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## “LIZZIE BORDEN, THE GAY NINETIES, AND DEATH IN TEXARKANA”

by S. Ray Granade

4/26/2016

“Lizzie Borden took an axe/And gave her mother 40 whacks./When she saw what she had done,/She gave her father 41.” So goes the old (and anonymous) rhyme about a legendary figure in American life. Lizzie Andrew Borden lived out her life in Fall River, Massachusetts from her birth July 19, 1850 until her death of pneumonia June 1, 1927. On Thursday morning, August 4, 1892, her stepmother was killed with 18 or 20 blows of a hatchet between 9 and 10:30 AM and her father with 11 blows between 10:30 and 11:10. Lizzie was tried June 5-20, 1893 and found not guilty after the jury deliberated an hour and a half. Newspapers carefully reported every gory detail, including meticulous descriptions of the autopsy done in the Borden dining room, the removal of the victims’ heads, and the presentation of their skulls as evidence during the trial (and Lizzie’s reactions to seeing them). She was not retried. No one else was ever tried.

Supposedly coined by artist Richard V. Culter for a series of 1920s drawings for *Life* magazine (and later a book of them with the same title), the term “Gay Nineties” evoked images of a simpler and more carefree time when “the social set” had leisure and money to follow their whims. Those images had little relevance to large swaths of the United States. Outside the cities of the northeast and the watering holes of that “social set,” the British term for the same era, the “Naughty Nineties,” was more apt.

I came to Ouachita Baptist University in 1971, an ABD in US Social and Intellectual History from Florida State University, commonly called at the time “the Berkeley of the Southeast” for its student unrest. There I’d seen the takeover of ROTC facilities by students led by “Radical Jack” Lieberman and a standoff with bare-bayonet-wielding (but minimally-trained) Leon County Sheriff’s deputies and posse members. I came to OBU in 1971 at the end of almost a decade of assassinations and attempted assassinations: President John F. Kennedy; Lee Harvey Oswald; Medgar Evers; Malcolm X; George Lincoln Rockwell; Dr. Martin Luther King, Jr.; Alabama Governor and third-party Presidential candidate George Wallace; and Presidential candidate Bobby Kennedy. I came to OBU at the end of political turmoil that manifested itself in protests against the Vietnam War; in riots in Harlem, Rochester, Philadelphia, Watts, Chicago, Omaha, and Cleveland; in the “Long Hot Summer of 1967” riots in Ohio, New York, New Jersey, Illinois, Michigan, Maryland, and Wisconsin; in riots in at least 10 major cities in the wake of Martin Luther King, Jr.’s assassination and four more soon thereafter; in 7 major riots in 1969 including the “Days of Rage” in New York City. I came to OBU right after the Kent State shootings of 1970 and at the same time almost exactly as the Attica Prison riots. Major

incidents would occur almost annually in the next half-decade, the best-known of them the confrontation with the American Indian Movement (AIM) at Wounded Knee (on Pine Ridge Reservation, SD) for 70 days in 1973, the Symbionese Liberation Army (SLA) shootout in Los Angeles in 1974, and the Pine Ridge shootout in 1975. I came to OBU in 1971 as a US Army-trained killer, MOS Eleven Bravo.

Personally, professionally, and culturally, I was sensitized to and fascinated by violence as a research subject. I taught a Pro Seminar on violence in American history, during which we surveyed the OBU campus; a decade later, I repeated the survey. Then other research interests crowded out my initial inclinations. During my most recent sabbatical, as some of you heard two years ago, I started down that intellectual rabbit-hole again when I discovered the story that some of you heard me tell in brief: that of the preacher, the lawyer, and the lawyer's wife, and how to get away with almost murder. It happened a few feet inside Texarkana, Texas on the depot platform. That led me to three other stories, with the four, all from the same decade, saying something about Texarkana as a border town.

"Border town" is a recognizable and accepted term for communities large and small that sit adjacent to or athwart a political dividing line. Most draw their definition from their siting. They can be rich cosmopolitan mixtures of different cultures and traditions. They can be flashpoints when political interests collide. They can also exhibit social schizophrenia, depending on the border. Of the roughly fifty in the United States, most have different names in the different political jurisdictions, though some have merely added a directional designation of the same name (one town, Sioux City, has two); almost a dozen share the same name.

