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"THE SPECTACLE OF FEARSOME ACTS": CRIME IN THE MELTING P(L)OT IN *GANGS OF NEW YORK*

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Abstract. This paper explores the multi-layered representations of violence and crime in the recent Hollywood film *Gangs of New York* [Scorcese (2003) Miramax]. We use our exploration of this film to suggest that popular culture, even through its most mainstream products, can be seen as a critical criminological space where alternative views of law, crime and the state are made available. Rather than understanding Hollywood movies simply as vehicles for disseminating conventional mores, we suggest that they can furnish critical (and complex) points of view on law and crime and that the project of a critical criminology can be strengthened by engaging more forthrightly with these ubiquitous cultural forms.

Introduction

The relationship between crime and its popular representations is a somewhat marginal issue in contemporary criminological inquiry. There are some general texts on the topic (see Kidd-Hewitt and Osborne 1995; Mason 2003, for example) and some studies of the representations of crime in specific mass media and of the politics of crime representations (see Schlesinger and Tumber 1994; Rafter 2000, for example). Nonetheless, compared with the voluminous interest in historical, statistical and theoretical matters in criminological debate, the connections between crime and its media representations remains a poor cousin. This is somewhat surprising, given the overwhelming presence of crime in popular media. In this paper, we present an approach to the topic that explores representations of crime through the lens of certain cinematic genres. Following Richard Sparks' (1992) critique of Hall et al. (1978), our starting point is that crime film does not "partake" in a conspiracy of the state apparatus against the public. Rather, crime film enriches popular criminological imaginaries whose power to shape

perceptions of crime has either been ignored or looked down upon by professional criminologists.

Crime in the movies has been the subject of criminological analysis but, too often, this analysis has emphazised the ideological function of film in interpolating or "inscribing" audiences into conventional subject positions which uphold the value of the law and denigrate the value and practice of crime. A good example of this kind of analysis is Young's (1997) "Murder in the eyes of the law." Here, Young focuses on two films – *Psycho* (1960) and *Silence of the Lambs* (1990) – to argue that the cinematic apparatus "sutures" or "structures" film-viewers into a position of looking *at* the film narrative *through* the "eyes of the law." In other words, various elements of the film-work (*mis en scène,* camera angle, shot-by-shot sequence, point of view) engender in the audience an identification with the moral and social rectitude of the agency of the law and a denial of the moral and social rectitude of the agency of the criminal.

The argument works well with the films that Young chose for analysis; they are specifically crime thrillers involving murder, detection and retribution. There are many films, however, in which crime and law feature centrally but that are not specifically 'crime movies.' In these instances, the same techniques of the film-work can enable a look *at,* rather than *through,* the law and often provide critical, rather than normative, points of view on the relationships between law and crime. The general point we wish to make is that Hollywood cinema, not unlike other popular culture, is not a monolithic site of symbolic interpolation into conventional mores about crime. It is also a space in which the law and its agencies are held up for critical appraisal, a space in which law and crime are re-imagined in many different ways and in which it is not inevitable that audiences will identify *with* the law or view film narrative *through* the law.

In pursuit of this analytic agenda we focus on a recent film, *Gangs of New York* (henceforth *GONY). GONY* weaves together a historical narrative, a tragic plot and spectacular scenography to relate a series of messages about the origins of modern America, the political sociology of belonging, the schizophrenic relationship between community and state, and the multidimensional social and psychological forces that both impel and connect violence and power. The aspects *of GONY* that we discuss criss-cross contemporary criminological questions. More specifically, we discuss the relationship of crime with ethnicity, social identity and state formation.

After a short synopsis of GONY, we examine the co-existence of two conflicting discourses on gang violence in the film. The first propels viewers to regard the past of gang crime with nostalgia, and the second reflects contemporary concerns. We also examine how the film debates the emergence of a rational state machine, binding it to the 'birth' of modern America, and, subsequently, how it insinuates into the narrative perspectives on contemporary threats to this order.

Synopsis of *Gangs of New York*

The film draws from and dramatizes aspects of Herbert Asbury's (2002; orig. 1927) book of the same title and whilst it sails very close to Asbury's text, some of the script and characters' names are drawn directly from the book, it is not a straightforward adaptation. The subtitle of Asbury's book is "An informal history of the underworld" whilst the film's tagline is "America was born in the streets". Scorcese imposes on Asbury's setting a revenge tragedy in four clearly distinguishable acts, the transitions between which are marked clearly by deeply symbolic scenes.

