen many pictures of the Alamo—on a whole host of gift shop items—it was easy enough to spot the church-like exterior through the crowds of people. However, whilst the compound to the Alamo is large and covers approximately (what is now) one city block, the Alamo Shrine is actually quite small.

Fig. 3.9 Alamo Shrine

Research Diary: Seeing the Alamo Shrine for the first time was somewhat underwhelming. After hearing so many stories and seeing so many images I had expected the Alamo to be bigger, somehow more imposing on its landscape. Yet whilst the Alamo is small in size it is clear from being here that the Alamo is big in significance. In the middle of the day the long queues are well-managed and wind their way around lawns which are precisely manicured. The pavements around the building are immaculately clean as are the staff, easily identifiable in their pressed black trousers and red blazers. Security guards and State Troopers can also be seen patrolling the entire area adding a sense of importance and historical worth. It feels as if they are all there to protect the Alamo as a place, but also to guard the sanctity of a memory. Once inside the Shrine I feel a sense of sadness; the space is quiet and respectful. I feel as if I am here to pay my respects.

The number of people allowed inside the Shrine at any one time is limited; I would estimate around 30 people. The space is dark and cold

despite the heat outside. The only light is provided by two chandeliers with electric candles in them which hang from the high brick ceiling. Towards the back of the Shrine are large wooden doors which don't open. Above these is an alcove in which six flags hang. The flag poles come out at a 90 degree angle from the back wall and represent the national flags that have flown over Texas.

Exiting the church, to the left is the Alamo courtyard. Here is the Wall of History, an outdoor exhibit of free-standing panels which together depict the 300-year history of the Alamo as a building, and the Long Barrack Museum which houses a theatre playing a 20-minute film about the Texas Revolution on a continuous loop. Alternatively, exiting the church to the right a small footbridge can be found leading to the Alamo Gardens, added to the complex in the 1920s and 1930s. Directly opposite is the Alamo Museum Gift Shop which sells everything one might expect—tea towels, clothing, key chains, magnets and much more, all branded with the iconic image of the Alamo facade. There are also higher priced items such as a state flag which has been flown over the Alamo for 48 hours ($54.99), reproduction firearms and Bowie knives (around $100) and genuine racoon-skin caps for adults ($79.95).

Conclusion

This concludes our journey through the Lone Star State and its tourist sites of penal and historical significance. The aim of the chapter was to introduce you to Texas as a place, and by positioning you as a tourist it is my hope that you were able to learn more about the state from a researcher's perspective. That is not to suggest that this chapter has been in any way analytical. To be clear, the stories told within these museums will inform the analyses presented in Parts III and IV of this book. This chapter was merely an introduction to Texas, a way of locating or situating the punishment stories that will follow within a wider cultural context. So with this touristic account complete then, it is time to consider the Lone Star State—more specifically—as a place of harsh punishment.

In the next chapter we will be examining some of the stories other people are telling about a punitive Texas. Chap. 4 begins with a consideration

of scholarly accounts that seek to explain and understand a specifically Texan penal history. In addition though, we will also be hearing from Texan governors and exploring the media portrayal of Lone Star justice. Finally, we will examine statistics relating to both incarceration and execution in order to compare Texan penal practices to those of other Southern states, with the aim of establishing the extent to which Texas lives up to its punitive reputation. In short, we will be evaluating the tales of a 'Tough Texas'.

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4

Telling Tales About a 'Tough Texas'

Texas is often heralded as the most punitive state in America, yet how much do we really know about the Lone Star State and its relationship with punishment? Lots of people are telling stories about Texan punishment, but what do those stories teach us? And how is the Texan punishment identity constructed both within academic scholarship and within mediated messages? This chapter seeks to answer such questions. We will begin by exploring the sociology of punishment scholarship for Texas-specific discussion and argument, and then move on to consider some statistics relating to Lone Star punishment. Once we have established this scholarly and statistical image of Lone Star justice we will examine some recent cases which have been used to highlight Texan punitiveness in the national (and international) news media, and discuss the extent to which Texan political discourse tells similar tales of a tough Texas.

In short then, this chapter will introduce you to some of the stories being told about Texas and its relationship with punishment. We will, in later chapters, look to the stories Texas is telling about itself and its own penal policy, but in order to position those 'insider stories' within a wider socio-cultural context we should begin first with the stories being

H. Thurston, *Prisons and Punishment in Texas*,
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told—more often than not—by the 'cultural outsiders'. At first glance this might seem a somewhat difficult task. As noted in the Introduction, most punishment scholars only mention Texas in passing. However, there is a small body of literature from which we can learn more about a specifically Texan history of punishment. Arguably the most comprehensive of these studies—specifically about the Texan punishment past—has been conducted by Robert Perkinson.

Scholarly Accounts of Texan Punishment

Drawing on the work of social and political historians, archival literature, as well as interviews with prisoners, correctional staff, judges and lawyers, Perkinson (2010) traces the Texas Correctional Institutions Division (TCID) from the years preceding the Civil War up to the present. He argues that the Lone Star State's peculiar commitment to harsh punishment is in large part the consequence of a continuing Southern strategy of racial subordination. More specifically, Perkinson argues that since emancipation, prison has been used increasingly to control ethnic minorities in Texas—one institution of subjugation has been replaced with another. The abolition of slavery, he contends, meant that white Southerners had to devise new methods to control the black population, and prison appeared to provide an entirely legal means by which to achieve this goal.

For example, in the first three chapters of *Texas Tough: The Rise of America's Prison Empire* (2010), Perkinson traces the rise of the convict leasing system, arguing that the scheme (popular until the early 1900s) became a 'race-coded metaphor for slavery' (p. 95). Working long hours in all weathers, black inmates would pick cotton—on the same plantations as their parents and grandparents had worked—under the watchful eye of a white prison officer. Yet convict leasing meant a gruelling life for inmates, and the high number of convict deaths in Texas soon began to cause concern with Northern progressives. This controversy brought about change in Texas. The state slowly reduced the pervasiveness of convict leasing as a control model, which simultaneously prompted prison building on a massive scale. However, these new prisons were often

built on farmlands and thus daily prison life remained largely similar to life on the former plantations. Perkinson (2010, Chap. 6) eloquently describes the atrocities which took place during the era of convict leasing and prison farms, recounting instances in which inmates severed their Achilles tendons, broke bones, and amputated parts of their hands in order to be relieved from work duties.

By the beginning of the 1940s the Texas prison system was considered by many political elites, primarily in the North, as one of the worst in the US. However, during the 1960s attempts were made to improve the image of the Texas correctional system. Owing much to the efforts of two administrators (George Beto and Oscar Byron Ellis), by the end of the 1960s Texas was heralded as having one of the best penal systems in the country (Perkinson 2010). There were still severe problems within Texan prisons, which were rife with racially motivated violence and prison gangs, but these were well concealed. The impression created was that the Lone Star State's correctional facilities were clean, effective, well organised institutions which efficiently reduced recidivism.

Perkinson (2010) brings his analysis up to the present day, suggesting that Texas now acts as a beacon within the American political sphere; Texas is known as a state which is committed to delivering harsh punishment. Moreover, Perkinson (2010) argues that—in Texas today—black men are incarcerated at almost twice the rate they were in the years prior to the desegregation of Texan prisons. Perkinson's (2010) argument is clear—the racist attitudes associated with the antebellum period are still alive and well in Texas manifesting in a more subtle Southern strategy of 'race coded' sentencing policies (p. 46): denied a place in society 'Jim Crow has moved behind bars' (p. 17).

Alexander (2010) offers a similar framework for understanding the American inclination toward mass imprisonment, arguing that racial subordination did not end with the abolition of slavery. Referring to mass incarceration as a 'stunningly comprehensive and well-disguised system of racialised social control', she argues that criminal justice in America functions in a manner 'strikingly similar to Jim Crow' (p. 2). Like Perkinson, Alexander illustrates how the American history of slavery continues to play a significant role in the development of the modern punishment agenda. Indeed, many of the historical events which feature

in both Perkinson's and Alexander's work can likewise be found in the work of other scholars speaking specifically about Texas and its history of harsh punishment.

Trulson and Marquart (2002, 2009) draw attention to what they understand as a significant event in the history of the Texan prison system: the movement to desegregate every prison across the Lone Star State. Texan prisons, like those in other states across the US, continued to be racially segregated long after the beginning of the Civil Rights movement. Until 1965 both cell allocations and work tasks were largely separated across racial lines, with black and Hispanic prisoners usually allocated farm duties and white prisoners assigned to industrial work. Yet in 1965 then Director George Beto made an unexpected move: he recommended that all Texan prisons become integrated. However, while Texas may have appeared to be adopting a more progressive stance to confinement, by the early 1970s Texan prisons were still largely racially separated. This continued until Allen Lamar, a black inmate, filed a lawsuit seeking the complete desegregation of all Texan prisons (*Lamar v. Coffield* 1977).

The Lamar request became entangled with many similar cases brought against the TCID during the early 1970s, collectively referred to as *Ruiz v. Estelle* (1980), all of which accused Texan correctional institutions of mistreatment. The decision in *Ruiz v. Estelle* (1980) was that conditions of imprisonment in Texas were unconstitutional. As Texan prisons struggled to deal with desegregation—along with the abolition of the prison labour tender system, overcrowding, officer indifference and staff shortages—prison officials also had to contend with a significant increase in violence reported by inmates (Trulson and Marquart 2009, p. 76).

Marquart et al. (1998) likewise trace the history of 'race' in Texas, although rather than writing an account of the penitentiary system, the authors focus on the history of execution. Much like Trulson and Marquart (2009), they begin by describing the ways in which, after the abolition of slavery, white Texans maintained racial order through extralegal violence. Moving through the late 1800s and early 1900s, Marquart et al. (1998, pp. 13–16) describe how public lynchings were replaced by legal hangings, and later with the electric chair in 1924.

Marquart et al. (1998) argue that post-Civil War (1861–5), Civil Rights advocates and anti-lynching campaigns prompted a number of

interconnected reforms to capital sentencing in Texas. These reforms had a knock on effect, changing the racial demographics of death row. For example, pre-Civil War the rape of a white woman by a black man would likely carry a death sentence in many of the Southern states. Yet reforms to what constituted a capital crime signalled a decrease in the numbers of death sentences for rape, thus reducing the disparity between whites and blacks in terms of executions. Moreover, Marquart et al. (1998, p. 83) found that while the 'race' of the defendant slowly became less prominent in Texan capital cases, the 'race' of the victim continued to be a major factor when predicting whether the defendant received the electric chair or life imprisonment.

So these publications, which specifically focus on Texas, tell us much about the Texan punishment past. However, by placing such importance on the history of the Texan penal system, commentary on the relationship Texas shares with those punishments in the present is naturally reduced. What is clear from these studies though, is that scholars who have traced the Texan punishment past agree on two related conclusions. Firstly, Texas is a place of particularly harsh punishment and secondly, a state-specific approach reveals complexities which become lost in totalising arguments about 'America' or indeed 'the South'.

Similarly, Barker (2009) asserts that 'national trends' tell us very little about punishment in America. Using California, Washington and New York as case studies, Barker argues that a state-specific approach is long overdue. Indeed, if we consider the state-level statistical data associated with punishment in America we find there is massive variation between individual states. Moreover, by examining this data we also begin to see how and why Texas has acquired its reputation as a hyper-punitive state.

Texan Punishment: The Statistics

As of December 2011, the total number of people incarcerated in either prison or jail in Texas was 230,086, making the Texan prison population the highest of any state in the US. Figure 4.1 depicts the total prison populations for California, Georgia, Florida, New York and Texas (the top

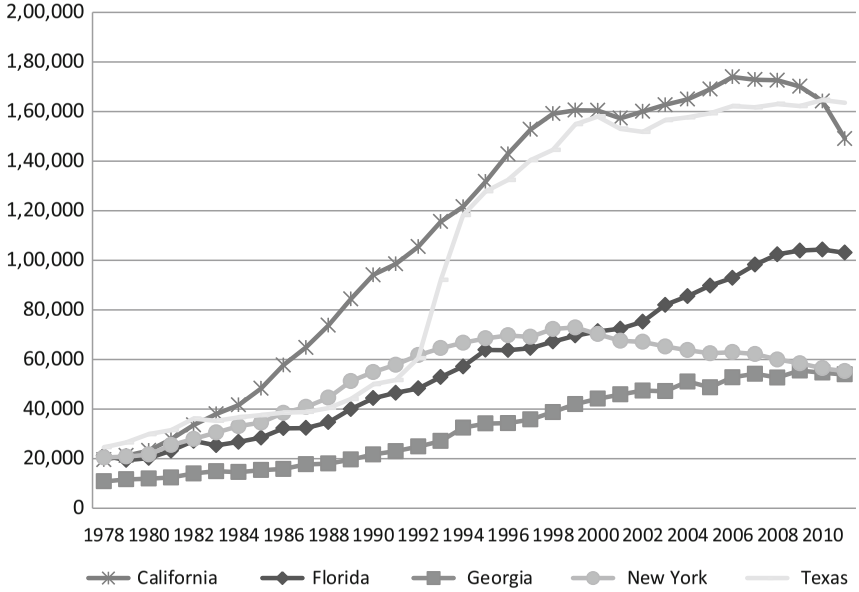

Fig. 4.1 State by state incarceration totals. Data came from Sentencing Project website: http://www.sentencingproject.org/

five incarcerating states). As is clear, both California and Texas have—throughout the last three decades—broken away from other states, both increasing significantly the number of people behind bars. Texas actually ranks fourth in terms of rate of incarceration (behind Louisiana, Mississippi and Oklahoma) but the sheer size of the TCID and the consistency with which Texas has found itself in the top two of incarcerating states, has led scholars such as Robert Perkinson (2010, p. 4) to suggest that Texas 'reigns supreme' in the punishment industry.

In addition to the Texan prison population, data associated with the Texan death penalty can likewise be used as an indicator of the Texan commitment to harsh punishment. Since the moratorium was lifted in 1976 by the Supreme Court, 34 of the 35 death penalty states have performed at least one execution. Yet in what Crawford (2008) refers to as the 'modern era of execution'—that is post-moratorium—Texas has performed 530 executions (as of December 2015) with its closest competitors being Oklahoma (112) and Virginia (111).

Put another way, between the years of 1976 and 2015, Texas has performed 37 per cent of all US executions. Moreover, if we consider only recent execution behaviour it becomes ever more apparent that Texas continues to demonstrate its commitment to harsh justice by way of capital punishment. Between 2007 and 2014, a total of fourteen states executed more than one inmate. Figure 4.2 includes the execution totals for each of these high execution rate states. Even when considered alongside other states that are commonly understood as punitive, in comparison to their Northern counterparts Texas remains in a league of its own; no other state comes close in terms of the total number of executions.

To gain a better understanding of the execution behaviour of Texas, and how Texas compares to other states, we can break this down further. Firstly, we will remove those states that perform (comparatively) few executions, and focus instead on the 'top ten' executing states post-moratorium. This leaves us Alabama (AL); Florida (FL); Georgia (GA); Missouri (MO); North Carolina (NC); Ohio (OH); Oklahoma (OK); South Carolina (SC); Texas (TX); and Virginia (VA). Secondly, we can consider both pre- and post-moratorium execution totals. Using data collected from the Espy Files (2003) and the Death Penalty Information Centre (DPIC 2009), Fig. 4.3 shows the average number of executions

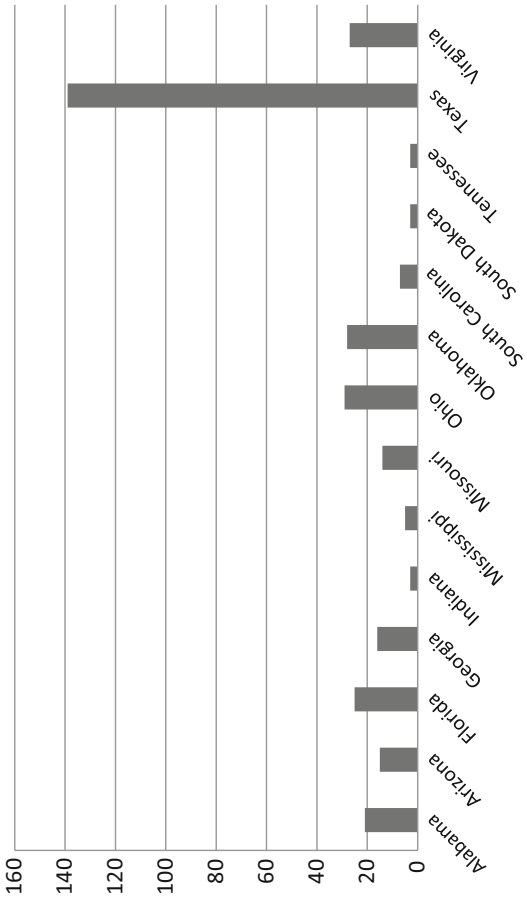

Fig. 4.2 Total executions (2007–14) in states that have executed more than one person. Data came from Death Penalty Information Centre or DPIC (http://www.deathpenaltyinfo.org/)

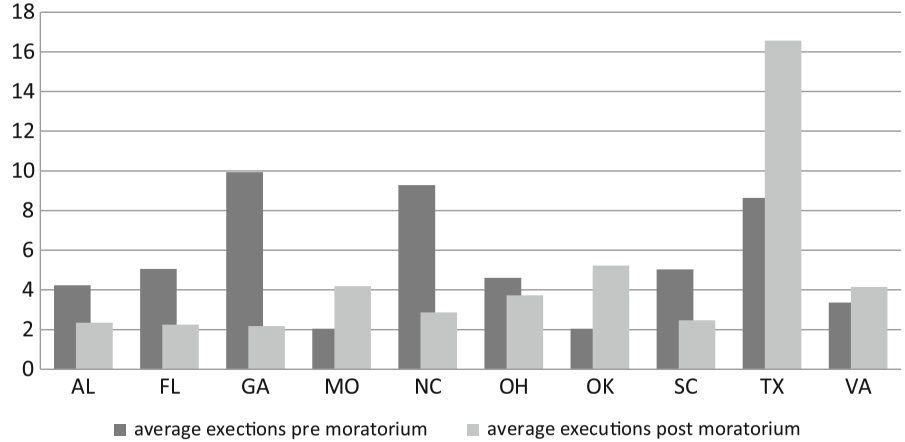

Fig. 4.3 Top ten states: total executions pre- and post-moratorium. DPIC (see above) and Epsy Files (available at: http://www.deathpenaltyinfo.org/executions-us-1608-2002-espy-file

performed in each of the death penalty states pre-moratorium (1934–72) and post-moratorium (1976–2013). Interestingly, as the graph indicates, Texas was not a high execution state before the moratorium. It was only after 1976 that Texas emerged with what appears to be a renewed commitment to capital punishment.

From this imprisonment and execution data we can conclude with some certainty that the reputation Texas has acquired is actually underpinned by distinctly 'modern' execution and incarceration totals, rather than an age-old commitment to harsh punishment. It is only post-moratorium (in terms of the death penalty) and post-1992 (in terms of prison populations) that Texas began to express such enthusiastic support for tough justice. Far from having a longstanding tradition of hyper-punitivness, prior to the moratorium Texas was not known as a place of harsh punishment.

Moreover, compared to other states Texas is big, both in terms of geographical size and population. According to the United States Census Bureau (2000–10), Texas actually has the second largest population of all states, ranking behind only California. Taking this into consideration, the total prison population and total number of executions in Texas (and indeed the prison population of California) might have more to do with population size than a peculiar commitment to tough punishment. If we factor in population size a very different image of Texas can be constructed.

By collecting the population census data for each state (each year) post-moratorium we can calculate the execution rate for each state in any given year; that is the number of executions per 100,000 people. We can then calculate the average execution rate during the years 1976–2013 in order to compare the Texan execution rate with other death penalty states. Figure 4.4 depicts the execution rate of the top ten executing states in the US. As is clear, when presented as a rate (i.e. per head of population) Texas appears significantly less punitive, and the suggestion that Texas has an exceptional commitment to harsh punishment becomes far less convincing.

Similarly, if we reintroduce the years preceding the moratorium (1934–72) and once again present the data as an average per 100,000 population (that is, an execution rate rather than an execution total) once

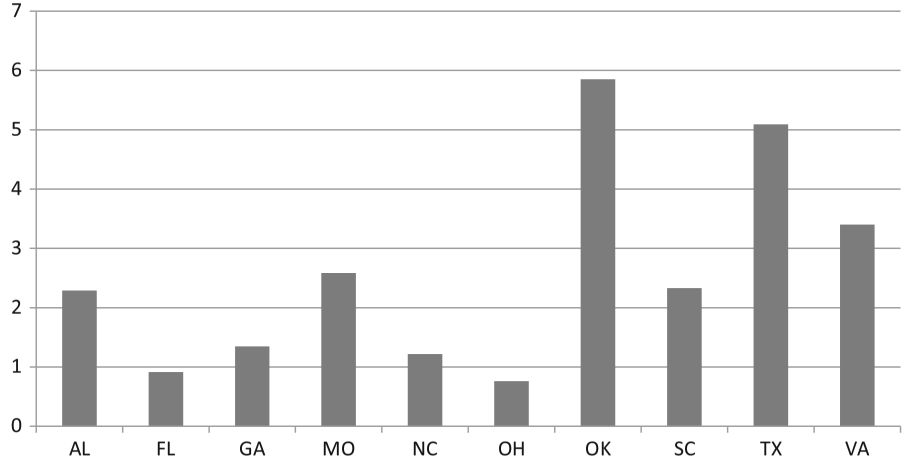

Fig. 4.4 Top ten states: execution rate post-moratorium (per 100,000). Data came from DPIC, Epsy (see above) and US Census Bureau (www.census.gov/popest/data/historical/index.html)

gain we find that Texas is far less peculiar than we might imagine. While many criminologists—myself included—draw attention to Texas because of a supposed commitment to harsh punishment, as Fig. 4.5 indicates it is actually Oklahoma that now appears to be something of an outlier. Oklahoma is revealed as the only state (of the top ten executing states) that has increased its rate of execution post-moratorium.

Unfortunately it is not within the scope of the current chapter to examine this in any more detail, but suffice to say at this juncture, the Texan commitment to tough justice is actually up for debate, even if the reputation of a tough Texas persists. To be clear though, even if we can prove that Texas is somewhat unexceptional in terms of punitiveness (and I'm not entirely sure we should) that is not to suggest Texas is 'soft' on crime. Indeed, there are many other indicators that Texas is still the place of harsh punishment many believe it to be. For example, according to the DPIC, Texas is responsible for 37.3 per cent of all executions post-moratorium but only 0.8 per cent of all clemencies and 3.8 per cent of all exonerations (as of December 2015). In addition, while the US Supreme Court prohibited the 'application of the death penalty to persons with mental retardation' (*Atkins v. Virginia* 2002), the Texas Legislature has yet to enact any statutory provisions outlining the procedures to be followed in these cases. Indeed, while all states continue to modify their definitions of 'intellectual disability', Texas continues to include 'procedural obstacles' that make it more difficult to identify those who—under the Supreme Court ruling—should not be given a death sentence (Blume et al. 2014). Moreover, Texas has performed 7 of the 18 executions of defendants who did not personally carry out the murder under litigation; of the 22 executions of juveniles since 1976, 13 of them were carried out in Texas; Texas executes the most yet ranks fifteenth in state funding of criminal defence; and prisoners in Texas spend more time in 'supermax' isolation than in any other state (see Perkinson 2010).

In addition, it would appear that Texan governors are committed to harsh punishment, telling their stories about a tough Texas. In a recent autobiography, former governor Rick Perry (2011, p. 47) writes, 'If you don't support the death penalty and citizens packing a pistol—don't come to Texas.' Similarly, during a televised debate between candidates for the 2012 Republican nomination, Perry was asked whether he struggled with

Fig. 4.5 Top ten states: execution rate (per 100,000) pre- and post-moratorium

the possibility that one or more of those executed during his terms in office might have been innocent. Perry replied:

> I've never struggled with that at all. The state of Texas has a very thoughtful, a very clear process in place of which, when someone commits the most heinous of crimes against our citizens, they get a fair hearing … In the state of Texas, if you come into our state and you kill one of our children, you kill a police officer, you're involved with another crime and you kill one of our citizens, you will face the ultimate justice in the state of Texas, and that is, you will be executed.

He added:

> When you have committed heinous crimes against our citizens, and it's a state-by-state issue, but in the state of Texas, our citizens have made that decision, and they made it clear, and they don't want you to commit those crimes against our citizens. And if you do, you will face the ultimate justice.

It appears then, that the stories being told about Texas by punishment scholars may indeed be similar to the stories being told about Texas by the state's former governor. While the scholars' stories might adopt a less celebratory tone than those told by Rick Perry, wherever one looks Texas is understood as a place of harsh punishment; the reputation of Texan toughness thrives in both scholarship and political discourse. Moreover, a cursory consideration of the stories being told in cultural products such as news media articles supports the suggestion that Texas has a somewhat unique relationship with tough punishment.

Texan Punishment and the News Media

One Texan capital case which has received much media attention is that of Cameron Todd Willingham. In 1991 Willingham was found guilty of arson and murder. He had (allegedly) set fire to his home which resulted in the death of his three children. The prosecution's case against Willingham

rested on a report written by the Texas Fire Investigation Team (FIT) which concluded that an accelerant had been used and thus the fire was intentional. Willingham was found guilty in 1992 and executed in 2004, still claiming to be innocent (Beyler 2009).

Much of the mediated controversy surrounding the Willingham case centred on the credibility of the FIT report. One article in *USA Today* (Jones 2009) quoted 'arson experts' as suggesting that the investigation 'didn't adhere to … current standards' and accused the investigators of having a 'poor understanding of fire science', later adding that the lead investigator appeared to be 'wholly without any realistic understanding of fires'. A representative of the Innocence Project (a New York-based organisation dedicated to exonerating the wrongfully convicted) was also quoted as suggesting that 'Every expert that has looked at this case determined there was no reason to call it arson' (Jones 2009).

In 2007, Texan punishment practices would once again be scrutinised in the American press by way of a controversial case. Michael Richard's execution was headline news because of a decision made by Justice Sharon Keller. Keller decided to close her office at precisely 5 p.m. on the evening scheduled for Richard's execution, denying his attorney the opportunity to present new evidence that may have granted him a reprieve. *USA Today* ran an article covering the story which quoted Mike McKetta (the Lead for the State Commission on Judicial Conduct) as saying that 'when the government has a death penalty it is essential that there be not the perception, but the reality that it is administered error-free' (Weber 2009). The *New York Times* was similarly critical of Judge Keller, printing an editorial claiming her to be an 'unfit judge', and calling for her to be 'removed from bench'.

Again in 2007/8 the Texan punishment reputation hit the headlines, this time due to the case of José Medellín. The case gained international notoriety because, according to multiple sources, Texan officials did not inform Medellín of his right to contact the Mexican Consulate for council. This denial meant that Texas had violated the Vienna Convention (requiring states to advise foreign nationals of their right to contact their country's consulate). It was reported that the International Court of Justice (ICJ, the principal judicial organisation of the United Nations) ruled that the US was obligated to reopen and reconsider the Medellín

case. The Supreme Court agreed to hear the case but ultimately relinquished responsibility to the Texan authorities. Texas supposedly rejected the recommendations of the ICJ and Medellín was executed in August 2008. Medellín's culpability was not in question as he admitted his guilt. Instead, much of the mediated frenzy occurred because, within the story, the Texan desire to punish appeared unstoppable and Texan authorities unaccountable.

Moreover, while media reports about Texan prisons (as opposed to executions) are far fewer in quantity they nonetheless present a similar image of the Lone Star State. The *New York Times* published an article in 2012 about two lawsuits filed by inmates against the TCID which challenged the lack of air conditioning in prisons. The article states that 'Texas has long had a reputation for running some of the toughest prisons in the country' and that 'four inmates—Larry Gene McCollum, 58; Alexander Togonidze, 44; Michael David Martone, 57; and Kenneth Wayne James, 52—died last summer from heat stroke or hyperthermia' (Fernandez 2012, p. 15). According to the article, Texan State Senator John Whitmire said he was 'not sympathetic to complaints about a lack of air-conditioning, partly out of concern about the costs, but also out of principle'. The article ends with a direct quote from Senator Whitmire:

> Texans are not motivated to air-condition prisons … These people are sex offenders, rapists, murderers. And we're going to pay for their air-conditioning when I can't go down the street and provide air-conditioning to hard-working, taxpaying citizens?

In 2013 the Huffington Post also reported on a lawsuit 'which alleges that a Texas Sheriff's office ran a "rape camp" at a county jail', where numerous male guards 'repeatedly raped and humiliated female inmates over an extended period of time' (Stuart 2013). Texas has also received criticism from the press about a number of recent exonerations (see for example Balko 2015; Fox News 2015; Levs 2013 and Martin 2016) and the *Los Angeles Times* printed an article about prison reform in which Texas was described as a place 'where being tough on crime is practically a residency requirement' (Nolan and DeVore 2013).

While the focus of this book is not American news media this brief detour has demonstrated that the stories told by the media are once again those in which Texas is portrayed as a place of harsh punishment. The image of a tough Texas appears in academic punishment literature, news articles and the words of some Texan governors themselves.

Conclusion

This concludes Part I of the book and completes our 'introduction to Texas'. We began—in Chap. 2—by examining why Texas presents itself as an interesting case study from a cultural criminological perspective and outlining the reasons why a museum analysis offers an opportunity to research the insider stories. In Chap. 3 we took a trip to Texas seeing the Lone Star State and its museums through the eyes of a tourist. Finally, in this chapter, we examined the reputation of Texas as a place of harsh punishment, a reputation constructed by the words of scholars, politicians and news media.

Part II of this book will examine the cultural stories being told about punishment more broadly across America. Our focus will return specifically to Texas in Part III, but first we must consider the findings of other scholars interested in punishment stories. This body of literature is large and the approaches used within it are varied. The types of stories being studied are likewise diverse and while some relate to museums, most do not. As such, within the three chapters that follow we will be learning about the meaning of punishment as expressed in prison films and documentaries, news reports of specific crimes, advertising campaigns which reference death row, websites dedicated to homicide victims and much more. In short, Part II of this book will synthesise a wealth of literature which investigates the stories being told about punishment in America. It is by reviewing this scholarship that we will begin to understand the justification scripts or in Mill's (1940) words, the 'vocabularies of motive', at work within these representations of punishment.

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Part II

Representing Punishment in the United States of America

5

Emotionality and Cultural Stories of (In)justice

For some time now criminological endeavour has sought to understand the meanings of punishment as expressed in narratives, images and symbols; as a 'marvellous spectacle' (Boulanger and Sarat 2005, p. 2). Rooting its understanding in cultural criminology, this literature views 'culture' as a complex set of meanings, forms of representations and performances (Ferrell 2004; Ferrell et al. 2004, 2008; Hayward and Young 2004); punishment is thus studied with reference to the meanings it carries (Hayward 2010). Whilst capital punishment and incarceration exist in the execution chamber and behind the prison walls, they also thrive in films, books and news articles, in their presentations and representations. It is here that punishment acquires much of its meaning; within its 'cultural life' (Sarat and Boulanger 2005).

Those who adopt the cultural life perspective have studied a whole manner of cultural products within which punishment stories have been found. These include (although are by no means limited to) documentaries; film; art exhibits; fictional literature; news media; advertising campaigns; and stage plays. It appears then, that stories about crime and punishment are being told everywhere. However, while the medium

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through which the story is told varies from product to product, the narratives deployed within those stories—narratives which explain or justify punishment—actually remain fairly consistent. Whether the story is being told in a Hollywood blockbuster, between the pages of a broadsheet newspaper or on a webpage dedicated to a single victim, research suggests the story will incorporate (to varying degrees) narratives of fear, vengeance and/or closure. This chapter will now evaluate how—and indeed why—such emotive scripts have come to surround cultural representations of punishment, and discuss the implications of this cultural triad of sentencing rationales.

Narratives of Fear

One of the most commonly identified narratives found within stories told about punishment, is the narrative of fear. Pratt (2007) argues that, with the growing influence of 'penal populism', crime control policies are narrated in such a way so as tap into the fears and anxieties of 'ordinary people' (p. 94). While some ordinary people will have direct experience of crime and punishment most will not, and thus the 'fears and anxieties' of which Pratt speaks are invariably the result of the cultural stories told about crime and punishment.

These stories can take a number of forms, such as representations of reality (as opposed to fictional representations) including prison documentaries or 'infotainment' programming (Surette 2011). Cecil and Leitner (2009) examined 31 episodes of the prison documentary *Lockup* and found that the majority focused on the most dangerous inmates housed in extreme institutions. For example, commonly featured units included the security housing unit (commonly referred to as segregation or solitary confinement) and death row, even though the vast majority of inmates—as Stephan and Karberg (2003) suggest—are not housed there. The documentary thus offers a limited or partial representation of reality; focusing on those spaces of the prison reserved for 'the worst of the worst'.

Similarly, the documentary over-represented the number of prisoners convicted of violent crimes and tended to use inmates who could

be understood as fitting the physical stereotype of a violent offender. Fishman and Cavender (1998) argue that using images of inmates who have a physical stigmata (those with a mesomorph or muscular body type and extensive tattoos to the body and face) works to 'visually cement the ideological barrier between us and them' which consequently reaffirms the stereotype and serves to intensify the audiences fear of the criminal other. Comparable to the Homo sacer discussed by Agamben (1998), inmates become those individuals who no longer qualify as people. While some of the *Lockup* episodes did feature rehabilitation programmes and 'well-adjusted inmates', these references were rare and transitory (Cecil and Leitner 2009, p. 193). Instead, the stories told about the prison in the documentary make sexual assault, violence and gangs synonymous with prison life.

In short, the focus of the show(s) is the threat violent criminals pose and the dangerous nature of prison confinement. The stories are thus centred around a narrative of danger, threat and fear; framing issues as problems, dehumanising inmates, presenting the prison in terms of confinement, containment and incapacitation (rather than rehabilitation). Constructing an us and them dichotomy, *Lockup* ultimately 'generates fear from its audience' (Cecil and Leitner 2009, p. 195).

