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TOO MUCH OF A GOOD THING: FATAL ATTRACTION IN INTIMATE RELATIONSHIPS

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ABSTRACT

Can a mate possess “too much of a good thing?” Here we test hypotheses concerning the propensity of individuals to view their spouse or partner as exhibiting *too much* of otherwise desirable characteristics. In a sample of 208 adults, we find that approximately three-fourths of respondents report that their mate exhibits “too much” of at least one appealing quality. Over two-thirds report a “fatal attraction,” in which they recount initially being attracted to the same quality in a partner that is now perceived to be exhibited in excess. Furthermore, we find that fatal attractions occur across a wide range of ages and personality dimensions, and in both dating and married relationships. We demonstrate these patterns using both quantitative and qualitative data.

BACKGROUND

Introduction

Can someone exhibit “too much of a good thing”? Is this phrase a cliché, or does it portray a meaningful pattern in key social institutions, such as marriages and intimate relationships? Here we investigate a type of disenchantment, referred to as *fatal attraction* (Felmlee 1995), in which individuals come to see their spouse or partner as exhibiting too much of otherwise desirable characteristics.

There are a number of reasons why it is important to examine this topic. First, many people experience a shift from positive feelings towards an intimate partner to disenchantment with that person during the course of their relationship or marriage (Cherlin 1992). Yet, the processes involved in such a shift remain understudied. In particular, comparatively little research has examined the specific partner qualities that are associated with disenchantment. Second, the type of partner disenchantment examined here – *fatal attraction* – is intriguing for its counterintuitive nature; it seems much more reasonable to assume that individuals become disenchanted primarily with the extreme negative qualities of a mate (e.g., irritability, laziness, infidelity) rather than the excessive exhibition of positive traits (e.g., intelligence, confidence, attractiveness). More importantly, in light of the elevated rates of divorce and breakup in the U.S. (Bumpass 1990), more research is needed on the factors that are associated with the problematic, or *dark*, side of romantic attraction (e.g., Duck 1994). This is particularly true when the dark side lurks

in the glow of the initially appealing aspects of a relationship.

The first purpose of this research is to investigate the degree to which individuals report that their romantic partner possesses *too much* of otherwise desirable qualities, which is an issue that has not been addressed in prior research. In other words, are perceptions of excessiveness in the positive characteristics of a mate relatively rare or common? Next, we test the fatal attraction hypothesis that the tendency to report a strong initial attraction to a given characteristic in a partner is positively related to the assessment, in later stages of the relationship, of the partner as expressing too much of that characteristic. Said another way, does a high level of attraction to a particular partner quality heighten the chances that an individual subsequently comes to view that partner as displaying too much of that quality? Additionally, the bulk of prior research on fatal attraction relies on data that were collected from college students (e.g. Felmlee 1995; 1998), and such samples present a number of potential limitations (Sears 1986). Thus, the third purpose of this research is to extend this line of inquiry to determine if fatal attractions also occur among older adults in marriages and long-term relationships. Furthermore, we argue that a variety of personality characteristics are apt to be susceptible to this form of disenchantment, and we use established personality scales to test this argument. Lastly, we use a multi-method approach in our study of this topic; we use quantitative data to examine our hypotheses directly, and we use qualitative data to illus-

trate patterns in fatal attractions and to investigate further key aspects of the conclusions that we draw from the quantitative analyses.

Fatal Attraction in Context

There is comparatively little research on the negative side of attraction. Among the limited findings on the topic, one study found that the perception of negative attributes expressed by a romantic partner (e.g., negative behavior, dissimilarity, unfulfilled expectations) is related to decreases in reported *liking*, *love*, and *being in love* (Lamm, Weismann, & Keller 1998). Additionally, evidence suggests that men and women have similar aversions to undesirable partner traits. For example, "social allergens," such as engaging in uncouth habits, inconsiderate behavior, intrusive acts, and norm violations, are associated with relationship dissatisfaction for both males and females (Cunningham, Shamblen, Barbee & Ault 2005).

Other research focuses on the perceptual illusions involved in the attraction process. According to the perspective of motivated cognition (e.g., Miller 1997; Murray 1999; Murray & Holmes 1993), illusions are part and parcel of successful romantic relationships. Individuals hold positive illusions of their romantic partners, by which they idealize the loved one's qualities and minimize his or her shortcomings. This flattering outlook on a partner tends both to increase relationship commitment and to enhance an individual's self-esteem through the belief that such a desirable person loves us (Murray, Holmes, & Griffin 2000). Evidence indicates that these positive illusions provide married couples with some protection from a decrease in feelings of love, although they do not shield from the potential for divorce (Miller, Niehuis, & Huston 2006).

Disenchantment refers to a process of being freed from illusions. In the context of a romantic relationship, disenchantment occurs when an individual's perceptions about aspects of a loved one shift from positive to negative. Such a shift could take place when initial impressions of a partner are misleading or illusory, when a partner changes over time, or because a partner fails to live up to expectations. Here we focus on a type of disenchantment that occurs when an intimate partner is perceived to exhibit *too much* of an otherwise appealing characteristic (e.g., a spouse comes to be seen as too caring and

too attentive, or what one might describe as "clingy" and "obsessive"). This process has been referred to as *fatal attraction* in the literature (Felmlee 1995; Pines 1997). Prior research documents evidence of this phenomenon and finds, for example, that college students frequently report that the disliked aspects of their romantic partner are related closely to qualities to which they initially were attracted (Felmlee 1995, 1998). Likewise, in an examination of over one hundred couples who were experiencing relational problems, Pines (1997, 2005) found that many of the same qualities that initially attracted individuals to each other eventually led them to experience relational "burnout".

However, previous research on fatal attraction is limited to a handful of studies and does not examine directly the degree to which individuals believe that their partner exhibits too much of otherwise desirable qualities. Prior research also has not tested systematically whether the degree of initial attraction to a desirable characteristic is positively related to the tendency to view one's partner as having too much of that quality, nor whether such a tendency exists across a wide range of personality characteristics. Finally, the bulk of existing research on fatal attraction is limited to college-aged students (often in short-term liaisons and/or recalling terminated relationships) or to couples undergoing therapy, leaving open the possibility that this phenomenon only occurs in relatively brief, young, uncommitted, discontinued, or troubled relationships. In this study, we attempt to redress these limitations in the literature.

HYPOTHESES

Hypothesis 1: Too Much of a Desirable Quality

We hypothesize that a majority of individuals will report that their partner exhibits too much of at least one positive characteristic. In other words, we predict that this perception is relatively common in marriages and intimate relationships. Individuals are apt to view their partner as having one or more positive traits that are, or are perceived to be, excessive. In addition, we hypothesize that a majority of individuals will report that they originally were attracted to the same quality in their partner that they now perceive to be exhibited in excess. That is, a majority of individuals will report experiences consistent

with the phenomenon of fatal attraction.

Hypothesis 2: Extremity of Initial Attraction

We hypothesize that the degree of attraction to a particular partner quality is related directly and positively to the likelihood of a fatal attraction. Said another way, the more intense is an initial attraction to a given quality in a partner, the more likely it is that an individual will view the partner now as exhibiting too much of that same quality. This is expected for three reasons. First, attractions are apt to be intense when a partner exhibits a quality to an extreme degree, and qualities that are exaggerated are more likely than are moderately expressed qualities to have prominent shortcomings (e.g., a person who is unusually conciliatory may be unable to act in an assertive manner). Second, qualities expressed to the extreme may be subject to more social disapproval than are those that are expressed moderately, which may fuel dissatisfaction. Finally, an intense attraction to a given quality in a partner may signal the presence of illusions on the part of the respondent and a tendency to ignore the negative aspects of a partner's appealing traits. For example, individuals who report that they are drawn to another's easygoing and "laid back" nature may be blind to that person's tendency toward procrastination. Over time, this illusion is likely to dissolve.

Hypothesis 3: Extremity of Quality in Self

We hypothesize that individuals are apt to be more tolerant of the excessive expression of a particular quality by a partner when the individuals themselves express strongly this same quality. For example, an individual who sees him/herself as being highly motivated and driven is less likely to view as being too extreme a high level of motivation and drive on the part of a partner. Conversely, individuals who lack motivation or drive may be initially intrigued, but eventually disturbed, by strong motivation and drive in a partner. One reason for this expected association is that differences between individuals lead to conflict and heighten the chance for misunderstandings, whereas similarity is validating and reinforcing (Byrne & Clore 1970). Dissimilarity between partners also may provoke disapproval on the part of friends and family members. Commensurate with this argument, differences and incompatibilities between spouses often are referenced in

self-reported explanations for divorce (e.g., Spanier & Thompson 1984) and are significant predictors of relationship dissolution (Hill, Rubin, & Peplau 1976).

Yet, dissimilarity in a romantic partner initially may be appealing (Winch 1955). A dissimilar partner is rewarding because the potential for self-expansion is increased (Aron & Aron 1986), and involvement with such a companion may lead one to feel special and unique (Snyder & Fromkin 1980). As the saying goes, "opposites attract". In such cases, individuals may be especially tolerant of partner qualities that they themselves do not possess. However, we suspect that, in the long run, tolerance for dissimilarity runs thin, as there are sound reasons why "birds of a feather flock together".

Hypothesis 4: Five Factors of Personality

Previous research on this topic suggests that fatal attraction occurs with several types of partner qualities, such as caring, friendliness, and excitement (Felmlee 2001), all of which are qualities that were mentioned in response to open-ended questions about attraction. However, a systematic investigation of the extent to which this process takes place across a variety of well-known personality dimensions has yet to be undertaken. If, as we suspect, this type of disenchantment is distributed across a wide range of personality types, then the social psychological processes that underlie this phenomenon are apt to be relatively broad, as opposed to personality-specific. Here, we use items taken from an established personality inventory – the Big Five Personality Model (e.g., John & Srivastava 1999) – to examine the occurrence of fatal attraction for each of the five broad, bipolar dimensions.