Act I: (Murder and Repression). The tragic plots swings into place in the film's opening scenes, set in 1846, in which two groups of allied gangs confront each other in a battle across a square of land (Paradise Square) at the center of the Five Points district of New York.[1] One gang is composed of American 'Natives' (i.e., people of European stock born on American soil) and their allies. The other (the 'Dead Rabbits') is composed of new or recently arrived (mostly Irish) immigrants and their allies, including Black Americans. The gangs' leaders, Bill 'the Butcher' Cutting, played by Daniel Day Lewis (the 'Natives'), and 'Priest' Vallon, played by Liam Neesson ('Dead Rabbits'), are mortal enemies so that, although the opening scenes concern a mass gang fight, the real battle is between the 'Butcher' and the 'Priest'. Act I ends with the death of the 'Priest' at Cutting's hands, the sending of his young son, Amsterdam Vallon, to 'Hellgate' Reformatory[2] and the repression of the Rabbits. In this, Act I impresses onto the plot, in blood, the tragic motivation for the hero's (Amsterdam) subsequent actions.

Act II: (The Trojan Horse). Act II begins 16 years later when Amsterdam, now played by Leonardo Di Caprio, is released from Hellgate Reformatory. It carries most of the plot's narrative weight, explores the relationships among the main characters and pre-establishes the form that will be taken by the final confrontation between

Amsterdam Vallon and 'Butcher' Cutting. After release, Amsterdam returns to Five Points as a young man with vengeance in mind. He is recognized by only two people from his past: 'Johnny' (played by Henry Thomas), a childhood acquaintance, and 'Monk' McGinn (played by Brendan Gleeson), a bruising thug who fought alongside Amsterdam's father in Act I. To the rest of the Five Points inhabitants, his identity remains a mystery. He inveigles his way into the 'Butcher's' gang until he earns respect, trust and even paternal affection from Cutting. However, an attempt to assassinate Cutting is foiled and Amsterdam is viciously beaten and mutilated.

Act III: (Betrayal and Banishment). Amsterdam's assassination attempt fails because he is betrayed by his childhood acquaintance 'Johnny', a betrayal rooted in the latter's jealousy of Amsterdam's romance with 'Jenny Everdeane' (played by Cameron Diaz). The betrayal enables Cutting to defeat Amsterdam and, as a mark of contempt, the latter is branded on the face with a hot poker. Amsterdam hides out and recovers, in Jenny's care, in the tunnels beneath Five Points' buildings, where he comes to realize that his real purpose is not *personal* vengeance but vengeance in the name of his father and on behalf of his people (symbolized by the repressed 'Dead Rabbits'). He comes to understand, in short, that simply killing the Butcher is not sufficient. Instead, he must *defeat* Cutting and his Native allies in order to free his people. In effect, he becomes the son of 'Priest' Vallon in spirit as well as in body.

Act IV: (Vengeance). Amsterdam emerges, fully recovered, from the tunnels 3 months later. His first action is to impale a dead rabbit (the symbol of the 'Rabbits' gang) onto the railings in Paradise Square. In doing so, he announces the return of the (repressed) 'Dead Rabbits'. Amsterdam builds both political and gang support among the immigrant community whilst the gangs engage in tit-for-tat violence. Eventually, on behalf of the 'Rabbits', he issues a challenge to Cutting and the 'Natives' and they agree to confront each other in Paradise Square in a seeming re-enactment of the battle of Act I. However, the time chosen falls in the middle of the draft riots of 1863 and, as the two gangs and their allies assemble for the fray, the Union army is fiercely suppressing the rioters with rifle and cannon. Five Points is struck several times by cannon fire and the gangs, but not Amsterdam and the 'Butcher', disperse. The final showdown between the two enemies results in Cutting's death, whose final words (almost directly quoted from Asbury's 2002: 90, account of the death-speech of 'Butcher' Bill Poole) on seeing the militarily imposed destruction around him are: 'Thank God! I die a true American'.

The film closes on a shot of the graves of 'Priest' Vallon and Bill Cutting, side by side, whilst the background tacks from a mid-nineteenth-century New York cityscape to its late twentieth-century counterpart, complete with Twin Towers.

Looking Backwards at the Present: A Discourse on Fear and Nostalgia

Gangs and gang violence have come to feature centrally in American crime discourse, be it popular, political or academic. Recent decades in particular have seen an intensified focus on the 'gang problem', with particular attention upon drug trafficking and homicide (Fagan 1989; Maxson and Klein 1990). Heightened public and political attention has (unsurprisingly) been paralleled by a spate of Hollywood films on gang-related themes such as *Colors* (1988), *Boyz n' The Hood* (1991), *American Me* (1992), *Bound By Honor* (1993), *Gang-Related* (1997), and *Corrupt* (1999), to name but a few. Such films typically draw upon a set of common assumptions about the social context and causes of gang crime.

First, we note that the 'gang problem' is depicted as an 'ethnic problem' (primarily Black, Chicano and Hispanic)[3]; second, it is represented as a 'youth problem', re-presenting long-standing concerns about 'juvenile delinquency' in a new, more urgent light; third, the films suggest that the gang problem is inherently bound-up with aggressive masculinity and the rituals of male-on-male violence[4]; fourth, they suggest that the 'gang problem' is an 'urban problem', especially the economic disintegration of inner-city life; fifth, they associate the genesis of gang activity with visions of family breakdown and failed socialization. In short, the contemporary gang film both reflects and reproduces key dimensions of the 'crime problem', as articulated in the discourses of criminal justice, politics and news media. These dimensions include ethnicity, masculinity, youth, drugs, violence, family crisis, and socio-economic marginality.

