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## The Ambivalence of John Steuart Curry's Justice Defeating Mob Violence

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# THE AMBIVALENCE OF JOHN STEUART CURRY'S *JUSTICE DEFEATING MOB VIOLENCE*

STEPHEN C. BEHRENDT

John Steuart Curry's mural *Justice Defeating Mob Violence* (Fig. 1), painted in 1936-37 for the United States Department of Justice, offers viewers a revealing perspective on the cultural values inherent in then-current notions of law and order. In approaching his mural, Curry assumed the traditional role of the history painter as it had been known in post-Renaissance Europe, especially in the eighteenth century; he undertook to present for public approbation and public edification a moralistic allegorical statement about the relations between societal disorder and both the institutions designed to

control such disorder and the agents appointed to enforce that control. But in doing so he took the unusual step of adopting the visual idiom of American regionalism, in the process creating a mural that juxtaposes negatively charged images of rural and western American life with seemingly positive images of a more ordered and institutionally sanctioned component of American society. The mural incorporates some of the features that made regionalist art popular among broad segments of the general public: distinctively American subject matter, a dramatic narrative presentation, and a clearly definable moral basis reflective of both American nationalism and traditional American values. Despite its apparently clear programmatic basis, however, Curry's mural elicits from the contemporary, late twentieth-century viewer some decidedly ambivalent responses and interpretations. I should like to explore some of the reasons why this may be so.

At the heart of the phenomenon lies the perennial issue of how a painting (or any representational work of art) generates "meaning." The creation, perception, and cognition of works of art entails an intellectual and aesthetic transaction among artist, viewer, and the "vocabulary" of the medium. In a representational

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FIG. 1. *John Steuart Curry, Justice Defeating Mob Violence.* Photograph courtesy of U.S. Department of Justice, Washington, D.C.

painting like Curry's mural, this vocabulary includes not just the narrative subject, the "story" that the viewer derives from the visual representation of a dramatic moment frozen in time and space. It includes also the iconography, the tradition of posture, gesture, and physical and thematic repetition in the arts that enables us to "read" or decode a gesture (like the judge's outstretched hand in Curry's mural) by considering its occurrences elsewhere in art and culture.

This act of reading is also subject to historical and cultural circumstances that may materially affect how that act is carried on. Meaning and cultural significance may change dramatically over time, as has happened in the twentieth century with a word like "gay" or a visual image like the "V for Victory" hand gesture. Meaning

exists at the intersection of several roads: art-historical convention; the artist's individual vision, agenda, and abilities; the viewer's sophistication and knowledge of convention; and the belief systems that inform artist and viewer and their respective cultural milieus, which may be discontinuous in any number of ways. The artist's contemporaries may read the painting as the artist does, but the further removed one is, chronologically or culturally, from the currency of the artistic idiom and its intellectual and iconographic program, the more likely one is to read the images differently. Ambiguity (a term more relative to the *viewer* than the artist, since it is the viewer who is engaged in discovering meaning) arises in special ways when the viewer draws from the images suggestions that were necessarily inaccessible to the artist and

then constructs a tissue of meaning or signification that depends as much upon the viewer's personal, intellectual, and cultural conditioning as upon the artist's. Precisely this sort of shift in the interpretation of both the formal and the programmatic cues may be observed in the ways in which a late twentieth-century response to *Justice Defeating Mob Violence* may differ from one grounded in the milieu of the late 1930s.

Historians of twentieth-century American art generally recognize three contemporaries as the leading midwestern practitioners of what is usually called—slightingly, on the whole—“regional” art. Thomas Hart Benton was born in Neosho, Missouri, in 1889; Grant Wood near Anamosa, Iowa, in 1891; and John Steuart Curry in Dunavant, Kansas, to Scottish Presbyterian farm parents in 1897. Of the three, Curry (1897-1946) has fared the worst at the hands of the critics, perhaps owing at least in part to his humble beginnings as a self-declared “illustrator” of “Wild West” tales in 1921-26, before he grew serious about painting and embarked on a course of study that included study with the Russian academician Basil Schoukaieff in Paris in 1926.<sup>1</sup> There Curry's innate sense of regionalism, with its intense topicality and its grounding in visual localisms—indeed in visual colloquialisms—combined with the artist's enthusiasm for the monumental forms of Rubens and the energetic Romanticism of Delacroix and Géricault, who formed the trinity of Curry's favorite European models.