Generalizability of Fatal Attraction

One purpose of this research is to test whether this type of partner disenchantment occurs among older adults and among individuals in marriages and long-term, committed, cohabiting relationships. There are some reasons to believe that this phenomenon is more prevalent among college students. Young adults, as compared with older adults, are likely to have less stable relationships, as well as less crystallized attitudes in general (Sears 1986). Therefore, fatal attractions might be more common among youth because they are apt to have a less

fixed attitude toward their partner in the first place. It also may be less costly for individuals involved in relatively brief, as opposed to lengthy, romances to acknowledge and/or experience disillusionment with a loved one. Nevertheless, it remains plausible that this relationship pattern may be more frequent among older, established couples because negative aspects of a mate's appealing characteristics are likely to take time to surface. The downsides of certain traits, such as those associated with professional motivation and drive, may not become apparent until the demands of work intrude upon those of the family. Likewise, extreme physical beauty in a mate may be more salient, and less problematic, in a young, brief romance than in the maintenance stage of an older, committed partnership. Therefore, in this study we explore the relationship between age and fatal attraction in our data.

Also, in some cases, previous research relied entirely on participants who reported about relationships that already had ended (Felmlee 1995) or on couples that were undergoing relational counseling (Pines 2005). Disenchantment may surface in these instances because individuals are attempting to justify to themselves their involvement in a failed, or deeply troubled, relationship, and, in so doing, they criticize their partners' positive characteristics. In other words, disenchantment may be primarily a case of "sour grapes," which serves to reduce cognitive dissonance associated with relationship dissolution (Festinger 1957). Thus, we examine here whether fatal attraction occurs in ongoing, intact marriages and relationships, as well as dissolved relationships.

METHODS & PROCEDURES

Procedure

To address these matters, we administered a survey to 208 adults at an athletic club located in a small west coast city. A research assistant distributed questionnaires on the premises of the club during club hours, and a box was provided for the return of completed, anonymous, questionnaires. Participants were provided with a coupon for a free smoothie juice drink as compensation for returning the questionnaire. The instrument included a series of forced-choice questions to elicit information concerning respondents' current (or most recent) intimate relationship. The centerpiece of the survey was a list of

twenty-six characteristics – agreeable, ambitious, artistic, attractive, caring, confident, cooperative, creative, easygoing, efficient, emotionally stable, enthusiastic, exciting, friendly, fun, imaginative, independent, intelligent, nice, non-anxious, organized, physically fit, responsible, sense of humor, socially outgoing, and soft-hearted – about which respondents were asked the following questions:

1. Recall the period when you initially were attracted to your current (or former) partner. To what extent were you attracted to the following qualities in your partner? [1 = *Not at All*; 7 = *Extremely*]
2. Think of your own personality. To what extent do YOU possess the following qualities? [1 = *Not at All*; 7 = *Extremely*]
3. To what extent do you think that YOUR PARTNER possesses (possessed) too little, too much, or the ideal amount of the following qualities? [1 = *Too Little*; 4 = *Ideal*; 7 = *Too Much*]

These twenty-six characteristics encompass a minimum of three characteristics from each of the five major personality factors (Farmer, Jarvis, Berent, & Corbett 2001), as well as eight additional characteristics previously observed to be common attractants (Felmlee 1995).

Sample

The sample is comprised of 61.1 percent females, and 86.5 percent are White. Close to half of the respondents (48.1%) have a post-graduate degree, and an additional 31.7 percent have a four-year degree. The average age is 36.5 years, with a range of 18 to 82 years. Most respondents (70.1%) indicated that they were involved currently in a romantic relationship at the time of survey administration, and slightly over half of those (53.0%) were married. One respondent reported on a gay relationship. On average, the length of the individual's marriage or partnership was 9.8 years, with nearly half (45.2%) describing a relationship of at least five years.

Dependent Variables

The dependent variables in this analysis address the degree to which a given respondent perceives his or her partner as exhibiting too much of a set of key qualities. We used exploratory factor analysis to reduce

the twenty-six characteristics into a smaller number of discrete partner qualities, of which seven were identified. Five of the seven factors correspond to the five personality dimensions identified in previous studies: *agreeableness* (e.g., cooperative; $\alpha = .87$), *extraversion* (e.g., socially outgoing; $\alpha = .86$), *conscientiousness* (e.g., efficient; $\alpha = .87$), *emotional stability* (e.g., non-anxious; $\alpha = .73$), and *openness* (e.g., imaginative; $\alpha = .85$). The two additional factors are *physical attractiveness* (e.g., attractive; $\alpha = .59$) and *motivation* (e.g., ambitious; $\alpha = .67$).

Independent Variables

The key independent variables in this study address (a) the degree of attraction experienced by the respondent to a particular quality in his/her partner at the time of initial attraction, and (b) the degree to which the respondent perceives him/herself as exhibiting a particular quality. Like the dependent variables, the independent variables consist of factors that were derived from the twenty-six characteristics discussed previously. Four additional variables also are included in the analysis, including: respondent's age, sex, educational attainment, and whether the relationship described is intact (current) or dissolved (past). Analysis of variance inflation indices for the final models produced no evidence of multicollinearity.

Analytic Strategy

In seven separate models, we regressed (using ordinary least squares) each of the variables that represent respondents' evaluations of the extent to which their respective partners express too much of each of the seven traits on the two explanatory indices and the four control variables. In addition to the quantitative analyses, several open-ended questions were included in the survey. These questions, which are similar to those employed in prior research on fatal attraction, asked respondents about specific qualities that first attracted them to their respective partners, factors that contribute to the maintenance, or contributed to the demise, of the relationship, and qualities in the partner that are least attractive to the respondent. In terms of these qualitative data, we define a fatal attraction as present when a quality that is among those that are least attractive to the respondent represents an excessive amount of a positive quality re-

ported by the respondent as an initial attractant. The intercoder reliability (kappa) for identification of such cases in the open-ended data is 0.90.

RESULTS

Hypothesis 1: Too Much of a Desirable Quality

We find support for our first hypothesis, in which we predicted that a majority of individuals in the sample would perceive that their respective partners possess an excessive amount of an otherwise desirable quality. Close to three-quarters of respondents report that their partner exhibits too much of at least one positive characteristic. Furthermore, some characteristics are particularly prone to being viewed as expressed in excess. Over one quarter of respondents report that their respective partners possess too much independence, confidence, and/or intelligence – qualities that are included in the *motivation* personality factor. Over one fifth believe that their mates are too efficient and/or organized.

We also find evidence to support the second half of our first hypothesis, in which we argue that, not only will many participants rate their mates as having too much of a desirable trait, but a majority also will have been attracted to that trait initially (i.e., experience a fatal attraction). Over two-thirds of respondents (69.2%) report that their partners possess too much of at least one of the 26 traits and, at the same time, report being attracted initially to that same trait. In other words, a majority of the participants experienced a fatal attraction with regard to one or more characteristics of their partners. For example, about one-fourth (26.4%) of participants originally were attracted to their partners' independence and now report that their partners are *too independent*. Of the two-thirds of respondents whose reports indicated a fatal attraction, approximately three-quarters (73.3%) reported a fatal attraction that involved multiple traits.

Hypothesis 2: Extremity of Initial Attraction

The findings of the regression analyses (see Table 1) provide strong support for the second hypothesis. Specifically, across all seven factors, a respondent's initial level of attraction to a particular quality in a partner is significantly and positively related to the degree to which a respondent now perceives

Table 1 - Estimated Coefficients and Standard Errors for the Ordinary Least Squares Regression of the Indices Representing Respondent's Assessment of the Extent to Which His/Her Partner Expresses Too Much of Certain Qualities

	Too Agreeable	Too Conscientious	Too Extraverted	Too Open to Experience	Too Emotionally Stable	Too Physically Attractive	Too Motivated
Initial Attraction to Quality in Partner	0.452*** (0.057)	0.416*** (0.049)	0.400*** (0.048)	0.364*** (0.034)	0.396*** (0.047)	0.381*** (0.047)	0.387*** (0.050)
Assessment of Self-Expression of Quality	-0.241*** (0.061)	-0.200*** (0.051)	-0.095 (0.057)	-0.124** (0.040)	-0.145** (0.054)	-0.134* (0.061)	-0.145* (0.060)
Sex - female (vs. male)	-0.033 (0.105)	-0.182 (0.147)	-0.168 (0.095)	-0.128 (0.103)	-0.095 (0.121)	0.129 (0.101)	0.046 (0.094)
Age	0.005 (0.004)	0.015** (0.006)	0.006 (0.004)	0.010* (0.004)	0.005 (0.005)	0.009* (0.004)	0.017*** (0.004)
Education							
some college (vs. H.S.)	-0.990*** (0.286)	0.397 (0.434)	-0.408 (0.278)	-1.000** (0.314)	-0.572 (0.327)	-0.778** (0.299)	-0.223 (0.258)
college degree (vs. H.S.)	-1.061*** (0.269)	0.053 (0.412)	-0.518 (0.269)	-1.136*** (0.306)	-0.592 (0.308)	-0.744* (0.290)	-0.303 (0.243)
post-grad degree (vs. H.S.)	-1.379*** (0.270)	-0.147 (0.412)	-0.687* (0.273)	-1.313*** (0.311)	-0.966** (0.307)	-1.125*** (0.294)	-0.473 (0.244)
Relationship Status							
intact (vs. dissolved)	0.068 (0.116)	-0.141 (0.164)	-0.041 (0.103)	-0.049 (0.111)	0.075 (0.131)	-0.105 (0.111)	-0.018 (0.101)
Constant	3.704*** (0.437)	2.630*** (0.501)	2.657*** (0.431)	3.485*** (0.369)	2.972*** (0.435)	3.020*** (0.436)	2.467*** (0.427)
Model Summary Statistics							
Rsquared	0.357	0.357	0.321	0.464	0.344	0.350	0.337
F	12.40***	12.60***	10.97***	19.47***	12.24***	12.30***	11.81***
N	188	191	195	189	196	192	195

Note: *p<0.05; **p<0.01; ***p<0.001; standard errors provided in parentheses.

the partner as possessing too much of that quality, net of controls. In other words, the more attracted a person initially is to a given characteristic in a partner, the more likely it is that he/she later will evaluate the partner as expressing that characteristic in excess. For example, the greater was the degree of initial attraction to agreeableness in a partner, the stronger is the tendency to see that partner currently as being *too* agreeable.