Like contemporary contributions to the gang genre, *GONY* is a film not just about gangs, but about *ethnic* gangs. Indeed, from the film's opening scenes, notions of ethnic collectivity and gang membership are explicitly conjoined. However, it is not so much that gang members happen to be 'ethnic', but that the structure of ethnic community life is inextricably entwined with the gang as a form of social organization. Hence, in its first sequences, Irish ethnic belonging finds its primary mode of expression in the ritualized preparations for combat by the

Dead Rabbits. Catholicism, the primary signifier of Irish ethnicity, imbues the gang's *habitus*. It is led into combat by 'Priest' Vallon bearing the cross of St. Michael, but only after he has taken Holy Communion. This prelude to combat is further inscribed with its ethnic dimension through an overlaid soundtrack of Irish pipes. Lest we be in any doubt about this interconnection, the ritual of challenge and response between Vallon and Bill 'The Butcher' dispels all ambiguity. Both pronounce the *raison d'etre* of their gangs by alluding to the defense of ethnic existence (the Rabbits) and ethnic-national purity (the Natives) and to their faith (Catholic and Protestant Christianity) before going into battle. Throughout the film, the association between ethnic group and gang membership is further demarcated through uniform dress codes, for example the long coats, striped trousers and stove pipe hats of The Natives. While such markers of group membership were common amongst the nineteenth-century New York street gangs (Sante 1991: 199–201), they take on a particular resonance by echoing the contemporary use of identifiable 'colors' by notorious LA gangs such as the 'Bloods' and the 'Crips.'

The contemporary association of gangs with ethnic belonging has long-standing roots in the American criminological imaginary. As early as 1892, J. Riis claimed that gangs served as agencies of socialization for immigrants otherwise excluded from mainstream American life (Hobbs 1997: 803). Subsequently, this functionalist reading of ethnic gangs was found in the work of Chicago School sociologists, such as the famous gang studies of Thrasher (1927) and Whyte (1943). Moreover, the Chicago School located the genesis of crime in the 'social disorganization' of urban communities, located in the inner city 'zones of transition' where successive waves of impoverished migrants made their homes (Shaw and MacKay 1942). In such circumstances, they claimed, populations were culturally at odds both with other ethnic groups and the 'host' society[5]. Equally, they were caught-up in a struggle for scarce economic and social resources. The combination of cultural disequilibrium and a lack of properly formed institutions of socialization and inclusion (schools, community groups, employment opportunities) laid the seeds for gang formation and gang crime. The enduring popular influence of the Chicago School's etiology of crime can be discerned clearly in *GONY's* representational matrix. The locus of gang activity in the film is the impoverished slum area of Five Points, where we see a concentration of Irish, Blacks, Chinese, Poles, and Germans. The activities of the gangs themselves combine territorial and communal defense, camaraderie and social support, with economic opportunism.

Amsterdam's first adult 'outing' with his newfound gang-mates entails the looting of a burning house; the second, a raid on a cargo ship in the harbor. However, far from being purely instrumental, the gangs provide an ersatz familial structure where the 'traditional' family form has apparently broken-down.

One clear reason for the melting pot theory's appearance in *GONY* is Scorcese himself: Scorsese belongs to the 1970s group of Italian–American directors and actors (Coppola, Pacino, DeNiro) who asserted a vision of American history in which the US was not made by settlers, but by Catholic and Jewish immigrants, especially by gangsters in the big cities. To Scorsese, the maker of *Goodfellas* (1990), *Casino* (1995) and *Mean Streets* (1973), the contribution of immigrant gangsters to American identity was central. In. *GONY* Scorsese revisits a theme from his earlier films: the violence that lies under the surface of civil society, and American policies of assimilation. He is open on this issue: in an interview with *El Mundo* he makes explicit references to the history of anti-nativist Catholic movements, and explains why the 'melting pot' movement promotes multiplicity and protean-ness as the spirit of American identity *(El Mundo,* 23/06/02). This marks a significant departure from his earlier gangster filmography in which Italian Americans, always tragically trapped at the margins of society, reproduced their difference through crime. *GONY* explicitly promotes the 'melting pot' as a vision of one of the structuring forces of American urban life.

On one level, then, *GONY* can be seen to map contemporary discourses on gang violence and social pathology onto its historical reconstruction of mid-nineteenth century New York. However, the discourse on gangs as social pathology sits alongside a countervailing discourse that seeks to redeem and valorise an earlier period of gang life. The film, we suggest, is imbued with a romantic nostalgia that recodes the nineteenth-century gangs with a moral purpose that sets them apart from today's more 'degenerate' forms.