The exclusionary practice of 'othering' by way of dichotomising good and evil (us and them) has also been identified within media reporting associated with crime and justice. While the prison is a far less prominent feature in national American news media than, for example, the police (Chermak (1998) found that only 17 per cent of crime- or justice-related stories even mention correctional institutions), news stories nonetheless construct a symbolic reality within which to situate the criminal and institutions designed to contain him/her (Surette 2011). Crime news stories are selected for publication based on a number of 'news values' which include drama and action, immediacy, violence, celebrities, proximity, children, risk, sex and simplicity (Chibnall 1977; Galtung and Ruge 1965; Greer 2007; Jewkes 2015). Due to the nature of many of these news values (e.g. violence, risk, proximity) news reporting tends to overrepresent the likelihood of becoming a victim of violent or serious crime (including terror attacks), and thus can be understood as telling stories that incorporate a narrative of fear, risk, threat and danger.

When they address carceral punishment the documentaries and news reports already discussed all contribute to what Fiddler (2007, p. 195) has called the 'place myth' which surrounds the prison. Reviewing cultural products such as news reports, movies, TV shows and music videos, Fiddler argues that the prison stories we hear and the prison imagery we see—fictional and non-fictional—contribute to our understanding of the penal institution; gothic architecture, iron bars, high ceilings and countless rows of small cells all feature in the public imagining of the prison. Similarly, while prison films might not always purport to be representations of reality—although many are supposedly 'based on a true story'—all films in the genre do 'confirm and consolidate the carceral cognitive map' of what a prison should (or could) look like (Fiddler 2007, p. 197). Moreover, due to the lack of news reporting which features correctional institutions, the prison film genre and prison drama provide some of the most vivid imagery of the prison and those it is designed to punish (Cheetwood 1998; Mason 2003; Rafter 2006; Rapping 2003). In short, the significance of fictional representations of incarceration should not be underestimated.

Yet while representations of 'reality' (primarily reality TV shows, documentaries and news reporting) tend to over-represent violent offenders/offences and employ a narrative of fear within their stories, fictional accounts of the prison in films and TV shows are somewhat less homogeneous. That said, Cheetwood (1998) nonetheless argues that prison films can—broadly speaking—be categorised into four types. First, there are those films which portray the (lead role) inmate as a victim of injustice; a good man punished by chance/accident or a victim of social inequality. Films such as these include *The Big House* (1930), *I Am a Fugitive from a Chain Gang* (1932) and *20,000 Years in Sing Sing* (1932). Secondly, there are those films which portray the (lead role) inmate as personally responsible for his or her (although usually his) actions. Within these types of depictions criminals are less likely to be perceived as victims by the audience. Films in this category include *Riot in Cell Block 11* (1954) and *The Birdman of Alcatraz* (1962). Thirdly, there are the films which adopt a pessimistic view of correction facilities such as *Cool Hand Luke* (1967) and *Escape from Alcatraz* (1979). The defining feature of this category is the stories told about the prison officer; depicted as an insensitive,

ineffective—sometimes evil—individual, he (they are all men) abuses his position of authority throughout the film. Finally, there are those films which adhere to a 'freedom and release' narrative trajectory. Exemplified by movies such as *The Shawshank Redemption* (1994) or *The Hole* (2009), these stories tend to humanise the inmates and at times even portray the convict as a hero who has to overcome adversity.

While there are undoubtedly sub-genres within the prison film genre, Mason (2006a, 2006b) argues that in more recent years (1995–2005) cinematic depictions have tended to portray the prison as a 'brutal and uncivilised place that punishes, degrades and humiliates' (2006a, p. 611), with prison 'defined by its … ability to instil fear' (p. 612). The movies themselves, along with their tag lines, posters and trailers, further emphasise the prevalence of interpersonal violence in prisons and reduce the reality of incarceration into an 'action' entertainment spectacle (Jarvis 2004). Moreover, while there are examples of prison films in which the protagonist inmate is treated sympathetically (through depicting innocence, mitigating circumstances or the punishment as excessive) this often has the effect of fixing that same fear narrative; the meanings of imprisonment within the story remain relatively stable. Potential innocence makes the prison experience appear even more merciless and thus allows the story to advance an image of the prison as increasingly inhumane and barbaric; when the lead character does not deserve the punishment, that punishment appears ever more sadistic. Similarly, while the protagonist may be undeserving of such punishment, the rest of the convict community are invariably portrayed using the common 'dangerous criminal' identity. They act as 'mere cardboard cut-outs and clichés' of an incarcerated body (Mason 2006a). As such, these stories likewise narrate the prison as necessary with the meaning of that necessity framed around danger, fear and risk.

Similarly, Simon (2009) argues that the proliferation of the 'war' metaphor is an attempt to exploit the growing sense of fear which surrounds crime and criminals. In recent years America has waged a war on crime, a war on terror and a war on drugs. However, it would appear that the war metaphor is more explicit within cultural (re)presentations of law enforcement rather than cultural (re)presentations of punishment. As a cultural narrative, war conjures up the image of a battle between good

and evil. In reality shows such as *Cops*, police procedural TV series such as *Law and Order* and action films such as the *Die Hard* franchise, police officers are depicted as crime-fighting soldiers, constantly in combat with evil criminals (Anker 2005; Surette 2011). Yet as already suggested, within documentaries, TV series and films about prison, the dichotomy of good and evil is at times rather confused. Often the prison officers are portrayed as evil and the inmates as good.

Moreover, as Surette (2011, p. 146) suggests, within news reporting about American military prisons (such as Guantanamo Bay) the evil predatory criminals of the crime/terror news story can at times become the victims of torture. So while the war metaphor may indeed draw strength from a growing public fear of risk and victimisation—specifically the risk associated with crime and criminals—it is less common within cultural (re)presentations of punishment. Within what we might call the 'cultural life of the war metaphor' police officers as opposed to prison guards are more often the symbolic soldiers. That is not to suggest, though, that the stories told about punishment are not stories about combat. As already discussed prison documentaries over-represent violent criminals and depict the prison as a war-like environment. Prison movies can likewise employ the scripts of combat but they can just as easily depict the inmate (as a force for good) waging war on the guards (who are a force for evil).

Similarly, news reports about prisons, while few and far between, rarely associate the prison with the positive connotation of fighting in the war against evil. Correctional facilities instead get bad press, and are often depicted as either too austere or too lenient (Surette 2011). While the prison can be portrayed using a combat narrative, that narrative is only rarely one in which the prison or all prison officers are depicted as inherently and unquestionably 'good' fighting the inmates who are all inherently and unquestionably 'evil'.

In short, there are two ways in which a narrative of fear becomes part of punishment stories told about the prison. Firstly, the over-representation of violent crime can encourage the audience to be fearful of victimisation and secondly, the portrayal of the prison as a brutal place makes the prison itself an object to be feared. The conclusion that fear narratives are used to tell stories about the prison as a place and the

prison as a punishment is supported by scholars who make similar claims about stories told of execution. Kudlac (2007) reviewed all capital cases that have received major media attention since 1950, finding that the case which gained the most media attention was the execution of the 'Oklahoma Bomber' Timothy McVeigh. Within the stories told by the media, McVeigh become symbolic of a more general terrorist threat, but also changed the face of that threat. A white, American, decorated soldier, Timothy McVeigh was the 'embodiment of normality' (Sarat 2002, p. 5) and thus represented a threat of the most dangerous kind; one that could go unnoticed.

Moreover, whilst other high-profile killers (such as the serial killers of the 1970s) tended to have a victim 'type' (usually young women of college age), McVeigh did not. He had no relation to his victims, and those that died in the Oklahoma bombing included men, women and children. Thus the media stories told about McVeigh are commonly understood as narratives of fear; they were as much stories about victims (and the potential of becoming a victim) as they were stories about a criminal, a crime, or a punishment (Altheide 2003, 2004; Ingebretsen 2001; Kudlac 2007; Skoll 2007; Steiner 2007). Indeed, while victimology now has an established position within contemporary criminology (see Goodey 2005; Karman 2010; Rock 2007) the figure of 'the victim' has also taken centre stage in many of the cultural stories told about crime and punishment. As Garland (2001) asserts, television interviews (as opposed to those written in print media) can give the impression of closeness, constructing a false familiarity with the subject, bringing the viewer face-to-face with the victim.

Returning to the example of the Oklahoma bombing, two images—broadcast extensively to the nation—provided the framework for how the public would respond to the punishment of Timothy McVeigh (Sarat 1999a). The first was of McVeigh himself; cold and unremorseful he was labelled by *Time* magazine as the 'THE FACE OF TERROR'. In the second image, a fire-fighter tenderly carries the body of a lifeless girl from the charred remains of the Murrah Building. Named as one-year-old Baylee Almon, she later died as a result of her injuries.

These images fulfil the news value of 'simplicity'; as Jewkes (2015, p. 52) suggests, the audience are encouraged to 'suspend their skills of

critical interpretation and respond in unambiguous accord'. A further component of simplicity is the binary opposition of good and evil, and consequently 'a complex reality is substituted for a simple, preferably bite-sized message' (Jewkes 2015, p. 53). In this case the use of the headline 'THE FACE OF TERROR' by *Time* makes clear to the audience at whom they should focus their hatred and their fear. Moreover, the picture of Baylee Almon puts a face to victimhood, placing it in an individualistic framework synonymous with the dichotomy of good and evil; and similarly through the individualisation of the perpetrator, McVeigh became the personification of a cold-blooded killer, 'a living breathing endorsement for capital punishment' (Sarat 2002, p. 5).

By the time of his execution, McVeigh's death came to symbolise many things, not least America's uncompromising position in the war on terror. Yet while McVeigh's execution was widely supported, Kudlac (2007) suggests it was not 'celebrated' in the same way as the executions of serial killers. It was instead depicted in terms of deterrence and incapacitation. It was believed that his sentence would send out a warning to those who might attack America whilst also ensuring that McVeigh, who had shown little remorse for his actions, would never coordinate a similar attack again. Portraying McVeigh as a continued threat, his crime as unprovoked, and his victims as innocent/undeserving (symbolised by Baylee Almon) all contributed to the depiction of his execution as the disposal of danger. The media reports thus provided the ideal conditions for a narrative of fear to circulate in the cultural production of meaning about McVeigh's punishment.

Moreover, Peelo (2006) asserts that news media stories told about violent crime (such as that committed by McVeigh) often encourage the audience to become 'mediated witnesses' to the crime through highly descriptive accounts. While the ability to portray violent attacks as random and unprovoked elevates a story in terms of its newsworthiness, it simultaneously increases the likelihood of the audience situating themselves in the space of 'virtual victimhood' (Peelo 2006). Within these types of stories—about the threat and danger of violent crime—the offender is often depicted as animalistic, irrational and innately predatory, and the victim as chosen indiscriminately. On the one hand the offender becomes an object to be feared and on the other, punishment becomes a way in

which those feared objects can be contained or eliminated, thus reducing the danger they represent (Welch et al. 1997).

In summary, the cultural products associated with punishment often over-represent violent crime and the likelihood of becoming a victim. Criminals are portrayed as a frightening rupture to an otherwise stable social order and to our ability to protect ourselves from harm (Sarat 1999a). Within these crime stories the act of punishing becomes symbolic of an equilibrium restored (Rapping 2003). Moreover, the depiction of the offender as evil, brutal, or a monster, effectively dehumanises the condemned, and their exclusion from the human community through harsh punishments (such as the death penalty or a life sentence without parole) is rendered more acceptable (Radelet 2001). Yet when cultural products such as movies, documentaries and news reporting tell stories about crime and punishment they tend to do so using more than just a narrative of fear; speaking about punishment can simultaneously cultivate feelings of terror and desires for vengeance (Sarat 1999b).

Narratives of Vengeance

A punishment story which employs a narrative of vengeance is one that explicitly adopts the sentencing rationale of retribution as justification for harsh punishment. Punishment (particularly the death sentence and life without the opportunity of parole) is deemed morally appropriate because of the heinous nature of the crime (Ellsworth and Gross 1994; Grasmick et al. 1993). The punishment stories that use a vengeance narrative thus tend to be stories about violent crime as opposed to misdemeanours, and more specifically they tend to be stories about capital crimes. The offender is depicted as deserving of death to recompense the death of their victim; an eye for an eye (Aladjem 2008). However, Sarat (2002) suggests that a narrative of vengeance is not the same as a narrative of retribution, and that vengeful sentiment has replaced retributive rationales in cultural representations of punishment and—to an extent—within the trial process itself.

Sarat (2002) uses Nozick's (1981) five-part distinction between vengeance and retribution to support his thesis. Firstly Nozick suggests that

vengeance can be sought for any harm rather than just the violation of law. Secondly, vengeance has no limit to its severity whereas retribution is proportionate to the severity of the original unlawful act. Thirdly, vengeance is personal whereas the agent of retribution will have no personal ties to the victim. Fourthly, vengeance needs no generality, yet retribution adheres to replicable rules. And finally, vengeance involves a particular emotionality and subsequent 'irrationality', whereas retribution remains logical, rational and reasoned.

Similarly, Garland (2010, pp. 56–7) makes a distinction between the 'personal' attributes of vengeance and the 'rationalised' nature of retribution. He suggests that when the family of a murder victim speak publicly about their desire for punishment, they are authorised both to imply they may take 'pleasure' in punishment and can make pleas for 'excess'. For example, family members may express their desire to see an inmate suffer by advocating execution by electric chair rather than lethal injection. Conversely, to employ a narrative of retribution is to forbid these two expressions; the agent of retribution will take no pleasure or satisfaction from the act of punishing and they will have no desire for excessive cruelty. Again, we see the distinction being made between the personal reaction (which will likely be subjective and could be vengeful) and the professional reaction (which should remain objective and therefore more retributive). State actors are thus, more often than not, careful to avoid ostentatious shows of grief and emotionality, preferring instead to appear removed and impartial.

Viewing death penalty films as cultural performances, Sarat (1999b) argues that by employing a narrative of vengeance (as opposed to retribution), the films effectively displace questions about the legitimacy of state killing. Sarat illustrates his argument through an analysis of the films *Dead Man Walking* (1995) and *Last Dance* (1996). He concludes that the audience in both films is positioned as the jury in the sentencing phase of the trial, and is encouraged to judge the defendant's (and by inference the victim's) worth. In both films the main character is executed, yet their execution raises few questions about the legitimacy of the death penalty as both are guilty and both eventually accept responsibility for their crimes.

Moreover, the execution, whilst carried out by professionals, is a personal event. The audience, at some points situated behind the glass

partition looking out onto the condemned man lying on the gurney, become voyeurs to someone else's voyeurism (Sarat 1999b). Throughout the execution scene of *Dead Man Walking* the past is entwined with the present; images of the crime create a morbid juxtaposition of deaths. The victim's death is brutal and bloody; the killer's serene and painless. The visceral and emotive reminder of the criminal act introduces an emotional tone to the scene of the execution using visual cues and communicative gestures. In Garland's (2010) terms, the audience is encouraged to demand excess. The images of bloody bodies disallow sympathy for the condemned and the viewer is encouraged to sympathise with the victim's family as opposed to the offender upon whom their gaze falls.

Yet David Dow has come to a different conclusion by examining the discourses employed in both death penalty films and documentaries. A Texas appellate lawyer who has represented over one hundred capital defendants, Dow (2000) analysed the documentary films *Fourteen Days in May* (1987), the story of a former inmate (Johnson) of death row in Mississippi, and *The Thin Blue Line* (1988), which deals with a former inmate (Adams) of death row in Texas. Adams was released and Johnson was executed, but there were significant concerns about Johnson's guilt post-execution. Dow also considered two Hollywood fictional movies, *Dead Man Walking* (1995) and *The Green Mile* (1999), concluding firstly that the Hollywood depictions portray the death penalty with more accuracy than the documentaries, and secondly that while both the films and the documentaries employ narratives of vengeance, the presence of such a narrative does not have the bracketing effect that Sarat (1999b) describes. In other words, according to Dow (2000), evoking emotional scripts of grief in an attempt to encourage the audience to desire harsh punishment does not automatically undermine attempts to question the legitimacy of capital punishment more broadly. Whereas Sarat (1999b) sees Hollywood films as bracketing structural questions of legitimacy through the use of personalised victim-centred narratives which employ vengeance, Dow (2000) suggests the documentaries bracket those questions more overtly through avoidance, and the Hollywood movies confront those questions (although they fail to answer them).

More specifically, the documentaries analysed by Dow (2000) focused on death row inmates thought to be innocent. By examining cases in

which guilt was questioned the documentaries were thus expressing concerns about the legitimacy of capital punishment from a procedural perspective (what if we execute an innocent person?). What these documentaries failed to do then, was to problematise the death penalty from a moral perspective (should we execute in cases of definite guilt?). The narratives used by the documentaries to speak about punishment could thus be read in two ways; first, the audience may conclude that the death penalty is an inappropriate form of punishment due to its irreversibility, or second, viewers may conclude that the penalty itself is defensible but the processes by which guilt is determined should undergo reform. In short, Dow (2000) argues that the death penalty Hollywood films actually represent a more accurate portrayal because the questions raised relate to the guilty as opposed to the innocent. In *Dead Man Walking* the character is guilty and accepts responsibility; in *The Green Mile* the main character is innocent, but those around him on death row are guilty. Thus the films have the opportunity to question the legitimacy of death as punishment (irrespective of guilt or innocence) whereas in contrast the documentaries—which focus on potentially innocent inmates—do not.

That is not to suggest that Dow (2000) did not identify a discourse of vengeance in death penalty films; instead, he is proposing that these types of (film) stories provide an accurate portrayal of the emotions felt. Many who oppose the death penalty can still empathise with a family's desire for vengeance; people can support the death penalty in theory but not in the way it is practised. Similarly, O'Sullivan (2003) suggests that Sarat's (1999b) argument (desires for vengeance displace a discussion about structural inadequacies) is too simplistic, instead suggesting that while the films do tell stories using narratives of vengeance, they simultaneously show inadequacies within the trial process such as ineffective council and institutionalised racism. In short, whilst narratives of vengeance (as opposed to retribution) are often present in death penalty films and are ultimately used in support of execution, their presence alone does not automatically bracket questions of procedure.

Moreover, narratives of vengeance are not restricted to (re)presentations of the death penalty; they can be found in cultural products associated with various other criminal justice issues. For example, according to Holbrook and Hill (2005) the recent popularity of crime dramas

has encouraged a focus on the pursuit of the guilty with little attention paid to due process and the rights of the offender. Crime and punishment is viewed through the 'lens of revenge', encouraging what Aladjem (2008) calls a 'creation myth' about what justice really is and how one might go about obtaining it. Cultural representations of 'getting justice' have become infused with the language of emotion; narratives of anger, grief, indignation and vengefulness have all become part of the crime and punishment story. Rather than portraying the purpose of punishment as a rational requirement to penalise the guilty, crime dramas tend to allow irrational, vengeful sentiments to coexist with (and often overpower) portrayals of punishment as a state-sanctioned, impartial and objective reaction to the harm committed.

Aladjem (2008) traces the history of American vengeance in order to show how it has become embedded within American criminal justice and further argues that populist punitiveness is reinforced by cultural performances related to punishment. Exploring crime dramas, news media stories, theatre and literature, Aladjem (2008) finds that popular cultural representations misrepresent and ultimately distort the proper purpose of punishment. The criminal justice system becomes understood in personal terms, as a forum in which feelings of vengeance can be diffused through the infliction of pain in punishment. Concerns regarding due process and offenders' rights become overpowered by a public sentiment of 'vindictiveness' and a desire to see the offender suffer. The focus on individual cases deflects audience attention away from structural issues such as ineffective council or racial bias in sentencing. In short, by framing the story in this way the audience is encouraged, invited even, to interpret any concern of arbitrariness—legitimate or otherwise—as a last ditch attempt by the guilty to avoid what they rightfully deserve (George and Shoos 2005).

Indeed, some have argued that since the late 1970s American punishment practices have become more emotive, volatile, contradictory and ostentatious (Karp 1998; McAlinden 2010; O'Malley 1999; Pratt 2000; Sarat 1999a; Simon 2001). Examples cited include boot camps, three strikes legislation, increased use of execution, chain gangs, and a number of other policies relating to the public disclosure of offences once an individual has been released from prison (primarily sexual

and/or violent offences). Together these polices have been termed 'shame penalties' (Karp 1998) or 'expressive extra-legal sanctions' (Pratt 2000), with Kohm (2009) suggesting that the primary goal of such policies is to humiliate the offender while simultaneously affirming the legitimacy of state power. Furthermore, Altheide (1992) argues that the more emotive styles of punishing have primarily gained their meaning through media discourse, with the portrayal of shame penalties in popular culture indicating a more general shift in public sensibilities, a shift which is characterised by an increased desire to celebrate cruelty, hurt and humiliation (Kohm 2009; Presdee 2000).

However, narratives of vengeance, vindictiveness, cruelty or humiliation are not entirely detached from the fear narratives discussed earlier in this chapter. Bauman (2006) suggests that 'fear' is just one product of what he terms 'liquid modern times'. He argues that by viewing reality TV shows about policing such as *Cops*, or documentaries about corrections such as *America's Hardest Prisons*, or indeed reading news articles about violent crime, the audience is exposed to the 'rugged realities' of life. For example, reality TV programmes such as *To Catch a Predator* spectacularly depict danger and contribute to a 'derivative fear'; the sense that we are forever vulnerable to vague threats that are unavoidable and often undetectable. Bauman (2006) argues it is this sense of vulnerability, most acute when the offences are sexual, that encourages the audience to express desires for vengeful punishments which tend to be more severe.

Similarly, Young (1999) has argued that economic and cultural globalising processes have contributed to a 'widespread resentment and tension' which ultimately transform feelings of simple displeasure (a sense of unfairness) into desires for vindictiveness. Late modernity, Young (1999, 2007) argues, is characterised by economic and ontological insecurity, and that insecurity consequently signalled the return of exclusionary policies aimed at anything perceived to be deviant or transgressive. Within this cultural climate, punishment becomes framed in terms of vindictiveness rather than rationality (Young 2007). In short, shows such as *To Catch a Predator* contribute to the perception of increased insecurity and by symbolically linking rituals of exclusion and humiliation with a feeling of reduced threat, supporting more emotive and punitive punishment is

portrayed as 'a tangible way to fight back against the formless fear of … predators in our midst' (Kohm 2009, p. 200).

The trend toward more emotive and ostentatious punishment thus cannot be viewed without some consideration of the blurring of boundaries between reality and representation; fact and fiction become confused in cultural products such as news reporting, documentaries and reality TV shows (Pratt 2000). The spectacle of punishment and the fears associated with vulnerability become framed as entertainment; humiliation, vindictiveness and vengeance are positioned at the centre of crime and punishment cultural narratives (Bauman 2006; Kohm 2009; Lynch 2004; Presdee 2000; Sarat 1999a). In short, within the cultural life of punishment, narratives of fear and vengeance are not mutually exclusive and one is often employed to (re)affirm the necessity of the other. However, fear and vengeance are not the only narratives employed within cultural scripts about harsh punishment—cultural life scholars have also found narratives of 'punishment as closure' being deployed in highly specific ways.

Narratives of Closure

It has been suggested that a recent addition to the cultural production of meanings about punishment is a narrative of 'closure' (Lynch 2002). From a cultural life perspective, Lynch suggests there is no definition of what closure is, how it is achieved, or even any certainty that it actually exists. Interestingly, the seventh definition of 'closure' in the Merriam-Webster online dictionary now reads:

> CLOSURE: an often comforting or satisfying sense of finality <victims needing *closure*>; *also*: something (as a satisfying ending) that provides such a sense.

This definition was introduced only in 2006, before which closure was exclusively defined with reference to the act of closing something such as a window, a factory or a department store. Moreover, of the five examples of closure now offered beneath the definitions, four relate to closure as a psychoanalytical concept—for instance 'a need to get or achieve or feel

closure'—with only one relating to the act of closing something. Further still, of the five examples, two specifically reference crime victims, or the families of a victim needing to gain closure from an arrest and/or the punishment of a perpetrator. While this does little to expand our understanding of what closure really is, what it might feel like when achieved, or how such a desire might express itself, it does suggest that closure as a psychoanalytical concept is a fairly recent introduction to the ways in which we speak about a sense of resolution. However, this definitional ambiguity has not stopped a narrative of closure from being associated with victims of crime, and with the punishment of offenders.

Closure is thus best understood as a victim-oriented narrative in which the process of punishment is closely tied to feelings of resolution and/or satisfaction (Mowen and Schroeder 2011; Rosenfeld 2011). The idea that not every victim or survivor will find closure in punishment introduces unwelcome layers of complexity to the punishment stories (Ho et al. 2002). Instead, stories which employ narratives of closure prefer to portray the criminal as pure evil, with anything less than execution or life without parole depicted as an insult to the memory of the victim. To speak about a victim's right to closure is thus best understood as a kind of sub-discourse to vengeance. Telling stories in which punishment is vindicated by the closure it (supposedly) brings is one way of encouraging an audience to support punishment based on personal, subjective and emotional accounts of victimhood—accounts which might understandably be somewhat disproportionate or indeed irrational (Bandes 2002, 2008). That is, to speak about the victim's desire for closure as if it were an appropriate sentencing rationale is always an expression of personalised vengeance (as opposed to rationalised retribution) but narratives of vengeance need not be characterised by a demand for closure.

For example, Lynch (2002) found that internet sites dedicated to a particular victim used narratives of both vengeance and closure. Images of the victim tended to be juxtaposed with an often graphic description of their death at the hands of their killer; an attempt to align the audience of the site with the family of the victim. Victimhood is expanded to include the family of the deceased as well as the viewer of the site who is encouraged to share in the family's pain, sorrow and continued inability to find closure (Peelo 2006). The angry sentiments expressed by family

members (who desire the most severe punishment available to them) are entwined with emotive descriptions of their loss and their loved one, all of which is underpinned by the belief that punishment can begin the healing process. It is this coupling which makes the narrative both emotional and personal and thus also—to use Nozick's (1981) distinction—a demand for vengeance rather than retribution.

Similarly, it has been suggested that the use of victim impact statements during the sentencing phase of a capital trial encourages the jury to affiliate themselves with the victim (Sarat 1999a). Anything other than a death sentence or life without parole becomes symbolically understood as a commentary on the victim's worth, or lack thereof. Future dangerousness is of no concern and even if the offender is unlikely to reoffend the harshest sentence available is still the most appropriate. A similar argument is applicable to the websites that Lynch (2002) describes. The narrative these sites adhere to is one in which to be in opposition of the death penalty/life without parole is to deny the victim's worth and to deny the family their right to closure. Punishment becomes a symbolic battleground in which the rights of the offenders are pitted against the rights not of the victim, but of the victim's family.

Controversy over whether a victim's family has a 'right' to closure was also a feature of the news reporting associated with Benetton's advertising campaign, 'We, on Death Row', which—as Kraidy and Goeddertz (2003) suggest—can in itself be understood as a cultural product. In January 2000, clothing retailer Benetton introduced an advertising campaign in which the faces of death row inmates stared back at the American public. On billboards, in magazines and on television screens, those that both supported and opposed the death penalty came face-to-face with men and women who had been sentenced to die. The tone of the campaign in its entirety was abolitionist, as was an earlier 1992 Benetton campaign entitled 'The Omega Suite', in which the company used an image of the electric chair (Girling 2004, p. 278). Yet while 'The Omega Suite' did not stimulate public outrage, 'We, on Death Row' did nothing but, even though both attacked capital punishment and both singled out the American death penalty in particular for criticism.

Girling (2004, 2005) suggests the reception of these two campaigns differed so significantly because the 2000 promotion showing images of

those on death row employed overtly humanising politics. The audience of this second series of advertisements were compelled to engage with the condemned through the act of witnessing; obliged to see and in turn be seen. Yet in an attempt to humanise death row inmates, Benetton actually encouraged the reverse; a pro-death penalty counter-attack lead by victims' rights activists. The reaction to the campaign was so pronounced that Sears, one of the largest department store retailers in the US, terminated its contract with Benetton amid widespread protest and boycott. Victims' rights groups remained most vocal in the debate, suggesting that Benetton, and by association Sears, were 'sympathising with murders' (*New York Times* 2000, cited in Kraidy and Goeddertz 2003).

The reaction to the campaign was widely reported by the US news media, whose focus unsurprisingly turned to the family members of victims being forced to remember the faces of those who had murdered their loved ones. Moreover, while Benetton used only a limited number of inmates within their advertisements, and thus the families that were directly affected were few, the media placed any family of a homicide victim centre stage irrespective of their proximity to the inmates pictured in the campaign. As might be expected, news reports featured long quotations made by family members, often describing the killings in graphic detail followed by a statement about the grief they were still experiencing. These highly emotional scripts introduced a narrative of vengeance both to the cultural stories being told in the media, and to the advertising campaign itself (Girling 2004).

Moreover, much was said in the press and on victims' rights blogs and websites about the partiality of the image; the bloodied corpse of the victim was nowhere to be seen:

> Look at this picture: This is Jeremy Sheets. Young isn't he? Cute isn't he? Innocent, doesn't he look? What this picture doesn't tell you is how this man raped, beat and slashed the throat of a black young woman named Kenyatta Bush. (quotation from victims' rights website, cited in Girling 2004)

More often than not, family members of the victims expressed anger and upset at having to relive the crime, as if the image of the condemned

had reopened a wound that was once closed (Kraidy and Goeddertz 2003). In this example then, the narratives of closure were not deployed within the cultural production of meaning at and around an execution. The inmates that took part in the Benetton campaign had not been executed, they were instead incarcerated. Yet the family still felt that seeing an image of the condemned was enough to halt the process of healing and reopen something that the sentence of death had closed. Death row becomes a no-man's land in which those predestined to die are disembodied. No longer present, but not yet expired, the victim's family can find closure in the sentence of death, but only if they are not reminded of the condemned body which awaits it.

Further, Berns (2011) examined cultural products associated both with death penalty support and death penalty opposition, such as newspaper articles, books, websites, films and campaign literature, and found that narratives of closure can be identified in both types of cultural stories. Within pro-death penalty stories, the execution of an offender is regularly depicted as providing the victim's family with closure. Within these cultural products the family is understood to have an entitlement to demand closure, at times locating the argument away from discourses of vengeance and toward the (arguably) more rational discourse of victims' rights (Rapping 1999). Moreover, staunchly pro-death penalty cultural products tended to suggest that when family members did not feel they received closure, it was because the execution was too serene, too medicalised, too genteel (Sarat 1999a). This well-rehearsed argument effectively relocates the debate back into the realms of vengeance and vindictiveness discussing the brutal nature of the crimes alongside the restrained violence of an execution (Bandes 1996, 2008).

Alternatively though, within anti-death penalty cultural products Berns (2011) suggests that closure is depicted as vague, elusive and unlikely; within the stories many people do not find closure in the death of another and to assume they will is depicted as counterproductive, at times even destructive. Moreover, due to extensive due process procedures a family can wait up to thirty years for an execution or—if the offender dies of natural causes whilst incarcerated—never get the chance to witness one at all. For those who tell abolitionist stories about capital punishment a

narrative of closure is instead employed in such a way to suggest that a sentence of life without parole might actually bring more closure than an execution (Kanwar 2001).

In short, closure is a complex cultural narrative used both to advocate the death penalty and oppose it. Kanwar (2001) provides a more detailed analysis of how closure has come to be associated with life imprisonment (and is inextricably linked to narratives of vengeance) through his analysis of the cultural (re)presentations of a single case: the homophobic killing of Matthew Shepard. This case is interesting for three reasons; first, the level of attention it received and the variety of cultural performances it prompted; second, the degree to which the family members, particularly the victim's father, were permitted to engage with the sentencing process; and third, the way the victim became symbolic of tolerance within the lesbian, gay, bisexual and transgendered community (LGBT) and beyond.

The cultural products Kanwar (2001) analysed included media reports in which family statements were quoted at length, an 'off-Broadway play' of the crime and trial (*The Laramie Project*, 2000) and a film of the play (also entitled *The Laramie Project*, 2002). Throughout each of the stories told within all of these products, the family expressed feelings of vengeance toward the criminal; in particular Matthew's father reported that he would receive pleasure and enjoyment from witnessing an execution. However, Mr Shepard believed his son (the victim) would have not wanted his killers executed and overcoming his own feelings of anger and desire for revenge, he recommended that the defendants be sentenced to life without parole. In addition, the victim's family asked for a gagging order, prohibiting the defendants and their lawyers from ever speaking to the press.

The victim's father equated the silencing of the offenders' voices to a kind of closure that an execution could never bring. If his son's killers were to die at the hands of the state then the story would be continually re-told (primarily at the time of their execution) and they would have the potential to become symbols in their own right. Abolitionist factions might portray the offenders as undeserving of execution, something the victim's father wanted to avoid. Thus—in this case—discourses of closure were used neither in support nor opposition of the death penalty, but instead as leverage to obtain the gagging order that would stop his son's

killers from speaking to the press forever, and consequently foreclosing the possibility that their punishment (had it been execution) would come to acquire meanings that the family could not control (Kanwar 2001).

The ambivalence expressed in Mr Shepard's statements with regard to the 'closure' that execution provides was also apparent in the reporting that followed the sentencing and execution of Timothy McVeigh, the Oklahoma Bomber. On 10 August 1995 McVeigh was indicted on 11 federal counts, including use of a weapon of mass destruction and eight counts of first-degree murder (Altheide 2003). The Federal Court could not bring charges for the remaining 160 deaths that resulted from the bombing as they fell under the jurisdiction of the state of Oklahoma. Because McVeigh had already received eight death sentences (for the federal offences) Oklahoma did not file any other murder charges (Sarat 2002). The day after the jury had made their decision CNN (2001) ran a collection of quotes from survivors and the family members of those that had been killed in the bombing. However, the survivors were far from unanimous on the issue of closure. For example, while Debbie Miller (whose son was killed in the blast) was quoted as saying, 'It's like a burden has been lifted', Darlene Welch (whose four-year-old niece was killed) commented that 'There is no such thing as closure … The only closure is when they close the lid on my casket.'

Moreover, in the same way that vengeance has seeped into the trial process via the victim impact statement (Sarat 1999a) a narrative of closure can manifest in bureaucratic decision-making about who should be permitted to watch an execution. Timothy McVeigh was executed by lethal injection on 11 June 2001 at 7.14 a.m. His death was watched on a live televised broadcast by 325 survivors and victim family members (Lokaneeta 2004). Attorney General Ashforth, when interviewed by CNN (2001), said that the televised link would help those survivors and family members to 'close the loop' on what happened (cited in Wallace 2001). The McVeigh case, and the reporting that followed, thus employed a constellation of narratives to speak about the execution, with closure finding its way into bureaucratic stories told by criminal justice personnel about McVeigh's punishment.