[3 in Canada; 13 US/Mexico, 30 US/Canada. some have directional designations (west or south or east or north) Sioux City IA, N Sioux City SD, and S Sioux City NB; Bluefield VA/WV; Bristol VA/TN; Delmar DE/MD; Florala AL/FL; Harper's Ferry MD/WV; Kansas City MO/KS; Marydel MD/DE; Stateline CA/NV; Texarkana AR/TX; Union City OH/IN; Verdi CA/NV]

Texarkana is comparatively new, a product of the railroad much like Hope and Gurdon. Its name derives from the plan to put it where TEXas, ARKansas, and LouisiANA meet, though the rail lines didn't quite allow that. The most common story of its creation relates how someone (several names clamor for credit, though not one has yet settled out as odds-on favorite) put the name on a rough pine board and nailed it to a stump in 1873. The first town lots were sold the next year; Texarkana Texas was chartered in 1874, Texarkana, Arkansas in 1880.

From its inception, the state line has impeded what law enforcement might be available. This tidbit from a local newspaper dated 26 September 1884 explains the situation best: "A colored barber working for Pete

Williams was arrested last night by Officer McCauley for using vile and threatening language. When turning Levy's corner, he dodged back and, before the officer could realize the move, bounded into Texas at two strides. He will not return until ready to pay a fine." In part because of that impediment, Texarkana drew perhaps more than its share of the types customary in the chaos of poorly-policed areas. Early settler Dr. James McMahon remembered Broad Street as merely a series of mud holes of varying depths and stumps of varying heights. That variety in impediments to transportation matched those to immigrants' moral fiber. Early settler and later Judge W.B. Weeks remembered the great majority of early arrivals as "gamblers, gunmen, and other lawless individuals who flocked into new towns where law enforcement was unusually weak." If one met "a man nicely dressed, clean shaven or having nice clean sidewhiskers, a 'stovepipe' hat, and high topped shiney [sic] buttoned shoes, he was either a clergyman, a doctor, a lawyer, a government official, a school principal, or 'gentleman of the cloth'" (i.e., a gambler). He also recalled that a "gang of lawbreakers hung around the depot to spot any stranger appearing to have money. If it was night they robbed him. In the daytime they enticed him into a saloon or gambling house and fleeced him." The gang had numerous fleecing opportunities in those environs; the earliest city directory (1888) listed 23 groceries and 21 saloons (18 on Broad Street, with names like Reading Room Saloon, The Owl, Gateway, Golden Star, and Hole in the Wall). [JM Butler & Co's Railroad Guide and Classified Business Directory to Texarkana, Office Interstate News, 1888 in scrapbook of WA McCartney, Sr, vI.]

Weeks remembered the gunman and gambler as "the ideal and hero of many." Eventually, a not-uncommon experience in border areas, a "citizens' committee" formed (this one under the leadership of J.H. Draughon). One cold November day in 1881, as a participant later remembered, about forty men armed with long guns assembled on Broad Street and started systematically down the street bringing out of the saloons first the crooked officials, then the gamblers. By the time they had traversed the street, the vigilantes were herding before them about twenty-five men, whom they escorted to town's western extremity and none-too-gently urged to keep going west and not return.

Despite that clean-up of "disruptive" elements, Texarkana remained in the grip of the border mentality. As another early resident remembered, killings were "too numerous to mention" and the town retained that general tenor through the "Phantom Murders" of the 1950s. In 1882, A.P. Criswell killed Eli Moores, Jr., as they exchanged fire in an argument over a horse race. Criswell was arrested and tried but acquitted, perhaps because Moores' bullet clipped a lock of his hair. During its first several decades, the town had problems with the caliber of its officials. Republican Sheriff