The first axis of this moral rehabilitation is evident in the film's dissociation of gang activity from youthful rebellion. Contemporary gang life is often depicted as a juvenile phenomenon, at odds with the older generation's conventional mores and social aspirations (see, for example, the inter-generational split in *Boyz n' The Hood)*. In *GONY,* however, the gangs are inter-generational, with fathers fighting shoulder-to-shoulder with sons. Far from being at-odds with their community, the gangs of New York are the community's mode of collective self-expression and defense. Far from representing a split between the

community's lawful and delinquent constituencies, the gangs uphold collective pride, independence and survival. Additionally, Amsterdam and the Rabbits appear to have not only the endorsement of the community at large, but that of its most pivotal institution, the Church.

A second axis through which the otherwise bloody depredations of the Rabbits are redeemed is their investment with a wider moral and political purpose. While some of their activity is economically motivated (akin to Merton's (1938) concept of 'innovation' as a form of 'anomic adaptation'), their major endeavors and confrontations are untainted with economic calculation. Rather, their set-piece battles with the Natives are actions of *political emancipation*. While they may be citizens in name, the Irish are denied political rights in practice (by a corrupt Tammany Hall that wants their votes, but refuses to even countenance an elected Irish representative above the lowest levels of the political system). Similarly, they are the victims of a campaign of economic disenfranchisement and impoverishment – the up-town rich come to Five Points only for prurient 'rubber necking', the thrill of walking among the deprived and depraved. The Rabbits attempt to play the legitimate political game, mobilizing the Irish vote in favor of the Irish candidate for Sheriff, Walter "Monk" McGinn. McGinn is elected, but subsequently confronted by The Butcher. When McGinn suggests they settle their differences "the democratic way", the Butcher responds by (literally) stabbing McGinn in the back with a meat cleaver. Hence, the film tells us, the Rabbits are the carriers of frustrated hopes of political enfranchisement and social emancipation, in the face of exclusion and prejudice. They are thus dignified as a proto 'social movement', a forerunner of those who would take to America's streets a century later in the name of civil rights.

The third axis of moral rehabilitation for the Rabbits is located in the film's implicit message about their openness to ethnic coexistence. This is established first through the conventional use of contrasting binaries. The Nativists, through their mouthpiece Bill the Butcher, mark themselves out as the epitome of intolerance and race hatred. Bill variously characterizes the city's ethnic Others as "crusty bitches", "foreign hordes", "bug-eating sons of Irish bitches" and "goddamn monkeys". In contrast, Amsterdam and his Rabbits are notable for their freedom from such rancor. Amsterdam is seen fraternizing with the Chinese, noting in a voice-over that "the Chinks hated the Natives even more than we did". However, the Rabbits' ethnic inclusivity is marked most clearly through the film's only Black character, Jimmy Spoils. Jimmy is established early on as Amsterdam's friend and a member of his

otherwise Irish gang. Jimmy is with the Rabbits both in work and play. This solidarity between Black and Irish is further emphasized in a scene in which McGloin (played by Gary Lewis), the Butcher's henchman, accosts the Rabbits in a Catholic church. The altercation develops when McGloin, spotting Jimmy, shouts "there's a nigger in the church!" When he repeats this accusation in the direction of the priest ("Father, did you know there's a nigger in your church?"), he is met not with agreement but a club to the head.

The later scenes of the film also cement the Rabbits' identification with inter-ethnic solidarity. On the one hand, the Irish (along with Germans and Poles) are implicated in the Draft Riots in the course of which numerous Blacks are lynched. The Rabbits, however, are carefully dissociated from this racist brutality as they are shown to be elsewhere (confronting the Natives) and uninvolved in the Riots themselves. Jimmy, dressed in his Rabbit 'uniform', falls victim to the lynch mob. Again, in the penultimate scene of the film, the Rabbits are dissociated from his death (and hence the racism it exemplifies) as we see Amsterdam mourning over the body of the fallen Jimmy. Through a set of associations, juxtapositions and contrasts, two visions of 'gang warfare' are thus communicated. One is the hallmark of ethnic intolerance and hatred, while the other promises solidarity and mutual acceptance among America's excluded Others. Hence the (Irish) gangs of Old New York are morally redeemed through their implicit association with a multi-cultural resolution of inter-ethnic conflict in contrast to the contemporary social landscape of intractable division and hostility.

The film's recuperation of the ethnic mix of New York's nineteenth century gangs is so intense that despite its attempt at meticulous reconstruction, it bends the historical facts in the former's service. All of the details, scenarios, plotlines and tragic events are subordinated to the narrative's politicized organization. We have explored several examples of this filmic requirement: the criminogenic 'cleansing' of the 'Dead Rabbits', and the multi-ethnic composition of the resistance to 'Nativist' rule, for example. A further subordination concerns the gendered make-up of mid-nineteenth-century New York criminality and its erasure as a context or condition of that criminality.

