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"Violent Crime as Revenge Tragedy; Or, How Christopher Dornier Led Criminologists at CSU Long Beach to Shakespeare"

By Dr. Jeffrey R. Wilson, Harvard University

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In February 2013, ex-LAPD officer Christopher Dornier went on a violent rampage against his former colleagues, a killing spree and manhunt that consumed the attention of Southern California for more than a week. For the students in my "Introduction to Criminal Justice Research, Writing, and Reasoning" course at California State University, Long Beach, the Dornier affair was their first real opportunity to apply the theories of criminology and criminal justice they were learning about in our classroom to an event that was happening right outside our door. This event was no less of a discovery for me, a discovery of the applicability of a very different kind of knowledge. My Ph.D. is in English. My dissertation was about Shakespeare. What was a Shakespeare scholar doing teaching criminal justice classes? I was asking myself the same thing, but it was

a time when jobs in English departments were hard to come by, and it turned into a powerful example of "academic drift."

When he first came to CSU Long Beach, the chair of the Department of Criminology and Criminal Justice went around to the criminal justice employers in the area and asked them, "What do you need from our graduates?" They responded, univocally, that they needed their workers to be better writers. Somewhat surprised by this response, the chair took a look at the campus-wide writing course that all first-year students were required to take, which was administered by the English Department, and decided that it wasn't doing a good enough job. He created a discipline-specific course, "Criminal Justice Research, Writing, and Reasoning," and added writing components to other courses in the department as well.

In our course, we spent a lot of time talking about comma placement, subject-verb agreement, and APA-Style citations, and we wrote police reports, case briefs, and research papers. But, in the process of designing and teaching this course, it also became clear that it was my students' first opportunity to think creatively and independently about complex problems of crime and justice. No one had done so better than Shakespeare. I thought, and maybe Shakespeare could

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better than Shakespeare, I thought, and maybe Shakespeare could help us become better criminologists. Over the next few years, this idea developed into an ongoing research project exploring how Shakespeare depicted crime and justice, how criminologists have used Shakespeare's drama, and how his works remain a valuable resource for criminology on both a theoretical level (helping criminology scholars build theories) and a pedagogical level (helping criminal justice professionals develop skills of analytical and ethical reasoning).[1] This essay takes a look back at the week that started this project, the week of Christopher Dorner.

I.

Earlier in the semester, during a classroom discussion of the criminological concept of "black rage," it occurred to me that the famous opening of Shakespeare's *Richard III* could serve a powerful explanatory and exploratory function. Black rage – theorized in 1968 by psychiatrists William Henry Grier and Price Cobbs, and popularized in 1994 when lawyers William Kunstler and Ron Kuby suggested it as a legal defense in the trial of Colin Ferguson, a Jamaican immigrant who opened fire on the Long Island Rail Road, killing 6 and wounding 19 (Harris) – is the notion that the disgusting history of racism in the United States creates a social disadvantage for African Americans so extreme and unfair that it can impair the functionality of the black mind. In other words, the origin of the diminished capacity of someone like Ferguson – who brought to his shooting a note with the "reasons for this" (Harris 151), most of which were related to racial discrimination in the American workplace – is not biological nor psychological but sociological. According to Kunstler and Kuby's black rage defense, Ferguson's ability to conform his conduct to the requirements of law was impaired by the systemic racism in the United States that created in him a maddening storm of confusion, frustration, and anger that could only fester for so long until it found expression in a public display of violence.

Like Ferguson's lawyers, Shakespeare's Richard III tries to excuse his murders by making them the expression of an all-consuming anger about the treatment of physical difference in a discriminatory culture. Born physically deformed, Richard fields assaults from his enemies during wartime – "Heap of wrath, foul indigested lump," they say, "As crooked in thy manners as thy shape!" (2 *Henry VI*, 5.1.157-58)[2] – and he sees his family and friends enjoy the exploits of romance during peacetime, leaving him to feel that his only option is hatred:

But I, that am not shaped for sportive tricks,
Nor made to court an amorous looking-glass;
I, that am rudely stamp'd, and want love's majesty
To strut before a wanton ambling nymph;
I, that am curtail'd of this fair proportion,
Cheated of feature by dissembling nature,
Deform'd, unfinish'd, sent before my time
Into this breathing world, scarce half made up,
And that so lamely and unfashionable
That dogs bark at me as I halt by them:

Why, I, in this weak piping time of peace,
Have no delight to pass away the time,
Unless to spy my shadow in the sun
And descant on mine own deformity.
And therefore, since I cannot prove a lover,
To entertain these fair well-spoken days,
I am determined to prove a villain
And hate the idle pleasures of these days. (*Richard*
III,1.1.12-31)