Hypothesis 3: Extremity of Quality in Self

The findings also provide strong support for the third hypothesis. The more extreme is a respondent's rating of a specific quality in him/herself, the less likely he/she is to evaluate his/her partner as exhibiting too much of that quality. For example, the more individuals believe that they, themselves, are conscientious, the lower is their tendency to view their partners as *too* conscientious, net of controls. This relationship between assessments of self-expressiveness and evaluations of partner's expressiveness is statistically significant for six of the seven dimensions, with *extraversion* being the only exception. The coefficient for the model of extraversion, however, is in the expected negative direction and marginally significant ($p = 0.096$; two-tailed).

Hypothesis 4: Five Factors of Personality

The results provide evidence to support the fourth hypothesis as well. Fatal attractions occur across all the dimensions of the Big Five Personality Inventory, as well as the two additional dimensions of physical attractiveness and motivation. In other words, this pattern of attraction is *not* relegated to a few personality traits, but, instead, it appears to be common across a wide range of traits.

Generalizability of Fatal Attraction

Finally, we find that age is positively and significantly associated with evaluations of partners' excessive expression of four of the seven factors. Older respondents are more likely than are younger respondents to evaluate their respective partners as being *too conscientious*, *too open*, *too physically attractive*, and *too motivated*, net of other variables. Conversely, the tendency to view one's partner as having too much of a quality does not differ significantly between intact and dissolved relationships. In other words, we find no evidence to suggest that fatal attraction is

the sole experience of the young or of those in failed relationships.

Supplementary Analyses

In a series of supplementary analyses not shown here, we investigated the robustness of our findings. In one supplementary analysis we used ordered logistic regression, rather than OLS, to account for the ordinal response scales used with the individual items. In a second supplementary analysis, we collapsed the bottom half of each of the 26 indicators of partner's expression of each trait, with a zero-point that includes (collapses) "too little" and "ideal" amounts of the trait. Finally, we ran 26 separate regressions for each of the individual 26 qualities, and applied the Bonferroni correction for multiple hypothesis tests. In all of these supplementary analyses, we continued to find strong evidence to support our main hypotheses (Hypotheses 2 and 3). In sum, our findings remain quite robust across differing types of analyses and while controlling for a variety of salient variables.

Analysis of Qualitative Data

Thus far, we have found evidence of fatal attractions across a wide range of ages, in various types of marital and non-marital relationships, and among all of the Big Five personality dimensions. Moreover, the quantitative analytic strategy represents a novel technique for identifying this relationship phenomenon. Next, we analyze the open-ended responses in our data to investigate whether fatal attractions can be identified across various personality types, ages, and types of relationships, in corroboration of the quantitative analyses. The open-ended responses also have the distinct advantage over the quantitative data that they provide detailed illustrations, in respondents' own words, of this seemingly puzzling relationship process.

First, we find a number of instances in which respondents report that their partner or spouse possesses an overabundance of a positive quality. For example, when asked what they "least liked" about their mate, participants offered a number of descriptions like the following: "too career driven," "spends too much time studying," "too available," or "too easy-going". Likewise, we also find a number of cases of fatal attractions in the responses to the open-ended questions that addressed the qualities that initially attracted

Table 2 - Illustrations of Fatal Attraction From the Qualitative Data Analysis, By Partner Trait

Trait Dimension	Frequency of Fatal Attraction	Positively-Evaluated Quality	Excessive Amount of Quality
Agreeableness	17.1%	caring	too available
Conscientiousness	9.7%	career oriented	too career driven
Extraversion	26.8%	friendliness	flirting with others
Openness to Experience	5.0%	creative	scatterbrained
Emotional Stability	7.3%	confident	stubborn
Physically Attractive	19.5%	sex appeal	womanizer
Motivation	14.6%	intelligent	spends too much time studying

respondents to their partners and the qualities in their partners that they later disliked (see Table 2). Fatal attractions appear in each of the seven dimensions of attractors identified in the prior quantitative analyses. The most common sources in the open-ended data include *extraversion* (26.8% of respondents), *physical attractiveness* (19.5%), *agreeableness* (17.1%), and *motivation* (14.6%).

The most frequent type of fatal attraction in the qualitative data involves *extraversion*. For example, a twenty-year-old woman in an ongoing, five-year relationship explained that she initially was attracted to her boyfriend because of friendliness. However, in her description of his least attractive quality, she said that he "often flirts with others", or, in other words, he is "too friendly" with others. Thus, a quality that once was perceived to be appealing is now frustrating.

Individuals also were disturbed by the motivated, driven, and ambitious aspects of their partner's personality, even though they found these qualities initially appealing. For example, a thirty-eight-year-old married woman explained that she was drawn initially to her husband of fourteen years because he is "smart and career-oriented." Now, she describes him as "too career-oriented."

In another example concerning the dimension of *conscientiousness*, a forty-nine-year-old married man described the attractive qualities of his wife as "always on time and very responsible". However, he now complains that she "worries too much." Thus, a downside of a person who is particularly responsible and conscientious may be that he/she worries quite a bit.

In several instances, respondents mentioned as attractive a partner's easygoing manner, but then reported that he or she is "too easygoing" or "flaky." In contrast to *conscientiousness* as a personality trait, in these cases individuals became frustrated with the

relaxed and indifferent nature of their partners.

In short, we find evidence of fatal attractions in the qualitative data, as well as the quantitative data. We observe that individuals often report, in their own words, that their mate exhibits too much of a desirable quality. We also find cases of this type of partner disenchantment in each of the various personality dimensions, among both young and old participants, and among the married and the unmarried. Thus, the qualitative analyses corroborate the main conclusions drawn from the quantitative analyses.

DISCUSSION

We posed the following question in this study: can a mate be perceived as possessing "too much of a good thing"? Our analysis confirms that, yes, people often view their partner as exhibiting an overabundance of otherwise positive characteristics. In fact, approximately three-quarters of our participants report that their respective spouse or partner exhibits too much of at least one socially desirable characteristic. According to the quantitative analyses presented here, the types of qualities that individuals are most apt to deem as excessive include independence, confidence, intelligence, ambitiousness, and efficiency, all of which are qualities contained in the factors of *motivation* and *conscientiousness*. Although exhibiting a disproportionate amount of these qualities may be beneficial in the world of work, it may pose problems for intimacy. For instance, a relationship with an extremely independent, confident, and ambitious mate could prove rewarding in terms of material success. Yet, to the extent that independence and ambition divert time and energy away from the couple, such a relationship may be imbalanced and costly through a lack of connectedness.

We also find support for our second hy-

pothesis – the fatal attraction hypothesis – that proposes a link between degree of initial attraction to a particular quality in a partner and later perceptions that the quality is exhibited in excess. We find that the greater is one's initial attraction to a particular positive characteristic in a partner, the more likely one is to later perceive the partner to be exhibiting too much of this characteristic. Support for this hypothesis is quite robust across alternate analytical strategies. Taken together, these analyses corroborate the argument that the process of fatal attraction is positively associated with the level of *initial* attraction.

Another purpose of this study was to investigate the occurrence of fatal attraction across a range of ages and commitment levels (e.g., married, long-term commitment). We find that fatal attraction takes place across a wide range of ages (from 20 to 80 years of age). In fact, compared with younger respondents, older respondents are *more* likely to judge their partners to be exhibiting too much *conscientiousness, openness, motivation, and physical attractiveness*. The data suggest that older individuals, as compared to younger ones, are more prone to see the possible pitfalls of having an extremely efficient, creative, attractive, intelligent, or ambitious partner. It probably takes experience and time with a loved one, and perhaps maturity as well, to recognize the potential downsides of these socially desirable qualities.

As a related matter, we find that fatal attraction is not apparent only in the courtship phases of a relationship, but that it also takes place in stable marriages and long-term partnerships. Furthermore, relationship status (whether intact or not) is not related significantly to this particular phenomenon (i.e., fatal attraction is not only a product of soured feelings and assessments resulting from a breakup). In other words, individuals who are in long-term, on-going, cohabiting and marital relationships can become disenchanted with their loved one's attractive qualities. Yet, these same individuals may remain committed to their partner. For example, a forty-one-year-old woman in a marriage of 22 years disliked her husband's "Type A" personality, even though his "power position" attracted her in the first place. She reported that he possessed too much of each of the following qualities: ambitious, confident, intelligent, efficient, responsible, and organized

(all of which are qualities in the *conscientious* and *motivated* personality dimensions). Nevertheless, her responses indicated that she intended to remain in her marriage. In another instance, a fifty-two-year-old woman explained that she initially was attracted to her husband's free-spirit and kindness, but his most unattractive qualities are his forgetfulness. Yet, she states, "I love him and only wish it were different for his sake."