Charles E. Dixon (1882-4, 1886-8), was a well-known professional gambler who “got religion” just before the election without changing his habits. In 1883, Sheriff Dixon walked up to an unarmed defendant in a gambling trial, shot him, then shot him again between the eyes for good measure before surrendering his weapon to the presiding judge. Four days later, a jury acquitted Dixon of all charges. And at the end of 1888, Texarkana, Arkansas’ first mayor, Dr. H.M. Beidler, publicly blamed Frank Spears for His Honor’s estranged wife’s death. Spears took a club to Beidler on Broad Street one morning. “Citizens” caught Spears that afternoon and Beidler beat him with a walking cane. Spears went home, got his 17-year-old son and a shotgun, and a half-hour after his caning shotgunned Beidler from behind. Quick action by local officers prevented a mob from lynching Spears. Tried in Hempstead county on a change of venue, Spears drew a three-year sentence. Retried upon appeal, Spears walked, moved to Hot Springs, and became a professional gambler. Both church and press condemned conditions which—and individuals who—made such heinous crimes possible, and some residents believed that the public furor marked a change in Texarkana’s history. As is often the case, facts belied their belief. Certainly as it began its third decade of existence in conjunction with the “Gay Nineties,” the area’s proclivity to violence had not noticeably diminished. Town had grown to 3,528 on the Arkansas side and 2,852 on the Texas (6,380 total); by 1900 the Arkansas side would tally 4,914 and the Texas side 5,256 (10,170).[1890 LR 25,874; FS 11,811; PB 9,952; HS 8,086; Hel 5,189; ES 3,904; Tax 3,528. 1900 LR 38,307; FS 11,587; PB 11,496; HS 9,947; Hel 5,552; Tex 4,914; ES 3,572. the combined total would have made Texakana the 5th largest Arkansas town in 1890 and 3rd in 1900.]

There was much talk about the seeming universal proclivity for going armed. When the press opined that carrying a pistol in the city limits should be a crime punishable by a fine, city fathers agreed. So it became illegal to go armed in the city limits. Illegal, but not unpopular. Local newspapers at least weekly reported on fines being paid by violators (usually outsiders). And, of course, killings remained, as old-timers said, “too numerous to mention.”

In the first of my four stories from the “Gay Nineties,” mulatto Edward Coy’s white lover burned him at a stake before a crowd of one to four thousand (depending on the estimator) chanting for her to ignite his coal-oil-soaked body with a torch (Burn Him, Burn Him!). The story’s legs lasted from Thanksgiving, 1891 until just past the following Ides of March. [See *Arkansas Gazette* November 26, 1891, 2:3, 27, 1:7, 28, 2:3; February 16, 1892, 1:7; 21, 1:1-3; 23, 2:4; March 11, 4:4, 22, 8:2. Ken Gonzales-Day, *Lynching in the West, 1850-1935* (Durham, NC: Duke University Press, 2006), and W. Fitzhugh Brundage, *Lynching in the New South: Georgia and Virginia, 1880-1936* (Urbana: University of Illinois Press, c1993) document

the striking spike in lynching during the 1890s and the emergence of “sundown towns.”] The whole call for amity between the races may also have well reflected racial tension in the timber woods and mills of nearby territory. The Gurdon paper reported toward the end of the next July that Calhoun County “whitecappers” had notified blacks employed by Thornton’s W.R. Pearson that they “would not be allowed to work in the woods cutting logs any longer,” for “the whites are determined that the negroes [sic] shall not compete with them in mill work.”[July 27, 1895 2:3. This followed the 1892 pitched battle between whites and blacks in Calhoun County, which resulted in a posse of 150 men hunting “lawless Negroes”—reminiscent of the posses that rode through southern Virginia shooting Negroes in the wake of the Nat Turner uprising or those in the Howard County (Arkansas) Race Riot of 1883. See the story in the *Arkansas Gazette* September 20, 1892, 1:1; 21, 1:5-7; 22, 1:4, 6:2; 24, 1:1; 28, 1:2; October 22, 5:2.]

I was inured to stories about people shooting each other in Texarkana, most of them encounters between white folks; on occasion I’d also read of mob action. But this first encounter with racially motivated lynching led me to question the Arkansas experience with this phenomenon, about which I’d read nothing. I knew general outlines: the Supreme Court voided the Civil Rights Act of 1875 in 1883, a decision widely credited with increasing violence against blacks; an increase in the incidence of lynching generally beginning in about 1890, an ethnic cleansing that created “sundown towns” like Harrison, Arkansas throughout the South; and the Populist anti-lynching platform beginning in 1892 and the initial Republican anti-lynching stance, best typified by Arkansas Governor Powell Clayton (1868-71), in defense of their largest voting bloc. What was the Arkansas story on lynching? First, Arkansas has a rich history of lynching males and females, white and black. The most reliable readily available statistics, provided by the Tuskegee Institute Archives, reveal that in lynchings by state between 1882 and 1968, Arkansas placed 6th in overall lynching (behind Mississippi, Georgia, Texas, Louisiana, and Alabama in that order), and 12th in lynching blacks (of those states having more than an average of 1 annually: South Carolina, Mississippi, Georgia, Florida, Alabama, Virginia, and Tennessee—so, effectively 8th).