Richard proceeds to murder his two brothers; to marry the widow of a man he had already had murdered, then kill her as well; to carry out an elaborate conspiracy to discredit his political enemies; to imprison and kill his two adolescent nephews; to behead one of his co-conspirators; and to display in his final soliloquy what a modern psychologist would easily diagnose as schizophrenia. In fact, the founder of psychoanalysis, Sigmund Freud, turned to the case of Richard III, and the above soliloquy in particular, when articulating a criminal character type he called “the exception”:

What the soliloquy thus means is: ‘Nature has done me a grievous wrong in denying me the beauty of form which wins human love. Life owes me reparation for this, and I will see that I get it. I have a right to be an exception, to disregard the scruples by which others let themselves be held back. I may do wrong myself, since wrong has been done to me.’ (314)

The concept of “black rage” is a racially tinged version of Freud’s “exception.” Both the physically deformed Richard III and the African-American Collin Ferguson – in Kunstler and Kuby’s account of him – had such an overwhelming disadvantage in life, had suffered so much, unjustly, knowing themselves to be guiltless of any wrongdoing, that they exempted themselves from the laws and morals that govern civil society – laws and morals such as *thou shalt not kill* – as Freud explained: “They say that they have renounced enough and suffered enough, and have a claim to be spared any further demands; they will submit no longer to any disagreeable necessity, for they are *exceptions* and, moreover, intend to remain so” (312). Shakespeare was the first writer in the Western tradition to suggest that a culture of discrimination against some innate feature of a person’s identity might lead that person to see him- or herself as an exception to the laws and morals of society. An undeniably acute observer of human behavior, Shakespeare was also an accomplished analyst of the criminal event, and his plays offer criminologists some invaluable equipment for thinking through ideas and instances of crime and delinquency.

II.

At first glance, Richard’s declaration that he is “determined to prove a villain” might sound like a melodramatic embellishment of art: *Criminals don’t really talk like that, right?* Actually, Richard’s soliloquy

is a powerful premonition of another racially charged crime, the one that occurred during my 2013 class and consumed the attention of my students, the killing spree of Christopher Dorner, whose sprawling 14-page Facebook manifesto stated that he saw himself as a “necessary evil” (Goffard).

Hearing Dorner call himself “evil” after hearing Richard call himself a “villain” cautions us against the position of E. E. Stoll, an early twentieth-century literary critic who drew a sharp distinction between the flat or artificial criminals represented in Shakespeare’s plays and the complex or realistic criminals described by modern criminologists like Cesare Lombroso. Morality in Shakespeare’s plays is black-and-white, Stoll thought, and “Machiavels” such as Aaron the Moor, Richard III, and Iago are all black. They are, Stoll said, plain villains: diabolical, wicked, cruel, destructive, remorseless, perfidious, cackling, loving evil for its own sake, viewing pity and honor as loathsome. Shakespearean character types such as the Machiavel may not be realistic, true, but believing them to be is, a criminological version of the so-called Thomas theorem: “If men define situations as real, they are real in their consequences” (Thomas and Thomas 571-72). What Stoll did not fully appreciate is that Shakespeare’s characters are realistic because we often use the canned criminal character types we know from literature and culture to conceptualize offenders as villains, and criminals can consciously model themselves after one of those clichéd character types, as occurred with Dorner. Like Shakespeare’s Richard III – and like Kunstler and Kuby’s Colin Ferguson – Christopher Dorner saw himself as an exception, an innocent victim of deeply codified and highly offensive cultural practices, a victim who did nothing whatsoever to earn the unfair treatment hoisted upon him, hoisted upon an innate aspect of his identity, his race, which – in his mind – was justification enough for

him to take the law into his own hands, to become the scourge of God, and to execute his own version of vigilante justice.

The Dorner incident had all the ingredients of an elaborate Shakespearean tragedy: war, honor, ambition, intrigue, revenge, error, catastrophe, and a dreadful complexity that makes analysis arduous and labyrinthine.[3] An African-American born and raised in predominately white neighborhoods of Southern California, where he says he always met racism with righteous violence, Dorner graduated from college and joined the Navy in 2002, then the Los Angeles Police Department in 2005. At the LAPD training academy, his personal code of honor, courage, and integrity led him to attack a fellow cadet for using racial slurs, an incident that would haunt him. After the Navy recalled Dorner to active service during the Iraq War, he returned to the LAPD in 2007, where his personal code of honor soon led to another incident. He submitted a formal complaint of excessive force against another officer, but an internal investigation determined that no excessive force had occurred, resulting in Dorner’s termination for making false statements. Dorner appealed his termination, but his appeal was unsuccessful, and over the next few years frustration became anger and a desire for revenge while

embarrassment became shame and a desire for vindication. This is the point at which Dorner's code of honor switched from a source of virtue to a spur to villainy, the point at which he declared himself to be an exception. On February 3, 2013 in Irvine, CA he shot and killed the daughter of an officer whom he blamed for mismanaging his appeal, and the daughter's fiancé as well. As he lay in wait in San Diego over the next few days, Dorner was named as a suspect in the Irvine incident, and news broke of his chilling manifesto.