It is also worthy of note that, according to this literature, the medium by which the story is told can have an effect upon the types of narratives

the story will adopt. In relative terms, internet stories develop organically, with few restrictions as to what can be said (Lynch 2002). Newspaper reports are more censored and will tend to adhere to public consensus (Kudlac 2007). Hollywood films have to entertain, creating suspense and intrigue (O'Sullivan 2003) and television news reporting tends to be simple, dramatic messages that resonate with what we think we already know (Jewkes 2015). Using heroes, villains and other familiar stock figures, television news in particular usually makes 'right' and 'wrong' easily identifiable, depicting complex problems as having simple solutions.

Rather than a 'window on the world' or a 'mirror held up to real life', TV news reporting, documentaries and 'reality TV' might be better understood as a type of prism, 'subtly bending and distorting our picture of reality' (Jewkes 2015, p. 45). For these reasons, questions raised by more severe punishment such as life without parole or the death penalty (that is questions about efficacy, appropriateness, implementation and indeed morality or justice) are seldom addressed in the cultural stories we tell about crime and punishment (Bandes 2003). Instead, stories tend to focus on individual (often atypical) cases that are rarely connected—at least in terms of narrative—to the institutional structures which function, or indeed malfunction, when such criminal justice decisions are made (Sarat 2002).

Smith (2008, Chap. 6) has also contributed to the debate about the meaning that punishments—specifically the death penalty—carry through their cultural performances, suggesting it is both the method of execution and the type of story that is important. For example, he argues that electrocution shares a symbolic relationship with the mysterious and the supernatural. The cultural products used to illustrate his argument include media reports of the body 'twitching' and 'jumping' as if alive after supposedly being killed by electrocution; Mary Wollstonecraft Shelley's Frankenstein (and its numerous thematic reincarnations) in which electricity can create life as opposed to eliminate it; and the unknowable nature of electricity, always present in the execution by electrocution but only by its effects. In contrast, Smith (2008) understands lethal injection as the 'purification' of an indecent deed; medicalised, sterilised and cosmetically clean, the symbolism associated with the lethal injection is far less potent than the symbolism which has come to surround electrocution.

However, Smith (2008, p. 167) in his 'Brief Postscript', enters only tentatively into this debate about the storied construction of meanings which surround death by lethal injection. Whilst he makes little in the way of an argument, he does assert that lethal injection represented a new era in the meaning of execution. Similarly Radelet (2001) suggests that lethal injection—medicalised, sterilised, sanitised—expresses an uncomfortable symbolic association between the maintenance of life and the technologies of death.

Conclusion

In conclusion, the cultural life of punishment literature suggests that cultural products associated with punishment can—broadly speaking—be understood as employing different types of narratives to speak about and even justify the act of punishing. Fear narratives will likely focus on the victim, encouraging the audience to see themselves as potential victims. In addition, we will possibly find reference to the future dangerousness of offenders, which in turn constructs the prison both as a place to be feared and as a place in which feared objects can be contained. Within fear narratives, harsh punishment—be it execution or life without parole—becomes symbolic of the restoration of a safe society.

Similarly, punishment stories which employ a narrative of vengeance will likewise focus on the victim, yet future dangerousness of the offender need not be established. Instead, the brutality of the crime and the suffering of the victim is enough to justify demands for harsh punishment. The victim and their death is juxtaposed with that of the offender's and as an audience we are encouraged to align ourselves with the pain and suffering associated with victimhood. Such an alignment helps to justify not only harsh punishment, but also demands for excess; we are invited to take pleasure in knowing that the offender will suffer. These fervent, angry and uncompromising cultural scripts serve to undermine the rational discourse of retribution, encouraging the audience to disregard proportionate sentencing or claims of mitigation, and instead to demand vengeance for the life of an innocent victim.

Lastly, a narrative of closure was found to manifest in more recent cultural stories told about harsh punishment. Once again we saw victimhood take centre stage, yet unlike the fear narratives, it was the family members of the victim who take the starring role. Indeed, while closure still appears to be somewhat elusive and rather difficult to define (or indeed to achieve), that is not to suggest that such an ambiguity has hindered the development of the closure narrative. From webpages dedicated to individual victims to nationwide advertising campaigns, from the execution of Timothy McVeigh to statements made by the father of a murdered son, demands for closure have been used as a justification for both execution and life without parole sentences.

However, while this cultural life literature offers great insight into the ways in which harsh punishment is justified by way of 'cultural sentencing rationales' within American products, it makes little reference to the most pervasive feature of US punishment practices; the greater use of (and higher levels of support for) more severe punishment in the Southern states. Indeed, many of the cultural products analysed by the cultural life scholars—the movies, documentaries, advertising campaigns, TV series and so on—are broadcast across the whole of America and beyond, so we are left without any discussion about why these narratives of vengeance, fear and closure are associated with different styles of punishment in the North and the South. We are left wondering if the stories told about punishment in the South may be different to those told in the North. In order to progress then, we must now turn to a much smaller body of literature that seeks to explore the punishment stories told in and by specific regions. In the chapter that follows, we will look at the research that deals with the cultural life of punishment in the US South generally, and the cultural life of punishment within individual states.

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6

The Cultural Life of Punishment in the Southern States

The cultural turn within the sociology of punishment has meant that whilst issues such as race (Young 1991), due process (Fitzpatrick 1999), American constitutional requirements (Bright 2000) and the practicalities of taking life (Denver et al. 2008) still feature, recent work has also dealt with the (re)presentation of capital punishment and the prison in film and literature (Boudreau 2006), the construction of victimhood narratives within the trial (Sarat 2002), the discourse of finding closure, usually by witnessing an execution (Bandes 2002) and the exploration of American culture with a focus on concepts such as dignity (Whitman 2003), vigilantism (Zimring 2003) and honour (Cohen and Nisbett 1994). It is this shift toward a more culturally sensitive outlook that has signalled a renewed interest in the specific culture of American punishment (Garland 2005; Steiker 2002, 2005).

In his work James Q. Whitman (2003, 2005, 2007) argues for the use of a specifically American cultural framework. Urging scholars to break free from the shackles of theorising bound by 'the modern world' thesis, Whitman (2007) asserts that far too much of our scholarly literature discusses American punishment in an undifferentiated way, attempting

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to explore the uniquely American model of crime control as the product of some 'uniform modernity'. Similarly, Zimring (2003) argues that American punishment should not be studied without reference to the 'unique' American history of vigilante justice; Vogel and Vogel (2003) examine the 'uniquely' high levels of public support for (juvenile) execution and Steiker (2005) draws attention to the 'exceptional' features of American electoral politics.

In short, these scholars propose that in order to examine the American commitment to harsh punishment we must search for exceptional elements of American culture, American history, American attitudes and American governmental structures. 'Americanness' holds the explanation and thus a study of punishment in America 'should be a study of America, not of modernity' (Whitman 2007, p. 5). However, the increasingly obvious divide between the Northern and Southern states of the US in terms of both prison populations and executions has opened theories of 'American exceptionalism' to accusations of overgeneralisation (see Garland 2007; Steiker 2002). As such, in recent years punishment scholars have instead turned their attention to the Southern states. Explanations of this regional phenomenon invariably draw on the differences between the culture of the Southern and Northern states (Steiker 2002). What might be termed 'North–South divide' research tends to argue that the history of the South continues to impact on the Southern tendency to adopt a more punitive penal policy in the present. We can find countless scholars writing histories of the present focusing on, for example, the histories of race, honour, gender, vigilantism and even the history of herding.

It is not within the scope of this chapter to examine the North–South divide research in any great detail (see Steiker 2005 for an overview of the debates) but suffice to say that a plethora of explanations exist as to why the Southern states incarcerate and execute more offenders than their Northern counterparts. What is of interest to us in this chapter though, is how the South talks about its own relationship with those harsh punishments. What we want to know is: Do Southern stories of punishment employ different narratives to those discussed in the previous chapter? Do we still see punishment being justified due to a sense of fear? Or maybe the desire for vengeance and demands of closure resonate more strongly

with Southerners? In short, we are interested in whether the stories told in the South are different from those told in the North.

Southern Stories About Punishment as Personalised

Zimring (2003) suggests that the stories being told about punishment in the South do indeed differ from those found in the North. Although he proposes that his argument can be used to explain higher prison populations in the South, much of his work speaks to the larger number of executions (and increased levels of support for the death penalty) in the Southern states. More specifically though, Zimring claims that fear, closure and vengeance narratives will resonate strongly in the South because Southerners are more likely to see 'punishment as personal'.

Firstly, Zimring (2003) observes that the death penalty has experienced a 'symbolic transformation' in recent years. He suggests that Southern political discourse in particular, portrays execution as a community expression of moral indignation rather than an articulation of government power. In recent years, Southern politicians in favour of the death penalty and shaming policies have attempted to narrate punishment using the discourse of 'community control'. Punitive sanctions are thus depicted in terms of their ability to protect victims (and potential victims) from 'predators' who threaten the community. Using the death penalty as an example, Zimring argues that the stories the South tells about execution and the 'ceremony and symbolism' associated with it often emphasise the 'personal interest of individuals' (2003, p. 109). Punitive sanctions are 'symbolically transformed' through the cultural production of meaning. Rather than being understood as expressions of state power, harsh punishments are supported due to their symbolic association with community sentiment.

Victimhood stories are also used in highly specific ways to transform the meanings associated with punishments such as the death penalty. The threat offenders pose and the fear their existence provokes, the anger of a community which can manifest as vengeful sentiment, and the language

of closure associated with victims' rights all become entwined in complex political narratives about penal policies, narratives which ultimately reposition those polices within the context of a localised (and personalised) reaction to serious crime. Yet unlike other cultural life scholars, Zimring (2003) goes on to situate this understanding of (personalised) punishment within the histories—and contemporary culture—of the South. Zimring's (2003) thesis rests on the argument that the triad of narratives (closure, fear, vengeance) used to speak about harsh punishment in the present serve to associate modern punishment with the time-honoured relationship the Southern states have with vigilantism and what he terms 'vigilante values'; a value system characterised by distrust in the state's ability to provide protection.

Moreover, rather than an argument which relates only to the death penalty, Zimring (2003) suggests that the vigilante value thesis can be used to explain a number of Southern policies. He cites examples such as shaming penal practices, concealed weapons laws, high rates of 'self-defence killings' and low levels of taxation, all of which he believes represent a commitment to a 'vigilante value system' that embraces restricted government involvement in everyday life and a preference for a laissez-faire approach to all aspects of citizenship. Zimring concludes that the 'personalisation' of punishment, exemplified by the emotions which surround the death penalty, has (re)configured the meanings of punishment within states that hold vigilante values. By allowing the victim more prominence in both the trial and cultural stories told about punishment, that punishment becomes narrated as a community expression of moral indignation rather than a brutal display of governmental power. In short, he argues that the vigilante tradition apparent in Southern states' history continues to impact upon the conceptualisation and construction of harsh punishment in the South's present.

Zimring (2003) is writing in support of other cultural life of punishment scholars here. He has identified that Southern punishment stories use narratives of closure, vengeance and fear in order to make punishment appear personalised. As such, these Southern punishment stories are very similar to the American punishment stories outlined in the previous chapter. The key difference with Zimring's thesis though,

is that he provides an analytical explanation as to why these stories of punishment-as-personalised will resonate differently and more strongly in the Southern states as the distinctly Southern vigilante value system becomes the cultural context. However, Garland (2010) has also considered how the stories told about punishment differ in the Northern and the Southern states, and he comes to a slightly different conclusion. Garland argues that a change in cultural dynamic has meant that the death penalty, along with a whole host of other social issues, has become swept up in a much bigger narrative of Southern backlash.

Southern Stories of Punishment and Backlash

Garland (2010) suggests that the Supreme Court decision in *Furman v. Georgia* (1972) to halt all executions (and enter the moratorium phase) reconfigured attitudes towards punishment in America. More specifically, he argues that the stories told in the South about this momentous decision were different to those told in the North, and it was these differences which cemented the notion that the South and North have different ideological views about harsh punishment. Garland suggests that in the South local reporting portrayed the Supreme Court's decision as a Northern liberal assault on the 'Southern way of life' and 'Southern cultural traditions'. The death penalty and other harsh penal practices (such as mandatory sentencing and the shaming policies mentioned in the previous chapter) became symbolically linked to concerns relating to entirely separate issues such as abortion, welfare, healthcare and taxation.

In short, Garland (2010) contends that punishment has become a pawn in the 'culture war'; a war between the Northern and Southern states of America. As a result, the meanings of harsh punishment in general, and the death penalty in particular, are not only redefined in terms of their new status as symbols of 'popular democracy' and 'states' rights' but have also begun to be spoken about (and continue to be spoken about) in a political and cultural context characterised by a narrative of backlash. However, this suggestion remains somewhat underdeveloped.

It is discussed briefly in a book which has a number of other foci, and as Tonry (2009, p. 383) suggests, the political culture of the South is often characterised by 'religion-based intolerance' which manifests as moralistic campaigns against an immoral 'other'. So Garland's conclusion that the stories told in the South (portraying severe punishment in terms of a Southern tradition) reposition punishment within a narrative of backlash is rendered more convincing. Punishment becomes one part of a broader Southern strategy in which Southern culture defends itself against the North. By speaking about state's rights and the (in)ability of local jurisdictions to punish the criminal in ways that local residents see fit, the stories of the South condemn the decisions made by an institution which is portrayed as adopting Northern liberal ideologies. The Supreme Court, and by extension the North, become the targets of backlash concerning a number of disparate Southern concerns (Edsall and Edsall 1991; Tonry 2009).

Both the backlash thesis and the vigilante values thesis signal something of a departure within the cultural life literature. They implicitly claim that cultural products and performances associated with punishment should be examined with reference to where they are found. By analysing the cultural stories told about punishment specific to the South, Zimring (2003) and Garland (2010) provide a new opportunity to cultural life scholars. However, it could be suggested that any research which considers the cultural life of punishment in the South presumes that the Southern states are a somewhat homogeneous and/or exceptional group in terms of punishment practices, a presumption that has been identified as problematic.

Barker (2009, pp. 4–6) has challenged both the 'American exceptionalism' and 'Southern exceptionalism' frameworks, drawing attention to massive 'state-level variations' in punishment policy. She argues that the US has neither a 'uniform nor coherent punishment policy', because all criminal justice policy is a 'subnational responsibility'. Our next task then, is to continue drilling down in order to achieve specificity. We began by considering the cultural life of punishment in America; we then moved on to looking specifically at the South and now it is time to examine the cultural life of punishment within individual states.

The Single-State Focus and Punishment-Related Tourism

Opportunities to study the cultural life of punishment from a state-specific perspective are limited due to the nature and distribution of cultural stories told about punishment. Cultural products such as movies, TV series, reality TV and books rarely situate their narratives within a single state, and when they do the story is often less about the specificities of that state's use of punishment, and more focused on the individual characters who make up the narrative. There is, however, another way in which individual states may tell stories about their own punishment practices; prison museums, prison rodeos and prison tours.

It is worthy of note that much of the research on punishment-related tourist sites is not criminological per se; it is instead conducted by tourism scholars with different aims and objectives to the criminologically-focused cultural life scholars. While some accounts do offer a discussion about the stories told within these sites and the narratives employed within those stories, many direct their attention instead to the motivations and demographics of the tourist group, dimensions of 'spectatorship' and 'experience', or the perceived authenticity of the stories told by the prison museum, rodeo or tour. However, this collection of studies does offer some insights into how we might evaluate the cultural life of punishment in a single state.

Individual US states are telling their own punishment stories within their tourist sites, and one example of this would be the Angola Prison Rodeo. This somewhat unusual rodeo, first held in 1965, was designed to entertain inmates, prison staff and local residents. However, the rodeo soon became popular with people from out of town, attracting thousands of visitors each year. In addition to the usual rodeo games, the event offers visitors the opportunity to buy prisoner-made arts and crafts, as well as to listen to inmate bands, and to join in various games and stalls run entirely by the inmates. The rodeo takes place in an arena with the capacity to seat 8,000 spectators—built by the inmates—and is typically full when the rodeo is in session (once in October and once in April). Tickets to the rodeo cost $10, and proceeds supplement the Louisiana State Penitentiary Inmate Welfare Fund (Matheson 2010).

Analysing the rodeo as a 'tourist performance and ritual', Schrift (2004) suggests that the rodeo 'capitalizes on the public's fascination with criminality' by way of a spectacle; it offers a voyeuristic opportunity entertaining deepest and darkest fantasies about the animalistic inmate 'other'. Similarly, Adams (2001, p. 99) understands the motivation of the crowd to be framed by the desire to see 'the spectacle of the criminalized body under duress'. Both Schrift and Adams view the rodeo visitors as 'performing' freedom (as consumers but also non-prisoners) which consequently reinforces their own status as 'outsiders'. While much of this might come as no surprise (we have, after all, already encountered the dangerous or animal or monster identities and discussed the processes of othering) Schrift (2004) does argue that the narratives employed within the rodeo differ from other representational formats in a number of ways.

Most of the prisoners that participate in the rodeo have little or no experience with livestock and rodeo games; they do not receive any training prior to taking part. Moreover, the inmates are given only minimal protective clothing (Adams 2001), and Schrift (2004) suggests it is the risk to the 'convict cowboy' which makes him such a popular tourist attraction. The audience's desire to see a convict body under duress might be understood as an expression of a somewhat vindictive or vengeful sentiment, yet the tone of the rodeo's vengeful narrative is different to that found in other cultural products. Rather than relay emotional, angry or victim-centric sentiments, the rodeo narrative seeks to mock and ridicule the inmate. For example, rodeo advertising literature states that 'More often than not, these convict cowboys are from the city, as foreign to the rodeo as a country boy in a three-piece suit' (cited in Schrift 2004, p. 339).

Moreover, this mockery, Schrift argues, finds more subtle expression in the juxtaposition of two identities; the notion of a convict cowboy becomes something of an oxymoron. Reviewing the literature associated with the iconography of the cowboy, Schrift (2004, p. 337) suggests that as a cultural symbol the cowboy has achieved the status of a folk hero, gathering an array of symbolic associations including notions of 'individualism, anti-intellectualism, courage, stoicism, masculinity, recklessness, humility, fellowship, and freedom'. These associations are in sharp contrast to those afforded the inmate; he is 'captive, stripped of his freedom and individuality, and more often than not, a symbol of

social filth' (Schrift 2004, p. 337). Schrift has thus identified an alternative way in which a narrative of vengeance might present itself—through mocking and ridicule. When employed at tourist sites such as the prison rodeo, vengeance narratives need not be based on emotional, irrational anger and they need not come from victims' accounts of pain and suffering. We as an audience can be encouraged to take pleasure in the pains of imprisonment without ever meeting the victim or the victim's family.

However, while Adams and Schrift speak briefly about the history of Louisiana State Penitentiary and the Angola Rodeo itself, they do not mention the Louisianan histories of race, violence, vigilantism, religion or honour within their analyses; their focus is instead on the tourist experience of the prison rodeo. Unlike the work of Zimring (2003) and Garland (2010) (who locate their cultural life analysis within the histories/culture of the South) Adams (2001) and Schrift (2004) do not seek to explain how the stories told about punishment in Louisiana might relate to a specifically Louisianan history or culture, and they do not explore the ways in which those stories and the narratives they employ might impact on (or be the product of) Louisianan attitudes toward punishment.

For example, both Adams and Schrift condemn the rodeo as an exploitation of a desperate prison population, yet it remains one of the most popular events in the Louisiana calendar. We are left unsure as to whether the popularity of the prison rodeo (and indeed the framing of prisoner pain as entertainment) might actually be indicative of a more punitive ethos found within Louisiana, something which seems likely considering that the only states to have hosted prison rodeos are Louisiana, Texas and Oklahoma, all of which are located within the more punitive Southern tier. This, however, remains an assertion without argument due to the tourism focus of the research.

Visitors to the Angola Prison Rodeo also have the opportunity to tour the Louisiana State Penitentiary Museum, located inside the prison walls; a site that Wilson (2008) would argue—by way of its exhibits—holds 'cultural memories' about Louisiana and its punishment practices. Adams (2001) spends little time describing or analysing the exhibits within the museum, again focusing on the tourist experience, which she characterises as a 'perpetual tension' in the act of spectatorship. What she terms 'the panoptic gaze' is ever present while the visitor inhabits prison spaces.

While Adams might not analyse the punishment stories told by the museum she does illustrate an interesting dynamic of the tourist experience. Unlike watching films or reading a news story, those that visit the museum/rodeo come quite literally face-to-face with subjects who have been identified as 'violent transgressors of social norms'. This experience, she argues, is somewhat unique to prison tourism and forces the audience to negotiate their own identity and 'images of the self' alongside that of the outsiders and images of an 'other'. This blurring of boundaries (between the law-abiding and the criminal) exposes the crowd to their own inability to distinguish easily between the two. Yet while this prison rodeo, prison museum and the consumption prospects associated with them, all offer opportunities for the audience to critically reflect on the similarities between themselves and inmates (and in turn question the legitimacy of harsh punishment) that is not to suggest they will. Instead, such opportunities are thwarted by the heady excitement of the 'Wildest Show in the South' and the enjoyment of watching the condemned body fall, fail and flounder in the rodeo ring (Adams 2001).

Similar to Adams (2001) and Schrift (2004), Bruggeman (2012) suggests that the recent growth in the American prison population creates new opportunities for tourist sites, such as prison museums, to connect with wide audiences and to engage them in social commentary about the problems associated with mass incarceration. However, Bruggeman supports Brown's (2009, pp. 114–66) conclusion that while punishment museums or prison tours often present a 'vague unease' with the act of punishing and its relationship with 'trauma, pain and violence', they ultimately 'look away' from the present and create a 'social distance' between audience and any personal responsibility or accountability in the project of punishment. Brown suggests that this distancing is most acute on prison tours because the visitor can see and experience the realities of punishment, and thus leave believing that they somehow know what it is like to be incarcerated. Yet the transitory nature of a prison tour means that visitors will never know the pains of imprisonment and thus the distancing effect, Brown (2009, p. 11) argues, serves to 'shield us from the democratic burden of punishment'.

In short, these scholars argue that there is a difference between seeing punishment in a documentary or reading about punishment in the

pages of a newspaper, and gaining knowledge of and experiencing the spectacle of punishment through a museum or tour. While each will offer a (re)presentation of reality, it is the tourist/visitor who will understand themselves as engaging in a genuine form of 'penal spectatorship' (Brown 2009). Having experienced something which is often advertised by the host institution as exemplary or authentic, the act of penal spectatorship is surrounded by (and grounded within) a perceived authority, and the act of seeing but not knowing simultaneously distances the spectator from the reality of imprisonment (Brown 2009).

Brown is also more explicit than Adams (2001), Bruggeman (2012) or Schrift (2004) about the ways in which cultural (re)presentations of the reality of punishment continually influence and (re)construct the attitudes that surround it. In a discussion about prison iconography, she argues that

> sites of entertainment … present us with a powerful place in which the practice of imprisonment has been re-enacted … and [as such] this is an important site for the construction of a cultural memory that is largely iconic. (Brown 2009, p. 56)

By proposing that sites of leisure and entertainment associated with the prison offer a 'cultural memory' of punishment, Brown is firstly suggesting that those sites preserve, store and recall collective knowledge about the act of punishing (past and present), and secondly that the sites have the potential to culturally forget. These sites can marginalise certain individuals and certain stories which are not deemed to be appropriate or entertaining; cultural memory—as with personal memory—is always selective (Assmann and Czaplicka 1995). In such contexts 'collective knowledge' and 'tourist myths' about incarceration meet and compete to become sources by which to understand the reality of punishment (Brown 2009, p. 98).

Strange and Kempa (2003) have also argued that tourist sites associated with punishment have to (re)present the site's significance with reference to pre-existing tourist myths. Illustrating their argument with an analysis of the stories told on public tours of the former Alcatraz Federal Penitentiary (located just offshore in San Francisco Bay, California) their

research addresses both the portrayal of punishment offered by the tours, and that constructed within other cultural stories (primarily films) told about the infamous prison. Describing the site staff as 'memory managers' Strange and Kempa (2003, p. 386) argue that once Alcatraz 'shed its penal function' in order to adopt a new 'touristic identity', the significance of the site had to be interpreted within 'dynamic cultures of memorialisation' which already existed. In narrative terms, Alcatraz as a site was forced to accommodate the 'hegemonic tales' told about the Alcatraz elsewhere (Ewick and Silbey 1995).

To manage the site and conduct the tours was thus also to manage part of the 'cultural memory' which surrounds Alcatraz. Strange and Kempa (2003) conclude that the site is 'overshadowed by commercialised representations', and consequently the stories told by the site fail to represent the history of the island in all its complexity, pandering instead to the voyeuristic public demand and desire to see Hollywood's version of the notorious prison. Visitors to Alcatraz will learn very little about the reality of punishment in the American present or the American present.

While Texas does not have any large defunct prisons open to the public, it does have the Texas Prison Museum, located in Huntsville which is also home to the infamous Walls Unit (see Chap. 3). According to the museum website, it was visited by nearly twenty thousand people during the first ten months of reopening (the museum moved to larger premises in 2002) and has sold over $100,000 of merchandise from the gift shop. Reviewing the exhibits within the museum, Lichtenstein (2004) suggests that while the site does invite tourists into a world which is so often kept closed away, it nonetheless does little to challenge the presumption that Texan prisons are dangerous places full of dangerous people. Using a narrative of fear, the prison museum displays guard and inmate material culture, portraying the Texan prison as a 'ceaseless war between the keepers and the kept' (Lichtenstein 2004, p. 198).

However, Lichtenstein did find that the Texas Prison Museum offers narratives featuring the more controversial elements of Texan punishment history. Six wall panels in the museum present a story about the reform of Texan prisons (which spanned 1948 to 1972, see Chap. 4) ending with a description of present-day prisons. He argues that the museum does draw attention to the 'abuse and mismanagement' of the profitable Convict

Lease Period (1871–1912) and even sheds light on the continued brutalities in the period that followed. However, Lichtenstein also suggests that the museum does so by way of a somewhat 'backhanded acknowledgment' (2004, p. 191): the Supreme Court decision *Ruiz v. Estelle* (1980)—which increased the rights of prisoners—is depicted as thwarting progress in Texas. He suggests further that while one might expect the changes made to Texan prisons as a result of the Ruiz verdict would be portrayed as notable achievements in Texan penal history, visitors learn instead that the decision left Texan prisons in a state of uncertainty: the 'power vacuum' created by the changes was filled by 'murderous gangs' and resulted in the 'mass early release of prisoners' (2004, p. 199).

It could thus be argued that Lichtenstein's (2004) analysis supports Garland's (2010) notion that a narrative of backlash is at work within cultural stories told about punishment in Texas. The decision made by the Supreme Court in *Ruiz v. Estelle* (1980) is narrated as a liberal assault on the traditional methods employed by the Texas Correctional Institutions Division (TCID) to maintain order in its prisons. Moreover, while inmate voices remain almost entirely marginalised, the museum displays musical instruments, artwork and wooden furniture, all crafted by prisoners, and examples of inmate newspapers. All of these displays are read as 'mute testimony to the persistence of the creative impulse' which can be found behind the walls of Texan prisons (Lichtenstein 2004, p. 199). Yet these stories in which inmates appear creative—even humanised—should not be understood as constituting an overarching narrative within the museum. Speaking about the movement to abolish the death penalty, Lichtenstein (2004) suggests that while the movement 'gets its due', the only cabinet relating to abolitionism is one which tells the story of a man convicted of multiple murder and suspected of raping a 57-year-old woman; the audience are invited to support his execution based on the heinous nature of his crimes.

These accounts of prison rodeos, prison tours and punishment museums appear disparate when reviewed from a criminological perspective, and this is likely due to the touristic focus of the literature. Many of the scholars cited did not 'read' the punishment stories or analyse the narratives at work within them—instead their focus was the tourist experience itself and the demographics of the visitor population.

However, there are common threads to be found within this diverse body of scholarship.

Firstly, the tourism studies all contend that punishment museums have the capability to tell complex stories, yet ultimately fail to encourage a discussion about the more controversial features of American punishment practices. Secondly, the museums purport to offer visitors an 'authentic experience', adding an alternative dynamic to the portrayals and differentiating them from those offered within other representational formats. Thirdly, the studies introduce the notion of a 'cultural memory of punishment', arguing that the stories told about punishment (past and present) can take the form of a narrative which—while based in historical realties—is nonetheless constructed as much by omission as it is by inclusion. Within the walls of a prison museum, or through the words of a prison tour guide, the audience will be invited to share in the construction of a specific punishment reality, one which results from a complex negotiation between the host institution and tourist expectations.

Moreover, it appears from Lichtenstein (2004) that the Texas Prison Museum offers complex narratives in which inmates can be both artistic and dangerous; the prison is a space of war but also creativity, and execution is controversial but justifiable. Yet Lichtenstein's observations are all too brief, his article (excluding images) is around two pages long. Similarly, Smith (2008) mentions the Texas Prison Museum but allocates only one paragraph to describing the electric chair exhibit in order to illustrate his argument that the atmosphere and tone used to portray execution differs depending upon both the method of execution and the representational format. Even in Massingill and Sohn's (2007) publication—*Prison City: Life with the Death Penalty in Huntsville*—the Prison Museum receives the same treatment; a description (albeit somewhat more extensive) but little in the way of analysis. *Prison City* does, however, offer reflections on other Texan punishment stories which can help us build a picture of Texas and its relationship with punishment.

Prison City is less an analysis of the cultural life of punishment in Texas and more of an ethnographic investigation of the rhythms of life and local culture in Huntsville. One of the authors, Ruth Massingill, is a 'professional communicator' and faculty member at Sam Houston University in Huntsville, and the other, Ardyth Broadrick Sohn, a

professor of journalism from the University of Nevada in Las Vegas. The first section of the book examines how local Huntsville residents perceive their town and how the attitudes of others affect that perception: 'In other parts of the country, and especially in Europe, claiming this town as your home is like saying you grew up in Three Mile Island or Chernobyl' (Huntsville resident, quoted in Massingill and Sohn 2007, p. 20). This early part also uncovers the 'private realities' of living in a town 'dominated by punishment'. Here we find thick descriptions of everyday life in Huntsville. For example, we learn that residents know not to wear all white as this is the attire of inmates, and if spotted within the town by an off-duty prison guard a call will inevitably be made ordering a 'lock-down' and prisoner count (Massingill and Sohn 2007, p. 29).

The second section of *Prison City* (pp. 63–139), 'Caught in the Middle: The Role of PR in Shaping Social Perspectives of the Criminal Justice System', concerns the role of Personal Relations (PR) in moulding social and cultural perspectives of the Texan criminal justice system. Amongst other things, this section discusses interviews conducted with Public Information Officers or PIOs. Employed by the Texas Department of Criminal Justice (TDCJ), PIOs manage information released to the public (usually via the press) about all manner of criminal justice issues. It is clear from the interviews that PIOs believe there are two images of Texas; one constructed from the media position of an outsider looking in, and the other from the inside looking out. While the authors are less concerned with the stories used to construct these images (there is no formal media content analysis) they do consider how the stories told by local journalists differ from those told by reporters who are from other US states and other countries.

Massingill and Sohn (2007, p. 95) contend that 'foreign journalists see an unemotional attachment they find inexplicable', with European journalists in particular being the most critical of Texan punishment practices. In contrast, the stories told about the TDCJ from within Texas tend to portray the image of a penal system that is harsh but reasonable: 'it is a bit Wild West tough and it's fair' (Texan radio reporter, quoted in Massingill and Sohn 2007, pp. 95–6). In short, while out-of-state reporters arrive with an attitude that Texan prisons are 'out of control', Michelle Lyons

(PIO) suggests that local Texan journalists 'understand Texans are not bloodthirsty, let's-hang-em-up-in-the-town-square kind of people'. Local reporters are easier to converse with because they 'understand Texan laws and the mentality of the people' (PIO quoted in Massingill and Sohn 2007, p. 82). It would appear then, that the stories Texas is telling about its own relationship with punishment may indeed differ quite significantly from those stories being told by cultural outsiders. While many scholars are telling their stories of a tough Texas, we have yet to see anyone examine the cultural life of Texan punishment from the inside. Texas is telling its stories—we just need to listen.

Conclusion

In conclusion, this chapter has sought to consider the cultural life of punishment in the Southern states of America in order to examine how—if at all—the fear, vengeance and closure narratives discussed in Chap. 5 present themselves in the specifically Southern context. In doing so, we have found that these emotive scripts of punishment do appear to resonate more strongly in the Southern states. According to Zimring (2003) such narratives serve to locate punitive policies (e.g. life without parole and execution) as expressions of moral indignation rather than the performance of a powerful state. Moreover, Zimring argues that the vigilante tradition associated with the Southern states offers the ideal cultural context for harsh punishment to be seen as an expression of community outrage. In short, the symbolic transformation of execution—from a symbol of state power to a symbol of community outrage—allows Southerners to support capital punishment while remaining distrustful of the state. As such, the triad of emotive sentencing rationales (fear, vengeance and closure) play a crucial role in making harsh punishment appear personalised and thus compatible with the Southern vigilante value system.

In addition, by turning our attention to the stories that surround Southern punishment we have found also that the death penalty in particular has become a symbol of state's rights. Along with national debates about social issues such as gay marriage, abortion, levels of taxation or gun ownership, support for capital punishment has become somewhat

synonymous with support for state's rights. As Garland (2010) illustrates, Southern attitudes towards harsh punishment are now characterised by—and negotiated within—a politics of backlash. Southern traditional values and ways of life are pitted against what is perceived to be an elitist, liberal and distinctly Northern ideology. Support for harsh punishments becomes symbolic of the South's position in the culture wars.

We also considered studies that have examined tourist sites associated with punishment in order to gain some understanding of how the cultural life of punishment manifests itself within a single state. While we were unable to identify the established fear, vengeance and closure triad within these discussions, we did uncover something rather fascinating. According to tourism scholars, a different type of vengeance narrative emerges within these storied spaces and experiences. Within these tourist sites, the prisoner was—at times—mocked and ridiculed; the audience were encouraged to find amusement in the pains of imprisonment. Moreover, it would appear that while the punishment museums in particular offer a perfect opportunity to engage with some of the concerns associated with mass incarceration and execution, the museums studied appeared to avoid those more controversial elements of the American penal past and present.