Like Benton and Wood, Curry sought in the rightist, isolationist program of his work to meld the distinctive features of a populist American agrarian culture with the monumentality and high seriousness of the European “high art” tradition. These three American painters epitomize the regionalists' resistance to the standards, conventions, and audiences of the more conventional, Eurocentric painting that most interested the East Coast art scene anchored in New York. They echoed European artists like Millet in their determined focus on the realities

of rural as opposed to urban life. They treated their subjects with a transparency that is at times flatly propagandistic in advancing their collective agenda. Theirs was an art for the people in general rather than for the connoisseur, a program graphically underscored in 1933 when Curry and Wood donned bib overalls for a much-publicized photograph of themselves at Wood's art colony in Stone City, Iowa. The three artists represented remarkably diverse backgrounds: Curry had begun as a commercial illustrator, Wood as a neo-Impressionist dutifully turning out views of France, and Benton as a modernist experimenting with abstract painting.<sup>2</sup> The very different formal and informal training each artist undertook, however, was enlisted ultimately in their joint program of returning American art to American roots—and to an American visual vocabulary.

This strongly nationalistic impulse was of course entirely in keeping with the new isolationism in politics and middle-class culture generally that followed America's involvement in World War I. Inherent in this intellectual and cultural isolationism is a nostalgic view of a fast-fading past whose values and priorities—could they be reasserted and reembraced in the modern world—might yet save the American Eden that was perceived to be fast becoming the modern Wilderness. Art of this sort is in any age and location inherently political in that it challenges both the status quo and the nature and value system of the prevailing power establishment. This political dimension is, as I will show, very much a part of Curry's program—as it is of Benton's and Wood's—and it bears significant relation to the work of an earlier regional artist, the nineteenth-century Missouri artist George Caleb Bingham, whose own paintings are often political in nature even when their ostensible subject matter is not explicitly so.

Curry's objective was to help shape an art form that would not only be distinctively “American” but would also transcend the imputation of inferiority implicit in the term “regional,” which term was often invoked as a

pejorative, as the relative equivalent of "narrowly provincial."<sup>3</sup> In short, Curry pursued an alternative course to the European neoclassical impulse toward consensus—toward the generalized, the generic, and the genteel. To do so, even for an artist of superlative talent (which Curry was not), was in the first half of this century a hazardous undertaking that subjected the artist to charges of eclecticism, eccentricity, or just plain mediocrity. The English Romantic poets had some hundred and twenty years earlier faced withering criticism of their efforts to democratize the arts—poetry in particular—when they replaced the classical agenda with the Romantic one that stressed the individual, the particular, and the distinctively local. The American regionalists encountered much the same sort of criticism from an artistic establishment that in the 1920s and 1930s preferred more traditional European artistic models and also from more avant-garde artists and critics who saw in regionalist representational art a retrogressive impulse.<sup>4</sup>

Thomas Hart Benton explained the situation succinctly in terms of himself, Curry, and Wood:

Actually the three of us were pretty well educated, pretty widely read, had had European training, knew what was occurring in modern French art circles, and were tied in one way or another to the main traditions of Western painting. What distinguished us from so many other American painters of our time was not a difference in training or aesthetic background but a desire to redirect what we had found in the art of Europe toward an art specifically representative of America. This involved first a dissolution of the contemporary European ban on the stressing of subject matter. After we had made the dissolution, we were forced to by-pass contemporary European, or rather Parisian, painting fashions and seek our technical resources further back in history where, as we knew, subject matter had been an important

aesthetic factor. Thirdly, we had to find, *and think in*, aesthetic terms applicable to the representation of a culture in a thousand ways different from that of Europe.<sup>5</sup>

Curry's *Justice Defeating Mob Violence* is a remarkable example of the artist's efforts to bring together these very different orientations and their controlling impulses within a single picture, a picture replete with unmistakably didactic purposes appropriate to its location on the walls of the Department of Justice. As Thomas Hart Benton did in painting biblical subjects like Susanna and the Elders and classical ones like Persephone in rural midwestern costume, Curry deliberately combined seemingly disparate thematic, spatial, and chronological components in his works. A brief comment in *The Arts* as early as 1930 observed that in this practice Curry was courageously portraying "difficult dramatic American subjects for which there is no European receipt ready to hand."<sup>6</sup>

But in fact Curry was working within the context of a well-established artistic tradition that had long engaged in just this sort of contrived artistic and intellectual matrimony. Curry's mural reflects the tradition of grand-style history painting—or *istoria*—as it had reached its apogee in eighteenth-century Europe. Traditionally regarded as the highest form of painting, *istoria* constituted the visual analogue to the literary epic. Like the epic poet, the history painter was regarded as something of a national treasure, as an artist with a clear and unavoidable moral duty to educate and edify his or her fellow citizens. The work of the history painter, like that of the epic poet, was understood to transcend mere temporal specificity and to speak to the ages. The history painter was a public artist whose productions were by definition inherently political, as well as moral, spiritual, and intellectual. Paradoxically, the American Social Realists and the Communists who frequently backed them during the Depression years advocated a variety of public art whose goal was

to incite revolution among the masses, but whose vehicles were frequently very much in the mode of those used by the regionalists and the still more traditional history painters who preceded them. The objective of the Social Realists and their Communist allies was an art that would be "executed in an aggressive, declamatory manner, painted on a large scale, and placed where it could be widely seen."<sup>7</sup> Curry's mural follows this program, but with apparently the opposite objective: to reinforce the social and political status quo against the twin threats of anarchy and fascism.