The occurrence of fatal attraction in committed relationships and marriages may reflect the developmental process of increasing accuracy in the assessment of a partner's originally attractive qualities, particularly those qualities that were subject to illusions or misperceptions during the initial phases of a relationship. Some degree of realism in the evaluation of a partner may be an inevitable, and even constructive, development in the course of committed relationships. In fact, some argue that accuracy in partner assessment is more important in marriage than in courtship, as couples move towards increasing interdependence (Swann, De La Ronde & Hixon 1994). The occurrence of fatal attractions within committed relationships also implies that individuals are capable of developing relatively negative assessments of specific qualities in a mate, while, at the same time, maintaining a positive overall evaluation of the relationship with that person. Such a pattern may reflect the tendency in successful marriages toward enhanced global evaluations of a spouse (e.g., a person of worth) but greater accuracy in the evaluations of a spouse's particular traits (e.g., social skills) (Neff & Karney 2005).

An additional purpose of this research was to examine the incidence of this type of disenchantment with a partner's initially appealing characteristics, and its distribution across various personality dimensions. The results reveal that fatal attraction is a common occurrence. Two-thirds of the sample experienced this phenomenon with respect to at least one of their partners' attractive traits, and half experienced fatal attraction with more than one trait. Furthermore, we find that, although fatal attraction is not distributed evenly across traits, there are instances in all of the personality dimensions represented by the Big Five personality inventory. There also are cases in the additional dimensions we investigated, namely *physical attractiveness* and *motivation*. In fact,

we find that fatal attraction occurs for all of the 26 individual partner traits examined in this study. Attraction to each of these 26 qualities is positively and significantly related to the tendency to view one's partner as having too much of that quality. In other words, disenchantment with at least some of a partner's originally appealing traits is widespread and not relegated only to one or two personality qualities in a partner. It appears that there are few, if any, virtues in a loved one that lack a possible corresponding downside. Alternatively, perhaps it is the case that few strengths are immune from being recast in a less-than-flattering light.

There are limitations to this study that should be noted. First, the results are based on a nonprobability sample that consists of a relatively highly educated and physically active segment of the adult population. Here, we find that high levels of education often attenuate, rather than heighten, the tendency towards fatal attraction, and thus our findings may be relatively conservative with respect to estimating the incidence of this type of disenchantment. Ultimately, further research that employs probability samples is necessary to draw solid generalizations.

In addition, it would be informative to examine the process of fatal attraction as people progress from the very start of relationships through the mature stage exhibited by many in our sample, a research design that was beyond the scope of the current project. Such a design would allow for a determination of when, or at what stage, in the course of a relationship individuals begin to view their respective mates as exhibiting too much of an appealing quality. Nevertheless, this study has the distinct advantage over previous research that it is not limited to young people, it includes a number of individuals in lengthy/established relationships, and it undertakes a multi-method approach to the analyses.

IMPLICATIONS

There are a number of implications of this research. On a theoretical level, we present evidence of the opposing group forces of autonomy and connection, as identified by dialectical and small group theorists (e.g., Baxter & Montgomery 1996; Simmel 1955), in even the smallest of groups, namely the couple. There are instances in which individuals are drawn to the autonomy that is repre-

sented by their spouse's independence, but then they express a need for more connection with their spouse, or less autonomy. Likewise, there is a tension between a need for motivation and drive in a relationship and, at the same time, a desire for rest and ease. In fact, there are corresponding tensions evident for each of the seven personality dimensions examined here. Thus, the findings point to a variety of such oppositional forces among couples, in addition to the central ones identified in previous research, such as that between autonomy and connection.

Our results also have implications for recent developments in cognitive theory. According to motivated cognition theories (e.g., Miller 1997; Murray et al 2000), when relationships end or become problematic, individuals' illusions about the characteristics of their loved one dissipate. Here we see extensive evidence of such processes in the manner in which people appear to reframe negatively a partner's attractive qualities. The unique contribution of research on fatal attraction is the finding that it can be the *most* appealing characteristics of a partner, rather than other less attractive qualities, that are reevaluated over time. Note, too, that there likely are real weaknesses associated with an individual's strengths, and it may take time for these weaknesses to surface. In this case, new information, rather than a cognitive reconstrual alone, is likely at the root of changing perceptions.

In addition, we see here that it is possible for the seeds of relationship discord to be sown at the very start of a relationship. Some sources of relationship conflict are not mysterious and unknowable, but, instead, may be predictable from the initiation of a relationship. Researchers find that a couple's satisfaction and well-being are influenced over time by a variety of interpersonal processes, as well as micro- and macro-level contextual factors (Bradbury, Fincham, & Beach 2000). Our findings suggest that some predictors of relationship conflict are located in the original attraction process itself.

Furthermore, the results presented here suggest that fatal attraction is not simply a case of "sour grapes," in which individuals denigrate their former mates in an attempt to reduce the cognitive dissonance associated with a breakup (Festinger 1957). We find fatal attraction in both intact *and* terminated relationships, demonstrating that it remains possible to experience some degree of part-

ner disenchantment and, yet, remain invested. Likewise, the open-ended responses also reflect this tendency among both currently married respondents and those in long-term partnerships. In other words, individuals may be bothered by aspects of the qualities that drew them to a loved one, but still maintain a commitment. Future research should explore why, in some couples, such contradictions appear to be accepted and tolerated, while, in others, they lead to the demise of the relationship.

In conclusion, we return to the initial question posed at the outset of the paper: Can there be too much of a good thing in an intimate relationship? Here we find evidence that individuals become unhappy with aspects of a partner, not necessarily because they fail to get what they desired in a loved one, but sometimes because they obtain too much of what they wanted (or thought that they wanted). In such instances, intimacy contradictions arise, such as those between the need for both connection and autonomy, while, at the same time, partner illusions recede. Our conclusions bring to mind the old adage, "be careful for what you wish."

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ADDRESSING DECEPTIVE DISTINCTIONS: A COMPARISON OF THE OCCUPATIONAL REQUIREMENTS OF MILITARY PERSONNEL AND ELEMENTARY SCHOOL TEACHERS

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ABSTRACT

In the analysis of expected behaviors and personal attributes, emphasis has been on differences between men and women, often failing to address "deceptive distinctions" of occupational requirements. Based on mean comparisons of six variables from two gender ideology scales by equal numbers of men and women across different occupations (military personnel; elementary school teachers), a number of significant differences were noted within gender, that follow occupational expectations. Ultimately, both men and women adhere to occupational expectations, while still continuing to "do gender" especially when the behaviors do not contradict requirements of the job.

Gender and behavioral expectations of males and females are socially constructed, making them fluid and dynamic across interactions and over time (West & Zimmerman 1986). In most, if not all Western societies, however, women and men are consistently defined in reference to one another (Connell 1995), or as Kimmel (1994) presents, women are identified as "other" and men are defined by what women are not, often establishing men's behaviors as the norm and women's behaviors as deviant. Women are assumed to be more expressive in their interactions, or emotional (Wright 1982). Hochschild (1983) claims women are expected to be emotion workers, focusing on the needs of others, both in the paid working world and the home (Garey 1995; Hertz 1997). Men, in contrast, are believed to be more instrumental, or activity-based in their interactions (Wright 1982), which often includes being more stoic (Harris 1995; Kaufman 1992), aggressive (Kaufman 1992; Kimmel 1996) and displaying higher self-efficacy (Whitley 1983; Wiley 1995). Simply, while expected roles of men and women have changed over time, assumptions about differences between men and women, and more important, contrasting the assumed differences persist in Western society. This study attempts to analyze how occupations dominated by one gender or the other contribute to the beliefs about gender differences.

OCCUPATIONS AS DECEPTIVE DISTINCTIONS

Assumed differences have been used to justify the "separation of spheres", as well as segregation in the workforce (Lorber

1994). While women have gained greater access to most occupations, both socially and legally, there still exists a social belief in gender differences that distinguish jobs and expectations about who should pursue specific careers. Many believe that men and women, as a result of certain behaviors, are more adept at specific jobs. For women, it tends to track them toward emotional and care giving careers (Epstein 1991) that have lower wages and less prestige (Williams 1995), such as teaching. In contrast, occupations that require more aggressive and even violent behaviors are male-dominated, such as the military, largely because men's behaviors and/or attributes are perceived to be better fitted to excel in such occupations (Kimmel 2000; Kirchmeyer & Bullin 1997).

Focusing on the differences between genders, however, overlooks the similarities that may exist between men and women, thus maintaining a segregated and ultimately hierarchical world (Epstein 1991). Emphasizing differences both marginalizes those who do not fit into this framework and maintains a separation of men and women (Sterk & Turner 1994). More importantly, highlighting differences fails to consider variation within each gender (Lorber 1994; Scott 1990). Connell (1987) presents that there exists an array of masculine and feminine displays in society, most of which are not fully discussed when the emphasis remains on differences between men and women. A number of studies have noted different masculine and feminine displays within interactions, and even occupations (Harris 1995; Messerschmidt 2004; Pyke 1996), concluding that variables associated with gender influence people's behav-

iors.

Cynthia Epstein (1988) labels those social factors, or variables that contribute to perceived differences between men and women but which are often overlooked in analyses as "deceptive distinctions." Deceptive distinctions are so closely associated with gender, the impact they have is hidden, leaving many to assume any changes are due to gender. For example, differences assumed to be related to gender are in fact a result of positions that men and women occupy. In this study, occupation is used as a "deceptive distinction," more specifically the male-dominated occupation of the military and the female-dominated occupation of grade school teachers. Seeking to expand on past research that has suggested that people who work in certain jobs are more likely to exhibit specific behaviors related to the jobs (Kohn & Schooler 1982; Martin 2003; Melzer 2002; Menaghan 1991), this study compares the behavioral expectations of both men and women across two different occupations in the United States: military personnel and elementary school teachers.