With regard to specifically Texan stories about punishment we sadly found very little. While Texas does have a variety of punishment-related tourist sites (see Chap. 3) these have yet to undergo any robust analysis. That said, we did discover something worthy of note about the relationship Texas (and indeed Texans) share with the harshest of penal sanctions. Here I am referring to a comment made by Michelle Lyons, a PIO for the TCID. Lyons spoke about the 'mentality of the people' when asked about Texan punishment preferences (Massingill and Sohn 2007) explaining that Texas is not fully understood by cultural outsiders such as out-of-state journalists. By suggesting that a specifically Texan attitude towards punishment exists, Lyons is highlighting something of a problem. Throughout this book we have heard lots of stories about Texas, some told by punishment scholars, others by the media, and others still by Texan governors. However, when taken together these stories are what Ewick and Silbey (1995, p. 197) have termed a 'hegemonic tale'; they reproduce a somewhat taken-for-granted narrative about

Texas. In short, we have learned that the punishment stories told within Texas, by Texans, might not construct the Lone Star State as peculiarly punitive, but when we look to the literature we struggle to find anybody discussing those insider stories in any great depth.

Our next task then, is to consider in detail the stories that Texas is telling—from the inside—about its own relationship with (and commitment to) harsh punishment. It is here that the cultural life of Texan punishment will reveal itself. Yet we still have one last task before we embark on such a journey. Within this chapter and one that preceded it, we have covered much ground—from the narratives of fear, vengeance and closure that have been identified in American stories told about punishment, to Zimring's (2003) conclusion that punishment is decidedly more 'personal' in the Southern states, to Garland's (2010) discussion of 'backlash' politics, and finally the tourism scholars who suggest that punishment-related tourist sites have a tendency to mock the pains of imprisonment. At present the conclusions drawn from our examination of the cultural life of punishment in America, then in the South and lastly in a single state are vast and somewhat difficult to summarise. We could push on and look at the stories Texas is telling about punishment in its museums, yet we might struggle to know exactly what it is we are looking for.

In other words, while we will want to consider the extent to which the conclusions drawn by other cultural life scholars are relevant to the insider stories Texas is telling in its tourist sites—do the stories employ a narrative of fear for example—in order to achieve this we need to be clear what a narrative of fear would 'look' like if we were to identify it in the Lone Star museum context. As such we must develop some sort of framework with which to approach the Lone Star museums; we need to know what we should look for within the stories Texas is telling about its own relationship with punishment. The following chapter is thus a brief pit stop as it were; a chance to summarise all we have learned in Part II of this book. The aim of the next chapter then, is to construct a 'framework of narratives' that will act as an analytical tool once we enter the Lone Star museums of punishment; it is a chapter about narrative possibilities within cultural life research.

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7

Narrative Possibilities in Cultural Life Research

As this book has argued throughout, we hear and tell countless stories every day and these narratives can reflect, distort and construct the social world around us. Acting as a resource with which to construct our self-identities, stories help us to recall memories so that the past can become present again. They allow us to recite our experiences—good and bad—to our children, our parents, our friends or our lover. But maybe most important of all, stories permit us to narrate events, people and places in such a way as to give them meaning and significance. As Smith (2008) suggests, stories pervade every part of our social existence. We are born into a storied world, and it is through narratives that we can bring a sense of order to that which, at first glance, may appear chaotic.

However, as the previous two chapters have demonstrated, it is the crime and punishment story which is particularly popular within a variety of cultural industries. From stage plays to true crime literature, from reality TV to the broadsheets, it seems that crime and punishment continue to titillate and captivate audiences all over the world. Interestingly though, when we think back to the previous two chapters, we can identify a number of similarities. Whether related through

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news media, documentaries, stage-plays, films or victim-based web pages these stories all have a plot (or internal structure) much like that of any other story. As Singer (2001) suggests, most stories begin with orientating information (that is the storyteller will set the scene); this is followed by an interruption or conflict of some sort (in the current context this is usually a crime); central to the story is the reaction to the interruption or conflict; and the final stage of the story is the conclusion which can also be narrated as a resolution of sorts (in this case usually the punishment).

Stories can of course take different forms and represent different genres, with the more common types being tragedy, romance and comedy (Elliott 2005). Yet whatever the form, the internal structure of the story often remains fairly consistent (Anker 2005; Campbell 2005). In the context of this book, the criminal within the punishment story takes on the same character as the wicked witch in the fairy-tale or the evil mother-in-law in the romantic comedy. The criminal is the character who causes the interruption within the narrative. Indeed, while stories can be represented within a number of cultural productions and performances (movies, books, political speeches, video games, and even our own memories of events) there are nonetheless 'narrative features' that give these stories consistency. As Lehning (2007, pp. 18–20) contends, each is the depiction of a series of events connected by a single thread of significance; orientating information gives way to a defining moment or action or event; this is followed by the reaction which often includes the display of 'raw emotions' and the story concludes with a resolution.

The significant moment, action or event within the story can be a relationship break up (in one's own memory-story), an alien attack on the White House (in a sci-fi action movie), a terrorist attack (in a politician's address to the nation), or the decision to turn left instead of right at an intersection (in any number of storied constructions). Whatever the format though, it is this moment, action or event that will result in the raw emotions that come next, followed by the (re)action, which ultimately constructs the frame within which resolution can be sought (Singer 2001).

Punishment stories can thus be understood (to varying degrees) as adopting this common narrative trajectory. The stories being told in the US associate punishment with a web of sentiments (or raw emotions) by way of their narrative trajectory. Danger or fear, vengefulness or vindictiveness, and grief or closure become central to punishment plot lines and at times provide the frame within which to constitute a resolution. These narratives of fear, vengeance and closure 'move' punishment, whether execution or prison, away from traditional sentencing rationales (such as rehabilitation and retribution) and locate the cultural life of imprisonment and the death penalty within a symbolic space characterised by emotionality. Our task now then, is to construct a framework which will accommodate these findings and summarise the different types of punishment narratives.

Translating the cultural life literature into a framework of narratives is actually a relatively easy task. While the cultural life scholars do not explicitly suggest they are taking a narrative approach to punishment, their object of study is nevertheless the stories we tell about punishment. To recap, we have already found that fear, vengeance and closure have become a kind of triad of cultural sentencing rationales, acting as dominant punishment narratives in American crime and punishment stories. In addition, we have determined that specifically Southern stories are characterised more by narratives of backlash (against Northern liberal elites) and narratives of punishment as personalised (by way of victimhood scripts). Finally, we moved onto state-specific studies of rodeos, prison tours and museums, finding that these leisure sites offer eye-to-eye engagement with the inmate other, yet also construct (through spectatorship and/or mocking) a 'distance' between the tourist and the pains of imprisonment.

So to begin, the framework below presents the plot trajectories of the fear, vengeance and closure punishment stories. I have also added to this the retribution plot trajectory. To be clear, these punishment narratives are not mutually exclusive and they can coexist within a single story. However, they are also analytically distinct and certain features of the story will allow us to identify when each of the punishment narratives is being employed.

Frameworks for Punishment Narratives: Fear, Vengeance, Closure and Retribution

Fear Narratives

- *Initial action*: Usually a violent crime, often an unprovoked murder or sexual assault perpetrated by a predatory stranger.
- *Key features*: Crime or criminal is portrayed as frightening rupture to otherwise safe society and, because they contain such individuals, prisons are depicted as a place that should be feared.
- *Narrative conclusion*: Execution will eradicate the feared creatures, and at the very least life without parole will contain the criminal within an institution that is a brutal, terrifying place.

Vengeance Narratives

- *Initial action*: Usually a serious crime. Often a particularly violent murder or particularly brutal sexual assault.
- *Key features*: Crime is portrayed as a violent rupture within an otherwise non-violent community or society. Emotional victimhood stories of suffering can come from victim or victim's family. Stories will likely feature highly descriptive accounts of the more brutal aspects of the crime. Punishment should be excessive or harsh as a means of marking the severity of the crime.
- *Narrative conclusion*: Marking the severity of the crime, desires for revenge are met by way of harsh and/or excessive punishment which has a strongly emotional tone. The victim or victim's family are allowed to take some pleasure and/or achieve a sense of satisfaction in knowing the offender will suffer.

Closure Narratives

- *Initial action*: Usually a violent crime, most often murder.
- *Key features*: Crime is portrayed as creating an emotional trauma. The family of a murder victim tends to be quoted directly and their

statements will involve therapeutic language which suggests that punishment can start the 'healing process' or provide 'closure'.
- *Narrative conclusion*: The closure story can end in one of two ways; the victim's family find closure, or they do not. The 'no closure' outcome will likely be associated with whether the punishment is sufficiently harsh.

Retribution Narratives

- *Initial action*: Crime of any kind.
- *Key features*: Story is unlikely to use victimhood stories of suffering. The retribution narrative is instead rational, non-emotional and reasoned. Punishment is depicted as proportional to the crime. In the retribution story, state actors (as opposed to the victims) will likely feature more heavily.
- *Narrative conclusion*: Justice is achieved when punishment reflects the severity of the crime but the pains of punishment are not excessive. Punishment can be harsh but no pleasure is taken in the act of punishing.

Framework for Punishment Narratives: Personalised Punishment and Backlash

In Chap. 6 we also identified the two main studies that sought to explain how the cultural stories told about punishment might be different in the Southern states. Zimring (2003) argues that in the Southern states, commitment to harsh punishment (particularly the death penalty) is depicted as an expression of community indignation rather than a performance of state power. Within the South, punishment is portrayed as personalised through the use of victimhood stories, and this personalised punishment narrative resonates with the vigilante value system which Zimring believes underpins Southern culture. The personalised punishment narrative is therefore not analytically separate from the cultural life narratives already discussed; a story that depicts punishment as personalised will be one that employs one or more of the fear, vengeance and closure narratives.

In addition though, we also found Garland (2010) arguing that harsh punishment has become part of the culture wars between Northern and Southern states. The South tells stories in which Southern traditions and values (including the right to retain harsh punishment) are portrayed as under attack from Northern political elites. Rather than a story told about punishment, the backlash narrative is more accurately one of ideological difference: it is what we may call a 'second-order' punishment narrative. Unlike Zimring's (2003) Southern stories of punishment-as-personalised, Garland's (2010) Southern stories of backlash use entirely different elements to construct the internal plot. These Southern backlash stories serve to associate punishment with wider issues of Northern v. Southern ideological difference. Moreover, while the significant moment within the punishment story is usually a crime, in the case of a backlash narrative it is the Supreme Court decision of *Furman v. Georgia* (1972). Within these Southern stories of backlash the moratorium is the significant event within the plot, backlash is the reaction—which is central to the narrative—and while resolution has yet to be found (the culture war continues) this Southern story nonetheless still has a (potential) conclusion. Resolution will be possible only when Northern liberal elites allow the Southern states to punish as they see fit.

In short, the backlash narrative is a second-order punishment story; while punishment is not actually a key internal element of the narrative it nevertheless presents itself as part of the plot trajectory. Southern concerns about issues such as abortion, gay rights, welfare and the retention of harsh punishment, all become part of the conflict which manifests as central to the story. In terms of plot trajectory then, the initial event within a backlash story is not a crime. It will instead be a Northern assault on Southern ways of life which has a political dimension. Resolution within the backlash narrative comes only if the South can defend its values and practices (such as execution) from the perceived threat of Northern (liberal) political elites. The backlash narrative is thus somewhat volatile. While resolution might occur in one sense (the South still has the death penalty) the culture wars rage on. Very simply then, a backlash narrative can be identified using the framework presented below.

Backlash Narratives

- *Initial action*: Northern political elites condemn Southern ways of life or Southern traditions. This will likely happen within the political arena.
- *Key features*: Northern and Southern states of the US are portrayed as ideologically opposed. This opposition need not relate specifically to punishment, but can instead be a feature of stories told about any Southern policy decisions which differ from the Northern approach.
- *Narrative conclusion*: Resolution comes from the successful defence of Southern values and traditions.

A Narrative Variation: Punishment as a Tourist Spectacle

Finally, in Chap. 6 we examined research in tourism studies associated with prison rodeos, tours and museums and found that, according to scholars in this tradition, tourist sites associated with punishment have a tendency to distance the spectator from the pain of imprisonment. While the focus of this tourism research was not, strictly speaking, the stories the sites told about punishment, the collection of studies did offer another insight that can be used within the framework of narratives we are seeking to develop. Unlike the fear, vengeance, closure, retribution or backlash narratives, the findings of tourism scholarship are not well suited to a chronological event-driven punishment narrative. Instead, to identify this narrative variation one must look for a certain 'tone' within the stories told about punishment, and this tone can manifest in one of two ways.

Firstly, the stories told in the punishment museums could employ a mocking tone to undermine the pains of imprisonment. This can be achieved, for example, through the use of humour, encouraging the audience to find amusement in the conditions of confinement. Secondly, the touristic narrative variation might present itself as an opportunity to experience punishment first hand. According to the tourism literature,

this is most commonly achieved by asking the guest to step inside a cell to receive a genuine experience. Incarcerating one's own body adds a perceived authenticity to the knowledge gained from such an experience. In short, both the mocking tone and the experience opportunity can be used in ways which effectively distance the tourist from the unpleasant reality of imprisonment.

Conclusion

We began this chapter by outlining the importance of stories and illustrating how they can help us justify our own actions, giving our behaviour and our decisions meaning. Similarly, within punishment stories—be they told in a single state, in the South, or indeed to the entirety of America—the act of punishing was found to acquire a variety of meanings (see Chaps. 5 and 6). In some stories, punishment had come to represent the elimination of fear; an offender confined no longer poses a threat. In other stories the desire to see a perpetrator punished became an expression of vengeance; the brutality of the crime evoked impassioned appeals to see the criminal suffer. In others still, an execution was portrayed as somehow satisfying; the death of another brought about closure for the family members of the homicide victim. Yet when we considered the meanings of punishment, specifically from the Southern states' perspective, we found that the death penalty in particular has become something of a symbol in the culture wars; commitment to tough justice was aligned with a commitment to states' rights. Lastly, by looking at research undertaken in punishment museums and other dark tourist sites, we found that the meaning of punishment can be somewhat dependent on the tone of the story; when the conditions of confinement are mocked the spectator is distanced both from the prisoner and from the pains of imprisonment.

In conclusion then, this chapter has sought to construct a framework of narratives, one derived entirely from the body of scholarship that seeks to examine cultural representations of punishment. As already suggested, this cultural life literature is—to varying degrees—already about narrative, and so to construct the framework was not too challenging. That

said, we should not underestimate the effect of synthesising such a large body of research. At the beginning of this chapter we knew a lot about the representation of punishment in America, in the Southern states and in individual states, but it would have been quite difficult to apply that knowledge to our own case study of Texas. Put another way, we would have stepped into the Lone Star museums associated with punishment and not really known what we were looking for. However, by drawing on diverse scholarship which speaks about cultural representations of punishment, as well as reviewing research on dark tourism, we have now produced a framework of narratives with which to approach our research sites.

In Part III of this book we will begin touring the punishment exhibits of the Lone Star museums in detail, examining the extent to which narratives of fear, vengeance, closure and retribution manifest within the stories Texas tells about its own relationship with punishment. We will also evaluate the claim that harsh punishment in general and execution in particular have gained symbolic significance within backlash narratives, and we shall revisit the conclusions drawn by tourism scholars about other, similar research sites. To begin this more analytical journey then, we will examine first the museum stories that provide the visitor with 'orientating information' about the Lone Star approach to punishment. We will examine the collective narratives about a distinctly 'Tough Texas'.

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Part III

The Punishment Museums of the Lone Star State

8

Museum Stories of a Distinctly Tough Texas

Crime and punishment stories have proliferated in recent years, and are now found in a wide variety of cultural products such as film, news reporting, documentaries and websites. By taking a more explicit narrative approach to the conclusions drawn by those who study these punishment stories, we were able to construct a framework of narratives (see Chap. 7), each of which has been found to manifest within these stories. The aim of this current chapter is to consider the extent to which the punishment narratives are expressed within the stories Texas tells in its punishment-related tourist sites. Unlike punishment stories told in many other cultural products such as film, news reports or TV series, these tourist site stories are not chronological and rarely adhere to an event-driven plot trajectory. Instead, they tell multiple stories within a single space which overlap, reinforce and at times contradict one another. However, certain themes do repeat themselves within this collection of Lone Star stories, themes which offer explanations as to how, why and who Texas punishes.

In this chapter we will focus on the stories Texas tells about the sheer size of the Texas Department of Criminal Justice (TDCJ) in general, and the Texas Correctional Institutions Division (TCID) in particular. In its

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entirety, this chapter will show how narrative elements together encourage all visitors—Texan or not—to find a form of amusement in the tough Texas reality and reputation. Moreover, I will argue that the stories told in the punishment sites use a narrative of toughness to speak about Texan punishment, with the TCID continually portrayed in terms of Texan boldness in the penal sphere. So, without further ado, I return you to the Lone Star museums and their depictions of punishment.

Examining Lone Star Museum Stories: The Narrative of Texan Toughness

Visitors who tour the Texas Prison Museum, the Joe Byrd Cemetery, the Eastland County Jail Museum and the Beaumont Law Enforcement Museum will all likely conclude—as Perkinson (2010, p. 4) has—that Texas 'reigns supreme in the punishment industry'. For example, a video is played to visitors as they enter the Texas Prison Museum and the narrator of the video (an elderly sounding man who has a strong Texan drawl) tells us that

> The state of Texas undertook one of the largest prison construction programs in the history of the free world. Prison capacity increased from 54,000 beds in 1991, to more than 150,000 in 1999 … Today, with more than a half a million people already under some form of adult criminal supervision … the Texas Department of Criminal Justice operates one of the largest prison systems in the nation.

Similarly, within the stories told on jail tours the guides continually reference the size of the TDCJ: 'Yeah, we have a lot of people under some kind of supervision. Yes ma'am its big business here in Texas' (Eastland). Another stated, 'I guess we got a lot of people on death row compared to other states, but that's because Texans believe it's the right thing to do', adding 'you've heard the saying ain't you? Don't Mess With Texas' (Beaumont). A member of staff at the Texas Prison Museum also evoked the image of Texas as a state under lockdown when he said, 'sometimes it feels like Huntsville has more people in prison than outside it!'

However, while Texas is depicted as a place of punishment that is not to suggest that the story is somehow about failure, or an inability of the state to manage criminality. The audience are told about the size of the TCID as if it were a lesson to other states (or other countries) about how to deal with crime and criminals. There is an air of confidence—bravado even—within the stories. These are stories about Texan boldness within the penal sphere. The video played to visitors as they enter the Texas Prison Museum reflects this bold sentiment, telling us that Texas is 'recognised by the American Correctional Association as [having] one of the best prison systems in the nation'. Yet the narrator is quick to remind the tourist that by 'best prison system' he does not mean that it is in any way merciful, or that conditions of confinement are more agreeable than elsewhere:

> Hard work is still the cornerstone of the life of an inmate; prison is a difficult and tough place to live. The day begins well before dawn with a noisy wakeup call, followed by breakfast at 4.30. All able-bodied inmates are expected to be on the job or at school by 5.30. There's no lying around watching TV. The inmate areas of the unit are not air-conditioned and inmates are not allowed to use any type of tobacco. The concrete floors and walls echo every sound. No inmate has any privacy outside their small cell.

This image of Texas as a place of harsh punishment is also reflected in the logo chosen to represent the Texas Prison Museum; a ball and chain alongside prison bars. Whilst the ball and chain is no longer used by TCID, the image still serves to remind the audience (and continues to remind them should they purchase any of the numerous items from the gift shop sporting the logo) that Texas has a reputation for being a place of harsh punishment. In a similar way to what Loader (1999) has called 'police promotionalism', the Texas Prison Museum and jail cells engage their audiences in what might be termed 'prison promotionalism'. The film in particular seeks to promote the TCID as a corporate identity.

Moreover, next to the video viewing area are six text-based wall panels that detail the history of the prison system in Texas from convict leasing through to the present. These too seem to suggest that the Texan approach to punishment is both the best and the most effective approach

to punishment. (Lichtenstein (2004) drew our attention to these boards earlier in Chap. 6). As Lichtenstein confirms, these boards state that there was an 'abuse and mismanagement of the profitable Convict Lease system' enacted between 1871 and 1912 (board no. 3) and they even shed light on the continued brutalities in the period that followed. However, Lichtenstein (2004, p. 191) also asserts that the museum approaches these somewhat controversial elements of the Texan penal past by way of a 'backhanded acknowledgment'. According to Lichtenstein the Supreme Court decision *Ruiz v. Estelle* (1980)—which extended inmates' rights—is depicted as thwarting progress in Texas. His analysis can thus be understood as suggesting a narrative of backlash is at work within the Texas Prison Museum story; liberal political elites are portrayed as ideologically incompatible with Southern traditions. However, if we place the museum's portrayal of the *Ruiz v. Estelle* decision in perspective—that is, situate it within the story told by the wall panels in their entirety—we actually find that the more pervasive narrative is one of Texan boldness as opposed to Texan backlash.

Firstly, to be clear, Lichtenstein (2004, p. 199) is right to suggest that the decision in *Ruiz v. Estelle* (1972) is portrayed as thwarting penal reform in Texas. We learn from the third wall panel that the decision threw the TCID into 'a state of uncertainty' which would plague the correctional system for the next two decades. However, these two decades are part of a much bigger story. A member of staff at the Prison Museum confirmed that a list of figures presented on the final panel—figures relating to the number of people incarcerated and on parole or probation in Texas today—are updated every few months. The years of uncertainly are merely two decades of a story that spans over one hundred and sixty-five years, from 1848 to 2015 and beyond.

Rather than a narrative of backlash, the wall panels—in their entirety—actually tell a celebratory story of a specifically Texan success; the story is more pro-Texas than it is anti-Supreme Court. The first of the six panels states that after the Civil War (which ended in 1865), Texan prisons were amongst the worst in the nation and the last panel reinforces the message of the video played to tourists as they enter the Museum by stating that Texas is now recognised as having one of the best prison systems in

the US. Moreover, within the wall panels' story, it is Texan officials who initiated, sustained and continue to maintain that progress. We learn that the Texas Prison System has had many directors throughout the years and between them they have made TCID what it is today. This is a story both about the modernisation of the Texan prison system (and thus will be discussed further in the next chapter) and about Texan boldness in the penal sphere. Rather than a narrative of backlash, this is again Texas promoting and endorsing its own approach to punishment.

The tour guides of jail cells also promote the Texan approach to punishment. When I asked one guide in Eastland how the conditions provided by Texan prisons compared with those provided in other states he said:

> I think the conditions in Texas are pretty tough but that's the point isn't it? I mean we stick to the rules, but it isn't supposed to be a vacation is it? Yes, I think we got the balance right.

Similarly, while on another tour in Beaumont a couple from Louisiana spoke about how they believed the Texan approach to punishment should be held up as an example to America:

> Guide: 'We [Texas] do have a big prison population—you know, compared to other states. I guess it's to do with crime rates, but also about people's attitude toward criminals. Incarceration rates are a two-fold thing.'
>
> Louisianan man: 'I think you guys got it right …' [interrupted by woman].
>
> Louisianan woman: 'Yeah—it's like you know not to cross the line here right? Because you know what's coming if you do. None of this prisoners' rights stuff.'
>
> Guide: 'Yeah, I mean we do keep the prisoners safe, but trust me it's not the kind of life anybody would want … No-one grows up wanting to be in a cell half their life do they? You want to be a cowboy or an astronaut!'

Like the job of the TDCJ Public Information Officers discussed in Chap. 6, these museums and tours function as a kind of public relations exercise—Texas is telling celebratory stories about its own boldness in the penal sphere. We learn that Texas has got the 'balance right'; punishment

is safe but it is also tough and it is on this theme that the narrator of the introductory video ends:

> While today's prisons are safer and more humane than years ago it's still a hard way of life. The state of Texas does not operate a country club prison.

The sentiment is clear; the final sentence short and memorable. Speaking in the language of populist punitiveness (Pratt 2007, p. 28) we learn that while Texan prisons might be safe, Texas still adopts a tough approach to the punishment of its criminals. Moreover, visiting the Texas Correctional Institutions Cemetery in Huntsville reinforces this image. The sheer number of gravestones—each of which represents an inmate who has died while somewhere in the system of Texas corrections—reminds tourists that punishment in Texas must indeed be 'big business'.

The strength shown by Texas in the face of criminal threat is a celebrated feature of Texan punishment stories. This type of tough approach is further reflected in the museum spaces that depict Texas as fighting a war on crime; a war in which there have been casualties but a war that Texas is nonetheless winning. The evocation of the war on crime metaphor is most easily illustrated through the military-style monuments and memorials erected in the memory of officers who have died in the line of duty. Examples can be found in the Beaumont Police Station lobby and outside the Texas Prison Museum, where a monument and plinth honours deceased serving officers and the surrounding remembrance trees carry a Texas map name plaque. A black marble monument can also be found in downtown Dallas commemorating the service of police officers in Dallas County. In addition there are also many display cases and memorials inside institutions associated with law enforcement—the Texas Prison Museum, the Beaumont Police Museum (Fig. 8.1), the Border Patrol Museum (Fig. 8.2) and the Houston Police Museum all contain memorabilia, the latter, for example, presenting officers' badges on black velvet housed in a glass and marble surround (Fig. 8.3).

All of these displays (the memorials, the remembrance trees and cabinets) evoke the war metaphor within their crime and punishment stories; they are not unlike displays commemorating the death of military soldiers. Similar to news reporting about police officer deaths, using

Fig. 8.1 Beaumont Police Museum Memorial

Fig. 8.2 Border Patrol Museum Memorial Room

Fig. 8.3 Houston Police Museum Memorial Cabinet

images of officers in uniform, phrases like 'fallen heroes', and engraving names on commemorative brass plaques, all conjure the image of a 'battle between good and evil by means of symbolic signifiers' (Mythen 2007, p. 469). In short, the displays construct a narrative in which Texas is fighting a war on crime and the police and prison officers who have died in the line of duty should be awarded the status of heroic, courageous and honourable soldiers.

On closer inspection, there is actually rarely any indication within the displays (memorials, trees or monuments) that the deaths were unlawful, let alone heroic or in the course of duty. When asked, a member of staff at the Texas Prison Museum said that some of those named in the museum display cabinets had died of heart attacks, in road traffic accidents or falls at work. This (alternative) story is not told anywhere in the museum. The displays are de-contextualised which ultimately distorts the reality of the representation; it creates a void which can then be filled with imagined meaning. The audience is given no context cues to imagine an accident victim and instead as Wagner-Pacifici and Schwartz (1991, p. 379) contend, memorialisation assumes that the people who have been selected for commemoration are 'necessarily heroic and courageous'.

Moreover, as Greer (2007, p. 39) suggests, to place emphasis on deaths in the line of duty—which are statistically rare, isolated incidents—constructs an image of all police and prison officers as 'heroes', 'carrying out dangerous work under constant threat of murderous violence'. All officers take the identity of brave, bold, honourable hero-soldiers fighting the war on crime; ready to engage in combat to defend and protect the law-abiding peoples of Texas. Further, as Graham et al. (2004) argue, stories which evoke the war metaphor represent a kind of 'call to arms'. The law-abiding are positioned as an army in support of criminal justice institutions. While the war metaphor may be used to capitalise on (or even actively construct) public fear of crime, within the museums the war metaphor is coupled with stories that celebrate Texan boldness and toughness. Rather than a narrative of fear (in which punishment is symbolic of a safe society), these Texan stories use the war metaphor in a narrative of toughness (punishment is a celebrated way to display strength and boldness in the face of threat or danger). Texas Correctional Institutions are fighting a war on crime, and there have

been causalities, but Texas is winning. The criminal threat is dangerous but not unmanageable and Texas will face that danger with boldness and toughness.

Yet whilst the displays dedicated to the symbolic soldiers are sombre spaces of memorialisation, the punishment stories told in other parts of the museums and tours at times engage in light-heartedness; the sites seem to play with the state's tough identity for comic and nostalgic effect. For example, in the Texas Prison Museum visitors can take part in the 'cell for you' experience in which they dress as an inmate and have their photo taken inside a replica cell for $3 which 'always gets a laugh from the kids' (staff member at the Museum). Additionally, the prison museum gift shop sells comically-titled books such as *Meals to Die For* (a recipe book of executed inmates' last meals), pullovers incorporating witty slogans such as 'Texas Prison Museum: preserving the best bars in Texas!' and a women's baby pink t-shirt with the image of a cartoon chain gang upon it.

The tour guides of the old jail cells also use comical references within their stories. Guides in Eastland and Beaumont both cite the anti-littering slogan 'Don't Mess With Texas' when speaking about the high number of executions that take place in the state, and they all speak in jest about the lack of privacy afforded inmates with regard to bathroom facilities in cells. Similarly, a volunteer at the Texas Prison Museum jokingly describes the electric chair as 'Old Sparky', adding an element of nostalgia to his punishment story. The introduction of a nostalgic or comic tone serves to normalise the more severe elements of Texan punishment practices, to make them appear standard when—compared with those of other US states or countries—they are in fact somewhat unusual.

Garland (2010, pp. 56–7) is right to suggest that the peculiarity of the American death penalty means that 'legislators, judges and prison officials take care to discuss the issue in solemn tones'; depicting it as a tragic necessity 'they seem, in short, embarrassed, as if caught in a transgression'. Yet while this might be true of official statements made to the news media, even those originating from Texas, the museum and guide stories reveal a different dimension to the cultural life of punishment in the state. There is no 'palpable embarrassment' or 'anxiety' (Garland 2010, p. 59)—instead, execution and harsh treatment become the fodder

of comical musings. The stories construct Texas not only as a place of harsh punishment, but as a place which can—at times—joke about harsh punishment.

To find these comical elements in the museums and tours might suggest that the punishment sites are what Stone (2006, p. 152), a writer in the field of 'dark tourism', has called 'fun factories', visitor sites that have an entertainment focus and commercial ethic while still associated with some form of suffering. Yet he suggests that dark fun factories are often not considered to be 'authentic' by the tourist (2006, p. 153). The punishment sites visited for this research make numerous claims to authenticity based on their location, their staff and through the pervasive employment of official state symbols (primarily the state flag, but also the map of Texas and the Lone Star emblem). As such, possibly a better framework in which to explore the comical elements of the punishment stories is the literature associated with the 'kitschification of memory' within tourism sites. Speaking instead about the commoditisation of Ground Zero, Sturken (2007, p. 217) predicts that 'the "teddy-bearification" of 9/11, the development of a kitsch comfort culture … operates to smooth over tragedy … constituting a kind of erasure of the effects of violence'.

Selling cookery books with titles like *Meals to Die For* and offering a 'cell for you' photo opportunity, or a baby pink t-shirt sporting the image of a cartoon chain gang might encourage a similar response. Speaking about prison tourism, Brown (2009) argues that introducing comical and nostalgic elements into the punishment story creates a distance between the audience and the subject matter of the museum or tour. This distance, she suggests, is what shields the penal spectator 'from the most fundamental feature of punishment'; the infliction of pain (2009, p. 9). In short, the 'humorous' elements of the sites' narratives not only normalise the more severe punishment(s) for which Texas is well known, they also function to make light of the suffering associated with them.

It could be suggested that these comical or nostalgic references represent a narrative of vengeance. Rather than use the rational, detached and impassive language of retribution, these are stories which allow the audience to find some amusement in the plight of the prisoner, to take pleasure in their pain. Yet this is not a vengeance narrative centred on victimhood and is thus distinct from the vengeance narrative found by other

cultural life scholars (there is no mention of a specific crime or indeed a specific victim). The audience is not encouraged to 'desire revenge' or see harsh punishment as somehow compensating for the brutality of the crime. Yet as a visitor we are invited to take some form of pleasure from the inmates' discomfort, and thus in Garland's (2010, pp. 56–7) terms the story moves away from the retributive rationale, locating itself instead with vengeful desire (see Chap. 5 for a detailed discussion). Convicts are caged and we, as the law abiding, can find amusement in their predicament. The tone of these comical stories is thus similar to the mocking tone identified by scholars working in the tourism tradition. However, we can now contextualise that mocking tone within the experience of touring these sites as a whole. The stories which mock the convict are but one part of a much larger narrative about Texan toughness and Texan boldness when faced by threat.

The Texan punishment stories celebrate punishment as a display of strength. The mocking tone might be interpreted as an expression of vengeance (encouraging the tourist to find amusement in punishment-related suffering) but more accurately this is an expression of the Texan commitment to appear tough and bold. Texas can make light of tough punishment because it reinforces a sense of superiority over the criminal threat. Moreover, by mocking the men and women who once posed a danger, the tourist sites' stories also serve to remind visitors that while these inmates might once have been dangerous, they no longer pose any kind of threat; we can mock them without fear of retort. Texas may indeed be fighting a war on crime, but mocking the enemy invites the tourist to assume that Texas is winning.

Conclusion

In conclusion, this chapter has revealed how Lone Star tourist sites associated with punishment construct the image of Texas as a place of harsh punishment. Moreover, it has been suggested that a narrative of toughness is employed within the stories Texas tells about its own relationship with both the death penalty and mass incarceration. Visitors are encouraged to celebrate the fact that Texas does not run 'a country club prison'

and that Texas has one of the 'biggest and best prison systems in the nation'. In addition, spaces both inside and outside of the sites offer symbolic signifiers of war through military-style displays of memorialisation; these tourist spaces set the scene by evoking the war on crime metaphor. In addition, the comic and nostalgic elements of the stories actually serve to reinforce this image of the Texan commitment to harsh punishment as an expression of toughness: Texas is not ashamed to make light of the reputation it has acquired. Rather than being embarrassed by—or shying away from—its reputation, Texas continues to embrace it.

The employment of the war on crime metaphor coupled with a narrative of Texan toughness and boldness, may also suggest that the punishment stories are drawing on scripts of hegemonic masculinity (Cheng 1996; Cockburn 1991; Connell and Messerschmidt 2005). The TDCJ and the TCID together are presented as a kind of strong and bold patriarch; tough on wrongdoers, ready to engage (and die) in combat in order to defend and protect the citizens of Texas. The TCID in particular—the department on which the responsibility of punishment ultimately rests—is portrayed as the last line of defence and the first line of attack within the punishment story. In short then, within this chapter we have been discussing a new punishment narrative, one that relates specifically to the stories Texas tells about punishment. This 'narrative of toughness' can be expressed in the following framework.

Toughness Narrative

- *Initial event*: Can be any crime; no description of the crime is needed.
- *Key features*: Depict crime and punishment as a battle or war (although the audience need not fear the enemy because it is under control); celebrate punishment as a display of strength; employ masculine scripts of boldness and bravery in the face of danger; will often engage in prison promotionalism (prison life portrayed as tough but also 'safe'); invite audience to find 'amusement' in the pains of imprisonment.
- *Narrative conclusion*: A commitment to harsh punishment becomes an expression of toughness, strength and boldness in the face of threat.