Curry's *Justice Defeating Mob Violence* invites a programmatic reading that affirms institutional (and institutionalized) justice. All the signals are there, both in the simple compositional structure and in the elaborate set of visual allusions that help us to "read" the text of the painting. Curry seems on first glance to have done his work well and to have served his governmental and judicial masters. Ironically, the finished picture stands almost as a repudiation of the artist's own geographical and cultural roots, for it includes among its cast of social "villains" an assemblage of rural and distinctively western persons. This frankness in portraying the dark side of American—and specifically Kansas—history and culture along with the bright side cost Curry severely, as is best demonstrated by the controversy over his plans for murals in the Kansas state capitol building.<sup>8</sup> Perhaps Curry's mural is, at least in part, a repudiation of both the frontier and frontier justice: Wyatt Earp had, after all, died less than ten years earlier, in 1929. In an era in which the cultural consciousness of criminal violence was dominated in America by images of urban gangs and internationally by the resurgence of organized political thugs under the Fascist and Nazi banners, Curry's painting seems remarkably old-fashioned: both an anomaly and an anachronism.

Indeed, that is typical of political art of this sort, and it is characteristic of American regionalists in all the arts to fall back upon a sort

of "good old days" context in their works, if only to lament its passing (as, for instance, Willa Cather routinely eulogized a faded pioneer heritage in her fiction). Given the growing anxiety inherent in the complex modern global world view on the eve of World War II, it is no surprise that regional art draws upon vaguely old-fashioned localisms, for its fundamental quest is for the nationalistic memorializing—if not the outright recovery—of the seemingly simple, clear values and the moral security of those earlier, uncomplicated times. This is in many ways the conservative view that arises in all periods of nationalistic anxiety: reinstate "traditional values" (the conservative politician's by-phrase) and all will be well again. That most popular of the popular arts, the movie, was in these years, after all, producing its own nostalgic mythology of the Old West, replete with dungless streets and handsome, singing cowboys. This would seem to be very much the rosy world view into which Curry invites us to peer. And yet Curry's view possesses a harder, darker quality.

Curry himself provided the program for his painting when he addressed the Madison Art Association on 19 January 1937, soon after his appointment as Artist in Residence at the University of Wisconsin. His description of his subject is worth quoting in full:

In . . . *Justice Defeating Mob Violence*, I have used for the properties of my theme the mob, vicious death with the rope, the projecting limb of the tree, the glaring auto light, the hysterical women, the bloodhound, the clubs, the guns, the horses, the upraised clenched fists of the bloodthirsty. Opposite these is the black-robed figure of the Justice, at his feet the fugitive, behind him the arm of the law, the Department of Justice man, the militia; and behind them the pillars of the Court—with these properties I have endeavored to give a dramatic story with the reality of the day, and at the same time so organized that they will fit in an art form that will give them authority and so that they

will as decorations give an added luster to the building, and to their setting.<sup>9</sup>

Curry's description would seem to lay out the painting's program clearly, in terms of its narrative content, of its allegorical structure, and of the public function of the painting itself in the context of its presence on the walls of the Department of Justice building.

I am not certain, however, that things are quite so clear-cut at all, especially when we look at both the painting and Curry's statements with late twentieth-century eyes. Curry's mural in fact elicits a much less clearly programmatic reading of the opposition between "frontier justice" and the institutionalized American legal system than we—and Curry's contemporary audience—might at first think. The painting seems on first consideration to be a straightforward visual essay on the superiority—and thus the desirability—of the system of justice epitomized in the judicial branch of government and backed up by the various agencies of law enforcement. Curry represents this two-tiered judicial system in the figure group at the right of his mural, a group consisting of a formally-robed judge accompanied by uniformed law enforcement officials. Positioned both on steps and at the right, this group visually dominates the "mob" at the left. The figures at the right reflect no sense of being threatened; they are at rest, relaxed and confident in the "rightness" of political and social order embodied in their orderly deployment and emblemized in their uniforms. The "mob" at the left, on the other hand, is composed of "cowboys" (including the urban outlaw denoted by his light suit and rakish mobster's hat) and other rural and proletarian types bent on lynching a shirtless male figure whose partially fallen position at the feet of the judge places him just to the right of the picture's center.