Almost all of the feminine narrative weight of *GONY* is carried by one character, Jenny Everdeane. True, there are many women *in* the film (a number of prostitute, destitute and desperate women, "Hell-Cat Maggie", who makes a small number of brief appearances without significant dialogue, and an elderly woman who is shown some charity

by Cutting), but there is only one female character who is *of* the film. All of the narrative work of 'doing' female gender is undertaken by Everdeane. She has no female confidantes, no gang, no enemies of any kind and, crucially, no identity. She is the only lead character unaware of who she really is and opts for the name 'Everdeane' when questioned. This character is used to subdue the historical facts beneath the film's need to create an absolute schism between Amsterdam and Cutting and by extension, the tribal orders they represent. In fact, an important and recurring theme of Asbury's book, the organized and adept contributions made by women to gang criminality is swept aside in *GONY* in its unremittingly masculinist portrayal of the origins of modern America.

While there are characters in the film who are composites of real persons described by Asbury, Cutting is based on 'Butcher' Bill Poole (Asbury, chapter V), Vallon almost certainly is based in part on Paul Kelly (see Asbury, chapters XII–XIII), constable 'Happy Jack' Mulraney (played by John C. Reilly) is based on a composite of the historical 'Happy Jack' Mulraney and Alexander Williams (Asbury, 218; 237). There is no place for significant women criminals of the period. There is no 'Marm' Mandelbaum (the most 'successful fence in New York history', Asbury, 2002: 195), 'Kid Glove' Rosie, 'Old Mother Hubbard', 'Black Lena' or Sophie Lyons, let alone the legions of lesser-known criminal women such as 'Big Sue', 'Crazy Lou', Kate Flannery to name a few.

Just as contemporary concerns around crime and ethnicity, and criminal organization are visited on *GONY*'s reconstruction of mid-nineteenth-century New York, so the contemporary criminological silencing of women's organization is duplicated in Everdeane's character. Rather than situating this character in the female social contexts that formed an important part of the gang structure of the period, Everdeane is forced to play all the roles herself. She is an expert (but non-violent) criminal in her own right (an accomplished pickpocket), a 'failed' mother (she has had an abortion), a nurse and protector of 'her' man, an object of libidinous desire, a traitor (to Cutting), a dreamer of a better life, a willing fighter, and much more besides.

Similarly, it is noteworthy that there are no *mothers* in the film. Amsterdam's mother is never alluded to, let alone shown. Women characters are noticeable by their striking absence. What remains is a 'man's world', imbued with the 'masculine' traits of confrontational and endemic violence. On the surface, then, the film presents a chain of familiar associations: ethnicity = urban squalor = broken families = masculinity = violence = gangs = crime. Far from marking a break with

current 'common sense' criminological assumptions, *GONY* appears to naturalize them, depicting them as 'eternal verities' of crime causation and gang violence. But it does so, as we discuss below, consciously and with purpose.

Modernization and the Imagination of Power

Of great interest from a criminological perspective is the way that GONY's plot is regularly 'unhinged' by contextual and impersonal forces operating on the Five Points and its gangs. As the tagline indicates (''America was born in the Streets''), the film is as much about the 'birth' of modern America as it is about a personal duel between its two principle protagonists. The birth of modern America, here, is related as the coming-to-power of the Union state and the latter's emergence in the film, from its initial spectacular absence to its final spectacular presence, expresses the underlying philosophical axiom of *GONY*: the will to power. Power instigates and motivates organization and it is mercenary with regard to tribal, criminal and rational organizational forms.

Recall that the film opens with a bloody battle between armed gangs. In 1846, they fight ferociously for control of the Five Points area while no sign of the state is anywhere to be seen. When Amsterdam returns in 1862, on the other hand, he is greeted at the dockside by 'Boss Tweed' (played by Jim Broadbent), a politician from New York's political power-base, Tammany Hall. Tweed is electioneering among newly arrived immigrants but it is immediately clear that he is dependent on the gangs to deliver an election victory. It is the gangs who control the votes and Tweed can survive politically only so long as he can negotiate successfully with Bill Cutting. However, as Tweed at one point observes, the 'Butcher's' time is coming to an end. Not only are the 'Natives' rapidly being outnumbered by the immigrants but the Union state is mobilizing and its might will soon far exceed that of any (other) gang.

The opposing gangs and the state embody alternative techniques and modes of membership. The 'Natives' are demarcated positively by blood, soil and faith. They are born 'native' (they are ethnically 'pure' Americans); they have, thereby, a historical connection with American soil; and they are staunchly Protestant. The 'Dead Rabbits' are demarcated negatively in relation to the same principles. They are born 'alien' (and are ethnically mixed); they have, thereby, a historical dissociation from the soil; and they are spiritually Catholic. The state, on

the other hand, *recruits* its members (they are ethnically mixed); it has a *political* connection with the American *territory;* and it is spiritually *secular*. These three modes of social organization and social membership are pitted against each other and it is the clash, primarily, between them that defines the film's historical message. This message is the displacement of the power of communal tribalism (in the form of the gangs) by state rationalism. When the 'Natives' and the 'Rabbits' confront each other, they line up across Paradise Square as two unruly mobs rallying behind a tribal Chief. They fight *only* each other, with baskets full of masculine 'honor'. By contrast, when the draft rioters and the gangs confront the Union state's army (read 'gang') they face a disciplined, rationalized, disinterested armed force. In a scene reminiscent of Goya's painting *The Third of May 1808,* uniform (and uniformed) lines of soldiers bear down on the crowds with musket and cannon, *indiscriminately* massacring anyone and everyone in their path.