However, while the stories Texas tells about punishment do employ the masculine scripts of combat, toughness and boldness, and they also portray Texas as having a commitment to harsh punishment, this is not to suggest that the sites visited depict Texan punishment in the present as excessive. This is particularly interesting when we recall the ways in which cultural outsiders often depict Texas and Texans. As the next chapter will reveal, the stories Texas tells about how it punishes are actually those in which punishment is harsh but also civilised.

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9

Depicting Modern Punishment as Civilised Punishment

After touring the punishment museums of the Lone Star State, it became clear that Texan punishment stories were often narratives of modernisation, progress and improvement. The stories rarely adhered to an event-driven plot trajectory, but many of them could nevertheless be identified as having a 'temporally organised' internal structure. In other words, the past was juxtaposed with the present in order to show Texan penal reform. This story of reform sought to construct punishment in the present as civilised in comparison to what came before. This chapter is designed to examine what I have termed the 'modernisation motif' in more detail. We will consider how and where it manifests within both the Texas Prison Museum and the jail cell tours, but more importantly we will consider what this motif tells us about Texas and its relationship with punishment.

This chapter is organised into two parts. The first will examine how the modernisation motif manifests within the Texas Prison Museum (the largest site visited) and the second will be dedicated to the museum and tours in Eastland and Beaumont (which were much smaller). This separation is due to the nature of the stories told in each of the sites.

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The previous chapter proposed that Texas uses a narrative of toughness to speak about its own punishment practices, and this narrative can be identified in multiple stories within multiple sites. The modernisation motif is similar, in that it is found to manifest in a number of spaces and places, but the narrative content is slightly different between the smaller and larger sites.

In the Texas Prison Museum the modernisation motif tends to manifest in stories about execution (past and present), whereas in other sites the stories are more focused on the changing nature of conditions of confinement (past and present). All of these stories are temporally organised (from past to present), and each is a story of progress and improvement, but the object under reform is different. As such, we will begin by considering the modernisation of execution as narrated by the Texas Prison Museum, and then move on to the modernisation of confinement as presented in the smaller tourist sites.

The Texas Prison Museum and the Modernisation Motif

A number of exhibits within the Texas Prison Museum employ a modernisation motif. Examples include the previously discussed video played to tourists as they enter the museum and the six wall panels (both of which recount the history of the Texas Department of Criminal Justice (TDCJ) from the convict leasing system through to the present day). There is also a cabinet about the 'hardware of the prison system' which displays restraint belts, handcuffs, ankle manacles, beating paddles and two ball-and-chains. The tools currently used to restrain prisoners do not have the punishment features of the older control apparatuses. For example, the ball-and-chain has been removed from ankle manacles and in some cases chains have been replaced entirely with leather straps.

However, the key exhibits which will be used to discuss this modernisation motif in depth are those associated with the death penalty. According to the director of the Texas Prison Museum, one of the most popular areas of the museum is a constellation of displays that make up the 'capital punishment exhibit'. While there is no set order in which

to view this collection, their spatial organisation and the yellow direction lines painted on the museum floor mean that visitors are nonetheless encouraged to examine the displays in a certain order. This analysis will discuss the exhibits in the order that visitors find them; an order which begins with what Stone (2006) might refer to as a dark tourism product—the electric chair (Fig. 9.1).

As an exhibit the electric chair is placed in a theatrical setting. The lighting is much more subdued than in the rest of the museum, but the chair still casts a long shadow upon the floor. The object is displayed within a replica of the Walls Unit execution chamber, complete with brick walls, and a door and window which serve no function. The chair is protected by both a waist-high glass wall and ropes.

> Research Diary: Most become quiet as the electric chair enters their view, almost respectful as they gaze at it and one assumes imagine its destructive force. A sense of unease seems to surround many of the adult visitors, helped by the security measures which add gravitas to a setting that scarcely needs it. They become awkward; their eyes shifting away from what they are here to see; their bodies moving away faster than their morbid curiosity seems to desire. Yet they always glance back; one last glimpse of what might be an uncomfortable reminder of their own mortality.

It is difficult to understand or explain exactly why people react in the way they do to what is essentially an inanimate object, especially considering the comical tone of other museum spaces and products associated with harsher punishments such as execution. It is as though the chair—as an object rather than image—holds captive those whose lives it has taken; death clings to the air around it. In line with Smith (2008, p. 162) it seems to possess 'an auratic quality … bestowed by death'. Smith contends that this quality is the result of a symbolic relationship the chair has with the supernatural, the unexplained and the mysterious. He refers to media reports of executions that would describe the inmate 'twitching' and 'jumping' once the electricity had begun to course through his body, which appears to be possessed with life during the process of death. But as both Smith (2008) and Denver et al. (2008) suggest, maybe the most long-standing illustration of the symbolic relationship between the chair and the mysterious is the unknowable and untouchable nature of

Fig. 9.1 The electric chair: Texas Prison Museum

electricity itself—always present in the execution chamber, but its presence only proven by its effects.

While some may still associate the electric chair with the mysterious, even the supernatural, the chair is symbolic of something else too; a less modern, less civilised era in American penal history (Brandon 1999; Mills 2009; Smith 2008). Within the museum, the glass wall and ropes which protect the chair encourage the audience to see it both as mysterious and antiquated. As Pearce (1994) suggests, by making an object untouchable it retains elements of the unknown while also emphasising its position in the past; not just an object, the museum presents the chair as an artefact.

Yet while the electric chair's story is no doubt told in past tense that is not to suggest it is a forgotten part of the American penal past. The electric chair continues to feature in cultural products and cultural stories even today. As image and object, the chair has been seen in blockbuster movies (see Sarat 1999b) and described in the pages of bestselling novels (see Owen and Ehrenhaus 2010). It has appeared in an exhibition by Andy Warhol (see Capers 2006) and on stage during one of Madonna's world tours (see Smith 2008). Even Garland's (2010) text which purports to speak about the peculiarities associated with modern execution by lethal injection uses the image of the chair rather than the needle. The electric chair is more than just an object or image; it has achieved an iconic status within the culture industry.

The reality of seeing the chair is thus underpinned by a number of other (remembered) stories about the object and its deathly purpose. Not dissimilar to Strange and Kempa's (2003) description of touring Alcatraz, myths about the object weave together with what the visitor sees and feels in the act of spectatorship (Brown 2009; Smith 2008). Other stories 'loop and spiral', circling back upon one another (Ferrell et al. 2008). Films, documentaries and media reports of botched executions all lend their own moral meaning to the object. Yet while many stories have been told about the chair, they often share one commonality. The electric chair is never (re)presented as bringing about a peaceful or serene end; the chair instead shares a symbolic association with a painful and somewhat unpredictable death (Denver et al. 2008).

In addition to the electric chair as an object, there is poster (to the right of the chair) which tells the audience about the history of execution

in Texas. The picture upon the poster is black-and-white as opposed to colour, grainy as opposed to defined; it is an image set purposely in the past. These visual communicative gestures give the poster a 'staged authenticity' (Walby and Piché 2015, p. 2), presenting the image as a genuine representation of a past reality. Moreover, the text on the poster explains that correctional staff and inmates both refer to the chair as 'Old Sparky' and electrocution as 'riding the thunderbolt'. Inviting the audience to share in the discursive practices of the Texas Correctional Institutions Division serves to intensify the staged authenticity of the exhibit, encouraging tourists to feel part of the prison's backstage world (Walby and Piché 2015, p. 2). In addition, Smith (2008, p. 160) suggests naming the chair Old Sparky and referring to electrocution as riding the thunderbolt introduces an element of nostalgia into the narrative. The chair may be ill-suited to modernity due to the development of more humane methods of execution, but it is not a forgotten part of the punishment story.

In summary then, the electric chair and accompanying poster place the story of execution by electrocution in the past. The aesthetics of the chair and the space around it make it an artefact; something of a bygone era. However, that is not to suggest that the method is portrayed as barbaric. Whilst visitors might interpret it as such, the museum does nothing overtly to make such a suggestion. Yet the chair is the beginning of a chronological story told by the Texas Prison Museum about execution.

There is another poster to the left of the chair entitled 'Anatomy of an Execution' which is about death by lethal injection. In the centre of the poster is a clock face, surrounding a picture of an executed inmate, Willie Pondexter. Around the edges of the clock are images relating to the various tasks undertaken before, during and after an execution. They are accompanied by textual descriptions that explain what each task involves and who is responsible for overseeing it. In contrast to the nostalgic language and tone of the electric chair's story, the use of the word 'anatomy' associates lethal injection with the scientific and the medical. Inviting the viewer to recall images of frogs in textbooks or medical line drawings of the human body, the word no doubt has nuanced connotations of death, but not the painful, gruesome death associated with electrocution.

While the death penalty continues to generate emotionally charged debate in the political, social and cultural spheres, the use of the word

anatomy (and the image of the clock face) attempts to diffuse that emotionality by depicting lethal injection as a routine, scientifically sanitised and perfectly timed series of events. Moreover, this 'anatomy poster' is positioned in close proximity to the chair, rather than the needles (which are discussed shortly). This positioning encourages the audience to interpret the punishment story in terms of movement from past to present; this is a story about refinement, modernisation and ultimately progress.

From the chair-as-object and these two posters about death by electrocution and lethal injection, we can already begin to see a narrative of retribution (as opposed to vengeance or closure) emerging. Execution is depicted without any reference to the victim or the victim's family and we receive no sense that the state desires excessive cruelty—quite the reverse. The state has modernised the method of execution in order to reduce cruelty or excess; the current method of execution becomes synonymous with a more civilised way of taking life. Similarly, these aspects of the capital punishment exhibit do not explicitly employ the narrative of fear to justify execution. Without a specific crime we have no offender, and as such no physical form at which to direct our fear. While other cultural stories told about the prison and execution usually feature a criminal alongside their victim, the museum story—thus far—has not included these character constructions.

That said, the lack of an offender and by extension the lack of a victim is actually somewhat in keeping when we remember that this is a museum directed by the ex-warden of the Walls Unit. As Garland (2010) suggests, in recent times official statements made by Public Information Officers about executions usually attempt to 'de-sensationalise' the event; they limit the level of emotionality within their scripts. Entitling the poster about lethal injection 'Anatomy of an Execution' (rather than 'Riding the Thunderbolt' or similar) can be understood as achieving that same goal. This effort to de-sensationalise is also apparent when we consider the roles of the correctional officers qualified to be involved in an execution by lethal injection. Often referred to as 'the tie-down team' or 'the death-work team' (Johnson 2005), these officers are trained to be as precise as humanly possible in order to reduce the likelihood of a 'spectacle'. The aim is to make modern execution a 'non-event' (Zimring and Hawkins 1989, p. 120). The job of the death-work team, securing the inmate's

body to the gurney using leather straps, is detailed in the museum's poster about lethal injection. Portrayed as routine and precise, the poster's narrative reflects the official image. Rather than plagued by unpredictability, lethal injection is a reliable and consistent method of extinguishing life. Moreover, the positioning of the needles in the museum likewise echoes this sentiment. No mock execution chamber, no gurney, the needles are instead placed in the bottom of a cabinet which is actually dedicated to other things. Unlike the chair-as-object, the needles are a non-event within the museum.

The cabinet containing the needles is (at first somewhat confusingly) also the cabinet which displays paraphernalia relating to two controversial death row inmates, Karla Faye Tucker and Gary Graham, both of whom were executed. The viewer is not explicitly told why the executions caused controversy—rather this is implied by the abolitionist tone of the items within the cabinet. The part of the display case dedicated to the Karla Faye Tucker includes a 'stop executions' banner made by the Texas Coalition against the Death Penalty, and a poster used in a protest march made by an anti-death penalty group in Copenhagen. The text under her photograph states that 'Tucker was executed in 1998 for murdering two people with a pickaxe'. The second story offered within this cabinet is that of Gary Graham, pictured in a mugshot. The objects within this side of the case—as also identified by Lichtenstein (2004)—include a noose and a burnt American flag. The text beneath Graham's picture states that he was

> sentenced to die by lethal injection for robbing and murdering a man … Graham had also been charged in ten separate robberies and suspected in two shootings, ten car thefts, eight more shootings, and the rape of 57-year-old woman.

Lying in the bottom of the cabinet, on a raised back plinth, are three syringes and an intravenous fluid bag. Each syringe is numbered and accompanied by a short description which details the name of the drug and the effect it has on the body. The first is said to 'sedate the inmate', the second 'collapses the inmate's diaphragm and lungs', and the third 'causes the inmate's heart to stop'. The museum's story of modern execution thus

becomes entwined with the museum's (brief) story about abolitionists and abolitionism.

This display case is actually very interesting from a narrative perspective. Firstly, we—the audience—are not told why the cases of Karla Faye Tucker or Gary Graham were controversial. Much like the 'death in the line of duty' cabinets, their story is not very well contextualised. Secondly, the objects on display are symbolically charged; they tell a specific story about abolitionists. The burnt American flag offers the suggestion that abolitionists (whatever their nationality) are unpatriotic and the noose seems to imply that abolitionists associate the modern death penalty either with legal hangings or illegal lynchings. However, no specific representation of an abolitionist argument is provided; we are given no reason to oppose the execution of Graham or Tucker, or to question the use of the death penalty more generally. Somewhat confusingly, we are actually offered a retributive narrative which could be interpreted as advocating the Tucker and Graham executions. The text accompanying the photographs of both offenders encourages the (pro-death penalty) viewer to justify their executions based on the crimes they committed. Yet the pro-death penalty tourist is not invited to support Tucker and Graham's execution because of any highly emotional account of suffering, nor do we see any demands for closure from the victims' families. Instead it is the gravity of the crimes that the offenders committed which provides the backdrop for the narrative; execution is depicted using the language of retribution and proportionality.

The final two installations within the Texas Prison Museum's capital punishment exhibition are an audio recording and a photographic display. They are interesting because they represent a real tension within what has thus far been a (somewhat unemotional) narrative about both the modernisation of execution and execution as retribution. The audio exhibit encourages the visitor to question Texan commitment to the death penalty.

The audio track can be heard at a small display entitled 'Witness to an Execution'. It is a mixture of music and people speaking about their experiences of being in the room during an execution. A textual description guide explains that the people speaking are members of the tie-down team, spiritual advisors, Associated Press personnel and ex-warden Jim

Willet. It is clear from listening that the correctional officers trained in execution do not take pleasure in their task and have no desire for excessive cruelty. Yet the voices tell us something else too. In one section each interviewee states how many executions they have witnessed with one person's response directly followed by the next. Purposefully repetitive, this section seems to encourage the listener to consider (if not outright question) the Texan commitment to harsh punishment.

Audio Transcript [Music fades to reveal voices of different people].

'My name is Jim Brazzil. I am a chaplain with the Texas Department of Criminal Justice. Part of my responsibility is being in the death chamber at the time of execution. I have been with 114 people at the time of their execution.'

'My name is Kenneth Dean. I'm the Major at the Huntsville Unit. I've participated in and witnessed approximately 120 executions.'

'I'm Michael Graczyk and I'm the correspondent in charge of the Houston bureau of the Associated Press. I've witnessed approximately 170 executions.'

'I have been a participant in thirty-one executions.'

'I witnessed fifty-two executions.'

'Probably somewhere in the neighborhood of 115 executions.'

'Approximately 105, 110 executions.'

'Thirty-six or thirty-seven executions.'

'130 executions.'

'I've witnessed 162 executions by lethal injection in the state of Texas.'

'Bam, bam, bam, do three a year that's one thing. Do 35 a year—that's a lot.'

The most poignant audio section comes later when the witnesses describe what it is like to be in the execution chamber at the moment of death. According to Sarat (1999b) the execution scene in death penalty movies often places the audience as a 'voyeur to someone else's voyeurism' and listening to this audio track places the tourist in a similar position. Yet while death penalty movies tend to involve the victim or crime (swapping between an image of the gurney and an image of the murder scene) the museum's audio does not. Rather, those interviewed turn their attention to the offender and the offender's family. Conversely, it is these people who are presented as the unlikely 'victims'.

Audio Transcript.

'What will I say when I see God? I wrestle with myself about the fact that it's easier now and was I right to make part of my income from watching people die?'

'I had a mother collapse right in front of me; we were standing virtually shoulder to shoulder. I've seen them fall into the floor, totally lose control. You'll never hear another sound like a mother wailing whenever she's watching her son be executed. Yet, how do you tell a mother that she can't be there in the last moments of her son's life?'

'Some of them are very calm, some of them are upset, some of them cry … usually in about 20 seconds, he's completely strapped in … After all the straps are done they look you in the eye and they tell you thank you for everything you've done. It's kind of a weird thing … A lot of inmates apologise … I know that at times they know when it's happening to them. One in particular I can remember, he said "I can taste it".'

Unlike Brown's (2009, p. 144) conclusions about other penal tourist sites, this exhibit in the Texas Prison Museum does not 'look away' from the act of punishing; the 'distance' between the visitor and the condemned is never smaller than it is when listening to this audio recording. Rather than presenting a 'vague unease' about the act of punishing (Brown 2009), the disquiet of the execution team is clear and explicit. The shift of focus—onto the offender and his family (as victims)—along with the morbid tone might suggest that the audio (in isolation) could be interpreted as being critical of the Texan commitment to harsh punishment. But it is not heard in isolation; it is instead part of the modernisation motif. It is one aspect of a bigger picture in which the execution is presented as serene, sterilised, medicalised and civilised in comparison to its antiquated counterpart. And indeed, certain elements of the audio reference this storied construction of the lethal injection as bringing about a more peaceful death.

Audio Transcript.

'Then we'll say its time, and so they will unlock the cell, and he's not handcuffed or chained, and he and I will walk into the chamber.'

'One man wanted to sing Silent Night, he made his final statement and then after the warden gave the signal he started singing Silent Night and he got to the part "round yon virgin mother and child" and just as he got "child" out—was the last word.'

'The people inside, watching, they are invariably quiet.'

'It's very quiet, it's extremely quiet. You can hear every breath everyone takes around you.'

So the audio in its entirety is actually quite complex in comparison to the rest of the death penalty exhibit. On the one hand it appears somewhat critical of the Texan commitment to execution (you 'Do 35 a year—that's a lot') and positions the inmate or the inmate's family as victims ('You'll never hear another sound like a mother wailing'). Yet on the other hand, it portrays the execution as a quiet event ('You can hear every breath') and suggests that the inmate's death is as civilised as the taking of life can be ('he's not handcuffed or chained'). Overall, the audio actually serves to reinforce the modernisation motif and is a further expression of a retributive (as opposed to vengeful) narrative. The execution team take no pleasure in punishing and the state has no desire for excessive cruelty. Using Nozick's (1981) distinction, this Texan story of punishment displaces the victim or any victimhood narrative and in turn makes the narrative one of retribution rather than vengeance. In short, while the audio does represent a tension, it is not one which undermines either the modernisation motif or the retributive narrative.

However, the photographic display mentioned earlier does represent a real tension to this otherwise retributive narrative; here we find a clear expression of the vengeance and closure narratives. The exhibit, 'Last Statement', is on loan to the museum from Barbara Sloan, a local photographer. It comprises sixteen photographs in two rows of eight. One side contains pictures and statements of the family members of murder victims. The other side is made up of images and statements of family members of executed inmates. At one end of the rows of photographs is a statement from Sloan in which she describes the families of those who have been executed as the 'forgotten victims of crime'. She also explains why she felt the need to undertake the project: 'I started thinking about the families execution leaves behind … It really is a moving conversation to speak with a parent, any parent, who has lost a child.' (Fig. 9.2)

Both sets of families (of the victim and of the executed) are constructed as victims within the artist's statement. This sense of symmetry is also reflected both in the composition of the exhibit (the photographs are

Fig. 9.2 Photographic Exhibit: Texas Prison Museum

all framed the same way and they stand back to back) and in the similarity of sentiment within the written statements (both sets of families speak about their suffering). This symmetry compels the viewer to at least consider the possibility that we should afford the executed man's family victim status; they too have suffered a loss. One mother, whose son was murdered, makes this quite clear in her own statement:

> Yolanda's pain was the same as mine. A son is a son. It doesn't matter whether you lose them as a victim or a criminal. The pain is the same.

Christie (1996) has discussed the construction of victimhood in news reporting, arguing that the legitimacy of claims for victimhood recognition will differ significantly depending on whether the victim is perceived as 'ideal' or not. Ideal victims tend to be viewed as entirely innocent and in no way deserving of their victimisation, as opposed to non-ideal victim groups such as sex workers who are raped, drunks who are mugged or someone with a criminal record. The photographic exhibit can thus be interpreted as both a story about ideal victims (the murder victim's family) and non-ideal victims (the executed man's family). As Christie (1996) might predict, the ways in which people react to the display and the claims of victimhood do indeed vary dramatically:

> Research Diary: Some visitors appeared moved by the suffering, others were angry that victimhood recognition had been awarded at all. Of all the displays, this one seemed to generate the most debate from the museum visitors; some people seemed to see a friction between the two 'types' of victim. I heard one visitor describe it as 'a disgusting attempt [by the executed men's families] to get sympathy'.

The display might be seen by tourists as somehow abolitionist in tone, as an attempt to make them question the death penalty from a moral perspective because execution makes albeit non-ideal victims of innocent people (the executed man's family). Yet the display also speaks in a language understood by death penalty advocates; ideal victims express their continued suffering. For example, Mike Miller (son of murder victim Noel Miller) states, 'My sister and I were robbed of the opportunity to know our dad and have him be part of our lives.'

However, while this museum installation might be interpreted as pro-death penalty due to the ideal victims' statements of suffering, there are other suggestions (in addition to the artist's statement and the symmetry of grief) that this is—more accurately—an anti-death penalty exhibit. As Berns (2011) found when he analysed anti-death penalty cultural products, closure is portrayed as somewhat elusive. Two statements, made by the parents of James C. Boswell (a murdered police officer) exemplify this. While Sonny (James's father) says of the perpetrator 'the man is dead. To me that is some closure,' Martha (James's mother) says 'the legal part is over. But you never get closure.'

Moreover, one statement within this exhibit (made by Darryl Bell—the cousin of Derrick Leon Jackson, executed in 2010) raises a number of questions about the biases within a 'broken system' including ineffective council. Rather than 'bracketing structural questions of legitimacy'—as Sarat (1999b) found in death penalty movies—these statements openly invite the visitor to question the legitimacy of the death penalty. Moreover, unlike many other cultural products, both non-ideal and ideal victims are telling this anti-execution story within the museum narrative. Claudia Beseda-Burns (daughter of murder victim Elizabeth Beseda) says, 'I don't believe in capital punishment. I've never felt anyone had the right to take another person's life.'

So while this exhibit does employ a narrative of both vengeance and closure within some ideal victims' statements, in its entirety the display is not really pro-execution. Had the Texas Prison Museum (or more accurately the photographer) chosen only to include statements and images of the murder victims' families then this exhibit would have been interpreted very differently. As a story it would have presented a much more compelling argument to support harsh punishment based on a vengeance and/or closure narrative. Yet choosing to allow the executed man's family space to grieve alongside the murder victim's family constructs symmetry between suffering, and the legitimacy of supporting an execution based solely on narratives of closure or vengeance is subsequently compromised.

Moreover, as discussed in Chap. 5, when the family member of a murder victim speaks publicly about the crime they can legitimately imply they might take 'pleasure' in that punishment and they have the authority to make pleas for 'excess' (Garland 2010). Victimhood status gives

permission to employ emotional scripts and in turn to demand that the punishment fulfils a desire for vengeance. Conversely, state discourse tends to forbid these two expressions; the agent of the state is depicted as taking no pleasure or satisfaction from the act of punishing and they will have no desire for excessive cruelty. It is worth noting then, that this museum display is made up entirely of direct quotations from the family members of homicide victims. There is no suggestion anywhere in the exhibit that the state of Texas (or more specifically employees of the TDCJ) takes pleasure in punishment or seeks excess.

So while narratives of closure and vengeance are present in the Texas Prison Museum, and they do illustrate a tension within the otherwise retributive story, their presence alone does not mean that the constellation of execution exhibits presents 'punishment as personalised'. Indeed the more pervasive narrative found within the collection of capital punishment exhibits is one of retribution. Furthermore, according to a member of staff at the Texas Prison Museum this photographic display is one of the only exhibits which is temporary and will be removed when the artist decides 'she wants it back'. This is interesting because it helps explain why the tension exists; Jim Willet, the museum curator, did not commission the exhibit. When asked about how it came to be displayed in the museum he said,

> I was approached by the artist, and when I saw it I just wanted it in the museum. I think it's a really interesting piece and it has its own story to tell. I'm not sure how long we'll have it here, but I'm happy to keep it as long as we can. The death penalty is a complex and controversial issue so we think it's good to show it from all perspectives.

So the photographic exhibit and the tension it creates may be the result of someone else telling their story of execution, and of course if the artist does remove the display from the museum, any closure and/or vengeance narrative will be removed with it. There will be no stories in which punishment can be interpreted as personal. When this occurs what will be left is a narrative of retribution. This is somewhat surprising considering the stories told about Texas by cultural outsiders. While we might have expected to find victimhood scripts being deployed in sensationalised

stories about execution, instead what we find is a rational and somewhat unemotional story about retributive punishment.

In summary, the variety of exhibits which make up the 'capital punishment display' put forward a specific narrative framework within which to interpret why Texas punishes the way it does. By juxtaposing the past and the present, the old against the new, modern punishment becomes synonymous with civilised punishment. Rather than seeing a representation of a vengeful state, this modernisation motif actually serves to construct the image of a compassionate state; one that seeks to improve and refine the methods by which it punishes. Within the Texas Prison Museum—as a whole—the retribution narrative is both more pervasive and persuasive as a collective story of why Texas supports execution.

The Jail Cell Tours

The stories told on the jail cell tours in Beaumont and Eastland similarly employ the modernisation motif. Like the Texas Prison Museum, they discursively evoke the modernisation motif within different types of stories. For example, in Eastland one guide spoke about the 'police tools' that are no longer used including 'less trustworthy firearms'; another told stories about arrest procedures, suggesting that 'today, we have a much better system for cataloguing who was arrested, how they were arrested and what we're bringing them in about'. In Beaumont the tour guide spoke about the ways in which policing has improved, both in terms of 'the equipment designed to detect suspects and the vehicles used in pursuit of those suspects'. He also told stories about the changing nature of police accountability and the improved training now available to new recruits.

Moreover, these types of stories about policing past and present were told alongside those which focused on punishment past and present. For example, while touring the Eastland County Jail House Museum, both of my guides told me about the last lynching in Texas which occurred in Eastland County. Both guides (unsurprisingly) positioned the lynching as something that happened in the past. One explained, 'it was a different time back then. We don't have nothing like that happen anymore,' and

the other suggested 'it was really different back then, you know, systems to ensure people were punished weren't in place like they are now'.

Historical accounts of the lynching—like the historical accounts of policing—can thus be understood as employing the modernisation motif; they were chronological narratives which began with the lynching and concluded with the present day. A text-covered stone marker in Eastland entitled 'Last Mob Lynching in the State of Texas' likewise placed the story as one told about the past. While (as a story) the marker narrative did not include any commentary on the Texan present, it did make clear that this was the last event of its kind in the state. However, while the lynching event could be used to illustrate the modernisation motif as manifested in the stories told at the Eastland tourist site, these types of stories were not told in Beaumont. The more common form of modernisation narrative (offered in both Eastland and Beaumont) related not to execution past and present, but instead to conditions of confinement past and present.

On all of the tours at both Eastland and Beaumont, tourists are told that the old cells (that is the cells the tourist can see and go inside) were decommissioned because they lacked the facilities now required by law. Using the language of modernisation within their stories, the guides spoke about the old jails as 'dreadful', 'brutal' and 'horrible'. The old jails were repeatedly portrayed as uncivilised and no longer fit for purpose in modern America:

> We have a duty of care to the people that find themselves in jail and these [old cells] just didn't come up to State standards. [Eastland guide]
>
> You can see why things had to change. This just wasn't an acceptable way to house prisoners. [Eastland guide]
>
> Legislation changed and so we changed too. [Beaumont guide]

Moreover the modernisation motif constructed by representing the old jails as uncivilised commanded further rhetorical power because of the tourist experience. At each of the sites, visitors are encouraged to go inside the cells to get a better understanding of what the conditions of confinement 'felt' like. Similar to the experiences Brown (2009, p. 87) writes about when she toured defunct prisons, the knowledge gained from the tour is fundamentality built around past practices of punishment as

a 'lived experience'; the stories come to life as tourists are encouraged to imagine:

> You get a better feel once you're inside and the door closes behind you. Just imagine being in here for any length of time. [Beaumont guide]
>
> Go inside if you like. I'll shut the door but I won't lock it. You get a sense of just how tiny they are don't you? [Eastland guide]
>
> Now you're up here you can imagine what the smell would have been like in the summer … there isn't any ventilation. And the winter wouldn't have been much better. [Eastland guide]

While Brown (2009) suggests that engaging in and enjoying prison tourism can distance the tourist from the pains of imprisonment, parts of these tours (in Beaumont and Eastland) are used instead as an opportunity to encourage the tourists to imagine—and sympathise with—the fact of being imprisoned. The act of experiencing works together with the stories the guides tell, to construct a narrative about Texas and its penal past. Within that narrative, past conditions of confinement are portrayed (and experienced) as uncivilised and austere. That said, Brown (2009, p. 91) is right to suggest these experiences, once completed, feel as if they are authentic; they are grounded in institutional legitimacy. In both Beaumont and Eastland there is no opportunity to look at or go inside those cells that are currently being used. No authentic experience of them can be claimed by the visitor. Moreover, the new cells feature only sporadically in the stories told by guides during the tour. At the end of the tour the visitor is left imagining (rather than knowing) what present conditions of confinement might look like.

However, once the tours have been completed all of the guides encourage visitors to ask questions. It was here—in 'question time'—that we learned more about what the new cells might look and feel like. The way in which the guides speak about the old jails changes when they tell these stories in question time:

> These [old cells] were actually pretty good in comparison to some. I mean they're not all that bad really. [Beaumont guide]
>
> I bet it taught them a lesson though, I bet they thought twice about doing it again. [Eastland guide]

Moreover, while the question time stories still construct a modernisation motif (new cells are described as 'cleaner', 'nicer', 'easy' and 'comfortable') the tourist is at times encouraged to view the new cells as too good, the state as too amenable:

> The jails we use now are pretty nice—no joke they are probably better than the motel you're staying in—ha ha. [Beaumont guide]
>
> Who am I to judge if it's right or not? [Some people] might do well to have a night or two in one of these you know what I mean? It sure would teach them a lesson. [Eastland guide]
>
> The conditions are better now, yeah. It's warmer in the winter, cooler in the summer—that kind of stuff. I hear the food is pretty good too! [Eastland guide]

The inmate is characterised as someone undeserving of the luxury they have been afforded. The guides encourage the audience to question the appropriateness of the newer 'motel-like' cells. Moreover, some of the guides suggest that given the chance they might be tempted to use the old cells again. While this was said with a humorous tone and was no doubt hoping to get a laugh, it tells the tourist that confinement conditions in the present are devoid of the punishing features their predecessors could offer. Punishment becomes understood in terms of its power to be retributive and its function as a deterrent.

If we take these discursive tensions into account, the cells are still being pitted against one another in a single symbolic space (the austere against the lenient), but now the old jails become symbolic of a lost era in which punishment meant punishment. In short, while the tour time stories portray the old jails as antiquated and uncivilised, the question time stories serve to destabilise and challenge the latter conclusion. Rather than discrediting the past as uncivilised, the question time stories embrace the past as a better way of punishing.

We might then conclude that these question time revelations express a desire for excessively harsh punishment and thus represent a narrative of vengeance as opposed to retribution. However, this type of story (told in Beaumont and Eastland) is very different to the vengeance narrative found by other cultural life criminologists. Within the Texan jail tour stories, the desire for excess (which is a key feature of the vengeance

narrative) does not result from a particularly brutal murder; there is no highly descriptive account of the crime and there are no emotional scripts of victimhood. While they can be understood as expressing a vengeful sentiment, the stories told by the guides in Eastland and Beaumont are, more accurately, part of a narrative about harsh punishment as a deterrent. The austerity of the old cells is preferred, not because of a vengeful desire for excessive cruelty justified by victimhood stories of suffering, but in large part because austerity is an improved deterrent. The sentiment is arguably still vengeful, but it is not the victim-orientated vengeance that cultural life criminologists have found elsewhere.

Furthermore, Nozick (1981) and Garland (2010) tell us that vengeance is personal but the agent of retribution will have no personal tie to the victim. The guides who take the tours in Beaumont and Eastland are all serving police officers. While they may be critical of the newer cells, they are still agents of the state and never mention having any personal ties to victims. Nozick (1981) also suggests that vengeance narratives will have an emotional—even irrational—tone. The guides did not tell emotional stories like those found in death penalty movies, victim-centred webpage's, or news media. They relate rational tales about the retributive dimensions of deterrence, rather than irrational stories driven and underpinned by emotional accounts of pain and suffering.

As complete experiences the tours lasted around an hour each and, as suggested in Chap. 3, the guides were all very well informed and took great pride in their museum spaces. While they were not professional curators, it was clear that they had undertaken extensive research and as such were very knowledgeable about their specific county's history and penal past. Finally, it is worthy of note that when the guides did suggest that current conditions of confinement were too good, this was a very transient sentiment. The dominant narrative offered in both Eastland and Beaumont was one in which officers expressed a duty of care toward those in their custody.

That said, however, we have nevertheless found that the tour guides tell two types of stories and that there is a tension between them. In most stories, civilised punishment is portrayed as a good thing and thus punishment is depicted as retributive rather than vengeful. Yet, however infrequent, there were also instances in which the guides embraced past, less civilised methods of punishment as acceptable, which could suggest a

narrative of vengeance. This is interesting when we reconsider the stories told in the Texas Prison Museum (presented earlier in this chapter and in Chap. 8) because there is some continuity in the tensions at work: the tour guides' stories used the modernisation motif to suggest that incarceration in the present is civilised, yet (at times) embraced the past as an acceptable way of punishing, and the Texas Prison Museum used a modernisation motif to suggest that execution in the present is civilised, yet also embraced electrocution (through nostalgic language) and past methods of punishment (through their ball and chain logo).

We thus encounter a real difficulty in interpreting this tension between 'modern punishment as civilised punishment' and 'embracing less civilised punishment as acceptable'. We have seen that the stories Texas tells are of penal reform and modernisation, within which past punishment practices are depicted as less civilised, so does embracing less civilised punishment (as opposed to overtly condemning it) constitute a narrative of vengeance? Is what we are seeing a desire for excessive brutality? Indeed, a museum managed by an ex-warden and tours conducted by serving police personnel are unlikely to explicitly speak about a desire for excessive cruelty, and so might these subtle expressions of that desire be understood as vengeful? I would suggest not.