These two figure groups function as emblems of the two key terms, "justice" and "mob rule," and all of the visual signals appear to underscore the ostensible superiority of the "justice" group. Like any effective history painter, Curry em-

ployed both particularizing details and formal compositional devices in engineering this programmatic reading, a reading that would seem to be virtually propagandistic in the apparent blatancy of its system of references. The group at the right represents the forces of order, of law both in the abstract (the judge) and in its practical application (the armed officers), *elevated* to moral supremacy, even as they are physically and visually elevated by the steps upon which they stand. The combination of these two forces of order is a powerful one indeed, for merely in raising his hand—his *right* hand, note, the same one the Creator raises on the ceiling of the Sistine Chapel in bringing order out of chaos, and the one that both God the Creator and Jesus Christ use frequently in western Christian art to quiet disturbances or to vanquish demonic challengers—the judge halts and reverses the advance of the far more numerous mob, whose principal figures recoil from the center of the picture and his gesture as from electric shock. The implicit strength of The Law, though it is reserved rather than executed, is greater than that of The Mob, whose violent exertions are thus checked. The judge's gesture is, moreover, a classical convention most often associated with sculpted images of the Roman emperors. It is an assertive oratorical stance that calls, first, for silence and, second, for assent, fealty, and solidarity. The judge's gesture recalls artistic precedents observable in paintings like David's *Oath of the Horatii*, as well as more immediately contemporary political parallels in the gestures associated with Mussolini and Hitler.

Curry may have known a significant precedent for his own use of the figure. George Caleb Bingham completed two versions of a powerful painting of political protest, *Martial Law, or, Order No. 11* (c. 1865-70; Fig. 2), both of which were well enough known for Curry to have seen one or the other either in the original or in reproduction. The historical event recorded in Bingham's paintings is directly relevant to Curry's interests: the devastation brought about by the fierce clashes along the Missouri-Kansas



border arising from the passage in 1854 of the Kansas-Nebraska Act and the repeal of the Missouri Compromise. The order attacked in Bingham's powerful painting had commanded the entire population of three counties (and a portion of a fourth) to leave their homes within fifteen days or face forcible expulsion; it had wrought great misery on innocent people who had been victimized by the outlaw activities of others. According to the leading Bingham scholar, the painter had declared to the officer responsible for the order, "If God spares my life, with pen and pencil I will make this order infamous in history."<sup>10</sup> In Bingham's paintings a dignified older man who stands at the left in a ray of light extends his arm to the right against

the military officer whose hand is on his service pistol and who is apparently responsible for the scene of death and misery that surrounds the older civilian. What is of special importance here is that it is the official representatives of law and order—the military—who are the perpetrators of the violence that in these paintings devastates the most sacred of social institutions, the family. The implications of this ironic reversal of the roles of outlaw and peacekeeper within the context of sanctioned military force grow even stronger to the sensibilities of a late twentieth-century viewer, but the context of urban and international violence in the 1930s suggests that Curry was probably as aware of the fine line he was walking in his mural as Bingham



FIG. 2. *George Caleb Bingham, Order No. 11*. Photograph courtesy of Cincinnati Art Museum. The Edwin and Virginia Irwin Memorial.





FIG. 3. *Nicholas Poussin, Rape of the Sabine Women*. Photograph courtesy of Metropolitan Museum of Art, New York. Harris Brisbane Dick Fund.

was in *his* pictures, painted in the immediate wake of the Civil War. It is worth noting that although they are not among his best-known works, Bingham took up overtly political subjects on several occasions. In this we may discern at work in his painting a line of socio-politically committed visual art whose lines extend back most importantly through William Hogarth in eighteenth-century England and forward into the works of both the Regionalists and, paradoxically, their Socialist and Communist critics of the twentieth century.

Adding to the ambiguity that arises when we consider further still the iconography involved in the commanding gesture of Curry's judge figure is the fact that this same gesture recurs fre-

quently in western art in contexts in which it serves to *legitimize* rather than to forestall violence. For instance, presiding over the violent scene in Poussin's *Rape of the Sabine Women* (c. 1636-37; Fig. 3) is a figure who stands on a terrace at the left, in front of classical columns among which stand his followers; his arm is raised and extended in a gesture that itself is copied from a Roman sculpture of Augustus of the Prima Porta. Given the picture's great fame and Curry's own sophisticated art history training, it is likely that Poussin's painting figures into Curry's mural at some level, even if only in terms of a compositional precedent. That this same sort of physical gesture occurs also in biblical subjects like Moses parting the waters or

Jesus (or Michael, or God the Father) hurling the rebel angels into the abyss suggests that the gesture may as easily be associated with the instigation of violence as with its quelling.

It is worth noting that Curry's earliest sketches for the mural reveal a more exaggeratedly dramatic conception of the tableau at right and center. In these early sketches the judge interacts more directly with the fugitive, bending over him slightly and extending his left hand down to him in a protective gesture.<sup>11</sup> In the final version the judge has been made erect and his physical contact with the fugitive has been eliminated. The effect of these changes is to minimize the emotional, empathetic bond originally created among judge, fugitive, and viewer,

and to opt instead for a more formal, even allegorical, presentation of the abstract qualities and principles with which Curry was concerned in his painting.