In numbers, Arkansas “recorded” 164 incidents between January 15, 1889 and December 18, 1918, or about thirty years. Of those 164, 26 were listed as “unknown” and covered the deaths of 30 individuals; one listing tallied the deaths of a father and son. All told, the entries represent 169 individuals. Four were women, though some names are ambiguous, leaving 165 men (97.6%). In time, Arkansas had an annual “lynching season”—May-September—which had a “hot” start in May (average 15), peaked in July (average 19), and tapered off in August (average 14) and September (average 13). Multiple lynchings tended to occur about every six months

(February/March and August/September) throughout the era. In years, the absolute high point occurred in 1892 (17); followed by 1904 (16); 1898 (12); 1893 and 1899 (10 each); 1891 and 1910 (8 each); 1894, 1897, and 1903 (7 each); 1895 and 1906 (6 each); and 1902 and 1907 (5 each). Several things stand out: First, 1892 and 1904 were Presidential election years; most blacks voted Republican (Benjamin Harrison and Teddy Roosevelt) despite living in a Democratic-controlled state; and in 1904 demagogue Jeff Davis was again running for Governor, as he did between 1900 and 1908, and used race as a dog whistle. Second, the year totals for 1904 and 1899 were skewed by one-day rampages (13 lynched in 1904 and 7 lynched in 1899). Third, smoothing the data shows high returns 1891-1895, the beginning of the "Gay Nineties." The lynching data contain no numbers for the massacres in Elaine in 1918, Harrison in 1905 and 1909, or Calhoun County in 1892—and perhaps others that have not yet emerged from the mists of the past.

The second and third stories in time occurred in September and October, 1894. The September one involves education (specifically a college) at a time when the undertaking was usually proprietary. Local residents gave land for a public school in 1882, and Baptist minister J.F. Shaw doubled as pastor and educator until a new Board of Trustees founded Interstate College there in 1888 (the same year that the Texas side formed its first police force) on what came to be known as College Hill on the Arkansas side just southeast of town. Two years later, the founders sold it to new owners, who renamed it Southwest(ern) Arkansas College. They in turn sold it that same year to new First Baptist church pastor W.A. Forbes who founded Texarkana Baptist College. When the Baptists could not make a go of it either, Professor George L. Bryant bought it two years later. All of these transactions involved borrowed money, and shortly after Bryant bought the school the country's economy headed into what came to be known as the Panic of 1893—the beginning of a long-wave depression that didn't end until the Spanish-American War in 1898.

Bryant secured the services of others, including a young Missouri native also named George—George T. Ellis. Bad blood developed between the men almost immediately, and the twenty-eight-year-old Ellis left to start his own competing school, even as Bryant converted his into Interstate Business and Normal College. Bryant, witnesses would later say, harassed Ellis mercilessly, and charges and counter-charges ran throughout the town. Bryant claimed to have indisputable evidence that Ellis was "a bad man, in all the term implies;" Ellis claimed that Bryant was intent on harming him personally and breaking up his school. On Friday, 21 September 1894, Bryant purportedly received a letter from Ellis admitting the truth of Bryant's allegations, then learned that Ellis sought to have Bryant indicted

by the sitting Miller County Grand Jury on charges of slander. The stage was set.

About 8:30 that Friday evening, Ellis sat in front of Ragland's book store on Broad Street, reading. Bryant rode by on horseback, stopped, excitedly told Ellis that he had a letter, and offered to show it to him at the Cosmopolitan Hotel just down the street. Ellis demurred; Bryant insisted, finally telling him that it reported the young man's mother's death. Ellis agreed, got up, and walked down to the hotel.

At the hotel, Bryant promised to show Ellis the letter on condition that he not try to grab it. Again they argued, Bryant offering to settle their disagreement in any manner Ellis preferred in order to keep it out of the courts. Ellis responded that he was satisfied to leave matters where they were—in the hands of the Miller County Grand Jury. Bryant kept pushing, finally telling Ellis "Well, if you will come out of the corporate limits, I will settle it just as you choose."