As Melzer states, "work is gender segregated...and this presumably leads women and men to establish different attitudes, skills, and behaviors" (2002 821). An outcome of this is to associate behaviors, traits and/or abilities with gender and not an occupation, making occupations "deceptive distinctions." In other words, segregating men and women into different jobs that have specific requirements, and then associating these behaviors and/or traits with the gender and not the job overlooks the influence occupational requirements have on individuals. At the same time, the segregation can result in an overemphasis in the impact of gender on behaviors, or what I term as behavioral expectations, which include beliefs about both the individual's own and other peoples' behaviors. Acknowledging that jobs influence the behaviors of individuals allows researchers to more fully understand differences, including the potential for differences among men or women who are in different occupations, rather than dichotomizing into differences between men and women. Failing to address occupation as a potential influence in behavior also disregards those individuals and their subsequent behaviors who crossover into occupations that are not associated with their gender.

Military Requirements

Male-dominated and physically engaging occupations, such as the military, require personnel to engage in more aggressive and even violent behaviors (Cohn 1993; Melzer 2002; Morgan 1994). Military personnel are expected to display higher levels of aggressiveness (Cohn 1993; Morgan 1994), to be more stoic, to avoid feminine behaviors, especially displays of emotional neediness (Bilton & Kosminsky 1990), and to be sure of their ability to produce specific changes, i.e. self-efficacy (Kimmel 2000). High self-efficacy is a necessity for the job, as research has shown that there is a relationship between lower levels of self-efficacy among military personnel and greater subsequent problems with PTSD (post traumatic stress disorder) after returning home from war (Weisenberg, Schwarzwald, & Solomon 1991).

While these are specific requirements of military jobs, the assumption is that these behavioral expectations are directly related to men and/or masculinity, in part because men encompass over 88 percent of military personnel (About.com 2007). The jobs and subsequent behaviors are associated with men as opposed to associating the behaviors with the jobs, but what of women in the military? Based on requirements of the military discussed above, female military personnel will likely portray behaviors that are better suited for a career in the military, such as being aggressive or displaying higher levels of self-efficacy. Boldry, Wood, and Kashy (2001) concluded in their study of men and women in the military that there was little difference between men and women in their motivation and in the leadership qualities needed to excel in the field. Women in the military displayed behaviors that assisted them in fulfilling the requirements in the military, which are likely different from those expected of females in more feminine-dominated occupations, such as primary school teachers.

Elementary School Requirements

The vast majority of elementary school teachers are women (93%) (Teachers.net 2007). This occupation requires different personal attributes and behaviors than those of military personnel, leading people to assume that it is women who choose to enter into fields because of their predilection toward certain behaviors (Epstein 1991) and if men

were to enter the field it would masculinize the primary school systems (Skelton 2003). Even self-efficacy, which can be construed as being necessary in both occupations, has been identified as an issue of major concern for primary schools because of the lower levels displayed by personnel (Cannon & Scharmann 1996; Morrell and Carroll 2003; Telljohann and Everett 1996).

Both Williams (1995) and Sargent (2001) identify certain expected behaviors of teachers, which include empathy as well as avoidance of competitive and aggressive behaviors. Teachers are expected to care for and support students. Even in dealing with colleagues, head teachers, regardless of gender, tend to elicit more feminine qualities and identify themselves as being more people-oriented (Coleman 2003). This emphasis on caring is historically based, as teachers have fought to keep militarism out of schools, choosing instead to emphasize connection in relationships between and with students in an attempt to avoid aggressive and competitive behaviors (Zeiger 2003). As Zeiger (2003) presented, educators concerned with a rise in aggressive behaviors, battled with administrators to stop the reinstatement of military training in physical education classes and public schools in general. Teacher activists based their arguments on professional identity, highlighting the negative effects militarism had on children and the learning environment. Additionally, in comparisons of different levels of teachers, elementary school educators tend to display higher levels of caring and people-orientation than other teachers (Skelton 2003).

Hypotheses and Research Questions

As outlined above, each of the attributes and behavioral expectations included in this study, with the exception of empathy, are related to occupational requirements for military personnel. On the other hand, only two of the attributes (i.e. aggressive and empathy) are specifically tied to requirements of the teaching profession. Self-efficacy, although considered a job requirement for teachers by many, has been found to customarily be low among teachers. Based on these parameters, hypotheses were developed for those two attributes that have some occupational expectation (low or high) for both jobs, while research questions were formulated for those factors that were expectations in

only one field.

Given the expectation that military personnel will display aggression, while elementary school teachers will not, I pose the following hypothesis.

H1: Male military personnel will report significantly higher levels of *aggression* than male elementary school teachers, and female military personnel will report significantly higher levels of *aggression* than female elementary school teachers.

Given the expectation that military personnel will be self-efficacious, while past research has shown elementary school teachers to report low levels of self-efficacy, I pose a second hypothesis.

H2: Male military personnel will report significantly higher levels of *self-efficacy* than male elementary school teachers, and female military personnel will report significantly higher levels of *self-efficacy* than female elementary school teachers.

While empathy is an expected attribute for elementary school teachers, there is not necessarily an expectation that military personnel will exhibit a particularly high or low level of empathy. Hence, the following research question was developed to explore this relationship.

RQ1: Will male and female elementary school teachers, by virtue of their occupational requirements, report higher levels of *empathy* than male and female military personnel, respectively?

Similarly, exhibiting low levels of emotion is an occupational expectation in the military, but teaching does not necessarily dictate a high or low level of emotion as a job requirement. Based on this, a similar second research question is posed.

RQ2: Will male and female military personnel, by virtue of their occupational requirements, report lower levels of *emotion* than male and female elementary school teachers, respectively?

Table 1 - Male Role Norms Scale Factor Loadings

Survey Item	Anti-Feminine	Stoic
Not respect a man who worries	0.50	0.22
Hairdressers/cooks not masculine	0.52	0.26
Embarrassing to have a woman's job	0.78	0.27
Man who hobbies are cooking/sewing is not appealing	0.75	0.09
Man should not be a secretary	0.72	0.29
A feminine man bothers me	0.60	0.04
A man should not cry in a movie	-0.18	0.72
A man should not show pain	-0.20	0.65
A man showing weakness is disgusting	-0.26	0.60

Holding the views that men should be stoic, and that men should not exhibit feminine qualities, are occupational expectations for military personnel, however, it is unclear how they might relate to elementary school teaching. Hence, the final research question, in two parts, is related to these expectations.

RQ3: Will male and female military personnel, by virtue of their occupational requirements, report that (a) men should be *stoic* and (b) that men should *not exhibit feminine qualities* at a significantly higher level than male and female elementary school teachers, respectively?

METHODS AND DATA ANALYSIS

Sampling

This study relied on a quota non-probability sampling procedure (Salkind 1997) that drew males and females from two separate occupations: enlisted military personnel and grade school teachers. This study is part of a larger study that attempted to analyze the relationship between gendered expectations on friendships, controlling for gender and occupation. Beyond the behavioral questions used in this paper, respondents were asked about their attitudes concerning friendship and about their specific close friendships (for a complete discussion of this research, see Migliaccio 2002). The use of quota sampling works best when the groups under analysis have previously established statistics (Sheregi 1975), such as the two occupational groups in this study. While the sampling is nonrandom, the sample statistics are similar to those of the national averages of the same groups (discussed below). The use of enlisted military personnel (88% men) and grade school teachers (93% women) is based on the predominance of one gender

in each occupation. Focusing on obtaining nearly equal numbers of males and females in both occupations, packets of surveys were sent to personal contacts (gatekeepers) who were either members of the military or grade school teachers, or who worked closely with one of the groups. Contact individuals lived in various regions of the United States (California, Washington, Montana, New York, and Maryland), thus limiting the regional bias (Weiss 1994). These "gatekeepers" distributed one survey to each member of the designated groups with which they worked, informing them of the project and the need for their responses. The respondents completed the survey independent of others and submitted them to the researcher via a self-addressed stamped envelope.

The response rates for both groups were 40 percent, showing a low response rate, as well as the potential for a non-representative sample. This low response I believe, however, is not due to normal social conditions related to volunteerism, but due to unforeseen social forces. The surveys were distributed less than one week prior to September 11. Adams, Buscarino and Galea (2006) identify that 9/11 had a profound impact on people throughout the United States, increasing stress levels for all people. People with higher levels of stress are less likely to respond to surveys (Miller & Salkind 2002) lowering the access and focus for completing surveys by all individuals following 9/11 and are not related to a specific group.

A common statistical response to addressing issues of non-responsiveness is to weight groups, but this is not often a tenable approach since it does not always generate the desired impact on the data (Schnell 1993). More so, as Schnell further reported, quota sampling follows a similar procedure as weighting, which is to derive a representa-

tive sample and that can be recognized if a comparison of statistics can be made between the population and the sample. Using two nationally recognized occupations, averages were found to be nearly the same between the sample and the population in terms of education, age and income (Sheregi 1975) (About.com 2007; Teacher.net 2007).

Survey

The survey was self-administered. This study utilized two separate gender ideology scales: Personality Attributes Questionnaire (PAQ) (for a detailed explanation of this survey, see Spence and Helmreich 1978) and the Male Role Norms Scale (MRNS) (for a detailed explanation of this survey, see Thompson and Pleck 1986). The PAQ asks respondents to rate their own attributes, while the MRNS measures people's general expectations for men's behaviors in society (for a detailed discussion of the measurement tool, see Migliaccio 2002). In other words, responses to the MRNS reflect both men's and women's reported expectations about how men should behave (e.g. a man should not show pain). To ascertain the dimensionality of the data, principle component factor analysis was performed. Gendered expectations and/or behaviors are complex concepts that are not easily defined by a single construct. Factor analysis allows us to separate items into coherent subsets that are relatively independent of one another (Tabachnick & Fidell 1996).