Effectively a grand soliloquy on par with one of Richard's, Dorner's manifesto skips from speaking truth to power to delusions of grandeur to intimate confessions to incoherent ramblings, all while relating the injustices committed against him and detailing the crimes he planned to commit against those he held responsible. He blamed his termination on a certain culture at the LAPD – a culture of corruption, negligence, and hypocrisy that permitted and therefore intensified a culture of racism and violence – claiming that nothing had changed since the days of the Rampart and Rodney King scandals. Dorner declared war on some 40 individuals directly involved with his tumultuous past, but also – like Shakespeare's Richard III – on an entire way of life. Thus, in two incidents on February 7 he opened fire, unprovoked, on officers in Corona and Riverside, killing one and injuring two. Later that day, police in Torrance twice opened fire on two different trucks, each of which they believed to be Dorner's, neither of which were, tragic incidents that many – including no doubt Dorner himself – saw as corroboration of his account of a culture of violence in the LAPD.

Amidst all the horror and intrigue of the Dorner affair, what was most shocking to me, and to many of my students, was its overt theatricality, a feature the Dorner case shares with that of Richard III. Richard's next line in the soliloquy that I quoted above is "Plots have I laid" (1.1.32), Shakespeare using this deliberately theatrical word, "plots," to invite us into Richard's deliberately theatrical crimes. This line, "Plots have I laid," might easily have appeared in Dorner's manifesto, which outlined in shocking detail the "unconventional and asymmetrical warfare" he planned to wage against the LAPD, as well as his hopes for the media coverage of his case. He told journalists how to research and report his story. He sent a package to CNN's lead anchor, Anderson Cooper, containing an LAPD coin he had used for target practice, sensationalizing both his anger and his expert marksmanship. He said his attacks would stop if the LAPD were to

hold a press conference and declare his innocence publicly. Indeed, vindication even more than vengeance was the driving force in Dorner's manifesto, which dwelt upon his spoiled reputation: "That's what this is about, my name. A Man is nothing without his name." The fact that Dorner's name had been publicly dishonored meant that his vindication would need to be publicly performed, and it was, to be sure, a performance. In his manifesto, Dorner adopted a certain persona, one dating back to Shakespeare's Richard III, one designed to legitimate his awful actions in his own mind and to secure sympathy and support from others. In other words, he made himself

into a character, one we all love to hate and hate to love, the exception," the righteous but wronged man born into an impossible situation, pushed past his limits, left with no choice but to take the law into his own hands, a character we all recognize from the lone gunman of old westerns to the last good cop of crime flicks to the masked crusader of superhero comics.

A comparative analysis of Richard and Dornier suggests that there is a special class of violent criminals, "the exceptions," who justify their crimes to themselves and others by seeing and presenting themselves as victims of social conventions that are also abhorred by politically progressive members of society. Often, these criminals turn to the resources of dramatic expression, specifically the soliloquy, which surfaces nowadays as a manifesto. The villain who is also a victim gains the sympathy of those who ought to abhor him for the horrible crimes he commits by making himself into a character and making us into his audience. Thus, the criminal who is both a victim and a villain is also always a problem for the public who must make sense of him and his crimes.

III.

As we in Southern California sat glued to our televisions, watching Dornier's production unfold, and as we discussed the Dornier incident in my classes, many of my students were surprised by their responses. They found themselves excited by, even rooting for Dornier. Like Richard's plots in Shakespeare's play, Dornier's stirred up a scintillating question in his audience – *Can he actually pull it off?* – and many, shockingly, wanted him to succeed. This sympathy for and camaraderie with Dornier – born at least partially from the detachment of the affair from real life, for we all felt like we were watching a movie – culminated in an impish glorification of the man, as evident in the "Friends of Christopher Dornier" signs and the "I support Christopher Dornier" Facebook pages. It was therefore with the bated breath of a gripped audience that we watched as Dornier's truck was found burned out near Big Bear Lake, as police mounted a massive manhunt in snowstorm conditions over several days, as two cleaners randomly discovered Dornier in a vacant condo only 100 feet from the police command post, as Dornier tied them up and fled, as one broke free and reported him to the police, as a high-speed chase and gunfire ensued, and as Dornier crashed his car, fled on foot, and barricaded himself in a cabin, surrounded by police. One of my classes happened to be meeting during Dornier's last stand in that cabin, and several of my students admitted to hoping that it was not Dornier inside, that he had somehow escaped again, that it was some impossibly ingenuous deception, that his performance would continue, even though the things he was doing were horrible, for Dornier's audience seemed to take a perverse joy from his production.