While the modes of organization of the gangs and the state differ, the power each brings into being is effectively the same. The principle of this power, from which we took the title of our piece, is related by Cutting in a highly charged and narratively crucial stretch of dialogue. Sitting opposite Amsterdam, draped in an American flag, he observes:

> "I'm forty-seven. Forty-seven years old. You know how I stayed alive this long? All these years? Fear: the spectacle of fearsome acts.... That's what preserves the order of things: fear."

Fear is the primary means of rule. It is most effective when it is spectacular and its purpose is the preservation of *order*. This political analysis returns to haunt the viewer as the film progresses for it becomes clear that the 'spectacle of fearsome acts' is not only a means of ruling but also a means of resistance. Bloody, violent murder and mutilation are the central weapons in all of the gangs' (including the state's) political arsenals and they are wielded in truly spectacular and, according to Scorcese (2003: 20), 'epic' fashion.

We noted that the gangs and the Union state represent different modes of organization and membership. In fact, the setting of the film, Five Points, which was a real district of New York, is itself a political metaphor on the potential modernizing paths of America in the mid-nineteenth century. Early in the film, Amsterdam narrates that each of the five points is a 'finger', pointing in a different direction. These directions are themed in the film as: continued nativist rule; continued inter-communal conflict; (violent) displacement of the nativist order by the burgeoning multi-ethnic urban masses; democratic resolution of

(urban) inter-communal conflict; centralized state control. Thus, on the one hand, Five Points symbolizes the relative openness of the future: each point is a potential pathway for America's self-development. On the other hand, however, it symbolizes simultaneously the multi-dimensional political culture of urban America. The same observation on the 'fingers' of the Five Points is repeated later in the film by Cutting. He notes, however, that the fingers can be closed into a fist. While his aim in this observation is to threaten Boss Tweed with the Five Points 'fist', it is clear that, politically, Five Points inhabitants both stand on an open palm facing choices about the future and are strangled in a closed fist from which there is no escape. Rather than choices to be made, the Five Points are contradictory demands and pressures that continue to intrude into America's urban communities.

Thus, GONY asserts, the modern American state was born, idealistically and organizationally, in competition with the New York gangs but, on a practical level, the 'midwives' to this birth were those very same criminal gangs. While representing itself as the (ideological) 'enemy' of crime and the public's 'protector', the origin of the modern state lies in the organized entanglement between law and crime, tribalism and rationalism, mercenary graft and communal loyalty. The modern (American) state was born bad! Thus, the film's critical political message, one that is entirely apt at the present time, is that the state is a gang: more efficient, more ruthless, better resourced, but a gang nonetheless.

Of Fathers and Others: Origins, Fantasy, Terror

It is significant that the dramatic succession of ethnic gangs by the state-gang is subverted by the twists and turns of the plot. The message Scorsese wants to put forth is that like any gang, the state is vulnerable to spectacular and violent reprisal and challenge. It is no coincidence that in *GONY* challenges to state power come from the very elements of American identity that the state repressed from the outset, namely, members of ethnic gangs that threatened to re-impose their tribal law. This message is channeled into the cinematic narrative in two different ways.

The first one is concerned with the central characters' signification as the bloody origins of America. When, in Act II, the young Vallon introduces himself to Bill Cutting as 'Amsterdam', Cutting retorts: 'Amsterdam? I'm New York!' 'New Amsterdam' was, of course, the

city's first name and designates its foundation by 'foreigners'. The identification of Amsterdam's role with Cutting's (both are implicitly regarded as American 'fathers') in this scene is not an isolated instance. Simultaneously, the film is, in a sense, about fathers and sons, progenitors and their legacy, and 'cause' and 'effect'. As noted earlier, women are almost entirely absent from the narrative. 'Priest' Vallon and Amsterdam appear alone in the film and the third part of the familial structure, the mother/wife, is missing. It may then be more precise to view Amsterdam as the progeny of two bloody Fathers ('Priest' Vallon and 'Butcher' Cutting), the future of America. It is no coincidence that when 'Priest' Vallon dies, he is replaced in Amsterdam's life by Cutting. Cutting becomes for young Amsterdam the perfect Name-of-the-Father, as Lacan would put it, the first powerful 'Other' of his adult life, the abstract 'Law' (Lacan 1994). Cutting literally controls the Five Points districts, and imposes his own law upon Amsterdam, whom he begins to consider as his son. Indeed, this psychological father-son identification and rivalry is a crucial aspect of GONY's political sociology and an intended subtext of its historical narrative (Amini 2003: 26).