From the MRNS, nine items were used to determine the existence of two factors: *anti-feminine* and *stoic*. Thompson and Pleck (1986) identified these two factors in a previous study using the MRNS. Using a principal component factor analysis, eigenvalues were used to determine that the two factors existed (eigenvalues of 3.7 and 1.8 explained 61% of the variance). The *anti-feminine* factor utilized six indicators in its construction, which entails the avoidance of feminine behaviors by men. As one can see in Table 1, the six items load higher than .50 on the factor, while the remaining three indicators loaded below .30, identifying the six items as being associated with the first factor (To determine reliability both Cronbach's alpha (.81) and test-retest reliability (.9742) measures were run. The reliability measures were made for the six items, not all nine items).

Table 2 - Factor Loadings for Self-Efficacy, Aggressive, Empathy, and Emotional

Attribute	Factor Loadings
Self-efficacy	
Makes decisions easily	0.54
Does well under pressure	0.63
Never gives up	0.68
Feels superior	0.76
Self-confident	0.86
Aggressive	
Rough	0.38
Active	0.44
Competitive	0.65
Aggressive	0.71
Empathy	
Aware of other's feelings	0.66
Very understanding of others	0.71
Warm in relation to others	0.73
Kind	0.75
Emotional	
Always cries	0.51
Needs other's approval	0.78
Feelings easily hurt	0.88

The second behavior, *stoic*, refers to physical and emotional strength and inexpressiveness, and was comprised of three indicators (see Table 1). As shown in Table 1, the three indicators load high on the factor (.60 and above), while the other six indicators load below .30 (Cronbach's alpha (.70) and test-retest reliability (.9775) measures are for the three item factor and do not include the other six items; A full discussion of the factors and the subsequent loadings for both factors can be noted in Migliaccio 2002). Furthermore, the loadings identified in this study are higher than those identified by Thompson and Pleck (1996) in their original study.

In contrast to the MRNS, the PAQ is a personality-based measurement tool that attempts to assess self-ratings of both masculinity and femininity (Spence & Helmreich 1978). As opposed to focusing on masculine/feminine labels, used in previous studies of the PAQ, I chose to instead use variables that may be associated with a gender, but are not gendered by the label. Using principal components analysis, eigenvalues for four potential factors were identified (4.3, 3.1, 1.4, 1.2), which explained 63 percent of total variance. Indicators were sorted into coherent subsets. As displayed in Table 2, the first factor, *self-efficacy* was comprised of five items ($\pm=.8073$; test-retest reliability: .9535),

Table 3 - Demographic Characteristics of Military Personnel (N=90) and Elementary School Teachers (N=110), By Sex

N	Military		Teachers	
	Females	Males	Females	Males
Race	%	%	%	%
White	50.0	56.0	83.9	75.0
African-American	25.0	16.0	--	--
Latino/a	--	16.0	6.5	8.3
Asian-American	25.0	12.0	9.7	16.7
Education				
High school	--	16.0	--	--
Some college	25.0	56.0	--	--
Bachelor degree	50.0	24.0	71.0	64.6
Masters degree	25.0	4.0	29.0	35.4
Mean Age (years)	27.50	28.28	37.52	41.50
Median Income (\$)	0,000-30,000	30,000-40,000	40,000-50,000	40,000-50,000

and measures a person's perceived belief in his or her own ability and/or usefulness in the social world (while I do not offer all of the loadings for each indicator on all of the other factors, I will note that the highest loading for the four indicators on any of the other factors was .21. This highlights that the indicators fit best on the *self-efficacy* factor than any other factor).

The second factor, *aggressive* ($\pm=.601$; test-retest reliability: .7576), combined four different items and focuses on physical competition (the highest loading of any indicator from the *aggressive* factor on another factor was .30. While not as low as those discussed in the *self-efficacy* factor above, this loading was for the indicator "aggressive," which had the highest loading (.71) of the four indicators on the *aggressive* factor. Furthermore, the highest loading for the "rough" indicator on another factor, which had the lowest loading on this factor (.51), was .22). The factor, *empathy* ($\pm=.798$; test-retest reliability: .954), which measures a person's connection and ability to care and feel towards others, was comprised of four indicators (the highest loading for an indicator on any of the other factors was .33. All of the indicators had much higher loadings on the *empathy* factor than any other factor). The final factor, *emotional* ($\pm=.637$; test-retest reliability: .9759), was comprised of three indicators, and measured how a person characterizes his or her own emotional state, with an emphasis on emotional sensitivity (the

highest loading of an indicator on another factor was .32, which was "always cries." The loading for "always cries" (.51) was higher on the *emotional* factor, and it fit with the theoretical notion of being emotional.) *Empathy* and *emotional* measure two distinct behavioral expectations as *empathy* focuses on others' emotional experiences while *emotional* measures the individual's own emotional experiences.

Demographics

The 200 participants consisted of 90 military personnel and 110 grade school teachers. Demographic statistics, separated by occupation and sex are presented in Table 3. Within the sample for each occupation, the male-to-female ratio was comparable. The military group had 40 females (44% of total military personnel in the study; 39% of total females in the study) and 50 males (56% of total military; 51% of total males). The group of grade school teachers had 62 females (56% of total teachers; 61% of total females) and 48 males (44% of total teachers; 49% of total males). Such numbers allow for direct comparisons of the groups without weighting. It should be noted that these proportions are not representative of the actual ratios in the general populations of both military personnel and grade school teachers (as mentioned above), however the non-representative samples are not a concern in this study as it is not my intention to draw conclusions about the general populations

Table 4 - Means, Standard Errors, and Independent Sample T-Test Results for All 6 Factors, By Gender

	Mean	Females			Mean	Males		
		S.E.	t	p-value		S.E.	t	p-value
Aggression^c								
Teachers ^a	1.55	0.107	-5.50	p<.001	2.03	0.141	-2.43	p<.05
Military ^b	2.25	0.069			2.52	0.146		
Anti-Feminine^d								
Teachers	2.72	0.153	-2.33	p<.05	3.43	0.193	-1.68	n.s.
Military	3.25	0.158			3.84	0.153		
Emotional^c								
Teachers	2.97	0.110	2.65	p<.01	2.05	0.107	-0.311	n.s.
Military	2.50	0.139			2.10	0.012		
Empathy^c								
Teachers	3.24	0.058	0.96	n.s.	2.59	0.049	-2.24	p<.05
Military	3.15	0.073			2.81	0.89		
Self-Efficacy^c								
Teachers	2.34	0.067	-5.17	p<.001	2.35	0.071	-3.89	p<.001
Military	2.86	0.076			2.82	0.099		
Stoic^d								
Teachers	2.77	0.169	-2.90	p<.01	3.80	0.185	-0.40	n.s.
Military	3.42	0.143			3.90	0.153		

^a N for female teachers on all variables = 62; N for male teachers = 48.

^b N for female military on all variables = 40; N for male military = 50.

^c Measured on a 5-point semantic differential scale, with 5 representing a high level of the attribute.

^d Measured on a 7-point scale, 1 representing the lowest score, and 7 the highest.

of military personnel and elementary school teachers. Still, the national averages (identified in parentheses for 2005-2006; see About.com; Teacher.net) of education (military: 74% some college; teachers: 35% earned masters degrees), income (military: \$37,000; teachers: \$47,000), race (military: 70% white; teachers: 87% white) and age (military: 33; teachers: 44) of both occupations are similar to the averages of the sample of this study (see Table 3 below).

Data Analysis

To test the hypotheses and explore the research questions, independent sample t-tests were conducted to test mean differences for each of the six factors: *anti-feminine*, *stoic*, *self-efficacy*, *aggressive*, *empathy*, and *emotional*. As noted on Table 4, four of the variables (self-efficacy, aggressive, empathy and emotional) were measured on 5-point semantic differential scales. For these variables the means can be interpreted that a larger mean indicates a higher level of the attribute. Two of the variables (anti-feminine and stoic) were measured on 7-point scales, and larger means indicate higher levels of these expectations for males' behavior. Mean scores for military personnel

and teachers were compared separately for males and females. The means, t-values, standard errors and significance are reported in Table 4. All significant and non-significant t-values are reported, as lack of significant mean differences across job types are notable findings in this study.

For females, means for military personnel and teachers were significantly different for five of the six factors. The only factor that was not significantly different for these two groups was *empathy* – the person's ability to care for and feel toward others. Means for military personnel were higher on *aggressive*, *anti-feminine*, *self-efficacy*, and *stoic*. The only factor for which female teachers had significantly higher mean scores was *emotional*, which measured how a person characterized their own emotional state, with an emphasis on emotional connections to others.

For males, there were significant mean differences between military personnel and teachers for three factors: *aggressive*, *empathy*, and *self-efficacy*. On each of these measures, military personnel had higher mean scores than teachers (at least p<.05).

The mean scores for males on *anti-feminine*, *stoic*, and *emotional*, were not signifi-

cantly different for military personnel and teachers.

DISCUSSION

Occupational Requirements

The results outlined above highlight the value of viewing attributes and behavioral expectations expressed by men and women in the context of their occupational requirements. My findings support my first hypothesis, with male and female military personnel reporting higher levels of aggression. Excelling in the military requires individuals to display higher levels of aggressiveness than in other occupations. Interacting with students, a teacher is expected to connect with students and not be too aggressive or competitive, regardless of gender.

Excelling in the military also requires high levels of self-efficacy. Although there is nothing inherent in their profession that would suggest lower self-efficacy among teachers, my second hypothesis was based on past studies that have revealed lower levels of self-efficacy among teachers. The present findings further support this, as both male and female teachers reported significantly lower self-efficacy than their same-sex military counterparts. This issue continues to be of concern to educators and administrators in public schools.