Having studied Shakespeare's *Richard III*, I was not at all surprised by this response, for our response to Richard's villainy is always suspended between fascination and revulsion. Ever since William Richardson's *Essays on Shakespeare's Dramatic Characters* (1785), one of

the most common critiques of Richard that he produces wildly divergent responses in his audiences, that we feel ambivalent about him, that we love him and hate him at once, that the sympathy we feel for his suffering and the camaraderie we establish when he talks directly to us are offset by the horror we have for his awful actions and the sorrow we feel for his hapless victims. Dorner's creation of a criminal persona clearly displayed elements of modeling, as any criminologist familiar with Albert Bandura's modeling theory can see. I am suggesting, however, that a criminologist familiar with Shakespeare's drama can see that the public's response to Dorner's persona shows signs of modeling as well. In literature, we cheer for "the exception" when he, the victim of an unjust system, usually played by Denzel Washington, bucks the law and goes on his indignant rampage of righteous violence, and many in Dorner's audience unwittingly imported that aesthetic response to his case. In other words, Dorner's was a case not only of life imitating art, but also of the interpretation of life imitating the interpretation of art.

During that class when Dorner was holed up in Big Bear, I predicted to my students, it turned out correctly, that he would be dead by the time we left our class that night, a prediction I made not because I was well versed with the criminological theories on such incidents, but because I was familiar with Renaissance revenge tragedy. Indeed, the entire Dorner affair reads like an elaborate revenge tragedy, from its beginning in a culture of honor and a breakdown of the justice system to its end in a bloody pile of bodies. Almost every Renaissance revenge tragedy begins with a crime that has gone unpunished by the criminal justice system. At the end, almost everyone dies because almost everyone is guilty, both the protagonist who suspended civil law to institute his own version of vigilante justice, and the culture that wronged him to begin with. Amidst all the blood and bodies, the

final scene of a revenge tragedy usually promises one of two possible futures, either a blood-feud that perpetuates the life of the tragedy, those left alive seeking to avenge the injustices of the play now finished, or a moment of civilization in which legal authority is conferred onto a new sovereign who establishes the rule of law to deal with anyone left alive. Even in the midst of Dorner's killing spree, LAPD Chief Charlie Beck had reopened the case of his termination. Many hope – and I count myself among them – that the review of Dorner's termination and the additional scrutiny the LAPD will receive will disprove Dorner's description of a culture of corruption, negligence, hypocrisy, racism, and violence. We hope for this result, however, because it simplifies our analysis, because it allows us to think in terms of "good guys" and "bad guys," because we become squeamish when we must go beyond criminal responsibility to moral responsibility and divvy it up by making fine distinctions that acknowledge the possibilities of guilt in victims and victimization in criminals. This sort of scrutiny of the particular and circumstantial aspects of crime, as difficult as it is, is precisely what Shakespeare's plays require us and train us to do.

Shakespeare did not invent the charismatic villain whose unrepentant wickedness is surprisingly exhilarating or the antihero who rages against the ills of society even if he is himself no model citizen. Characters such as the Vice and Marlowe's Tamburlaine were already in the air in English drama but, with his Richard III, Shakespeare was the first writer in the western tradition to combine these character types together and then tether them to the phenomenon of social discrimination. Shakespeare's drama inspired Freud's criminology, and Freud's Shakespearean criminology of "the exception" has become acutely relevant in our age of global media saturation. Now more than ever, criminals are thinking about their actions as performances – terrorism is only the most obvious and alarming example – making the treatment of crime and criminals in Shakespeare's drama, with its inherent emphasis on the act of representation and the odd theatricality that attends on tragedy, a valuable resource for the future of criminology.

Endnotes

[1] See Wilson for an overview of this project.

[2] All references to Shakespeare's plays are to *The Riverside Shakespeare*, ed. Evans and Tobin (1997), and will be noted parenthetically in the text.

[3] The details and quotations of the Dorner incident which appear below are drawn from Gofford's collection of the LA Times reporting on the event.

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