Taking these three sites (the jails in Eastland, the jails in Beaumont and the Texas Prison Museum) as a collective, we can identify two common themes within the stories told at all locations. Firstly, we rarely see victimhood narratives—*victims' suffering does not underpin the Texan commitment to harsh punishment*. Secondly, within all of the stories told at all of the sites the Texan commitment to harsh punishment is a celebrated part of a toughness narrative—*harsh punishment is a display of strength and represents boldness in the face of threat*. Franzosi (1998, p. 520) suggests that stories usually have 'basic narrative building blocks' which help the audience interpret what they are seeing. The narrative building blocks of the Texan punishment stories are notions of toughness, boldness and strength. As a visitor this is what we are given to interpret the Texan commitment to harsh punishment. Thus a more appropriate analytical interpretation of these vengeful sentiments is to understand them not as an explicit vengeance narrative but as a further celebration of Texan toughness, past and present.

Conclusion

In conclusion, the dominant internal structure within these punishment stories is one of Texan modernisation; the state is portrayed as continually refining the methods by which it punishes in order to reduce the pains associated with both imprisonment and execution. There is, however, a tension within these retribution narratives. While it does little to destabilise the proposition that modern punishment is civilised punishment, it does suggest that Texas continues to embrace less civilised punishment practices. While this could be interpreted as a vengeance narrative, the lack of victimhood stories and images and the wider context within which the tension was found together suggest that a more appropriate interpretation would be to see the tension as a further expression of Texan toughness in the penal sphere. Along with the mocking tone, embracing less civilised ways of punishing is a manifestation of the Texan commitment to appear tough in the face of threat.

In short then, Texas does not tell stories about harsh punishment within an explicitly victim-orientated vengeance narrative. Instead Texas tells stories about tough punishment as retributive punishment. However, while the victim is often absent from Lone Star museum spaces, there are nevertheless numerous—albeit non-specific—references to the inmate within these punishment stories. Indeed, depictions of the prison as a place and the prisoner as a character are both used in highly specific ways to illustrate how Texas punishes, and why the Texan approach to punishments should be seen as effective. Within these tourist sites the visitor is presented with two contrasting images of the prisoner and—as the next chapter will illustrate—the tourist is then taken on a narrative journey through these inmate identities.

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10

A Narrative Journey Through Inmate Identities

This is the final chapter in a trio of chapters which have sought to shed some light on different aspects of the Texan punishment story. In the previous two chapters we discovered boastful stories about the size of the Texan Correctional Institutions Department; sad stories about those who have lost their lives fighting in the war on crime; nostalgic stories about Old Sparky and riding the thunderbolt; impressive stories of modernisation and painful stories of grief and loss. However, what we have yet to look at in any great detail are the inmates themselves, and the institution in which they reside. This final chapter of Part III will thus consider the stories the museums and tour guides tell about the character of prisoners and the nature of prison.

In some of the stories the inmates are portrayed as dangerous criminals and in others they are depicted as reformed, responsible and humanised. However, while some of these stories offer a sympathetic depiction of the inmate, it will argued that by portraying the reformed prisoners as still deserving of harsh punishment the audience are encouraged to assume that while Texan punishment is—first and foremost—retributive, no mistake

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should be made; it is also unforgiving. Within these stories reform is a personal journey devoid of benefit or profit. The reformed inmates do not receive any reduction in sentence, nor do they receive much in the way of perks. As we will see, the tourist is told in no uncertain terms that when an offender is given a death sentence in Texas, reform will not save them from the gurney.

Inmate Identity: Dangerous Criminal

The Lone Star museums and tourist sites offer their audiences many stories about the inmates, characterising them often as dangerous, predatory, animalistic criminals, capable of heinous acts and showing little remorse. For example, within the Texas Prison Museum one of the first cabinets tourists see is filled with contraband items. These include a variety of home-made weapons such as a blade hidden in a flip-flop and a five-sided throwing star. We are told that all of the weapons were seized during cell searches, and that some were used in attacks against staff and other inmates. In addition, the early cabinets also tell stories about escape attempts. While they were unsuccessful (all of the escapees were either killed during the escape, or re-imprisoned, or later executed) they still represent violent exchanges between prison staff and inmates. One display case houses a metal mask made by an inmate, along with weapons and handcuffs, all of which were used in an escape attempt. Next to another cabinet a noticeboard of text explains that during the escape attempt, prison officers lost their lives.

Moreover, the portrayal of the inmate as a dangerous criminal is also identified within the jail tours. Being inside the jails themselves provides arguably the most vivid (re)construction of this dangerous identity. Indeed, all of the cells tell the story of a caged body, but the padded cell (in Eastland) establishes in particular the inmate identity within a threat narrative. The cell is complete with original padding; the fabric is heavily stained and ripped, and there is a faint musty smell. The experience of being inside the dirty, confined space is somewhat unnerving by itself, but is animated further by the stories the tour guides tell:

> They'd thrash around in here, the crazy ones; clawing and stuff. They're the most dangerous in my opinion, because they were just so unpredictable you know? [Eastland guide]

While there was no padded cell in Beaumont, the tour guide still managed to evoke the image of the dangerous criminal identity:

> Some of them would get crazy, like animals, so none of them could have proper plates or knives; nothing like that. Some days they'd be fine, but other days they'd be fixing to use them as weapons. You'd be amazed at what can be made into a weapon, ingenious really. [Beaumont guide]

This storied construction (re)presenting the dangerous criminal identity as not only volatile, but cunning, ruthless and remorseless is also reflected in the variety of displays already discussed about deaths in the line of duty. Telling these types of stories—about contraband weapons, violent escape attempts, crazy animals and murdered prison or police officers—reminds the audience that inmates (past and present) pose a very real threat.

The dangerous criminal identity is regularly the fodder of other cultural stories told about crime and punishment (Altheide 2006; Dorfman et al. 1997; Ericson et al. 1991; Greer and Jewkes 2005). Take, for example, TV crime dramas (see Surette 2011), action movies (see Rafter 2006) or comic books and graphic novels and their adaptations (see Kort-Butler 2012). However, all of these are representations of a fictional criminal threat, and most make no claim to be based on a true story. Unlike the museums and tours, they do not declare representational authenticity or legitimacy.

More applicable might be those cultural stories that seek to represent reality such as news reporting where, according to Kaminer (1995) the image of a 'dangerous criminal' is often at its most extreme. Like these Texan punishment sites, the news reporting media is known to (at times) represent criminals as cunning, ruthless and remorseless (Chermak 1995). Yet there are other similarities too. As Jewkes (2015, pp. 41–56), suggests, values such as 'simplicity', 'violence' and 'risk' shape crime news, and the museum stories analysed so far adopt similar values. However,

while the identity of the criminal offered in news media is similar to that in the sites studied, there are two significant differences between them.

Firstly, crime stories in the news media tend to focus on individual offenders (Dowler et al. 2006; Greer and Reiner 2012; Jewkes 2015) but in fiction on both the offender and the working of law enforcement more broadly (Boda and Szabó 2011; Grodal 2011). Within the Prison Museum, the spaces dedicated to the dangerous inmate identity rarely make mention of individual prisoners or allude to the story of their apprehension. The constructed identity is based on collective behaviour(s) rather than that of any one individual. Similarly, when walking around the cell spaces the tour guides employ plural pronouns such as 'they' and 'them' rather than specific names of previous felons.

Secondly, media reports of crime are usually set in public spaces, such as housing estates, playgrounds, poorly-lit footpaths or abandoned warehouses. By contrast, the museums' stories are primarily set inside a prison or jail; a closed, some say secretive, institution (Roth 2006). The popularity of prison-related tourism, Wilson (2008) contends, is because the sites are telling private stories (about prison life) on a public stage (the museum or tour). In many ways the museums actually pick up the crime story where other cultural products often leave it. Usual narrative trajectories—for example, the race against time to subjugate danger—do not feature. Within the museum and tour stories, the criminal is no longer a threat to the public.

The depiction of the dangerous criminal identity (as offered by museums and tours) is thus closest to the portrayal of prisoners in prison documentaries. According to Cecil and Leitner's (2009) analysis of the documentary *Lock Up*, the episodes tended to focus on the 'worst of the worst' offenders, specifically those who had committed violent crimes, were in prison gangs and were heavily tattooed. Indeed, the Texas Prison Museum does include one poster dedicated to prison gangs and their associated tattoos. Within the punishment sites' stories then, the prison is (re)presented to the tourist as a place which should be feared due to the people it contains. However, that is not to suggest that the Texan museum stories employ an explicit narrative of fear. Within these punishment stories (and one might say prison documentaries also), the dangerous inmate—rather than simply a symbol of fear—also represents a

victory of sorts; they are characters in a story about a successful prison system which is containing threat and protecting the public. This too is a type of prison promotionalism.

Much the same can be said about the items in the contraband cabinets. Each of the museums has displays dedicated to weapons seized by police and prison officers. Once integral to a private story of violence, brutality and victimisation, they are now displayed within a public narrative about successful cell raids and criminal apprehension. Both the setting of the stories (non-public) and the objects used to tell them (confiscated contraband and weapons) construct a narrative which is not exclusively centred on—or designed to provoke—a fear of crime within the audience. These are more accurately stories about a threat that is being successfully contained, approached with braveness and boldness by both Texas and Texans.

In short, while these 'dangerous criminal' stories could be interpreted as employing a narrative of fear, they might just as easily be seen as stories about the criminals we need not fear. Convicts are depicted as a threat, but it is a threat that Texas has under control. Moreover, the aggressive approaches that Texas takes to crime within these stories and the masculine scripts of boldness and bravery, characteristic of the toughness narrative, are at odds with any notion that the state is fearful of crime and criminals. The Texan commitment to harsh punishment is an expression of toughness not terror, of defiance not dread. While prison is portrayed as a place which should be feared and prison officers are depicted as at war with the criminal threat, there is no suggestion that fear of crime underpins the Texan commitment to its penal system. Moreover, alongside these stories of a successfully contained threat—within the Texas Prison Museum especially—are a number of displays that tell stories about a very different kind of inmate; one we need not fear at all.

Inmate Identity: Reformed Prisoner

Within the Texas Prison Museum—toward the latter half of the tour experience—we see a number of display cases filled with inmate arts and crafts; one cabinet about female death row inmates and their

doll-making; a large display of inmate carpentry; and an exhibit detailing the role inmates play in training guide dogs for returning service men and women who have been injured in military conflicts. The audience are led to assume that these inmates no longer pose any immediate threat or danger—after all, they have been given access to scissors, saws, needles and guide dogs.

It could be proposed that placing the dangerous criminal stories at the beginning of the museum experience and the reformed inmate stories at the end, suggests to the audience that prison is an institution capable of transforming once dangerous criminals into reformed and responsible inmates. Moreover, the museum sells smaller items of prisoner-made arts and crafts in the gift shop, so the tourist is invited to take the narrative of the reformed prisoner home when they leave. Showing the souvenir to their friends and family, or giving it as a gift, means the reformed inmate story will likely loop and spiral far beyond the Texas Prison Museum.

The dual nature of inmate identity (dangerous criminal vs. reformed prisoner) means the fictional prison movie narrative is arguably the closest match to the experience offered in the museums. As Valverde (2006) suggests, the majority of prison movies do attempt to humanise at least some of the offenders within the narrative, while simultaneously portraying other prisoners as dangerous criminals. However, according to Bennett (2006), in prison movies the lead character is often innocent and at times is even awarded a hero status. This is not the case in the museum. Humanising politics work to make the reformed inmate appear civilised and the prison as civilising, but that is not to say inmates are portrayed as innocent or heroic. Moreover, in those prison films where the reformed character is guilty as opposed to innocent, the crime tends to be minor, non-violent or perpetrated many years ago (Mason 2006a, b). What are less common are cultural stories that work to humanise real-life offenders who have committed recent, heinous crimes. In short, what we rarely see are humanising politics at work in cultural stories told about death row inmates and executions.

However, while uncommon, one significant attempt has been made to represent guilty death row inmates as reformed characters, thus sharing similarities with the museum story. The Benetton advertising campaign, 'We on Death Row', used images of—and statements from—convicted

killers awaiting execution on death rows across America (see Girling 2004). The campaign received an onslaught of negative press and according to Kraidy and Goeddertz (2003) the controversy stemmed from the partiality in the narrative; there was no victim voice. While a previous Benetton campaign featuring an image of the electric chair had received little attention on the national stage, the 'We on Death Row' billboards were deemed unacceptable by a number of victim advocacy groups. Benetton was accused of 'sympathising with murderers' (Kraidy and Goeddertz 2003).

While the museum stories do attempt to humanise death row inmates, the narrative is different to that of the Benetton campaign. Firstly, the museum story is not partial in the same way. Victims' voices are represented elsewhere in the museum (the photographic exhibit discussed in Chap. 9) as is the dangerous criminal identity (in the form of the contraband cabinets, escape attempt descriptions and memorials). Secondly, 'We on Death Row' used direct quotations to humanise the death row inmates. The audience is encouraged to hear the offender's story through their own words, and by extension to judge the offender's claims of reform. Our museum story replaces those words with objects. Displaying inmate artwork, leatherwork, carpentry and tapestry does represent an attempt to humanise the inmates, to make them appear civilised, but they also serve to silence the inmate voice. Rather than a declaration of reform from the prisoner's mouth (as in the Benetton campaign), these are implicit assertions made by the museum. By implying the 'reform narrative' through non-verbal communicative gestures, the museum will likely sidestep much of the contestation and controversy associated with Benetton. There is no 'face' staring back at the audience asking for forgiveness and the tourist does not 'see' the condemned and in turn are not 'seen by' the condemned. The dynamics of spectatorship are entirely different.

The third difference is arguably the most significant, in that it allows the reform narrative to comfortably co-exist with that of the victims' rights campaigners. Whereas Benetton was seen as humanising inmates in an attempt to generate support for abolition, the museum humanises but offers no such suggestion. For example, dolls made by the 'women of death row' are exhibited in the museum. We are told they were made

'twenty years ago', but that is all. These women (we presume) have either been executed, or are still awaiting execution. The museum humanises the inmates but unlike the Benetton campaign it does so without turning the condemned into characters in an abolitionist story.

In short, there is no suggestion anywhere in the museum narrative that the reformed inmate should not be executed, or that any inmate, however dependable or responsible, should receive a reduction in sentence. The museum removes its reformed inmate story from wider debates about the appropriateness of execution by avoiding them entirely, and ultimately allows the audience to see the inmates as reformed, whilst still retaining support for their execution or other harsh punishment. The stories told about reformed inmates are thus not in competition with any critical narrative about how good behaviour might signal a reduction in punishment. The reformed inmates are awarded privileges (such as access to carpentry tools) but the audience can view this reform as a personal journey. Within these stories good behaviour will have no impact on an inmate's death sentence or the length of time they will be in prison.

Conclusion

In conclusion, these Texan stories about prisoners tell us that the prison is both a place in which dangerous creatures are kept but also a space in which inmate creativity thrives and flourishes. Yet it matters not what type of inmate Texas is dealing with; Texan retribution will always be tough and the punishment will always stand. In Nozick's (1981) terms, punishment is portrayed as proportional and rational; it adheres to a set of replicable rules that will be enforced regardless of what type of prisoner is on the gurney or in the cell. The severity of the crime dictates the severity of the punishment. We are left to assume that reformed inmates are still executed in Texas. Through the stories told about the punished, we learn that Texas supports the harsh punishment of all offenders. Mitigation denied, Texas is committed to the toughest form of retributive punishment.

However, while this part of the book has taught us much about the stories Texas uses to explain its own relationship with punishment, and indeed about the depiction of those within Lone Star prisons, we have yet

to learn much about the wider cultural context in which these punishments stories sit. Part I of this book was littered with references to Texan history. Indeed, while I was in Texas it was clear that the history of the Lone Star State is a significant resource with which Texas (and Texans) build a sense of both state and individual identity. Yet what is more fascinating, from a criminological perspective, is that the histories being used to construct the Texan self-identity appear to share similarities with the stories being told in the Lone Star punishment museums. In other words, the history museums of Texas—storied spaces which reflect and arguably (re)construct the Lone Star self-identity—are deploying narratives similar to those found in the punishment museums.

Moreover, as you may have noticed from our time as a Texas tourist in Chap. 3, the punishment museums and jail cell tours are likewise incorporating identifiable symbols of the Texas past. Flying the US and state flag at the same height, incorporating maps of Texas and referencing the Lone Star in various ways, the punishment museums are locating their stories in a wider cultural context. As I toured the museums, and the top visited historical sites, it became apparent that a kind of cultural osmosis seemed to be occurring. The symbols of the Texan self-identity became part of the tough Texas punishment stories and the symbols of a tough Texas became part of the Texan self-identity. In the final part of this book we will examine this observation further, and explore the extent to which the Texan self-identity, which reveals itself in important Lone Star cultural memories, should be understood as having punishment dimensions.

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Part IV

The Texan Self-identity Past and Present

11

'Texanicity' and Its Punishment Dimensions

The stories being told about Texan punishment, by the media, by scholars, by politicians and indeed by me, often construct Texas as a place of harsh punishment. However, the Lone Star State is more than just the 'execution capital of the world'. Proud of its history and of its culture; Texas is a place with its own compelling state history. Speaking about the ways in which the small towns and cities of Texas market themselves to tourists, Avraham and Daugherty (2012, p. 1385) suggest that 'among US states, arguably the strongest narrative is that of Texas—cowboys, cattle, desert vistas and the Lone Star flag are all widely known, and heavily used, symbols of the Texas story'. Drawing on the work of Avraham and First (2003), which considered how 'Americanicity' presented itself in Israeli advertisements, Avraham and Daugherty (2012) go on to speak about the images that define what they term 'Texasnicity'.

Broadly speaking, Texasnicity is presented by Avraham and Daugherty as a way of describing and analysing the use of state-associated symbols in the marketing of Texas as a place. Indeed the term itself is place-orientated (*Texas*-nicity). Within this research though, our concerns are less focused on marketing or advertising. Instead, we have been exam-

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ining the stories Texas tells about its own relationship with punishment in its sites of penal tourism. We have been exploring the Texan punishment identity. As such, for our purposes the term *Texan*-icity is somewhat more appropriate. Rather than being orientated toward Texas as a place, Texanicity is used to refer both to Texas as a place and to Texan as a self-identity. The term Texanicity complements the work of Avraham and Daugherty (2012) in that is offers a more inclusive conceptual framework. It can be used as a tool to examine the self-identity of 'Texan' and 'Texas' from a criminological perspective. By broadening the parameters, we can begin to consider how the stories we heard in the punishment museums might be placed in wider state narratives of the Lone Star self-identity.

This chapter will thus begin with a discussion about the pervasive use of state symbols in and around the punishment museums of Texas. We have already heard the stories Texas is telling about punishment (in Part III), but now our attention will move to the environment in which these stories are told. We will shift our analytical lens from narrative content to narrative context, viewing the museum—in its entirety—as a storied space. It will be argued that the pervasive use of state-associated symbols in sites of penal tourism locate Texan punishment stories within a much more pervasive image of self-identity. Within these sites the symbols of Texanicity acquire punishment dimensions.

Moreover, as suggested in the concluding paragraphs of the previous chapter, when travelling around the Lone Star State it is hard not to conclude that this is something of a two-way process. While the symbols of Texas were found in the punishment museums, punishment symbols were likewise found all over Texas. In places and spaces which had no observable connection to penal punishment, Texas is nevertheless choosing to tell its stories of toughness and boldness in the penal sphere. In short then, this chapter seeks to broaden the analysis, firstly by considering the influence of state symbols in punishment museums and secondly by discussing the ways in which the Texan self-identity, or Texanicity, acquires punishment dimensions outside of those tourist spaces.

Lone Star Symbolism: The Punishment Museums

Texas as a state is saturated with symbolism; at every turn you are greeted by an image, object or phrase which has become synonymous with Texas. While this was expected at the larger tourist sites associated with history, I was surprised to see it happening in every corner of Texas, including the punishment-related tourist sites. These sites of penal history incorporated countless Texas state flags, Texas maps, the state's colours, and the famous Lone Star. This was interesting because, as Yoresh (1988) observes, flags provide a sense of identification; they tell the audience what (and who) the site's story is about. By incorporating flags as symbols, the stories become even more place-oriented. All of the stories told about punishment within these sites emerged from a collection of symbols which were themselves already Texas-centric.

Kosonen (1999) suggests that maps can function in much the same way as flags, locating the story with a place and by extension, a group of place-positioned people. Moreover, when viewing maps of America, Texas is easily identifiable as it is visually distinctive. Its dimensions (similar height and width) make the shape perfect for 'logoization' and consequently the map image is 'probably the most popular symbol of the Texan identity' (Francaviglia 1995). Davison and Klinghardt (2007, p. 181) suggest that in the museum context the employment of symbols such as flags or maps confirm that the sites will be interpreted as representations of 'a particular identity': notions of 'shared tradition and shared culture' underpin the tourist experience. Similarly, Kaplan (1994, pp. 36–8) contends that museums play an important role in the publicly defined image of 'ourselves', and that by employing commonly recognised symbols the museum become a representation of a cultural self-identity. In other words, the incorporation of commonly identified Texan symbols into the punishment-related tourist sites will have served to position the stories told within the sites as part of a narrative which is more broadly about Texas and Texans. The sites and their stories become one part of the Texan self-identity or Texanicity. Moreover, using these symbols within

sites that tell punishment stories will likely affect the tourist experience in three ways.

Firstly, Avraham and Daugherty (2012) suggest that by incorporating symbols of the Texas state narrative these sites will appear authentic to the visitor. The tourist will see the site as telling an official or real Texan story. Macdonald (1997) suggests that more attention should be paid to the 'authorial intentions' and 'authenticating devices' at work within museums and other heritage sites, to those features which construct certain museums as 'the guardians of the real'. Similar to the use of symbols, the location of the sites can also be understood as an 'authenticating feature' and as Stone (2006) contends, 'locational authenticity' is probably the most crucial feature of a tourist site. The Texas Prison Museum and Cemetery are in Huntsville, a city which is home to the Walls Unit, and the jail cell tours in Eastland and Beaumont are conducted within or near their relative police stations. Moreover, the occupation of the tour guides and site staff further authenticate the experience as legitimate (Brown 2009). All guides were either Sheriff, Deputy Sheriff or a police officer and the Texas Prison Museum staffs are mostly retired prison officers with the museum's director, Jim Willet, an ex-warden of the Walls Unit. These communicative gestures construct a 'staged authenticity', allowing the tourist to enter what is perceived to be a 'backstage world' (Walby and Piché 2015, p. 2).

Secondly, the pervasive use of Texas state symbols suggests the sites can be understood as constructing what Anderson (1991) has called 'an imagined community', a symbolic nation of sorts representing itself through 'identifiable symbols which are loaded with significance'. Indeed, at the beginning of all of the tours undertaken in Beaumont, visitors were asked where they were from. This question and the responses given—in conjunction with the vast array of Texan symbols—mean that the Texan audience will likely see these stories as 'their' stories. The punishment sites and tours can thus be understood as revealing an inclusive or exclusive element of Texanicity. Texans are encouraged to view themselves as part of the punishment story (as symbolic insiders) and non-Texans are reminded that this is a Texas-centric site. The 'tough Texas' punishment stories become entwined with the uniqueness of the Texan self-identity as it is understood on its own terms. This is particularly significant because,

as we shall see later in Chap. 12, the punishment sites are not the only places and spaces in which Texas presents itself as somehow unique or separate; this is quite possibly the most stable and enduring aspect of the Lone Star identity.

Thirdly, whether the tourist is a Texan or not, they will locate the sites' punishment stories within a pre-existing understanding of what Texanicity means to them. As Sherry (1987, p. 454) suggests, the symbols represent a 'way of knowing' which in turn will structure the tourist experience. In the case of this research, the symbols represent what Avraham and Daugherty (2012) call the 'Texas state narrative' which, rather than a linear story, is a set of 'ideas and values embedded within the chosen symbols'. In short, by incorporating symbols associated with Texas and Texans within and around the punishment sites, the audience is encouraged to position the punishment stories within their own personal understanding of what Texanicity represents for them.

However, we should not forget that this personal understanding of Texanicity will be influenced by the act of tourism itself. Palmer (1999) suggests that the stories seen and heard within sites which incorporate symbols of identity will either challenge or confirm the image of that identity as held by the visitor before the experience begins. As demonstrated in our discussion about Lone Star punishment sites (Chap. 8), when touring these museums the visitor is encouraged to understand Texas as a place of harsh punishment; Texanicity thus takes on punishment dimensions. In other words, the Texan self-identity will potentially be redefined with reference to punishment during the act of spectatorship and, depending on the gravity awarded by the visitor to the tourist experience, their perception of Texanicity may change forever.

Lone Star Symbolism: Stepping Outside the Punishment Museums

However, tourists need not visit the state's punishment-related sites to realise that Texanicity has punishment dimensions: the image of a tough Texas and of a tough Texan finds expression in cultural spaces that have no

direct connection to punishment. Firstly, the anti-littering slogan 'Don't Mess With Texas' has gained symbolic significance with reference both to the Texan commitments to harsh punishment and gun ownership and the use of deadly force in self-defence. To be clear, the phrase is no longer pervasive as an anti-littering campaign dictum, having been replaced with an equally place-orientated slogan 'Real Texans Don't Litter', which rather interestingly also expresses the inclusive and/or exclusive dimension of Texanicity. One wonders how you might go about being a 'fake' Texan. Nevertheless, the phrase 'Don't Mess With Texas' as a symbolic signifier of Texan toughness is still pervasive.

The words 'Don't Mess With Texas' were observed on signs in bars, flags outside properties, bumper stickers on cars, as neon signs, and in or on a huge range of other cultural products. Sometimes it was displayed within the shape of the Texas map, further place-orientating the phrase; at other times it was presented alongside the image of a Texas longhorn making the memory of the Old West—which is discussed in the next chapter—part of this expression of Texan toughness. Mainly, however, it was written over the image of a Lone Star flag, one of the most recognisable state flags in America. The phrase was also seen (quite literally) on Texans. I noticed at least twenty people, maybe more, who had the words tattooed on their upper arm, lower back, ankle and who knows where else. Probably my favourite use of the well-known slogan though, was spotted on a magnet in one of Houston's minimarkets. The image on the magnet consisted of three tombstones; one stone read 'Thought about messing with Texas'; the next read 'Tried messing with Texas', and the last read 'Messed with Texas'. The image of Texas as a tough state, a state most definitely not to be 'messed' with, is not only found in cultural sites associated with crime and punishment—it finds expression all over the state.

Further to this, the image of a tough Texas is also evoked in the countless cultural products which use the phrase 'We Don't Dial 911'. For example, the phrase was seen—along with a firearm—framed in the White Elephant Saloon in the Fort Worth Stockyards and written over a map of Texas on postcards and other souvenirs. There were also Christmas decorations sporting the phrase and it was spotted on countless car bumper stickers across the state. Moreover, it appears to be more than just a gimmick for the tourist gaze. I saw at least ten large ornate

wooden signs with the words 'We Don't Dial 911' (usually accompanied by a three-dimensional shotgun) hanging in the porch of rural properties, and hand-drawn signs were stuck in the windows of four shop fronts in a less desirable part of downtown Dallas. There is without question a dimension of toughness—and arguably a commitment to what Zimring (2003) has termed vigilante values—within these performances of the Texan self-identity.

Yet there are other more overt references to Texas and its commitment to harsh punishment, which further suggest that the image of a tough Texas is an established part of Texanicity. The Ripley's Believe it or Not! Museum (in San Antonio) has an electric chair outside and for $2 people can sit in it and receive an electric shock. In souvenir shops across Texas, tourists can buy postcards which feature images of the electric chair and gurney (found in Fort Worth, Austin, Dallas and Houston) and in the Bob Bullock Museum gift shop visitors can buy a copy of *The Autobiography of an Execution* by David Dow (2010). Moreover, visitors can buy Texas Ranger badges and Lone Star Lawman pins from shops in Austin, Dallas, Houston, El Paso and Waco. While these law enforcement-related products do not specifically reference punishment, many do still evoke the image of Texas as tough. For example, in the San Jacinto Monument and the State Capitol gift shops (and elsewhere around the state) tourists can buy wooden plaques which use the phrase 'Don't Mess With Texas' alongside the image of the Texas Ranger badge, central to which is a Lone Star. None of these products would seem out of place in punishment or policing museums, yet these were cultural spaces that had no connection either to law enforcement or the correction system.

So by widening the frame and considering spaces exterior to those sites that tell punishment stories we find, firstly, that the symbols of Texanicity (e.g. the flag, the star, the longhorn, the map) are not only pervasive at Texan sites of penal tourism, they are unusually prevalent all over the Lone Star State. Secondly, we discover these symbols being employed within products that promote the image of Texanicity using a narrative of toughness in the face of threat. In other words, while finding that Texas over-codes itself with Lone Star symbolism is not a novel observation (all states have their own state symbols), by examining Texan self-identity from a punishment perspective we have discovered that Lone

Star symbolism explicitly associates Texanicity with Texan toughness. In short, toughness in the face of threat is the narrative building block for Texan self-identity—Texanicity has punishment dimensions.

Yet this image of Texan toughness—as revealed all over the state—taps into another aspect of Lone Star symbolism. The Texan approach to punishment is, after all, associated with a *uniquely* tough, *uniquely* Texan commitment to harsh justice. Whether viewed from the inside looking out, or indeed from any other state looking in, Texas continues to be seen as somehow unique, even separate from the US. By stepping outside of the punishment museum, and placing Texan punishment stories in their wider cultural context, we can begin to see these stories as one part of a much bigger state narrative about the uniqueness of Texas, not only in the penal sphere, but more generally as a place and as a self-identity.

Lone Star Symbolism: Texas as Separate

The cultural motif of Texas (and Texans) as separate and unique can be illustrated by way of the souvenirs sold at the state's most visited historical sites. For example, the gift shops in the State Capitol and Bob Bullock Museums sell identification cards which make the owner an 'Honorary Texan' and native Texans can buy identity cards which award them the status of 'Card Carrying Texan'. Tourists to the Alamo and the State Capitol can buy novelty 'Texas passports' which allow them access into the 'country' of Texas. Printed in gold lettering upon these novelty passports are the words 'Free and Independent', underneath the image of the Texas state seal. While these products make no claim to be legitimate identification or travel documents, as Francaviglia (1995, p. 85) suggests they nevertheless remind us that Texas was once another country (during its time as a Republic) and that many still view Texas as somehow separate from the rest of the US. Furthermore, gift shops all over Texas (including those at the historical sites visited) sell 'secede' bumper stickers, badges, postcards and magnets. As tourists we learn that Texas might one day return to being a sovereign country.

Similarly, dialectic specificities of Texan pronunciation frequently appear on souvenirs which imply that the Texan accent is different

to—and thus separate from—either the American or Southern accent. For example, tourists can buy postcards which offer 'English to Texan Translations' or a guide book of Texan phrases called 'How to talk like a Texan; Texas, it's like a whole other country'. As Massingill and Sohn (2007, p. 3) suggest, 'Texas, it's like a whole other country', originally written as an advertising slogan to encourage tourism to the state, has now become 'a synonym for the Texan way of life'. Indeed, the pervasive use of the map of Texas within advertising, tourism and branding is often used in highly specific ways to suggest that Texas is separate or unique. For example, postcards which depict the location of Texas upon a map of the US often enlarge the outline of the Texas border and use phrases such as 'Texas: Who cares about the rest?', 'You can go to hell, I'm going to Texas' and 'Howdy from Texas: Where everything is bigger'. Francaviglia (1995, p. 4) has even argued that if Texas were a tribe located in some exotic part of the world, anthropologists would have probably studied 'their peculiar use of the map' by now, adding that the popularity of the Texas map is 'rooted in the perception of the state as a separate geopolitical entity' (p. 85).

Yet like the slogans 'Don't Mess With Texas' and 'We Don't Dial 911', this perception of separateness should not simply be viewed as a gimmick, conjured up for the purposes of advertising or marketing. Instead, these visible expressions of detachment derive from a historical narrative in which Texas was in many ways separate and unique, the most pervasive symbol being the Lone Star state flag—the design of the current state flag is the same as that which flew over the Republic of Texas before the state was annexed by the US in 1845. Many buildings (not always with a tourist focus) display the 'six flags over Texas' to represent the nations that have held sovereignty over the Lone Star State (Spain, France, Mexico, Republic of Texas, Confederate States of America and United States of America).

To display the flags in a series of six explicitly links the current state flag with the notion of separateness; the Lone Star flag represents Texas's time as a separate Republic rather than as a state within the United States. Indeed, the six flags have been employed within a whole host of advertising enterprises; they can be found in shopping malls, theatres, bars, banks, on the reverse of the Texas State Seal, and there is even a theme

park named the Six Flags Over Texas in Arlington. Using the Lone Star flag as a symbol of separateness, whether by way of floor murals, stone engravings or actual flags, is commonplace in Texas.

Indeed, the Texas state flag—and by extension the lone star displayed upon it—is a particularly significant performance of separateness. Not only does it act as a symbol of Texan independence in and of itself, but Texas is supposedly the only state which can fly the US and state flag at the same height. The flag is most certainly a potent symbol, but the act of raising it on a mast is also a public performance; a declaration of remembrance to self-governance and autonomy. In short, to find that Texas is an outlier when it comes to punishment preferences and practices is somewhat less surprising when viewed from this angle. By placing the Texan punishment stories in their wider cultural context, we find that Texan self-identity is—at least in part—founded upon a state narrative in which Texas is separate and unique.

Conclusion

This chapter has sought to place the Texan punishment museums within their broader—yet specifically Texan—cultural context. We began by considering the ways in which the punishment tourist sites employed state-associated symbols and the impact this might have on the tourist experience. It was argued that the audience (Texan or otherwise) is encouraged to interpret the tough Texas approach to incarceration and execution as place-positioned; the stories told within punishment museums are as much stories about Texas as they are stories about the Department of Corrections. However, it was suggested that Texas is more than just a place; it is a self-identity, something we termed 'Texanicity'. As such, by incorporating state symbols within punishment museums the visitors' perceptions of Texanicity will likely change during the act of spectatorship; Texanicity will acquire punishment dimensions.