The scene that seals 'Priest' Vallon's replacement by Cutting follows the lovemaking of Amsterdam and Jenny. While the lovers rest in bed, Amsterdam realizes that Cutting is present in the room. It is significant that in this scene Scorsese wraps Cutting in Stars-and-Stripes, making him thus the symbol of modern America and places him in the position of the sole narrator. It is in this scene that Cutting explains to Amsterdam that fear preserves the order of things in this country, presenting tribal chaos and street terror as quintessentially American attributes. Cutting-America confesses that he is still haunted by the murder of 'Priest' Vallon, the symbol of repressed ethnicity. Cutting's monologue bears significant weight; as he leaves the room he murmurs:

> "I never had a son; civilisation is crumbling; God bless you".

The quote transforms Cutting into the host of a number of 'master signifiers' that inform the contemporary American *sensus communis* and appear frequently in political discourse (Sharpe 2002: 6; Žižek 1999: 393 (14fn)): Law, Father, God. Shortly thereafter, we find out that Amsterdam is, after all, the Butcher's symbolic 'son': Cutting's murderousness and fear breed Amsterdam's murderousness and fear. It is interesting that only after their intimate encounter in the aforementioned scene does Amsterdam begin to remember the call of duty (to avenge the 'Priest's' death by murdering Cutting). On the eve of the last

violent encounter, Amsterdam indulges in a long monologue concerning the preparation of his gang for the final battle with their oppressors. 'Meanwhile', he explains to the audience, 'I was about my father's business'. We watch him preparing his weapons for combat, and assume that this is yet another biblical reference that disguises the identification of Irishness with religion. Yet, Scorsese plays a clever game with his audience: before allowing any religious associations to settle, the camera cuts to a scene in which Bill the Butcher sharpens his own monstrous weapons. The literal and the pictorial became interchangeable: Bill Cutting has now fully assumed the status of Amsterdam's sinister 'Father', 'Law' and 'God'. The cinematic narrative constantly plays upon this chain of signifiers, placing Cutting in the position to use religious vocabulary to describe Amsterdam's betrayal ('I took him under my wing', but he is 'a base defiler of a noble name'). In their last encounter, however, we return to a Freudian vision of murder (Freud 1946: 185): Cutting-the-Father is ritualistically killed by his Son-rival. Thereafter, Amsterdam, the bloody Son, assumes Bill's place in the order of things: he becomes a 'butcher'.

GONY builds upon the history of gang and tribal violence a fable on the function of American racist ideology and its consequences. The parallel with the repressive function of the Law-of-the-Father in every subject's life is astonishing: *GONY* argues, in effect, that American racism and discrimination leads to the unleashing of powers that are constantly repressed by the central state (the 'Law'). Repression is, after all, a theme that opens the film and grants its ending. The outlawing of 'Dead Rabbits' symbolizes the repression of ethnicity. Amsterdam's past identity is repressed for 16 years in a house of reform, but with his release all the religious preaching is disavowed (he throws the Holy Bible in the dirty street waters). Amsterdam literally comes back from hell, as the House's name, 'Hell Gate' underscores the religious content of the film. Again, the cinematic narrative creates a chain of signifiers: release of Amsterdam, 'resurrection' of Irishness, the return of the repressed. Towards the end of the film Amsterdam buries his father's bloody razor, the symbol of tribal violence. ''My Father told me it was all born of blood and tribulation; and so, then too was our great city'', he concludes. In this symbolic burial, certain histories are repressed once again.

The second way in which *GONY* debates the challenge of the state is by drawing on the dangers of repression originating outside America (as opposed to those originating in the repression of proto-American elements, such as the Irish immigrants). In a way, Scorsese's portrayal of

nineteenth-century New York is contemporary as we are constantly drawn back to the context of the post-9/11 world order. Scorsese himself states that "the actual playing out of the violence [was] not as important to [him] as all the cultural envy, the sort of primal family conflicts in the picture" *(The Hollywood Reporter,* 26/09/2002). In the same interview he explains that for the maintenance of internal and world peace radical changes in the people's mentality are required. "Observing history and the present situation" can verify this, "especially in the light of 9/11". Otherwise, he concluded, "violence will always return" (ibid.).

Scorsese's comments are a blunt reference to the closing scenes of disinterested slaughter. Here, Amsterdam discloses to the audience his fear that in a future world nobody will remember the dead of the Draft Riots. This is followed by a fast-motion historical panorama of Manhattan, accompanied by a musical *crescendo*. The site in which the Natives and the Dead Rabbits held sway, fought and died, develops over a series of photographs spanning a century and a half, and concludes in an image of the World Trade Center snuggling amongst a crowd of skyscrapers. We know, however, that Scorsese made this film before 9/11, and that its release was delayed in the light of the terrorist attack. He did not cut the scene, even though reviews were already very critical of his 'ill-advised' political 'commentary' and his bloody narrative. We might recall SlavojŽižek's comments here: the fantastic attacks upon mighty America that so many Hollywood blockbusters used to sublimate (see Žižek 1999: 40, 42–43; Žižek 2001), acquired the status of the 'real' when the terrorists hit at the heart of the 'nation'. Thereafter, the 'target' itself, America, displayed all the post-traumatic psychological symptoms that culminated in the 'denial' of the terrorist reality through its 'repression'. Hence, those movies that reproduced the 'fantasy' of threat were banned or made available to the public months after the World Trade Centre tragedy *(Collateral Damage, Big Trouble, Sidewalks of New York* and *Windtalkers)*.