Beginning with the first research question posed, I have a mixed finding that addresses both occupational and gendered expectations. The question was whether male and female elementary school teachers would report higher levels of *empathy* than male and female military personnel, respectively. And in fact, this was not the case. Military men were significantly more empathetic than male grade school teachers. This was counter to expected behaviors, as military men are generally presented as being hyper-masculine, and even violent (Cohn 1993; Melzer 2002), but this oversimplifies the experiences of men in such occupations (Morgan 1994). And, at least in part, the masculine expectations learned through the military are related to issues of violence, aggression and even misogyny that solidify social hierarchies; this, however, does not fully articulate the complexity of their experience, for men in the armed forces undergo incidents that only their military "brothers" can understand. They become dependent on and require assistance from others in their group,

a lesson that is literally "drilled" into them from the first days of boot camp. In other words, interdependence develops among the men. While individual sacrifices are rewarded, survival is insured through reliance on and caring for the others in their military unit. In effect, empathy is an unexpected occupational requirement of the military, even though such behaviors are often not associated with masculinity and thus not assumed to be a requisite of a masculine-focused occupation such as the military (Morgan 1994).

The heightened masculinized context of the military, however, allows for feelings to be expressed that may be contradictory to hegemonic notions of masculinity. As Bilton and Kosminsky (1990) suggest, it is not generally acceptable for men to be aware of others' feelings and be warm toward others, but in times of war it is. Having already validated their masculinity by being a member of the military, men have the opportunity to display "other characteristics more conventionally associated with the feminine than the masculine," which "include open and physical displays of concern and care" for other men (Morgan 1994 177). Military men are expected, and need to be more concerned with the safety of others in order to survive. The expression of these concerns and feelings, even though normatively characterized as feminine behaviors, are less of a concern for military men because their masculinity has already been validated through their occupation. Occupation, as a performance of gender, therefore, may allow for behaviors that are required of an occupation but may be counter to gender performances.

The same cannot be said of male grade school teachers. Lower levels of empathy are consistent with past research (Hilgenkamp & Livingston 2002) that suggests that male grade school teachers avoid behaviors that can be construed as feminine (Sargent 2001; Williams 1995), for, as Connell (1995) argues, a fear of being emasculated. While men in the military are able to follow requirements of their gender and occupation simultaneously, men in public schools may be prescribing to behaviors associated more with their gender than with their occupation, suggesting that men may be more inclined, regardless of job, to "do masculinity" appropriately by being less empathetic. In a similar vein, women in both the military and the public schools are able to simultaneously

meet the expectations of their gender and their occupations when exhibiting empathy, and subsequently do not differ significantly on this measure.

In reference to research questions two and three, both reveal strikingly consistent findings. Would military personnel report lower levels of emotion? And the two part question: Would military personnel also report higher expectations that men should be stoic, and higher expectations that men should not be feminine? For female military personnel, the answer was "yes," on all counts. For males, there were no significant differences between military personnel or teachers in any case.

To begin with male's emotional levels, an argument related to gender may be made to explain the lack of a significant difference across occupations between males' reported emotion levels. High levels of emotion do not appear to be a requirement of the teaching profession, and are typically associated with femininity. Therefore male teachers are free to exhibit lower levels of emotion, without detriment to their occupation, and can in essence reaffirm their masculine identities, a common behavior of male grade school teachers (Sargent 2001; Williams 1995). In effect, in an effort to appear masculine while being associated with a feminine occupation, male teachers "do gender" by avoiding appearing emotional. "Doing gender" (West & Zimmerman 1986) is an ongoing process through which people perform gender in society, which determines access to social resources.

One's position in the job market not only is related to gendered expectations but also can be a part of the overall gender performance, or a way of "doing gender." As past research has shown, an occupation can be so strongly gendered that it affects other behaviors (Hilgenkamp & Livingston 2002; Williams 1995). In relation to this study, the gender performance of male teachers, who are interacting in a female-identified occupation, results in reported levels of emotion comparable to men in the military, where low levels of emotion are expected. While the behavior fits for only one of the occupations, it is expected of all of the men.

On the other hand, female military personnel, in alignment with job expectations, do report lower levels of emotion, compared to female teachers. It has been proposed that

women are not as concerned with gender boundaries as men (Bem 1993; Connell 1987) and are able to adhere more to the job requirements so as to excel in the field of their choosing. Herbert's interviews revealed the perception among women in the military that "it was more important to be perceived as heterosexual than feminine," (1998 175) which further suggests a flexibility to exhibit less emotion, even though it might be at odds with the typical expectations of femininity.

Across occupations, male respondents also reported similar behavioral expectations regarding (a) men being stoic and (b) not exhibiting feminine traits. In this case high levels were expected for military men based on job requirements, while the comparably high responses of male teachers may be based on their own attempts to define masculinity in contrast to their role in a predominantly female occupation. Past research has shown that men in female-dominated occupations often will attempt to exhibit characteristics of a job that are defined as masculine (Sargent 2001; Williams 1995) in an attempt to appropriately perform their masculinity.

In contrast to male teachers who expect to be stoic and avoid femininity as a response to their occupation, military personnel, and men in particular are projected to be stoic and to avoid that which is perceived as feminine as a requisite of their occupation. Those individuals who are members of the occupation are more likely to subscribe to such beliefs about men's behaviors, including women. More so than women in public schools, women in the military were more inclined to believe men should be stoic and to not be associated with femininity or display feminine behaviors. This suggests that occupation is related to expectations of behaviors of not only oneself but also of others. Herbert's conclusion that women in the military "walk a fine line" (1998 170) between being "too feminine" to excel at their jobs, and "too masculine" to appropriately perform their role as a woman provides an important insight into this particular finding. By idealizing the typical male's behavior as more masculine and more stoic, military women are in essence giving themselves a wider masculine-feminine continuum in which to navigate. In other words, by expecting men to operate at a more extreme end of the spectrum, women in the military allow themselves more

flexibility to exhibit the masculine traits so often equated with competence in their work, while still being less stoic and more feminine than their male co-workers. In contrast, in an occupation that does not pose these same challenges, female teachers' expectations of males' behaviors are not as closely linked to their own gender performances.

CONCLUSION

In conclusion, the analysis of occupation as a deceptive distinction shows how gender associated attributes and behavioral expectations can just as likely be job-related expectations. In this study, I focused on specific fields of work, i.e. enlisted military and grade schools, showing that the required expectations within each occupation impact both men and women, allowing me to question the impact that expectations about gender, and gender in general have on the behaviors of those in the occupations. I also presented that for those behavioral expectations that are not directly necessary for the occupation, gendered expectations take precedence. Simply, after satisfying occupational expectations, people engage in gendered behaviors. People "do work" then they "do gender."

Identifying how occupations influence the behaviors of individuals, potentially in lieu of gender begins to break down normative assumptions about gender differences of males and females. Behaviors that have traditionally been associated with a specific gender may be deceptive distinctions in that the behaviors are as likely a result of occupational requirements of the jobs they choose (or are tracked into) as they are gender.

While these findings can be utilized to further study gender across a range of occupations, they can also be used in the analysis of the segregation within work environments. For example, within the military, recent discussions about military designations by gender have become more pronounced, as women are still denied access to "combat" positions; positions that offer increased pay and greater access to promotions. Regardless of this designation, in present military conflicts, women often find themselves in combat situations, necessitating comparisons of men and women who encounter similar "battle" experiences, regardless of designation. Analyzing factors beyond gender would begin to uncover this social inequality,

as well as the potential "deceptive distinction" about women's ability to be aggressive in physical altercations.

Moving beyond the gender dichotomy, combat experiences of both men and women should be compared to enlisted men and women who are not in combat situations, for each job designation carries with it different occupational expectations, and ultimately reactions, regardless of gender. Acknowledging the relationship between occupations and behaviors will begin to assist in breaking down the stereotypes and social labeling of occupations as "male" and "female", and begin to portray these jobs as non-gendered arenas with different requirements for the individuals.

Furthermore, studies should address why people choose different occupations, and the similarities and/or differences that may exist between genders, and more important, how gendered expectations impact this process. For example, for enlisted military personnel, if both men and women choose to enter into the military for financial reasons, then self-selection is less likely due to gender and behavioral expectations. Similarly for teachers, having greater access to career choices because of the college degree, the career choice for both males and females will help to comprehend the relationship between gender, occupation and behavioral expectations.

Ultimately, studying the relationship between gender and occupations continues the discussion surrounding "deceptive distinctions" and how perceptions about men and women can be limited by a gender lens. Discussions should extend beyond occupations, as deceptive distinctions may exist in a range of social situations that have been overlooked in the past. By examining these variables and their relationship to gender, one can begin to more fully understand the differences that exist between men and women, and more important, the similarities, as well as engage the debate surrounding the inequality between men and women.

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A HISTORICAL AND THEORETICAL LOOK AT RITUAL ABUSE LAWS FROM AN INTEGRATIVE CONFLICT PERSPECTIVE

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ABSTRACT

This article is part one of a two-part study on ritual abuse law formation. It is concerned with the historical background and theoretical concerns using Integrated Conflict Theory. This approach allows the complexities of individual and structural variations that are especially inherent elements of conflict that are embedded in this topic to be drawn out in a more comprehensive way.

INTRODUCTION

Why are the ancient images that personify evil still such potent forces in the minds of individuals in modern western society? How is it that we have carried the images of Satan and the witch intact into the modern world? Do these images still affect individuals in modern rational society on their real life applications? This research looks at the social construction, formation and development of ritual abuse laws. It is a look back to the decades when ritual abuse was considered a social problem and sanctions were enacted to contain and protect society. One researcher in the topic area, Margaret Smith, states:

If there is even a small chance that one ritual abuse claim is true, we owe it to all potential victims to explore the problem of ritual abuse in greater depth.