The mob is an appropriate emblem of disorder and violence. The group is visually contorted, writhing almost, in elaborately implacable sinuous lines. One is reminded of Géricault's *Raft of the Medusa* (1818-19; Fig. 4), right up to the waving background figure at the apex of a leftward-rising compositional triangle. The connection is fortuitous, to be sure, but—again recalling Curry's studies in Paris and his enthusiasm for Géricault—it is perhaps intellectually significant as well. Géricault's figures are survivors of a shipwreck, waving desperately



FIG. 4. Théodore Géricault, *Raft of the Medusa*. Photograph courtesy of Musée du Louvre, Paris.

in hope of salvation by the ship whose sails are only barely visible in the extreme distance. Is it possible that Curry has engineered in his painting an argument by analogy, suggesting in the judge's gesture the means of the mob's rescue: that Law and Justice serve to overcome the violence and disorder that is given physical embodiment in the disharmonious figures of the mob by literally saving the members of that mob from themselves?

Cementing the pejorative valuation of the mob is the face of its central figure, the cowboy ("vicious death," Curry had called him) with the rope: his face is skeletal, skull-like—a death's head with a cowboy hat. Lit from the left by the eerie light from a vehicle's headlamps, before whose light a fearsome dog lunges, this group embodies the barely restrained pack-instinct forces of darkness and destruction.

It is a theme Curry had explored more than once—the violence of vigilante justice, in which the pack instincts of the primitive world erupt grotesquely but no less violently in the civilized world of twentieth-century society. Laurence Schmeckebier observed of another of Curry's paintings, *The Man Hunt* (1931), that paintings of this sort explore a theme whose connections lie nearer to personal, individual concepts of justice than to any organized political scheme.<sup>12</sup> Schmeckebier is only partially correct, though, in suggesting that a painting like *The Man Hunt*—or even *Justice Defeating Mob Violence*—is primarily involved with exclusively personal experience, personal concepts of justice. For as Schmeckebier further acknowledges, Curry knew from his own experience that vigilante action was a reality in Kansas and elsewhere in America. And that brand of mob action was directly related to the anarchy that had prevailed for many years among the criminal element in American society and among much of the law-and-order element that endeavored to control it. This is where precedents like the Poussin and Bingham paintings fit in.

Anarchy could exist—could function and flourish even—on either side of the official law

(and the unofficial "law" of moral, ethical standards of social behavior). In locating the mob in *Justice Defeating Mob Violence* in a natural setting (notice the tree branch just left of upper center), Curry implicitly allied its members with the forces of unbridled nature (such as frontier and the wild), as opposed to the man-made order represented at the right by the classical pillars and angular steps (such as civilization and the urbane). The mob is thus held in check not only by the presence of the armed law enforcement officers and the commanding gesture of the judge, but also by the place in which the action occurs, for the whole visual arrangement suggests the paradigm of the flight to sanctuary, with the classical structure at the right doubling as secular "church." This paradigm carries another contextually appropriate layer of signification, or coding, in the myth that evil or death cannot penetrate the sanctified space.

Central to a programmatic reading of Curry's mural is the figure of the fallen fugitive. The fugitive's fallen position and his bare torso signal weakness and vulnerability, his lowered head submission. He is also the fugitive who seeks the shelter of sanctuary, having literally sought out Justice for protection and having now cast himself at the feet of the Law, in the physical form of the feet of the judge and the lawmen. The fugitive has many predecessors in art, including one within Curry's own earlier work. He strongly resembles the fallen boxer in the artist's watercolor, *Counted Out* (1925; Fig. 5). Describing *Counted Out*, Schmeckebier says what is equally apropos of the fugitive in *Justice Defeating Mob Violence*: "Curry focuses his attention on the pathetic victim collapsing to the canvas with blood streaming from his face while the merciless crowd jeers at him."<sup>13</sup>

The two pictures share the subject of the fallen, brutalized individual whose only hope of avoiding further physical abuse lies in the hands of a "referee"—in each instance the embodiment of the principles of fair play, law, and order—who must intervene to put an end to the violence. In *Counted Out*, though, the fallen



FIG. 5. John Steuart Curry, *Counted Out*. Photograph courtesy of Mrs. John Steuart Curry.

boxer is still in a “game” or “sport,” however violent its nature; he will be able to recover and fight again another day. In *Justice Defeating Mob Violence*, on the other hand, the gladiatorial “game” is in dead—and deadly—earnest, and the stakes are infinitely higher. In the mural Curry ingeniously introduces the parallel figure of the bloodhound at the left (also present in *The Man Hunt*) to drive home the point that the hunted fugitive has been literally “hounded” to his collapse and in the process reduced not just to an animal but to a hopeless, defeated animal, visibly unequal to the mob or, more pointedly, to the curbed hound whose energetic posture parallels his own exhausted one.