However, this discovery of state symbols in punishment-related tourist spaces was not a one way process; we also found the symbolic signifiers of a tough Texas in places and spaces which had no connection to punishment. Whether it be the postcards depicting execution methods, the

pervasive use of the slogan 'Don't Mess With Texas' or the sale of 'Lone Star Lawman' badges, the image of (and narrative about) a tough Texas was not limited to the museums dedicated to punishment or law enforcement. Again, we find Texanicity acquiring punishment dimensions. The stories Texas tells about punishment and the products Texas sells all over the state construct an image of Texan toughness in the face of threat. In short, the image of Texanicity offered to both Texans and tourists is one in which Texas, and by extension Texans, take a uniquely tough approach to wrongdoing. Wherever one looks, toughness is integral to the cultural construction of the Texan self-identity.

The final part of this chapter also introduced us to arguably the most enduring feature of the Texan self-identity; the propensity for Texans to see themselves as somehow separate from both the South and the US. Symbolised by the Lone Star State flag, Texas continues to tell stories about its time as a Republic, and thus many Texan state-associated symbols have come to represent that uniqueness. Indeed, the history of Texas continues to play a significant role within the construction of Texanicity and it would be difficult to overstate the power of the Texan Revolution as a narrative of the Texan collective. Yet it is worth reminding ourselves that history is, more often than not, presented to us in the form of memory; a story of the past which has gone through a process of negotiation. Certain people and places are awarded status within these memories while others are marginalised or forgotten entirely.

Moreover, not unlike the narratives offered in punishment museums, the stories Texas tells (or doesn't tell) about its own history are those which have a pedagogical function; they teach people about what it means to be Texan. Commanding rhetorical power by way of continued rehearsal, documentaries, films, museums, battle re-enactments and historical pageants about the Texan Revolution continue to be incredibly popular in Texas (see Clemons 2008). As the next chapter will demonstrate, scholars from other traditions have long argued that Texan memory is of paramount importance to the Texan self-identity. However, while the importance of Texan memory has traction in other disciplines, the same cannot be said for criminology. Broadly speaking, punishment scholars have ignored cultural representations of both the Southern and Texan past. Preferring instead to focus on historical realities—specifically the history

of the Southern States—myth and memory go entirely unnoticed; the people, places and events awarded such massive significance within the cultural construction of the Texan self-identity remain unexamined.

The chapter that follows is thus an attempt to begin such an interdisciplinary endeavour. It aims to examine the cultural stories that Texas tells about its own history in order to explore the extent to which these stories can be understood as relevant to punishment. To be clear, the chapter will not recount the historical reality of the Texan past; it will instead focus on the narratives of the Texan collective—that is the stories used to *remember* the Texan past. As such we will once again be returning to the Lone Star museums, although this time we will tour the top visited historical sites and discuss the narratives offered within them. More specifically, we will be considering how the image of a tough Texas manifests within these sites because—as the chapter will demonstrate—Texan toughness is not only an established part of the punishment museum narratives, it also finds expression in the Lone Star memories which underpin Texanicity.

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12

Texan Toughness and Lone Star Memories: The Alamo and the Old West

A tourist need only be in Texas a few days and they'll likely realise how important Texan history is to the construction of the state's self-identity. I have alluded to this throughout the book, littering the pages with references to the Lone Star past. To be clear though, I am not an historian. While I am interested in how Texan history may have played a part in the development both of Texan punishment regimes and the Texan reputation for toughness, writing a history of the present has not been my goal. Indeed, Robert Perkinson (2010) has done an excellent job of that already. Instead, what I have sought to do thus far is to examine the ways in which Texan memories of punishment past can help us understand the Texan punishment present. To this aim I have considered the punishment stories told about and by Texas. In addition, I have explored the ways in which Lone Star punishment museums are situated within the wider Texan self-identity through the incorporation of well-known state symbols. Yet from these analyses something rather interesting has emerged. We have discovered that Texan self-identity—or Texanicity—is

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viewed as something separate, quite clearly differentiating between cultural insiders and outsiders.

This conclusion is hardly novel. Massingill and Sohn (2007) have written about this phenomenon, explaining that Texans view their own attitudes toward harsh punishment as somewhat unique. A comment made by Michelle Lyons, a Public Information Officer for Texas Corrections illustrates this point. When asked about her role—which includes speaking with journalists—Lyons suggested that out-of-state reporters do not always understand the 'mentality of the people'; 'foreign journalists see an unemotional attachment they find inexplicable' (Massingill and Sohn 2007, p. 95). In short, Texas as a separate and unique motif pervades all aspects of Texanicity, and the Texan approach to punishment, underpinned by the unique mentality of the people which many do not understand, is just one expression of that motif.

As this chapter will illustrate, many scholars argue that the perceived separateness derives from a distinctly Texan history. However, it is not just the historical reality which is significant here; it is also the cultural memory of that reality, the historical stories told in places and products such as museums, documentaries or high school history classes (Assmann and Czaplicka 1995; Clemons 2008, Chap. 2). Not unlike the punishment museums, it is through these cultural intersections that both Texans and outsiders learn about the Lone Star State's history. In the following we will therefore examine the narratives at work within the top five visited historical sites in Texas. More specifically though, this chapter will make three related claims: firstly, that the Texan self-identity draws strength from two dominant memories (the Alamo and the Old West); secondly, that these memories have (to varying degrees) punishment dimensions; and thirdly, that Texan historical memories are used to construct continuities between past and present, continuities which might help explain the Texan commitment to harsh punishment. In its entirety then, the chapter will argue that the image of a tough Texas is not only a construct found within Lone Star punishment museums; it is also a part of the very foundations upon which contemporary Texanicity is built.

The Importance of Historical Lone Star Memories

Clemons (2008), Flores (1998, 2002) and McEnteer (2004) have all argued that Texan historical sites and spaces, performances and products, offer opportunities for Texans and non-Texans to learn about the Texan self-identity. This shift of focus (from reality to representation) thus moves us away from dusty archives, packed full of documents that people rarely see, and into museums and monuments toured by millions each year. Moreover, while Clemons, Flores and McEnteer are not criminologists, they have nevertheless tentatively suggested that the stories housed within these repositories of cultural memory might have punishment dimensions. In other words, they believe Texan cultural memories continue to influence Texan attitudes toward social issues such as punishment.

For example, McEnteer (2004) writes about the 'Texan tendency' in American politics, arguing that the aggressive approach Texas takes to social issues derives from the stories the state tells about the Texan Revolution and specifically the siege at the Alamo. For the purpose of early clarification, the Alamo siege is widely considered to be the pivotal battle in the Texas Revolution (1835–36), leading eventually to Texan victory over Mexico and ultimately independence as a Republic. McEnteer (2004, p. 7) suggests that Texans continue to remember the Alamo using dominant cultural narratives which together have forged an 'Alamo attitude' within the state. Supported by memories of the Wild West, this Alamo attitude is said to be a celebration of 'violence, racism and retribution'. Indeed, McEnteer (2004, p. 230) goes as far as suggesting that the 'Alamo attitude of retribution plays out on death row'.

Similarly, Clemons (2008, p. 100) speaks about 'the political power' of Texan cultural memories to influence attitudes towards issues such as punishment in the Lone Star State. Like McEnteer, Clemons does not discuss punishment at any great length; instead his argument is that Texan memories both of the Alamo and the Old West—as they are (re) presented in museums, battle re-enactments, pageants and movies—will always have political aspects and dimensions. The memories of the Alamo

and the Old West are used to brand Texas as a place but they also have a pedagogical function; they teach both Texans and non-Texans about Texan self-identity. Indeed, according to Clemons (2008), the influence that the Old West and Alamo memories exert on Texan attitudes towards social issues—and consequently the Texan political approach to those issues—should not be underestimated.

Finally, Flores (1998, 2002) has likewise discussed the political implications of the ways in which Texas remembers its history, specifically those memories associated with what he calls the 'master symbol': the Alamo. However, Flores takes a slightly different approach. Usually comparing and contrasting the memory of the battle with historians' accounts of that same battle, he analyses not only what is remembered but also what and who are forgotten. Through an examination of various cultural products associated with the Alamo—including the physical Alamo Shrine—Flores argues that cultural memories are a powerfully evocative way in which meanings about Texan self-identity are constructed. These (re)presentations of the Alamo's story are influential in shaping not only views and opinions, but also the practices and behaviours of those who are 'circumscribed' by them (1998, p. 443).

So we are left with some unanswered questions. To what extent do the memories of the Alamo and the Old West resonate with the image of a tough Texas today, and can Lone Star stories of the past really tell us anything about punishment preferences in the present? In other words, are the narrative building blocks of the Texan self-identity—the Alamo and the Old West—in any way punishment relevant? Indeed, considering how significant Texan history is to Texan self-identity, it would seem somewhat short-sighted not to at least consider these two memories from a criminological perspective. As such, while I was in Texas I toured the top five visited historical sites in the state. These were the Alamo Shrine (San Antonio), the San Jacinto Monument (Houston), the Stockyards (Fort Worth), the State Capitol (Austin) and the Bob Bullock Story of Texas Museum (Austin).

What follows is a discussion of how both the Alamo and the Old West stories were represented within these sites, influenced by our findings from the previous chapters. By taking a narrative approach to the cultural life of punishment literature we constructed a framework of narratives that consisted of

fear, vengeance, closure, retribution and backlash (see Chap. 7). In addition, we later added to this the 'Tough Texas' narrative, identified after an analysis of the exhibits and tours of Lone Star museums (Chap. 8). Now it is time to apply those same conclusions, that same framework of narratives, to the Old West and Alamo memories. It is time to interrogate these memories to evaluate the extent to which the Texan punishment identity finds expression within the master memories of the Texan self-identity.

The Alamo Memory

Four of the five historical sites I visited told stories about the Alamo, and all of the sites were found to (re)produce a very similar story. From a narrative perspective the protagonist and antagonist characters were similar, as were the plot trajectory, setting and narrator point of view. Due to the continuity between the sites' representations, the story of the Alamo—as told by the sites—is relatively coherent, and for the purposes of early clarification the narrative trajectory (or internal structure) of the Alamo memory is represented below. To be clear, what follows is not a set of historical events (historians continue to debate what actually took place at the Alamo); instead this is the 'Alamo memory'.

I The Battle of Gonzales

The date is 29 September 1835: Mexican troops arrive near Gonzales—a Texan settler colony. They are there to re-claim a cannon given to the settlers by the Mexican authorities in 1831 for protection from Comanche attacks. However, since the Texans now desire independence the Mexican government considers it unwise to allow them to keep the weapon. To retain ownership of the cannon, the Texans prepare to fight and fly a home-made flag upon which are images of the cannon, the Lone Star and the words 'COME AND TAKE IT'. On 2 October 1835 the battle of Gonzales takes place, the first military engagement between Mexican troops and Texan settlers. The Mexican troops eventually withdraw and the war for Texan Independence has begun.

II The Siege of the Alamo

The date is 23 February 1836: a Mexican General, Antonio López de Santa Anna and Centralist Mexican forces arrive at the Alamo, an old Spanish Mission in San Antonio. Around one hundred Texan volunteers have barricaded themselves inside the Alamo compound. The siege lasts for a total of thirteen days. On day eight and day ten of the siege, more Texans arrive at the Alamo bringing the total defenders up to 187. Led by William B. Travis, the defenders include Davy Crockett and Jim Bowie. During the early hours of 6 March 1836, Santa Anna and the Mexican troops storm the Alamo and battle commences. All of the Alamo defenders are killed but the Mexican army also suffers many casualties and fatalities.

III The Battle of San Jacinto

The date is 24 April 1836: Santa Anna and the depleted Mexican Army have marched from San Antonio to San Jacinto. They engage in battle with the Texan army. The Texans are outnumbered but manage to secure victory, due in large part to the outcome of the Alamo action during which an estimated 600 Mexican troops have been killed by the defenders. The victory at the battle of San Jacinto leads to the signing of the Treaties of Velasco on 14 May 1836 which dictate that the Mexican army leave what is now the Republic of Texas. Texas remains an independent country for the next decade (1836–46).

Within the Texan historical tourist sites the Battle of Gonzales was used to 'set the scene', but was not a prominent part of the overall narrative. Interestingly though, while Gonzales-as-narrative remains somewhat under-developed within these memory sites, Gonzales-as-image is a much more pervasive part of the Texan self-identity. The likeness of the cannon and the words 'COME AND TAKE IT' were displayed on all manner of tourist souvenirs, even those found in the Stockyards, which did not actually tell stories about the Texan Revolution. It is the first indication we find that the Alamo's story might indeed resonate with the narrative of toughness found in the punishment museums. While the actual event

receives scant narrative description within the memory, the image and worded challenge have become an unofficial symbol or motto of Texan self-identity. As Clemons (2008, p. 67) suggests, within this story the Texans were able to overpower their enemy by displaying greater strength in battle, and to mock the defeated forces with the challenging phrase. There is a sense both of Texan defiance against the Mexican authorities and also Texan bravado and superiority over that which posed a threat. Much like the stories that celebrated the tough Texan approach to punishment and indeed the phrase 'Don't Mess With Texas', the image chosen to represent the Battle of Gonzales likewise associates Texanicity with boldness and bravery in the face of danger.

Moreover, the elements chosen to signify the battle—the cannon and the phrase—together frame the story as one which celebrates retribution; the Texans believed the cannon was rightfully theirs and the Mexicans were wrong to try and retrieve it. In short, the Texans at Gonzales are portrayed using the masculine scripts of toughness and boldness, enacting retribution upon an inferior threat. The Texans invite (even dare) the Mexican army to do battle because they are confident of their ability to overpower the threat and secure a Texan victory. Yet we might also suggest that this initial scene-setting event strongly resonates with the narrative of backlash. While it is not the same backlash that Garland (2010) speaks of—it is not a story about ideological differences between the Northern and Southern states—certain narrative features are nevertheless consistent. For example, Mexico and Texas are portrayed as ideologically opposed and Texas is depicted as under attack from an enemy which is perceived to hold non-Texan values. Within the memory, the Texans need to defend themselves, their cannon and their values from an outsider threat. While Texas may not tell stories of backlash in its punishment museums, it would appear that a defiant response to a perceived threat is still an established part of Texanicity.

After the battle of Gonzales, the memory moves on to the siege at the Alamo, and it is this central part of the story that has become an important symbol in the politics of Texan cultural identity (Flores 2002). Indeed, many Texans will tell you that the Alamo is much more than a building in downtown San Antonio; it is a symbol of bravery, defiance and the ultimate sacrifice. Like the cannon flag, the image of the Alamo facade can

be found on a wide variety of consumer products throughout the whole of America. From bed sheets to bicycle seats, ball games to camping tents, comic books to music records, the Alamo-as-image remains pervasive (Thompson 2001, p. 109). Yet the Alamo is not just remembered as an image, the Alamo-as-narrative has also been (re)produced countless times in formats as diverse as outdoor battle re-enactments, films, pageants, books, TV series and documentaries (Clemons 2008, Chap. 3). The Alamo as both image and narrative has become a master symbol, not only within Texas, but across the entire US (Flores 2002, pp. 130–53).

There are three events within the Alamo story worthy of note. First is a letter written by Texan William B. Travis; second is the moment the defenders decide not to abandon the Alamo; and third is their death within the mission walls. These three elements have secured the Alamo as a master symbol in American culture. The first of these occurred on 24 February 1836, when Lieutenant Colonel William B. Travis wrote a letter of appeal within the walls of the Alamo compound to the 'People of Texas and all Americans in the world'. It read:

> I am besieged, by a thousand or more of the Mexicans under Santa Anna. I have sustained a continual bombardment and cannonade for 24 hours and have not lost a man. The enemy has demanded a surrender at discretion, otherwise, the garrison are to be put to the sword. I have answered the demand with a cannon shot, and our flag still waves proudly from the walls. I shall never surrender or retreat. Then, I call on you in the name of Liberty, of patriotism and everything dear to the American character, to come to our aid, with all dispatch. The enemy is receiving reinforcements daily and will no doubt increase to three or four thousand in four or five days. If this call is neglected, I am determined to sustain myself as long as possible and die like a soldier who never forgets what is due to his own honor and that of his country. Victory or Death.

In the original, Travis underlined the words 'I shall never surrender or retreat' once, and 'Victory or Death' three times, so when the letter is reproduced (as it is on a plaque at the entrance to the Alamo) attention is naturally drawn to these phrases. The letter itself is clearly a story about combat, boldness, honour and patriotism, but in terms of the Alamo-as-narrative

it also develops the character of William B. Travis as an early protagonist within the memory. Travis is a brave man who 'answered a demand to surrender with a cannon shot' and is willing to 'die like a soldier' for his country. The letter tells us that Travis will sacrifice himself in the name of his cause, in the name of Texas. Whilst on my travels I spotted the phrases 'Victory or Death' and 'I shall never surrender' on countless souvenirs; everywhere in Texas people remember the Alamo. While I had expected this at the Alamo Shrine and San Jacinto Monument, to find memorabilia in the gift shops of the Stockyards, the Capitol, the Bullock—and indeed shops all over Texas—further confirmed the significance not only of the narrative event within the story, but also the importance of the Alamo story to the construction of Texan self-identity.

Silke (2006) asserts that the Travis letter and later on the deaths of the Alamo defenders, continue to serve as a model for bravery and defiance in Texas today. The character traits of Travis are extrapolated to become those of contemporary Texanicity. Maybe the best illustration of this are the souvenirs which employ the narrative soundbite 'I shall never surrender or retreat—Victory or Death!', prefixed with the words 'A Texan's Motto'. Seen on magnets, posters, postcards and key chains, these words are often presented with images of a cannon or a firearm, the state flag or just a lone star. As cultural objects they portray a very specific image of 'a Texan' in the present. The cultural scripts used to define the Texan self-identity are those which promote the image of Texanicity as combative, bold and tough, willing to fight any present-day threat.

In addition, Clemons (2008), Dawson (2002), Graham (1985) and Roberts and Olson (2001) all draw attention to another event within the narrative which cements the defenders' heroic identity: the moment when William B. Travis drew a line in the sand and asked those who wished to stay and fight to step over it. This is the second part of the Alamo memory that regularly features in the representations offered in Texan tourist sites associated with history. While the 'line in the sand' event is only a small part of this iconic story about Texan bravery and sacrifice, as the Alamo Shrine audio tour suggests, it has nonetheless become an important part of folklore:

> According to legend, Travis drew a line on the ground with his sword, and offered every man a choice; remain to fight or leave in order to live. According to the legend, only one man fled. History records that 187 remained to die.

This is one of the only instances where the Alamo Shrine (or any of the sites I visited) casts a doubt over the authenticity of its own narrative. Introducing the event with the phrase 'according to legend' in the audio track and 'legend states' on the plaque seems to suggest that it might never have occurred. Whilst we'll likely never know whether the legend is true, this actually matters very little. Even if historians could prove the event to be a fabrication (and some believe they already have) the event is nonetheless already part of folklore and will never be entirely forgotten. Moreover, by labelling the line in the sand event as legend all other audio descriptions of not only the siege at the Alamo, but also the battle of Gonzales and the battle of San Jacinto become framed as fact. As a narrative device the words 'according to legend' are used to reinforce the authenticity of the rest of the story (Flores 2002, pp. 18–20).

The final battle at the Alamo—which occurred at the end of the 13-day siege—resulted in the death of all of the defenders. This was clearly a devastating defeat, but as the Mexicans marched away from the Alamo battleground victorious, the slain Texans had delivered what would turn out to be a deadly blow. Mexican General Santa Anna lost many men in the siege, and significant numbers of those who managed to survive were badly injured. The Alamo battle is most certainly a famous part of Texan self-identity, but more specifically it is the ferocity with which the Texans approached the battle that is a celebrated part of Texanicity. Not entirely dissimilar to the punishment museums, here we find Texas telling stories in which toughness is a revered part of the Texan past and the Texan present.

With all of the Alamo defenders dead, the story then moves on to the next set of events within the Alamo-as-narrative: the battle of San Jacinto and the signing of the Declaration of Texan Independence. The time lapse between the two battles (at the Alamo and San Jacinto) is of little consequence to the story and is rarely portrayed in any great detail. We simply learn that the heavily depleted Mexican army, led by General

Santa Anna, marched to San Jacinto where they encountered the Texan army led by General Sam Houston. An inscription on the base of the San Jacinto Monument reads:

> On this field on April 21, 1836 the Texan Army, commanded by General Sam Houston … attacked the larger invading army of Mexicans under General Santa Anna … With the battle cry, 'Remember the Alamo! Remember Goliad!' the Texans charged.

The story continues:

> The enemy, taken by surprise, rallied for a few minutes then fled into disorder. The Texan army had asked no quarter and gave none. The slaughter was appalling, victory complete, and Texas free!

Again the Texans were outnumbered, but it mattered not. Mexican General Santa Anna was captured, and later signed the Treaties of Velasco which secured independence for the Republic of Texas; 'Texas was free!' Interestingly, the Mexican Government never ratified the treaties and thus Texas was never—officially—independent. Such a detail is of little consequence in the Texan memory though; instead this triumphant success signifies a resolution. The Alamo defenders did not die in vain. In its entirety then, this is a story about Texans successfully defeating a non-Texan threat which eradicated the non-Texan values such a threat represents. Yet it is also a story in which Texans have created and defended an autonomous identity. It is here that we find the origins of the 'Texas as separate' motif, but also the narrative building blocks for the image of a 'Tough Texas', both of which have become pervasive dimensions both of Texanicity and the Texan approach to harsh punishment.

Strangely, the period in which Texas perceived itself as an independent republic (1836–46) is given scant attention within the Alamo memory. It is not within the scope of this chapter to consider why, although it could be suggested that as a narrative (in and of itself) the conclusion of the 'Texas as independent' story is far from one of victory. Texas, as a country, was unable to sustain itself economically and failed to ever truly

secure its border with Mexico (Fehrenbach 2000). The Republic of Texas had little choice but to undergo annexation to the US—it was less of a choice and more of a necessity. Furthermore, annexation was not without its problems. Firstly, it initiated the Mexican-American War (1846–8) in a dispute over boundaries. Secondly, even if Mexico had given up Texas without a fight many Americans opposed the annexation because of the Texan commitment to slavery (see Silbey 2005).

So while the very final instalment of the Alamo story is actually Texan annexation to the US, the reasons for annexation and the controversy it generated do not feature. Instead, the Alamo-as-narrative concludes with a celebratory story of Texas's importance to the US more broadly. This celebratory tone is well illustrated by the final inscription on the San Jacinto Monument which reads:

> Measured by its results, San Jacinto was one of the decisive battles of the world. The freedom of Texas from Mexico won here led to annexation and to the Mexican-American War, resulting in the acquisition by the United States of the states of Texas, New Mexico, Arizona, Nevada, California, Utah and parts of Colorado, Wyoming, Kansas and Oklahoma. Almost one-third of the present area of the American Nation, nearly a million square miles of territory changed sovereignty.

The significance of the Texas Revolution (and Texan Independence) is placed within a much bigger story about the progressive growth of the US in terms of land mass. Similarly, the audio guide of the Alamo Shrine tells the visitor that 'some remember the Alamo for the role it played in history. The battle was an important step on the United States' path to becoming a world power'.

In summary, the Alamo story presents Texas as an integral part of America's historical development, the latter only possible because of the Alamo defenders. Brave, bold and tough, they represent the archetypal Texan past and present. From the stories being told about punishment to the stories being told about history, Texas is using cultural scripts of toughness to depict Texanicity. A tough approach is celebrated as the most appropriate form of attack when threatened by an enemy, criminal or otherwise. And make no mistake; the significance of the Alamo story

in Texas cannot be overstated. As a visitor to the Alamo Shrine itself, the sanctity and sacredness of Alamo-as-place is overwhelming. This is not just a story about the Texan past; it is very much a hallowed part of the Texan present. Clemons (2008, p. 19) is right to state that the Alamo is far more than a tourist site dedicated to a historical battle—it has become a 'shrine to Texan cultural identity'.

Yet the Alamo is not the only narrative from which the Texan self-identity draws strength. In addition, Texas commands locational authenticity of the Old West or Wild West memory. It is here we find, once again, Texan historical tourist sites deploying scripts of boldness and toughness to depict Texanicity in the face of danger. It is here we find further evidence of punishment dimensions within the nationhood narratives upon which the Texan self-identity is built.

The Old West Memory

According to Dickinson et al. (2005) the story of the American frontier—like the Alamo story—is a 'foundational myth'; it provides a framework within which to understand contemporary American policy. Similarly, Slotkin (1992, p. 10) contends that as a narrative, the Old West both reveals how Americans view themselves as 'Americans' and informs the actions they take on a local and global stage. The Stockyards, the Bullock, the State Capitol Museum and the San Jacinto Museum all tell stories about the Old West; however, the sites do not offer a single chronological story. As such, it is not possible to analyse the Old West memory as one single narrative with a stable internal structure. Within Texan historical sites it is instead (re)presented through a collection of stories which use commonly recognised characters, symbols, metaphors and motifs.

Moreover, within Texan stories the term 'Wild West', 'Old West' and 'Frontier' are used interchangeably. Similar to Reddin's (1999) study of Wild West shows, the three terms tend to be used to speak about a geographical region (the West), a historical process (manifest destiny and the move westward) and a temporally-defined era (beginning with early settlements in the 1600s through to the final territories becoming states

in the early 1900s). Unsurprisingly, we find that the key characters within the Old West memory are the cattle-herding cowboy and the westward pioneer, and at times these two characters merge to become a single identity; the frontiersman. From a punishment perspective, it is worthy of note that the Texan Old West memory is actually somewhat devoid of violence. The protagonists of the stories are rarely shown to have engaged in any form of person-to-person combat. This is somewhat surprising considering the imagery and symbolism of the Old West found elsewhere. The classic western movie is—more often than not—a story about conflict and combat on the frontier. Cowboys and cattle rustlers, sheriffs and outlaws, pioneers and Native Americans, these Old West narratives conjure images of combat and retribution. However, while the cowboy and the pioneer (as characters) were rarely shown to engage in violence, they were depicted as both bold and tough because they had to manage and tame a hostile frontier.

The Cattle-Herding Cowboy and the Hostile Frontier

The Stockyards, the Bullock, the State Capitol Museum and the San Jacinto Monument Museum all employ the 'frontier as hostile' motif, although emphasis varies in related aspects. For example, the film played at the beginning of the walking tour in the Fort Worth Stockyards is—in part—about the cattle-herding cowboy. The audience are shown imagery of a barren, bleak landscape while the narrator states, 'this was a thousand-mile journey, and as they loaded up on blankets, equipment, ammunition and food, they readied themselves for the lonely, three-month trek'. The narrator also tells us that

> On the job he [the cowboy] had a very tough life. He worked up to eighteen hours a day, seven days a week and traveled up to eighteen hundred miles with no comforts other than a camp fire and blanket. Yet despite the hardships, most of them never complained … The trail was dangerous and the men who made their living from it notorious … They enjoyed all that the frontier town [of Fort Worth] had to offer before setting off on the arduous and lonely trail.

The 'notorious' men to which the narrator refers are the cattle-herding cowboys—by describing the trail as 'dangerous' the cowboy is consequently framed as brave; describing the journey as 'arduous' frames him as tough and bold. Much like other (re)presentations of the Old West memory, Texan historical sites employ masculine scripts of toughness to speak about their protagonists (see Kimmel 1992; Mitchell 1996). Moreover, the stories told about the leisure pursuits of the cowboy in particular similarly construct his character with reference to hegemonic masculinity:

> make no mistake, the cowboys were always happy to turn up a few days early to enjoy the social amenities Fort Worth became famous for … cheap alcohol, loose women, high-stakes gambling and nightly brawls.

As Holt and Thompson (2004, p. 434) find in Western movies, within this Texan Old West story the hegemonic masculinity of the cowboy is constructed by presenting 'women as sexual objects', while simultaneously depicting the image of what Dorsey (1997, p. 454) refers to as a 'two-fisted, faster-than-the-eye, gun-slinging cowboy'. However, while the Stockyards walking tour video does suggest that the cowboy would 'enjoy … nightly brawls' and also romanticises (to some degree) their violence, the vast majority of stories told about the cowboy within Texan historical sites do not depict him with reference to any form of violent exchange. More often than not, the stories focus on cowboy attire, chuck wagon cooking, cattle branding techniques and the ways in which the cowboy learned herding skills. Narratives of Texan toughness in a hostile land are clear but stories specifically about combat and violence are actually notable by their absence. These are not narratives about lawmen, outlaws, bandits or cattle rustlers. Bonnie and Clyde get a brief mention in the Stockyards walking tour (because they stayed in the Stockyards Hotel) and visitors to all of the sites can buy Texas Ranger and Lone Star Lawman badges but these Old West characters are not developed in narrative terms. In short, while the cowboy is tough, in the vast majority of Texan stories he is not violent.

The Westward Pioneer and the Hostile Frontier

Similar to the stories told about the cattle-herding cowboy, those related to the westward pioneer focus on everything but violence. While the classic western as a film genre might employ punishment-related narratives of vengeance and/or retribution and even at times subscribe to what Zimring (2003) has called the vigilante value system (see Chap. 6 in this volume), such narratives and values are not prominent parts of the Texan memory. Instead, we find that the westward pioneer—while bold, tough and able to settle in harsh and inhospitable lands—is not depicted within a hand-to-hand combat narrative, but rather in stories about the land survey techniques he would have used, the clothing he would have worn, the food he would have cooked and the cabin in which he would have lived.

Moreover, while Texas does tell some stories about Native Americans, these tend to be tales about people who not only assimilated into so-called 'civilised' society successfully, but who prospered as a result. These Texan sites of cultural significance remove their frontier stories from the controversies associated with what many regard as the destruction of Native American heritage; something Tinker (1993) has termed a form of 'cultural genocide'. And, as Steiner (1995) and Wrobel (1996, 2002) argue the reality of the Frontier was one inherently about racialised violence, yet such a reality does not find expression in Texan Old West memory. It is worth noting though, that these Texan historical sites are not the only cultural spaces in which the violence of the frontier has been marginalised or entirely forgotten. One need only look to the controversy which continues to surround the development of a 'New West History' to conclude that the Old West is something of a protected memory. The New Western historians—which include William Cronon, Patricia Limerick, Richard White and Donald Worste—have recently sought to de-romanticise the American frontier. By discussing race, class, gender and environmental damage, this emerging body of scholarship often exposes the brutality not only of the frontier, but also of the cowboy and the pioneer (see Limerick et al. 1991), something which has

caused much debate both within the media and within the discipline of American social history.

In short, the stories Texas tells about the Old West—be they about the cattle-herding cowboy or the westward pioneer—are not as punishment-rich as one might expect from watching a classic western. We are of course led to assume that both the cowboy and the pioneer might have engaged in combat due to their association with weaponry, yet we are rarely offered a narrative about who posed the danger or threat. Some displays suggest that a gun was needed to fend off snakes, or to begin a stampede when the cattle needed to be herded, but there was no suggestion that the cowboy or pioneer faced a particularly dangerous human threat.

However, it really would be impossible to see, hear and read these stories about the Old West and not associate them with the western genre of films and literature; the genre provides the orientating information. Visiting the Stockyards in particular is sold as an 'authentic Old West experience'. The clothes worn by staff, the cattle drives, the saloon-style bars and the country music are all symbols of the Old West and locate the tourist experience within a wider cultural myth of the western (Penaloza 2001). Rather than an 'autonomous cultural domain' the Stockyards become associated with—and characterised by—other cultural products of the western genre (Sack 1992, p. 27). Other western genre cultural products will no doubt help the tourist fill the gap within the Old West memory, even if the Texan sites do not explicitly fill it for them.

So the Old West memory—as it is represented in the top visited historical sites of Texas—has not actually provided us with much in the way of punishment-rich narratives. Yet it is worth exploring how characters within the Old West memory continue to play a part in the construction of a uniquely Texan self-identity. The westward pioneer in particular provides a significant frame within which contemporary Texanicity positions itself. Rather than focusing only on the stories Texas is telling about the past, we must now consider the stories Texas is telling about itself in the present. It is here we find the Lone Star State constructing continuity between past and present, and it is this continuity which reveals yet another dimension of Texas and its relationship with punishment.

Constructing Continuity Between Then and Now: Texanicity Past and Present

As we have already discussed, the notion that Texas is somehow separate from the US finds expression within the Alamo memory (which culminates with Texas becoming a Republic) but it also persists in other contemporary cultural products; there is continuity between the self-identity of Texas past and present. As previously mentioned, shops sell identification cards that make the owner an 'Honorary Texan' as if Texas was a country; Texans can buy identity cards that award them the status of 'Card Carrying Texan'; souvenir shops (including those at the historical sites) sell 'secede' bumper stickers, badges and postcards; 'Texas, it's like a whole other country' features on countless souvenirs; tourists can buy Texas passports; and the Lone Star flag is flown at the same height as the US flag all over the state. The Alamo's pedagogy of Texas-as-separate is continually rehearsed by way of the Alamo memory, but it also manifests in more nuanced ways.

Moreover, while the stories Texas tells and the products Texas sells appear to suggest that Texas as a place is somehow separate, the historical sites also offer stories in which 'Texan' as an identity (in the present) is portrayed as both separate and somewhat exceptional. While annexation by the US made Texas the same as all other states in terms of sovereignty, within these historical themes of identity, Texan is not an American identity. Texans are portrayed as uniquely Texan. One of the best illustrative examples of how this 'uniqueness' motif is used to construct continuity between past and present is the signature film played in the IMAX theatre at the Bob Bullock Museum—'Texas: The Big Picture' is played three times daily. It includes short scenes about the Alamo and Old West but the main focus of the movie is contemporary Texanicity.

There is one theme which runs throughout the entire thirty-five-minute movie: Texan pride. This really cannot be overemphasised. Had the film been about America it would be described as patriotic, yet it is not about America. It is most certainly about Texas. As a cultural performance it celebrates all things Texan and invites all Texans to take pride in, and show love for, their state. Yet it also demonstrates the exclusive

nature of the Texan self-identity—the film makes it very clear that Texans should be proud of their identity and state, and that non-Texans will always be outsiders.