Foolishly, Ellis reluctantly agreed to "settle it like a man," which meant a resort to fisticuffs. They walked together to a little flat by the railroad tracks just outside the corporate limits, took off their coats, and laid them on the grass. Ellis put up his arms and turned slowly around, showing Bryant that he was totally unarmed and offering to let his opponent search him if he liked. Bryant responded by acknowledging that he was armed, drawing and flourishing a large pistol, threatening to kill Ellis if the latter came near him, and calling him a coward. Ellis stood his ground, averring that Bryant's charges against him were certainly false and that the Grand Jury would vindicate him. Bryant repeated his promise to shoot Ellis. Ellis acknowledged that Bryant could shoot him, but that they had agreed to settle the matter like men and that if Bryant returned to town without doing so, he would be "branded the coward that you are." Bryant responded that he was no coward and would shoot Ellis before doing that. Ellis continued baiting the armed Bryant, saying "You are nothing but a coward, or you would settle it like a man." Bryant pulled the trigger.

For all his brandishing, Bryant's aim was good. Ellis felt the single round strike his torso and go out the other side, though he reported feeling no pain initially. Bryant left. The unfallen Ellis staggered about a hundred feet to a nearby railroad section house, found a loafer whom he sent for local physician J.A. Lightfoot, then collapsed on a cushion as intense pain set in. Lightfoot, accompanied by another local physician, took Ellis into his care. Lightfoot opened Ellis up that night while officers sought and found Bryant in the rooms of an employee, a Professor Owens. Bryant went to the Texas jail while trying unsuccessfully to raise his \$8,000 bail—and in the process escaped the clutches of a lynch mob.

Local newspapers waited with bated breath, faithfully reporting that Bryant languished in jail (soon the Bowie County Jail in New Boston) while



Ellis suffered the ups and downs of an uncertain but increasingly doubtful recovery. A younger brother arrived on Sunday, fearing the worst. Five days and thirteen hours after being shot, Ellis finally died. His brother took the body home to Nevada, Missouri for burial. When told of the death, Bryant banged his head against his cell's bars.

On September 29, two days after Ellis died, the Texans indicted Bryant for murder. His brother, Rev. Jones Bryant from Toronto, Canada, was his constant support. On Wednesday, October 17, the shooter went to trial. From just under a hundred witnesses over three days, the jury heard testimony. They retired to deliberate at 7 PM that Saturday and were back by 9 with a guilty verdict. Although three of the jury favored hanging, the judge sentenced Bryant to life in prison. The local paper celebrated the outcome by stating that "It is the first jury in many years, in Bowie county, to convict a white man of murder in the first degree. It is to be hoped it heralds a better day for Bowie county, in the enforcement of law and good order."

The third story took place between Bryant's shooting of Ellis and the trial that followed. It involved former sheriff and well-known gambler Charles E. Dixon, professional gambler Dick Johnson, and once again an elusive letter.

Johnson had a reputation as a quiet and peaceable man who had earned the status of "gentleman of the cloth." His establishment occupied space above Dixon's Telegraph Saloon, the largest such establishment on the Arkansas side, which may account for his reputation for quietness. Johnson evidently came into possession of a letter which Dixon felt that he had to have. Dixon's reputation was the reverse image of Johnson's. Locals considered him quarrelsome, fond of physical altercations, and a dangerous menace opposed to peace and good order. His pistol was an extension of his character, always at the ready, and he had multiple killings to his credit.

Shortly before noon on Tuesday, 9 October, 1894, Dixon accosted Johnson. He profanely required that Johnson produce a letter and ignored the man's protestations that it had been destroyed. Using his pistol as a physical reminder of his intent, Dixon gave Johnson until 6 PM to produce the missive in question if he wanted to live. Shaken, Johnson walked home, loaded his shotgun with buckshot, and returned to his establishment about an hour after his departure. In wending his way upstairs, he passed through the Telegraph Saloon and recognized Dixon just outside on Broad Street. He changed course, walked to the door and, without saying a word, pointed the shotgun at Dixon's head and pulled the trigger. Stray shot struck several bystanders, including local Marshall Crenshaw, and wound up in at least three local businesses. Johnson surrendered to Crenshaw and spent the night in the Miller County jail. A Coroner's Jury pronounced it a

case of justifiable homicide and Johnson resumed his gambling above the Telegraph Saloon.