While the figure in *Counted Out* supplies a relevant counterpart from within Curry’s own

work to the fugitive in *Justice Defeating Mob Violence*, there is another fallen figure whose presence and role in western Christian art and thought is far more significant. It is not unreasonable to recognize in Curry’s fallen fugitive a successor to numerous depictions of Jesus fallen beneath his Cross, a frequent subject both in western paintings and in the art of Roman Catholic churches, where the scene occurs among the fourteen “stations of the Cross” that were often painted, sculpted, or otherwise represented around the interior perimeter of the church for devotional purposes. Moreover, one of Curry’s favorite artists—Rubens—painted several versions of this subject, several of which—like the version of *The Road to Calvary* reproduced as Fig. 6 (c. 1631-32) and from which



engraved versions were made—render the figure of Jesus in a posture very much like the one Curry has employed for his fugitive.

If we see in this fugitive figure—however briefly—a visual reminder of the fallen Jesus, we become aware of a series of associations that run in the opposite direction to the central programmatic reading I have been outlining here. For instance, associating this figure with Jesus in a scene in which a judge and a clamoring lynching party are prominent suggests to the perceptive viewer a link between the judge and Pontius Pilate—a figure neither noble nor judicious in western Christian belief, however unwilling a part he played in his drama. The lynching party translates easily, in this reading, to the unruly mob who clamored for the crucifixion of Jesus as the penalty for his own disobedience. In this context of the sanctioned violation of an innocent victim, the mural again discloses its connections with Poussin's *Rape of the Sabine Women*, and by extension with a myriad of representations of the slaughter of the Innocents, an event also associated with the life of Jesus.

Suddenly, even relatively small details contribute to this growing web of ambiguity and ambivalence. The cowboys, for instance, wear open-necked shirts, and their apparent leader holds a rope noose which signifies death by hanging, the apparent object of their exertions. The neck of the judge is closed by the (presumably slip-knotted) necktie which is a sort of bizarre costume equivalent of the hangman's noose. More important is the paradoxical predicament of the fugitive. His face hidden from view, he is a generic rather than a particular fugitive, which is entirely appropriate to Curry's allegorical design. Presumably innocent until proven guilty, he flees from the lynchers to the protection of the judge and his uniformed, armed backing. But suppose he is not just a fugitive but in reality also a guilty criminal? Then his fate is no less firmly decided; only the formalities of a trial stand between him and the equally



FIG. 6. Peter Paul Rubens, *The Bearing of the Cross*. Photograph courtesy of University Art Museum, University of California, Berkeley.

certain death which both the heavily armed officers and the black-shrouded judge may imply. His end is not altered in this reading, but only delayed and formalized, ritualized within the larger ritual of the Law. Indeed, if one cares to pursue the implications of identifying the fugitive with the fallen Jesus, one might project beyond the inevitable death also the acquisition of martyr status, a phenomenon often associated with victims of the political use of the forces of law and justice.

Still further, the picture's visual structures are themselves capable of being read in different fashion. Our cultural conditioning encourages us to see in the strong verticality of the picture's right side, and in the formally attired and (again)

strongly vertical positioning and gestures of the group on the right, the signs especially of *order*, *rationality*, *conformity*, and *repose*, signs that counterbalance those of *disorder*, *passion*, *diversity*, and *activity* that are implied by the dynamic, sinuous, asymmetrical arrangement of the figures on the left. Indeed, that same cultural conditioning prompts us unquestioningly to assign precedence to right over left and thus to valorize the seeming superiority of the judicial group. Yet these signals are potentially reversible. What seems order and rationality may be interpreted also as inflexibility and regimentation, the coercion of the individual will into bland conformity. By this same standard, the enthusiastic group on the left may even be seen to assume a connotation of vitality and individualism.

It is worth remembering that on 11 June 1963, within thirty years of the completion of Curry's mural, the nation witnessed an all-too-similar scene when Governor George Wallace and the official state representatives of law enforcement stood on the steps of Foster Auditorium in Tuscaloosa, Alabama, to block the entrance of two black students, Vivian Malone and James A. Hood, accompanied by United States Assistant Attorney General Nicholas Katzenbach, to the University of Alabama. The *New York Times*' description of the theatrically engineered confrontation is uncannily like the scene at the right of Curry's mural:

The Governor, flanked by state troopers, had staged a carefully planned show of defying a Federal Court desegregation order. . . . The long-awaited confrontation between Governor Wallace and the Federal officials came shortly after 11 o'clock on the sun-baked north steps of Foster Auditorium, a three-story building of red brick with six limestone columns.<sup>14</sup>

The conclusions about the use and misuse of force implied in Curry's painting are themselves

at once both timeless and time-bound, both relative and reversible, depending upon one's own orientation. That is, if in the scheme of things in the 1930s it appeared that the social and political order were threatened by bands of lawless thugs, there was, as there always is, some risk that it might also seem that the world would have to be protected—and Justice served—by bands of musclemen whose violence is sanctioned by law. In that case violence and brutality become constants, and right and wrong become merely relative to which side one (or one's society) has elected to be aligned with. In mob actions, of course, individuals and individual acts lose their particularizing characteristics. In Curry's mural there are no specific identities: the faceless fugitive flees the generic mob and appeals not to individuals but to an institution, Justice, whose servants we see in judge and lawmen and upon whose departmental walls Curry's mural is painted. The fugitive is rendered powerless in either case, stripped of dignity and independent action as he has been stripped of his shirt.