It would be more accurate, then, to argue that Scorsese's cinematic narrative was *'filled in'* with meaning ('political commentary') *retroactively*. Before 9/11, the scene of the Twin Towers was perhaps destined to be read as a symbol of unity, a 'beautiful object': this piece of architecture was nothing other than a mark of an aestheticised American state ideology, free of dissonance and fear (Eagleton 1990). The last scene might have served, in other words, as a 'happy ending'. After 9/11, one cannot say the same. The same scene confronts viewers not with the criminalized 'Other' (Islamic terrorism), a shadowy 'gang' that is constantly fantasized in American popular culture *and* political discourse,

but with an intact version of Sameness (the Towers as a symbol American-ness), and hence a way of thinking the fantastic Islamic enemy destroyed. The reaction of the critics to the 'irrevocable loss' of this *objet petit a,* to cite Lacan, *and* its cinematic invocation in *GONY* is disquieting.

This complex political and psychological thematizing of terror invites the film's audience to be *critical* viewers, privileged to read *GONY's* scene *with hindsight: GONY* warns us that the layers of urban architecture which covered the physical traces of nineteenth-century blood-spilling *are* repressing certain American histories. Like 'Priest' Vallon's knife, the tribal past is buried under contemporary symbols of American progress. The twin towers, a symbol of American world domination, ascend before our eyes, but they also disappear (or descend) in our mind's eye. Racing images are replaced with racing associations, as the Nativist hatred of Catholic Irishness becomes suspiciously similar to contemporary American anti-Islamic propaganda. In retrospect, Scorcese uses the spectacle of terrorism as a disciplinary mechanism (in Foucault's 1977, analytical terms): his film 'preaches' that Islam, *an external form* of contemporary American otherness, which is currently loathed by American media and attacked by American governments, struck back 'home', because nobody took the moral lesson of Amsterdam's story seriously. *GONY* concludes that there will always be an updated version of the other-enemy, which will be returning to avenge its repression, spreading the same ancient fear on which the American state laid its shaky foundations.

Conclusion

The products of popular culture, even when they originate in institutions as mainstream as Hollywood, are rarely (if ever) so one-dimensional as to enable only one 'reading' of, or point of view on, their subject matter. We have suggested that Hollywood movies can provide as many options for looking *at* law and crime in a critical sense as they provide options for looking *through* the law in a normative sense. We have focused on the political, historical and sociological themes of *Gangs of New York* to demonstrate that Hollywood products contain many different subject positionings on and raise critical questions about the relationships between law, crime and the state. We are able to discuss these positionings precisely because *GONY* makes them available for reflection and interpretation. Popular culture, we contend, is

inherently a critical criminological space, replete with alternative angles on law and crime. Working *with* this critical space, in teaching, research and scholarship, can enrich criminology's intellectual connection to the popular criminological imaginaries that underpin much criminal justice policy as well as wider public perceptions of crime and crime control.

Notes

1. The Five Points intersection was located at what is now the corner of Baxter and Worth Streets at the southern edge of Chinatown. See Jackson, K.T. (ed) (1995) *The Encyclopaedia of the City of New York,* New Haven: Yale University Press.
2. 'Hell Gate' is the name of a treacherous stretch of water at the mouth of Long Island Sound, and the bridge which spans it, connecting Queens, Wards Island, Randalls Island and the Bronx.
3. The empiricist might claim that this focus on 'ethnic' gangs is proportionate to the overwhelming involvement of minority ethnic groups in gang activity. However, it can be noted that while police action, political rhetoric and news media have focussed upon America's (especially California's) 'ethnic' gangs, there has simultaneously been a shattering silence about the activities of white (often neo-Nazi) gangs responsible for an on-going campaign of 'hate killings' and assaults (Davis 1999: 405–411). Coincidentally, while Hollywood gang-genre films have likewise focussed on Black and Hispanic gang violence, there has been only one film addressing the activities of neo-Nazi white gangs – *American History X* (1998)
4. The notable cinematic exception is *Ma Vida Loca* (1993), a film that explores the violent world of Chicana 'girl gangs'.
5. The formation of gangs was thus linked to "the disorganisation incident to cultural conflict among diverse nations and races gathered together in one place and themselves in contact with a civilisation foreign and largely inimical to them" (Thrasher 1927: 154).

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