Within the first five minutes of the video the word Texas or Texan is spoken (by the narrator and through song) a total of fifty-two times. From the opening minutes the audience knows where the film is situated and who the story is about. Yet it is the lyrics of the song played in this opening sequence that reflect both the exclusive nature of Texan as a cultural identity and the celebratory tone with which Texans speak about that identity. The song, 'That's Right (You're Not From Texas)' tells us that while everybody is welcome in Texas, being a real Texan is something special. Originally sang by Lyle Lovett on his 1996 album *The Road to Ensenada*, some of the lyrics include:

Verse: You say you're not from Texas: Man, as if I couldn't tell
You think you pull your boots on right: And wear your hat so well
So pardon me my laughter: 'Cause I sure do understand
Even Moses got excited: When he saw the Promised Land

Chorus: That's right you're not from Texas: That's right you're not from Texas
That's right you're not from Texas: But Texas wants you anyway
That's right you're not from Texas: That's right you're not from Texas
That's right you're not from Texas: But Texas wants you anyway

Verse: See I was born and raised in Texas: And it means so much to me
Though my girl comes from down in Georgia: We were up in Tennessee
And as we were driving down the highway: She asked me baby what's so great
How come you're always going on: About your Lone Star State

Chorus: I said that's right you're not from Texas: That's right you're not from Texas
That's right you're not from Texas: But Texas wants you anyway
That's right you' not from Texas: That's right you're not from Texas
That's right you're not from Texas: But Texas wants you anyway

The song's lyrics describe Texas as 'the promised land', and this notion is also reflected in what the audience sees while they are listening to the

song. At one point (around two minutes into the film) the screen goes completely black. Text is typed onto the screen. We read that '81% of Texans believe in heaven'. The next screen tells us that '98% of Texans believe they're already there'. These first few minutes set the celebratory tone of the movie which continues throughout. The song fades away and the image of cowboys around a campfire fills the massive IMAX screen. A male voice with a smooth Texan drawl tells the audience that

> Most of the stories told about Texas are told around campfires. They tend to be big stories, part truth and part legend. Together they weave a fabric of courage and hope, adventure and determination.

Within this first spoken scene, Texas is depicted as being a place from which legends come. After taking a brief tour through the Alamo's story, the movie moves onto the Texans who settled 'this great land we call the Lone Star State' (narrator). The narrator implies that to be able to identify oneself as a Texan is something of an honour:

> This land we call Texas was not a land easily tamed. It took a special breed to … ride the winds of fortune. You didn't just call yourself a Texan. You had to earn that right.

The majority of the film though, is dedicated to the Texans of today, and the character traits of the pioneers—those who earned the right to call themselves Texan—are extrapolated to describe contemporary Texanicity. The narrator speaks about the 'determination', 'courage' and 'ingenuity' of today's Texans as if they were traits which have been genetically inherited from the settlers, farmers and cowboys of early Texas. The film attempts to draw similarities between the pioneer who overcame adversity, and the ways in which Texans continue to do so today. Speaking about the difficult task of meteorologists, the narrator tells us that 'not even a Texan can lasso a tornado, but we're busy trying to do the next best thing: harness the power of the wind. A new style of Texan is farming the wind.'

Similarly, Texas's role in the space race is linked back to the pioneers and cowboys of the Old West. The narrator states proudly: 'Some people say Texans have their heads in the stars, and they'd be right. Not all our

cowboys ride horses. Some ride rockets.' The film plays rousing music and shows a video of the earth filmed from space. This video is interrupted by a screen of text which states 'First word spoken from the moon?' followed by 'Houston'. And in case the audience fails to realise the importance of Texans to the space race, or recognise that Texans past and present share character traits, the narrator spells it out: 'As courageous pioneers continue to reach for the stars, Texans will be there to help meet the challenges of the new frontier.'

Indeed, the video continually portrays Texas and Texans (as opposed to America and Americans) as courageous, bold and dynamic within a variety of fields. At times the innovation of Texans is depicted as changing the entire world. The integrated circuit (or micro-chip) was designed by a Texan and so the narrator boasts that 'almost everything we use in our daily lives is powered by Texas-born technology … Texans set the pace in the hi-tech race'. We also learn that Texans will 'be the ones that continue to blaze a trail towards tomorrow, with both the vision and the imagination to create things that will truly change the world'. And in case by this point the audience still have not realised quite how important Texas is, we are told that 'oil changed Texas and Texas changed the world … leave it to Texan ingenuity to go searching for oil in out of the way places, like a hundred fifty miles off the Texas coast'. Whether speaking about harnessing the weather, the space race, the high-tech or oil industries, Texanicity is portrayed using a combination of highly specific cultural scripts: courage, ingenuity, bravery, boldness and resilience are all employed to construct an image of Texas as a contemporary pioneer in a variety of fields.

The reasons for Texan pride continue. We are told that Texas invented the corn dog, which is '50 % corn bread, 50 % hot dog and 100 % Texan'. And apparently we have Texas to thank for 'taking the sour out of the grapefruit … Texas grows the biggest and bestest citrus fruit in the country'. And it is not just fruit that is big in the Lone Star State—the narrator proudly tells us, 'Fact is most things really are bigger in Texas'. It is at this point in the film when Texan pride—and the Texan desire to appear bold and separate—really shines through:

> Take the San Jacinto Monument for example, a soaring tribute for all those that fought for Texan Independence. It's fifteen feet taller than the

> Washington Monument and that little star on the top weighs 220 tons. And the State Capitol … well not to brag, but the Texas State Capitol is taller than our nation's Capitol … When we fly our state flag—the Lone Star—we fly it big.

In short, the film played at the Bob Bullock Museum reads as a story which celebrates both the pioneering spirit of Texans, and the majesty of Texas as a place: Texas is depicted quite literally as heaven on earth. Moreover, words such as brave, bold, ingenious, and courageous are used to describe Texans both past and present. Continuity is achieved by portraying the Texans of today as having the same attributes as the Texan heroes of the past: Texans are modern-day cowboys and Alamo defenders in terms of character traits. Yet it is the image of a 'pioneer' which is the most pervasive in terms of narrative. Indeed, Texas is repeatedly portrayed as a pioneer in industry. From grapefruits to oil, wind energy to silicon chips, the space race to corn dogs, Texas is at the vanguard. Texas and Texans are 'blaze[ing] a trail towards tomorrow, with both the vision and the imagination to create things that will truly change the world'.

The movie provides visitors with a celebratory narrative about the bigness and boldness of Texas and Texans in business, architecture, sporting achievements, geography, the state fair and even the weather. The title of the movie ('Texas: The Big Picture') is likewise a play on the bigness we are encouraged to associate with the Texan story, and the poster for the film states that the IMAX is the only theatre 'big enough to tell the Texas story'.

All of the historical sites visited similarly invite the audience, Texan or not, to understand Texas as at the forefront of all types of developments. The Stockyards Museum, the State Capitol Museum and the San Jacinto Monument Museum all include displays about the Texan invention of barbed wire and the massive changes 'the thorny fence' made to farming. The State Capitol Museum displays a 'Texas timeline' which concludes by informing tourists about the Texan role in the space race and the oil industry. The walking-tour guide of the State Capitol also speaks about the influence Texan Governors have had in the national political arena (Texas has produced more US presidents than any other state). As already discussed, the San Jacinto monument (inscriptions and movie) and the

Alamo (audio and walking tour) suggest that had it not have been for the Alamo defenders and the Texas Revolution then America might not be the superpower it is today.

The Alamo and the Old West (as both image and narrative) have become symbols of Texanicity. However, these two memories are also used to tell a much bigger, all encompassing (to use the official title of the Bullock Museum) 'Story of Texas'. This uses all kind of characters past and present to portray Texas as not only somehow separate or unique, but also as big and bold. The cattle-herding cowboy, the pioneers, the Texans who fought at Gonzales, the Alamo and San Jacinto still feature, but the bigger story of Texas translates the actions and attributes of these men (and they were all men) into a cultural narrative about the Texans and Texas of today. What might be called the 'pioneering Texan spirit' lives on and is depicted as affecting every part of the social world.

In short, all of the sites are telling stories with entirely different content but there is a very stable theme running throughout them. Whether the stories are about national politics, the international space race, the global oil industry or contain more local content referencing sport, architecture, celebrations and food, Texan self-identity (past and present) is constructed using celebratory scripts of Texan pride. When Texans do anything, they do it big and they do it the best. These are stories about a Texas-sized state pride, stories about the Texan pioneering spirit.

The stories Texas told in the Beaumont Police Museum (and jail cell tour), the Eastland County Jail House Museum, the Joe Byrd Cemetery and Texas Prison Museum, create a similar storied construction of the Texan social world on its own terms. The sites tell proud stories in which Texas is said to have one of the 'biggest and best' prison systems in the nation. Texas promotes itself as a place of tough but safe punishment. We learn that the Texan way of punishing is the best way of punishing. These are stories about Texan boldness in the penal sphere. It could be suggested that Texas sees itself as a kind of pioneer in tough punishment. Considering the bigger story Texas tells about itself is one in which the state is big, bold and at the forefront of so many major developments in politics and industry, is it any wonder that 'Texas reigns supreme in the punishment industry'? (Perkinson 2010, p. 4). According to the story of Texas, Texas reigns supreme in whichever industry one might care to explore.

In this light, the Texan commitment to harsh punishment might be as much about the Texan commitment to appear big and bold in the penal sphere as it is an expression of a peculiarly punitive ethos. The high numbers of executions which take place in the Lone Star State might be both an expression of support for tough policies and state's rights, while also serving as a symbolic signifier of an equally pervasive desire to be a pioneer in the punishment industry. Central to the Texan self-identity is boldness, both in terms of business and as a demonstration of toughness in the face of threat. The total number of people behind bars in Texas currently stands at over 230,000. Texas now has the highest prison population of any US state. In June 2013, Texas performed its 500th execution by lethal injection and continues to top the American execution league table. Harsh punishment is indeed big business in Texas—maybe Texas sees itself as blazing the trail for a tougher penal tomorrow.

Conclusion

In conclusion, this chapter has sought to investigate the suggestion that Texan cultural memories might have dimensions which could help explain the Texan commitment to harsh punishment, a suggestion implied by Clemons (2008), Flores (2002) and McEnteer (2004). It has been argued that the Old West and the Alamo, as cultural stories, do indeed resonate with the toughness narrative as found in Texan punishment museums. Moreover, unlike other cultural (re)presentations of punishment, the Texan punishment sites were found to evoke the war on crime metaphor by way of military-style displays which commemorated the death of symbolic soldiers. So whether one looks to the tourist sites associated with punishment or the tourist sites associated with the Alamo memory, Texas is telling stories about its own willingness to engage in tough combat if threatened.

Further to this, Garland (2010) has argued that in the Southern states punishment has become a pawn in 'culture war' between the Northern and Southern states of America. As a result, the meanings of harsh punishment in general and the death penalty in particular have been redefined as symbols of 'popular democracy' and 'states rights' in the South

(as opposed to the North). Punishment is spoken about in a political and cultural context which is characterised by a narrative of backlash. The Alamo memory is not a story about punishment but it does resonate with the narrative of backlash. The Lone Star State is a place which continually reminds Texans and tourists that Texas was once a Republic and the story of Texan independence is not only told within the state's historical sites. The revolutionary pedagogy of 'Texas as separate' can be found to manifest in nuanced ways all over the state with 'Remember the Alamo' becoming part of the Texas state narrative. If, as Garland (2010) asserts, punishment has become part of a Southern story about a state's 'right' to punishment autonomy, then nowhere will that story reverberate louder than in Texas, a state that proudly remembers a time in which it had complete autonomy not only from the North but from the whole of America.

Finally, this chapter has argued that while the Alamo and Old West memories play a significant role in constructing a unique Texan self-identity, and do (to varying degrees) resonate with punishment-relevant narratives, they can also be understood as the initial events within a much bigger story Texas tells about itself as a place of people in the present. Within this bigger 'story of Texas', Texans are depicted as a special 'breed of people' who have an unprecedented pride in and love for their state. The Texans of today are proud not only because of their past but also because of their present. The Texan influence on a whole host of industries is used to illustrate the pioneering spirit of the Lone Star State. Texas and Texans are at the vanguard, blazing a trail toward tomorrow. The Texan commitment to harsh punishment might be both a reflection of a desire to appear tough and a desire to be a bold pioneer within the American punishment industry.

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13

Re-imagining Texas as a Place of Harsh Punishment

With more than 550,000 people under some form of criminal justice supervision, and having performed its 517th execution in 2014, the Lone Star State has a reputation for harsh judicial punishment. Yet criminologists rarely take a state-specific approach to the study of punishment in America. Instead there is a pervasive tendency to reduce the complexities of individual US states—and their relationships with punishment—into a simplistic binary of Northern and Southern. The nuanced position that punishment (and stories told about punishment) achieve within the cultural production of state-specific meaning is lost in totalising arguments about an ill-defined Southern punitiveness.

The aim of this book was to consider the stories that Texas was telling about its own relationship with punishment. Drawing on diverse work, including criminological scholarship about cultural representations of punishment, as well as research on dark tourism and cultural memory, we constructed a scheme of narrative frames in which judicial punishment plays a role. Then, with our narrative framework at the ready, we entered the punishment museums of the Lone Star State. As part of our journey we toured exhibitions, visited old jail cells and listened to the

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stories our guides had to tell. It was by examining these narratives of the collective that we were able to build an image of Texas from the inside. This final chapter will thus complete our journey and reflect upon the conclusions we have drawn. Indeed, as will be demonstrated, the ways in which Texas speaks about punishment differed from what we might have imagined given the stories others were telling about the hyper-punitive Lone Star State.

More specifically, after analysing the punishment stories told in the Texas Prison Museum, the Joe Byrd Cemetery, the Eastland Old County Jail House Museum and the Beaumont Police Museum and jail cell tour, we arrived at two related conclusions. Firstly, the Lone Star stories use a narrative of toughness to speak about the Texan commitment to harsh punishment. Celebrating punishment as a display of strength and employing masculine scripts of bravery and boldness, Texas overcomes the criminal threat. Secondly, we identified a narrative of retribution which manifested itself by way of the modernisation motif. Texas told stories which juxtaposed punishments past and punishments present and within these temporal constructions Texan punishment becomes seen as tough, but also safe and civilised.

However, in addition, we also revealed some tensions within the Lone Star punishment stories. The first appeared within the tales Texas told about the prison and prisoners. We found that while Texan punishment was portrayed as safe some prisoners were nevertheless depicted as highly dangerous, and while some stories presented the prison as civilised (and civilising), others presented it as a battleground in which symbolic soldiers had lost their lives. The second tension occurred when we considered the tone or atmosphere created by certain stories. In Chap. 8 we found that the Texas Prison Museum seemed to embrace the Lone Star reputation for harsh punishment by selling 'comical' products in the gift shop, yet there was also a poignant audio track playing within the museum that invited visitors to question the Texan commitment to execution. Thirdly, there was a tension between the storied construction of modern punishment as civilised and thus retributive (as opposed to vengeful) and the stories told about the Texan desire to return to more brutal forms of punishment.

By exposing these tensions we were able to illustrate the complexity of the Texan punishment identity, and avoid the pitfalls of assumption. There is a tendency within criminological scholarship to imagine Texas as a hyper-punitive state characterised by desires for vengeance, to offer ill-informed accounts of the Texan experience which merely reflect and arguably construct the image of Texas as offered by the news media. By going to Texas and listening to the stories the state had to tell we obtained an insider perspective. Rather than reducing the Lone Star State to a cardboard cut-out cliché, we were able to examine the Texan commitment to tough justice on its own terms. Moreover, it was through this examination that we discovered that the punishment narratives offered by other cultural life scholars focusing on the US more broadly, were not as relevant in the Texan context as we might have expected. In short then, we now have the task of re-imagining Texas.

Re-imagining Texas: The Cultural Life of Lone Star Punishment

While Texas should still be viewed as a place of harsh punishment—because this is the reality in the state—I would argue that the Lone Star commitment to tough justice is not underpinned by feelings of fear, by desires for vengeance or by demands for closure. This emotive triad of cultural sentencing rationales did not feature heavily in the Texan museum stories or in the interviews and tours. Indeed, considering the Texan penchant for punishment we might expect the Lone Star State to use victimhood scripts as a justification for execution or mass incarceration, yet unlike the stories told about punishment across the US this was simply not the case.

For example, the cultural life of punishment as expressed in Lone Star museums did not employ a narrative of fear in quite the same way as the stories told in other cultural products. When examining the prison documentary *Lockup*, Cecil and Leitner (2009) found that the stories tended to focus on the 'worst of the worst'. Yet the tourist sites we visited told more stories about 'reformed inmates' by way of prisoner-made

arts and crafts, carpentry and tapestry. Moreover, Altheide (2006) suggested that the news reporting media can encourage support for harsh punishment by over-representing the likelihood of becoming a victim of violent crime. Punishment becomes a way of restoring feelings of safety and security. In contrast the Texan tourist site stories did not actually mention crime rates. At no point were the audience encouraged to see themselves as potential victims of crime. These were success stories about a contained threat: the criminal is a threat that we (as prison outsiders) should no longer fear.

The punishment sites did, however, suggest that prison 'as a place' should be feared. Using a similar narrative to that identified by Mason (2006b) in prison movies, the stories did (at times) encourage the audience to view everyday life in a Texan prison as violent. Stories of escape attempts, cabinets of contraband weapons and a padded cell all served to enforce the image of incarceration as violent and unpredictable. Yet as mentioned above, the prison is also depicted as a safe environment in which creativity (woodwork, leatherwork, needlework, etc.) thrives. In short, the punishment sites told stories both about reformed prisoners and about dangerous convicts. However, while the museums humanised some inmates, they still depicted all prisoners as deserving of harsh punishment.

Moreover, other cultural life scholars have found that narratives of vengeance can manifest within punishment stories. Following Sarat (1999b) we used Nozick's (1981) five-part distinction between vengeance and retribution and found that the Texan tourist sites employed a more pervasive narrative of retribution as opposed to vengeance. The Texan tourist sites did not always place the audience with the victim or the victim's family, and thus the vengeance narrative struggled to manifest. For example, in the Texas Prison Museum we became a 'witness to an execution' through an audio recording. Listening to the audio, we—as an audience—were often positioned with the condemned and his family at the moment of death; we were encouraged to feel sympathy for their suffering and question the Texan commitment to execution.

That said, all of the museums and tours did (at times) employ a narrative of vengeance through 'mocking' and/or 'humour', and the tour guides did briefly express a desire for less 'civilised' punishment. Yet we would have struggled to locate this within a broader story about victims'

rights. Unlike the narrative of vengeance identified by other cultural life scholars in other cultural products, the Texan desire for 'excessive' punishment was expressed within stories which justified excess due to its ability to increase deterrence. There were no highly descriptive accounts of homicides, no images of bloody crime scenes, no capital crime case files. In many ways the victims of crime were somewhat notable by their absence. Unlike America more broadly, it would appear that the cultural life of punishment in Texas does not need a victim to justify a commitment to (and desire for) harsh punishment.

Due to the limited expression of the victims' stories we also found that the closure narrative—as identified by other cultural life scholars—was not at all pervasive within stories told at Texan tourist sites. The tourist site stories did not attempt to comment on the victims' worth. The closure narrative did manifest once in the temporary photographic exhibit, yet closure was portrayed as elusive and ill-defined. Interestingly, this depiction of closure as elusive was closer to the findings of Berns (2011) who studied anti-death penalty cultural products. This is somewhat surprising considering the reputation of Texas as a hyper-punitive state. Moreover, while the photographic exhibit was the only place in which a victimhood story was told, it was related in the way Peelo (2006) might predict. As an audience we were encouraged to sympathise with pain and suffering and enter the realm of 'virtual victimhood'. Yet we can use our analysis to extend Peelo's (2006) notion of virtual vicitmhood. The photographic display and audio exhibit encouraged the audience to view the executed man and his family as victims. Rather than align with the victim and their family, we were invited into the virtual space of a different type of 'un-ideal' victim.

We also found, in line with Lichtenstein (2004), that the tourist site stories did—at times—use humanising narratives and these were identified as similar to those employed within the Benetton campaign 'We, on Death Row'. Yet unlike analyses of the Benetton campaign (undertaken by Girling 2004, 2005; Kraidy and Goeddertz 2003) we found that the Texan museums did not show the 'face' of the condemned, instead representing those who await their fate through objects and artwork. As such, the nature of spectatorship changed; rather than seeing a death row inmate 'staring back' and hearing an inmate make claims of reform (which victims' rights

activists saw as 'opening wounds which had begun to heal') the tourist site stories implied reform without inmate image or statement. With no specific crime, no specific criminal and no specific victim, Texas was able to tell stories about reformed inmates—even those on death row—without inviting the criticism associated with the Benetton campaign. While Texan museums about punishment did employ humanising politics, in contrast to the analyses undertaken by Girling, and Kraidy and Goeddertz, there was no suggestion within the museum story that humanised inmates who demonstrated the characteristics of reform should not be executed. The tourist sites differed significantly from the Benetton campaign because the museum did not make the reformed inmates part of an abolitionist story.

In short then, we need to re-imagine the Texan commitment to harsh punishment. While we might have expected to find the most punitive state in America using the scripts of victimhood to justify execution and mass incarceration, this was not the case. The tourist sites in Texas did not rely heavily on narratives of fear, vengeance or closure and victims did not take prominence within the Texan punishment stories. Moreover, it is worthy of note that we found some tourist sites offering a decidedly sympathetic, even compassionate portrayal of the reformed inmate. While on the jail cell tours we found, at times, that the tourist was encouraged to imagine the pains of imprisonment, and within the Texas Prison Museum we were sometimes invited to situate ourselves with the condemned and their family at the moment of the execution.

Michelle Lyons—a Public Information Officer for the Texas Correctional Institutions Division—suggested that 'Texans are not bloodthirsty, let's-hang-em-up-in-the-town-square kind of people' (cited in Massingill and Sohn 2007, p. 82). If this journey through the cultural life of punishment in Texas has taught us anything it is that she is quite right. While other stories told about punishment in America might deploy the narratives of vengeance, fear or closure, and while other states might justify their commitment to harsh punishment using these emotive scripts of victimhood, Texas does not. Instead, by way of the modernisation motif, Texas told stories about progression and improvement; punishment in Texas was depicted as safe and civilised in comparison to what came before. Moreover, the stories told about execution and mass incarceration in Texas portray the state as fighting a war on crime. The Lone Star State

celebrates punishment as a display of strength and toughness, employing masculine scripts of bravery and boldness in the face of threat.

This second conclusion, that Texas uses a narrative of toughness to speak about its own relationship with punishment, is particularly significant when we consider what else we know about Texas, or more specifically about Texas and its relationship with history. Scholars from other disciplines, primarily those working in tourism studies and cultural memory studies, have been suggesting for some time that the ways in which Texas remembers its history might help us understand the Texan approach to a number of social issues including punishment. Indeed, they argue that the Texan self-identity is underpinned by two dominant 'nationhood narratives' (the Alamo and the Old West) and that these narratives construct the image of Texas and Texans in highly specific ways.

As such, after examining the tourist sites associated with punishment, we turned our attention to the stories Texas was telling about its own history. We knew from touring the punishment sites that a narrative of Texan toughness was used to evoke the image of a bold and tough Texas, ready and willing to engage in combat when threatened by the criminal other, but we were less sure how (if at all) this 'Tough Texas' narrative manifested within the memories of the Alamo and the Old West. Directed not by criminologists, but instead by cultural memory scholars, we considered the ways in which Texas depicted its own self-identity—that is Texanicity—within its top visited historical sites. In short we turned our attention to the cultural life of Lone Star memories and as a result we once again have to re-imagine Texas and its commitment to harsh punishment.

Re-imagining Texas: The Cultural Life of Lone Star Memories

From touring the top five visited historical sites in Texas, and discussing the memories housed within them, it became clear that the Alamo in particular was a story about Texan toughness in the face of danger. One of the clearest illustrations of this 'Tough Texas' narrative is the state-wide

repetition of three phrases, each of which has become synonymous with and symbolic of the Alamo memory. '*come and take it*' was the defiant statement on the flag flown by the Texans at the battle of Gonzales; '*I shall never surrender or retreat*': '*Victory or Death*', was printed in the letter Travis sent while inside the Alamo; and '*Remember the Alamo!*' was the now infamous battle cry of the Texans as they charged the Mexican army at San Jacinto. These three storied sound-bites construct a highly specific image of the Texan self-identity: Texanicity is defiant, bold, tough, brave and ultimately victorious in the face of an enemy.

The final narrative sound-bite (the battle cry 'Remember the Alamo!') is by far the most pervasive of all three, and actually acts as an injunction to remember the retributive sentiment within the Alamo story: the San Jacinto Texans were fighting to right the wrongs of the Alamo siege. As a memory, the Alamo both normalises and celebrates retaliatory violence against that which is perceived to be a threat. Indeed, the Alamo memory also resonates strongly with the second order punishment narrative of backlash—the only difference is that within the Alamo story, the threat or enemy was 'non-Texan' as opposed to 'non-Southern'.

Moving from the Alamo to the Old West memory, we found that while a narrative of toughness was present, it was far from prominent. Surprisingly, both of the protagonists within the Old West memory—the cattle-herding cowboy and the westward pioneer—were depicted as bold and tough by way of a 'hostile land' motif, yet they were rarely depicted as violent. That said, we were nevertheless led to assume that they did engage in some form of combat through their association with firearms and other weapons. Similarly, tourist interpretations of the cowboy or pioneer would likely be guided by the 'western' genre of films, books, radio and so on, all of which often depict the Old West with reference to informal violence and vigilante behaviour.

So the scripts associated with the image of a tough Texas could—to varying degrees—be identified within the dominant creation myths Texas tells about its formation both as a place and as a self-identity. We found that these were stories in which the Texan characters were bold, brave and defiant. In narrative terms then, the stories Texas tells about its own relationship with punishment find expression in the stories Texas tells about its self-identity. Yet an equally important finding was that image of a tough

Texas was constructed in places which had no direct connection to punishment or to history. Souvenirs found all over Texas evoked (either implicitly or explicitly) the storied construction of Texas as tough: the cultural life of punishment in Texas was not confined to the state's tourist sites. In other words, from the Alamo's narrative sound-bites, to the anti-littering campaign 'Don't Mess With Texas', from the pervasive Lone Star symbolism in punishment museums to the 'execution' postcards available in gift shops all over the state, the cultural life of Texan punishment is an established feature of the Texan self-identity. Even outside of the punishment and historical tourist sites, Texanicity most certainly has punishment dimensions.

Moreover, within the stories Texas told about history we found a pervasive thread of state pride; the Alamo and Old West memories are a celebration of the Texan past. Yet this Texan past is often used as the beginning of a much bigger story, one which constructs continuity between Texans past and present. As previously discussed, Texas is often depicted as the modern day pioneer in the oil industry, the space race, politics and the development of high-tech equipment. This is particularly significant because we identified a similar celebratory tone in the punishment museums. Within the punishment sites the Lone Star approach to punishment was portrayed as the best way to manage crime; there was an air of confidence throughout the museum narratives, bravado even. Yet state pride was also found to be associated with the size of all things Texan. We learned that Texas hosts the biggest and best state fair; built the biggest and best State Capitol; grows the biggest and best citrus fruit; and has the biggest and best monuments to celebrate a uniquely Texan history and identity.

Taken together, these findings force us to re-imagine the Lone Star State and its commitment to tough justice because they place that commitment within its wider cultural context. By examining the cultural memories upon which Texan self-identity is built, we identified the narrative building blocks for the Texan approach to punishment. Moreover, we found that the story of a tough Texas is far from just a punishment narrative; it is weaved throughout the very foundations of Texanicity. The reputation Texas has achieved in the cultural and political sphere as a hyper-punitive state is just one part of a much bigger reputation that Texas celebrates at every turn. Toughness in an integral feature of Texan

self-identity and attitudes toward punishment are but one small expression of that identity.

In other words, we should not begin and end our understanding of Texan punitiveness by examining punishment in isolation, and we should not view Texas as tough merely because of the way it punishes. Instead, to truly understand the Texan commitment to harsh justice, we need to begin with Texan toughness rather than with Texan punishment. It is the Texan commitment to appear tough that provides the narrative frame within which Texas situates itself and its punishment identity. Similarly, rather than beginning with punishment, we must first understand that Texas tells stories about itself as a front runner in a whole host of industries. By constructing continuity between Texans past and Texans present the Lone Star State sees itself as a celebrated pioneer. Indeed, to find Texas acting tough on the national stage, celebrating its reputation for being big in the business of harsh punishment is not entirely surprising considering the pride which exists for all things Lone Star.

From the perspective of a Texan tourist, we have found that punishment is one small—but celebrated—aspect of the Texas condition. Indeed this book, and the research which underpins it, has sought to offer a more nuanced consideration of the Texan commitment to harsh justice, and one part of that endeavour has been to place punishment within its cultural context. It is my hope that this book both illustrates the importance of taking a cultural approach within criminology, and demonstrates how useful the study of museums, memory and narratives can be to those interested in studying criminology from a cultural perspective.

Re-imagining Cultural Criminology: Memory, Museums and Narrative

Cultural criminology has—for some time now—argued that 'the visual' is an important aspect when addressing cultural dimensions of the crime complex (see, for example, Ferrell and Van de Voorde 2010; Hayward 2010; Hayward and Young 2007). Yet alongside the visual there has also been something of a narrative turn in criminological scholarship. This narrative turn argues that stories, whether they are told about crime,

punishment, the police or the courts, are in and of themselves a form of 'self-making'. Similarly, Young (2004) is critical of much administrative criminology, advocating instead interdisciplinary endeavours which seek to carve out new knowledge using innovative methods that can unpack and unravel the constructed self in all its complex glory. Later, in *The Criminological Imagination* (2011), Young both defends cultural criminology and offers new ways that we can each re-imagine cultural criminology for ourselves and our research purposes; the criminological imagination invites us to find new ways to approach the crime–culture relationship

This study has attempted to rise to such a challenge by analysing museums as sites in which place-positioned identities tell their own stories about punishment. As such, I hope that that this book can be seen as a contribution to these new and exciting developments within criminological scholarship. In line with the work of other dark tourism scholars this book has sought to prioritise the visual, but also combine the visual with 'the experiential'—and indeed 'the object'—by way of the museum context. Moreover, rather than just focusing on punishment museums as environments of narrativity, we have also demonstrated that considering the history museum as an expression of the wider cultural context is a worthwhile scholarly pursuit.

More specifically though, it is my hope that this book has illustrated that the cultural and historical specificities of individual states and their relationships with both punishment and self-identity need not become lost in totalising arguments about 'Southern history' or an ill-defined 'Southern culture'. In many ways this book has been an attempt to move punishment theorising away from Southern culture and toward a state-specific understanding of cultural self-identities and their relationship to punishment stories. By taking a multi-disciplinary cultural approach we have been able to examine state-specific frameworks of meaning. Indeed, I would argue that while criminological scholarship which addresses contemporary cultural constructions of punishment is important, such scholarship needs to be undertaken with reference to the regional identities and cultural memories that surround those constructions of punishment. It is by narrowing our gaze and approaching punishment from a state-specific perspective that we better

position ourselves to re-imagine cultural criminology from a punishment perspective.

Conclusion

In conclusion it is my hope that this book has taken the reader on a kind of journey, a journey through stories told by and about the Lone Star State. We have heard poignant stories about witnessing an execution, celebratory stories of heroic bravery in the face of certain death and proud stories about a state which continues to blaze a trail towards the future. Yet this book has also been a story in and of itself. It has been my story of Texas.

In Chap. 12, I quoted a statement made by Robert Perkinson. He writes that 'in the realm of punishment, all roads lead to Texas … Texas reigns supreme in the punishment industry' (2010, p. 4). This is no doubt true, but after touring Lone Star punishment museums, after exploring the punishment dimensions of Texan nationhood narratives, and after spending some time in 'Prison City', I would suggest that punishment is as much a part of Texanicity as Texas is a part of the punishment industry. From listening to the insider stories Texas tells, from hearing the narratives of the collective, I would argue that not only does the state of Texas 'reign supreme in the punishment industry', the punishment industry also reigns supreme in the state of Texas.

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Epilogue: So Where Do We Go from Here?

This book has offered many conclusions, but wherever there are answers there will always be more questions. Looking to the future it is my belief that we—as cultural criminologists of punishment—still have much to achieve. For example, I was unable to explore the silences within the memories Texas uses to speak about its history. Looking back over those stories, whether it's the Alamo defenders, the cowboy, or the pioneer, the Texan character is generally depicted using an Anglo-identity; these are white, male memories. Future work could (and in my opinion should) examine how depiction of race and gender are used within the constructed image of Texanicity. Questions about who is forgotten, why they are forgotten, how they are forgotten and what this cultural forgetting tells us about Texanicity and its relationship with punishment remain unanswered. Clemons (2008) agrees that Texas continues to be branded with reference to this image of an Anglo-man. Criminologists could explore the ways in which each new (re) presentation of Texanicity (be it J. R. Ewing from *Dallas*, Hank Hill from *King of the Hill*, or Sergeant Walker from *Walker, Texas Ranger*) reinforce the character of Texanicity with reference to whiteness and maleness but also toughness, boldness and a willingness to engage in combat.

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In addition, it would be interesting to explore Texas as a place of cultural confluence. While the Texan self-identity may be (re)presented as white and male, and Texan culture may be (re)presented as Western or somehow unique, that is not to suggest that there is—in reality—a homogeneous Texan identity or Texan culture; quite the reverse is true. The Texan reality is more accurately a cultural complex of self-identities. Texas is a Western state and a Southern state which views itself as somehow separate, but how the US–Mexico border likewise plays a role in constructing a diverse cultural dynamic which is unlikely to be found elsewhere was beyond the scope of this research. Texas is the only state that can claim locational authenticity to be Western, Southern, border and somehow separate. Texas is where these four culturally and historically inflected elements of identity meet and mesh.

Staying with this idea that culturally managed histories play a part in identity construction, and that collective identities might help us understand punishments preferences, I would suggest that future research on cultural memories could be undertaken by those punishment scholars who focus on writing histories of the present. Researchers who have already discussed at length the institution of slavery or the practice of lynching seem well placed to contemplate the memories of these actions and events as they are (re)presented in historical tourist sites. Within the sociology of punishment we seem to continually recall the realities of the Southern past (primarily lynching and slavery), while simultaneously neglecting that which is culturally remembered and forgotten in the Southern present.

Finally, it goes without saying that there are tourist sites all over the world that tell stories not only about punishment, but also crime, specific criminals and policing. Any of these sites are repositories of data for the cultural researcher, waiting to be excavated by scholars and students wanting to gain an alternative perspective on the cultural life of criminal justice. As universities become stricter about what (and who) can be researched, tourist sites provide a fantastic opportunity to study both crime and its control. Criminologists should take tourism seriously, because by embracing the cultural memories alongside the fac-

tual histories we will gain a more nuanced understanding of why places (and in turn why people) do what they do. Tourist sites are the places in which collectives are telling their stories; we just need to be ready to listen.

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