Curry painted his mural in a cultural and political climate vastly different from that of the later twentieth century, and the viewer in 1938 surveyed the painting with eyes informed by different experiences and expectations than our own are in 1992. The destabilizing—even subversive—suggestions I have explored here were undoubtedly less troubling for Curry's first viewers than they are for today's viewers, despite Curry's choices of ambiguous iconography and visual convention that cannot have been entirely innocent and unintentional on his part. Curry was working within a historically and culturally defined framework in which the programmatic parading in public of allegories of native national values and aspirations served a particular purpose in lending cohesiveness to a nation struggling out of the Great Depression and into yet another world war. Given the plain social, political, and economic facts of the later 1930s, Curry's viewers would inevitably have

found in the mural (because it seemed to respond to their own deeply-felt needs) an affirmation of order and stability, and a championing of the social and civil structures that existed ostensibly for the redress of perceived injustice, of perceived threats of disorder and ultimate cosmic chaos.

Curry's work reflects the flourishing in the 1930s of regional art in conjunction with projects like those undertaken first under the Public Works of Art Project (initiated by Franklin Delano Roosevelt in December 1933) and subsequently under the Federal Art Project which absorbed and superseded it in 1935—a combination of old-fashioned artistic patronage and a national program of work relief.<sup>15</sup> In the period during which it was composed, *Justice Defeating Mob Violence* served many purposes, not the least among which were the propagandistic, the nationalistic, and the morally didactic. It must have been easy for the contemporary viewer to read Curry's mural and draw from its simplistic polar juxtaposition of moral categories—formal justice and mob violence—a thoroughly orthodox celebration of the civilizing, even humane spirit of justice and “the American way.” By depicting his mob surging in from the back of the picture Curry indicated that the viewer is not a part of the mob. Indeed, the viewers are not part of the picture at all, but are in the building on whose walls the scene appears. They are observing from the sidelines, as it were, their physical detachment from the picture painted high above them promoting a corresponding intellectual and emotional detachment that helps them to read and interpret the picture correctly.

What Curry produced in 1936-37, however, presents to more modern eyes the interesting phenomenon of a public painting that ostensibly encourages one reading but that in fact is susceptible to quite contrary readings. It seems to me that this painting, which is only one of many that one might seize upon, offers an occasion to consider how cultural values and assumptions (not the least of which involves, in

this case, what would appear to be a distinctly pejorative view of the western/rural/proletarian figure group and what they represent) become encoded in works of public art. In an age that claims to embrace standards of “law and order” even in the face of societal lawlessness (as was the case in America in the period in which Curry finished his mural), the visual and contextual signs that form the work of art may be read quite differently from how they are read in another age (such as the present) in which both standards of “law and order” and the institutions that supposedly uphold them are viewed with less confidence and less general respect.

Further evidence of the significantly different ways in which art objects are interpreted variously depending upon cultural context—the particulars of time, place, status, and experience or orientation—may be discerned in the elaborate hyperbole of Laurence Schmeckebier's re-presentation of Curry's mural in his book, *John Stewart Curry's Pageant of America*. Both the book's publication date—1943—and the presence in its title of the loaded term “pageant” ought to prepare us for the rhetorical and intellectual glorifications that follow:

Justice Defeating Mob Violence is not merely a protest against lynching or any contemporary phase of injustice that might be prevalent at a given moment. It is rather an idealization of justice—the character and composition of the judge group is evidence enough to prove the point—which everyone, regardless of political creed or social standing cannot help but recognize. It is not a symbol, then, but a universal situation, valid in the past as it will be in the future. It is an encouragement to a present generation to keep striving toward that ideal which has motivated legal procedure through ages of the past.<sup>16</sup>

Schmeckebier's own agenda is baldly visible here, and it is an agenda that fails to acknowledge openly and honestly the ambivalent nature



of both legal institutions and the “justice” they administer. His words are entirely in keeping with the national mood of a mid-war America actively engaged in idealization, in reductivist hero-worship, and in a yearning for absolute values as a means of countering present anxieties over real domestic and international crises. That he conveniently omits to mention all those individuals, classes, and races who have in 1943 still failed to be enfranchised by the establishment or embraced by the society generally merely reflects the not surprising mindset of the times. But mindsets change, and with them the ways of reading, ways of interpreting, ways of attaching signification to images, gestures, and conventions.