The last story of the four, occurring two years later, was that of the lawyer, John Hallum, the preacher, W.A. Forbes, and the lawyer's wife, Mattie. On Wednesday, July 29, 1896, Arkansas lawyer and author John Hallum waited impatiently for the west-bound train to arrive from Little Rock at the Texarkana depot. He stood at the western (Texas) end of the platform that stretched equidistance into each state from the Arkansas-Texas state line. He was awaiting Baptist pastor W.A. Forbes, summoned by a spurious letter asking him to come perform a wedding ceremony. Hallum hated Forbes, blaming him for alienating his wife's affections and convincing her to sell some of his property (including the house they had shared) at what he maintained was a loss, and then divorcing him. Hallum had in his pocket a cheap .38 caliber British Bulldog, the same kind of weapon Charles Guiteau had chosen to assassinate President James A. Garfield fifteen years earlier. Eyewitnesses later testified that Hallum spoke to Forbes and shook his hand, then stepped back, drew the Bulldog, and fired five times. Only three of the bullets struck Forbes, one on his left side and two in his neck. The grouping was testimony to the inaccuracy of the short-barreled, small-handled equivalent of what, when I came to OBU, we commonly called a "Saturday night special," built more for concealment than accuracy and only good, as Lynyrd Skynyrd sang, "for puttin' a man six feet in a hole."

Hallum left Forbes bleeding on the arrival platform as passengers pulled him into the comparative safety of the waiting room. The pistol Hallum gave to the arresting officer. He himself went briefly to the local jail, then on to New Boston, being unable to pay his \$500 bail. There he occupied the cell just vacated by George L. Bryant as that worthy left to serve his life sentence. Having pastored the Texarkana First Baptist Church, Forbes had many friends, who installed him first in the Cosmopolitan Hotel before transferring him to a local's home. Attending physician Dr. J.A. Lightfoot initially discounted the wounds, but the town's run of 100+-degree early August heat—the longest run of such high temperatures in the town's history so the paper reported—sapped the wounded man's energy and slowed his recovery. His wife's presence must have had the desired effect. He recovered enough to return home for his convalescence. Hallum was tried once for the shooting, but a hung jury required a second trial. In it he used the classic "Plan B" defense of defense lawyers in capital cases: argue that the person deserved, even needed, killing. He made the argument successfully enough that he published it as a paperback sold throughout Arkansas and Texas, and to which Forbes' former pastorate in Texarkana prepared a rebuttal resolution which they spread upon their minutes and paid to have published in the local

newspaper. The jury set him free of the attempted-first-degree-murder charge, though the judge fined him \$75 for assault. Perhaps that was the judge's response to the local newspaper's assertion the day after the shooting that "The pistol toter should be made to pay a license of \$500 a year, and when caught without a license, to be confined until it is paid. We need laws on this subject."

Texarkana in the early 1890s experienced more than these four examples of violent behavior over those four years. But each of these four instances became cause célèbres in its own way. Although different from each other, they had numerous counterparts during the "Gay Nineties." Those involved formed a cross-section of Texarkana life, particularly in its early years: former sheriff/gambler, gambler, attorney/author, preacher, two teachers, mulatto man, and white woman. No one, regardless of social status, was exempt from the touch of violence. It might be premeditated, like that involving the preacher (and perhaps the sheriff and the teacher) or it might flare unexpectedly. It might signal a failure of the legal system to offer redress for problems. Or it might signal a predilection to a certain form of action. Historian John Hope Franklin sixty years ago this year chose "The Militant South" as the title of his study of antebellum Southern culture. Some historians have argued that the "Wild West" owed most to men (and a few women) ready to take any required action to "tame" it and made of the cowboy an iconic image. But by 1890, Frederick Jackson Turner famously argued, the frontier line no longer existed. Rails and telegraph lines tied east and west coasts together. America had become home to hoboes as much as to cowboys. It appears that Southern militancy changed not a whit; the nation's focus merely shifted. And in Texarkana, the microcosm of the border between south and southwest, between Arkansas and Texas, merely brought into sharp focus the similarity of the two cultures in one aspect: that of violence.