Curry’s mural attests to the centrality to the artist’s work of the intellectual programming to which Howard Devree pointed when he called Curry “one of our most purposeful and intelligent painters, sensitive alike to the life of his time and to the inflexible demands of his craft.”<sup>17</sup> Appropriately, what Devree says of Curry’s art in many ways approximates as well the agenda of the history painters of some three previous centuries. Whatever we may decide about the overall aesthetic value of *Justice Defeating Mob Violence*, the mural provides a good “case study” for examining ways in which the public artist steers the viewer’s consciousness by manipulating the formal conventions of the art object. Especially with an intentionally programmatic art form like *istoria*, the art object depends for its effectiveness upon the viewer’s familiarity with the system of references—both topical and iconographical—that inform and undergird the work.

It depends, too, on a shared valorization of those references and the belief system from which they emerge. That is, if society’s attitudes toward the physical forces of law (the armed officers) or its symbolic authorities (the judge) change over a period of time, so too will those attitudes likely change toward the ostensible figureheads for disorder (the mob). And so too may the attitudes toward the victims of each

(the fallen fugitive) change, until we regard that victim—as we often view the victims of violent crime today—as trapped between the Scylla of the perpetrator and the Charybdis of the legal system. This victim is brought finally to his or her knees in the middle of a system in which all too often it appears that the most one can hope for is justice very much delayed—and procured at devastating financial and emotional cost. And even that delayed and diluted satisfaction, in a society that has grown increasingly cynical about the judicial and law enforcement systems, seems less and less a reality and more and more an illusion. Complications and ambiguities arise inevitably in the activity of perceiving and interpreting the work of art whenever the set of governing conventions or “codes” changes. The more profound those changes are, the less completely will the audience share with the originating artist and his or her contemporary society either the meanings or the significances of those original conventions. One wonders how today, more than half a century later, Curry might approach the commission for this same subject.

#### NOTES

1. Especially in the years following his death of a heart attack in 1946, Curry’s work was frequently deprecated as “uneven,” “inadequate to express his ambitious ideas,” or merely a grandiose but nevertheless “stale” variety of illustration. “John Steuart Curry,” *Art News* 46, 2 (1947): 18, for instance, applies these comments to the retrospective exhibition of Curry’s works mounted in 1947 at the Associated American Artists Galleries in New York.

2. Henry Adams, *Thomas Hart Benton: An American Original* (New York: Alfred A. Knopf, 1989), p. 216.

3. In fact, a favorable review of the 1947 retrospective exhibition of Curry’s works makes just this point, asserting that restrictive and generally pejorative terms like “Regionalist” or “American scene painter” narrowly and incorrectly characterize the artist’s work. “Curry, American,” *Newsweek* 7 (April 1947): 90. Curry himself resisted the “regionalist” label, claiming that he had never set out to be a regionalist, and that only after years of painting Kansas scenes had he learned that he was one; “Curry,

U. W. 'Artist in Residence,' Here: Believes Plan Great Step Forward," *The [Madison, Wisconsin] Capital Times*, 4 December 1936.

4. The leftist modernist Stuart Davis, for instance, blisteringly attacked Curry in 1935 for his deliberate anti-aestheticism (Stuart Davis, "The New York American Scene in Art," *Art Front* 1, 3 [February 1935]: 6). Davis conveniently ignores Curry's familiarity with the European tradition, from which he borrowed freely even in works intended to strike their audiences as distinctively American in content and execution.

5. Thomas Hart Benton, 1951; rpt. in Benton, *An American in Art: A Professional and Technical Autobiography* (Lawrence: University Press of Kansas, 1969), p. 151.

6. "Miscellany; John Curry," *The Arts* 16 (1930): 425.

7. Irving Sandler, *The Triumph of American Painting: A History of Abstract Expressionism* (New York: Praeger, 1970), p. 8.

8. M. Sue Kendall, *Rethinking Regionalism: John Steuart Curry and the Kansas Mural Controversy*

(Washington, D.C.: Smithsonian Institution, 1986).

9. Quoted in Laurence E. Schmeckebier, *John Steuart Curry's Pageant of America* (New York: American Artists Group, 1943), p. 292.

10. E. Maurice Bloch, *The Paintings of George Caleb Bingham: A Catalogue Raisonné* (Columbia: University of Missouri Press, 1986), p. 223.

11. Some of the most relevant sketches are reproduced in Schmeckebier, *Pageant of America* (note 9 above), pp. 306-7.

12. *Ibid.*, p. 267.

13. Schmeckebier, *Ibid.*, points out the connection between the two pictures on p. 306; quotation p. 252.

14. *New York Times* (12 June 1963), pp. 1, 20.

15. For an excellent example of this phenomenon on a state-wide basis, see Elizabeth Anderson, "Depression Legacy: Nebraska's Post Office Art," *Nebraska History* 71 (Spring 1990): 23-34.

16. Schmeckebier, *Pageant of America* (note 9 above), p. 289.

17. Howard Devree, "Curry Has a Show," *Magazine of Art* 31 (1938): 36.