Why immediately discount those who say they were ritually abused when history reveals that religious and political obsession often leads to violence? Innocent women, children, and men were tortured during the Inquisition because of religious obsession. Adolf Hitler, in the name of political obsession, turned a whole country into a murdering nation by killing innocent Jews and other minority groups. Recently, near Waco, Texas, we once again saw how the obsessive spiritual beliefs of a group led by David Koresh who said he was the second coming of Christ, led to violence. Ritual abuse survivors say they were violently abused in religious rituals by groups that were using them as magical tools or that was trying to indoctrinate them into the belief system of the group. They say the groups are extremely violent and secretive, and hence do not live in communal settings, as was the case in Waco, Texas. Are claims of ritual abuse really that bizarre after we reflect upon the historical acts of groups that were

obsessed with religion and politics? (Smith 1993 vii)

This statement is an example of the proponents of ritual abuse law. It is the fear of ritual abuse as a social construction and the creation of law to prohibit it that interests this author. Five states (California, Idaho, Illinois, Texas and Louisiana) currently have or have had ritual abuse laws that specifically prohibit ritual child abuse. Other states have considered similar laws. The passage of such laws seems to warrant the conclusion that ritual abuse is a public concern and a social problem. Another possibility is that this is part of a general trend of the re-emergence of the sacred.

This analysis focuses on definitions of ritual abuse, the emergence of ideologies surrounding it, and changes in theoretical and belief system in a society. The analysis is conducted through the lens of Integrated Conflict Theory. This perspective allows the use of historical and modern data to address a social issue. This study is important because no comprehensive study of the formation of ritual abuse law has been conducted using this perspective. This survey portrays an understanding of the formation of these laws and their relation to the inherent social conflicts of the "witch craze era" in Europe and the ritual abuse panic during the 1980-90's in the U. S. The first step in that process is the definition of ritual abuse. In addition, as the next section reveals, there is no easy way to discern the parameters of ritual abuse.

DEFINITIONS OF RITUAL ABUSE

What is Ritual Abuse?

Ritual abuse is difficult to define so a precise definition is elusive. For example, Lanning (1992) notes that definitions developed by researchers are often not useful for law

enforcement officials. The definitions define certain symbols, beliefs and acts. However, they are often too broad and include certain belief systems. According to Brown (1987), while some religious rituals (baptism, circumcision, etc.) are not criminal, other acts are related satanic rites as norms of religious expression. Brown (1987 84) states that

other portals to satanic power and demonic infestation involve the following: fortune tellers, horoscopes, fraternity oaths, vegetarianism, yoga, self-hypnosis, relaxation tapes, acupuncture, bio-feedback, fantasy role-playing games, adultery, homosexuality, pornography, judo, karate, rock music, and so on.

However, few of these behaviors fall within the realm of criminality. Lanning (1992) further notes that the conflict between belief systems is even more confusing when cultural, religious, sexual, and psychological rituals overlap. According to Lanning,

conflicting religious beliefs have justified the Crusades, Apartheid, segregation, violence in Northern Ireland and the Inquisition: The fact is that far more crime and child abuse has been committed by zealots in the name of God, Jesus, Mohammed, and other mainstream religion than has ever been committed in the name of Satan. Many people, including myself, don't like that statement, but the truth is undeniable. (1992 Part 4 8)

Many individuals define Satanism and ritual abuse from an ethnocentric Christian epistemology to describe the power of evil. The Christian ontological understanding of evil is different from secular ways of knowing. Using the Christian epistemology, satanic behaviors that are particularly bizarre or repulsive can be viewed as criminal (Lanning 1992 Part 4 2). Hodges (2006) notes that much of what is considered evil today was originally defined in Middle Ages, from the Christian perspective, by defining non-Christian behaviors as evil. Yet as Lanning contends, it is just as difficult to define Satanism as it is to define a complex spiritual belief system. Much of this confusion becomes even more complex over definitions of what actions constitute a ritual. Historical bases for the existence of ritual deviance can be

found in the Christian-Satanic conflict.

What is Ritual?

Lanning (1992 Part 4 2) states that ritual is a repeated act or series of acts that have cultural, sexual, psychological and spiritual bases. Overlapping of definitions can cause great confusion in a legal system that relies upon the principle of mens rea to determine the criminality of the accused. A particular type of abuse that is tied to mens rea or intent creates room for debate in a court. These concepts tend to make the term ritual abuse very hard to operationalize for the researcher. This difficulty in definition has to be kept in mind when one considers the events that led up to the formation of ritual abuse laws. The motivations become even more ambiguous when historical and legal factors are included. According to Lanning (1992 Part 4 1-9), any definition of ritual abuse includes a belief system. The behavior or crime may fulfill cultural, social, spiritual, sexual, and psychological needs of the offender or offenders. Laws prohibit the criminal actions associated with these ritual beliefs. The ritual act involves criminal intentions with illegal actions and results in mental, emotional and bodily harm in some combination. Though these standards are not mutually exclusive they are accepted as basic definitional standards.

Since this study deals with ritual abuse law the following definition of ritual abuse is taken from elements found in the Idaho statutes, which were a generic guide for other states. Ritual abuse applies to children or vulnerable adults and includes: a) the actual or simulated torture, mutilation, or sacrifice of warm-blooded animals or human beings; b) forced ingestion, injection or other application of any narcotic, drug, hallucinogen or anesthetic for the purpose of dulling sensitivity, cognition, recollection of, or resistance to any criminal activity; c) forced or external application of human or animal urine, feces, flesh, blood, bones, body secretions, non prescribed drugs or chemical compounds; d) involves the child or vulnerable individual in a mock, unauthorized or unlawful marriage ceremony with another person, or representation of any force, or deity, followed with sexual contact with the child, or vulnerable individual; e) places a living child into a coffin, or open grave, containing a human corpse, or remains; f) threatens death or seri-

ous harm to a child, or their parents, family, pets, or friends, which instills a well-founded fear in the child that the threat will be carried out; g) unlawfully dissects, mutilates, or incinerates a human corpse. The term child is defined as less than 18 years of age. These descriptions are found in Title 18 of the Crimes and Punishments of Idaho Statutes in chapter 15, section 18-1506A. Hodges (2006) states these same descriptions were also used as templates for the state of California. These descriptions provide a legal guide for understanding ritual abuse and define it according to law. Next, we turn to the review of literature that involves the concepts of ritual abuse sociologically from which ritual abuse emerged.

LITERATURE REVIEW

Ritual abuse is rooted in the ideologies of Western civilization and in their formal and informal sanctions. Sociologists, using different theoretical approaches, have discussed these ideologies. James (1896) researched the mental states involving possession, mediums, and witchcraft while Gusfield's (1986) research on symbolic crusades considered how a dominant culture maintains its power over marginal groups. Erikson (1966) explains how witch trials emerged as social disruption and social change increases while Szasz (1970) noted the tendency to create witch-hunts to deflect attention from other social ills. Pfohl (1985) and Truzzi (1971) offer historical and contemporary explanations of demonology and witchcraft. Ben-Yehuda (1990) and Richardson, Best and Bromley (1991) studied witchcraft as a western sociological phenomenon emerging from several different levels historically and socially. Goode & Ben-Yehuda (1999) viewed witchcraft as a form of moral panic. Lotto (1994) and Ellis (1995) considered witches and witch-hunts involving ritual and satanic abuse historically. Ellis (1995) researched moral panics and ritual abuse in the 1950s as a repository of fundamentalist religious beliefs.

Ellis (1995) contends that the writings of Kurt E. Koch, published in the 1950-60s, carried forward Christian evangelical notions of evil from the witch craze era and influenced several Christian belief circles in the 1970-90s, especially during the satanic ritual abuse panic. Ellis notes that Koch is a frequently cited authority in the first generation

of 1950s demonologists. Hence only a few authors that have considered ritual abuse as a research issue. The study of the formation of ritual abuse law then is an unexplored topic.

Victor (1989) and Ofshe (1992, 1994) researched satanic panics of the 1980-90s and were critics of the application of ritual abuse laws. Their works also focus on anti-triggering or counter triggering events. Hodges (2006) contends that understanding the formation of ritual abuse laws must incorporate a critical mass of individuals, groups and circumstances. The next section considers the historical background from which the concepts of ritual abuse emerged. These historic events extending from the fall of the Roman Empire assisted in creating lineages of thought, mindsets, and legal frameworks for early concepts of criminal ritual abuse into the religious and legal applications of law for three hundred years in the period from roughly 1400 to 1700.

HISTORICAL BACKGROUND

From Satan to Witches to Laws

With the fall of the Roman Empire, the Christian Church was established as a social institution. Pre-Christian religions were defined as Satanic and evil. As the Christian Church grew in power and influence with the establishment of the Holy Roman Empire, the pressure against opposition religious groups increased. Social institutions, such as the Spanish Inquisition, established the power of the Christian Church over any competition. Ben-Yehuda (1980) and Goode & Ben-Yehuda (1999) contend that for this to take place six centuries of earlier church policy had to be re-framed. The initial policy, as stated in the Canon Episcopi, was that among pagans was an illusion. Prior to establishing new policy, the church had to neutralize this framework. The new framework was established by changing the Canon Episcopi to state that contemporary witches were different from the earlier ones. Greer (2004) notes in the case of Pagan religions of Europe, the "orthodox" institutions supported publications of witch-hunting books like the *Malleus Maleficarum*. This era is known as the "burning times" and lasted roughly from 1400 - 1700s. This author points out that the reconstruction of reality first through literature and then translated into actions. This pattern of behavior developed

over centuries. It would become entrenched into the culture of Western religious belief systems and social structures.

Numerous authors (Greer 2004; Pfohl 1985; Harris 1989; Ben-Yehuda 1980; Goode & Ben-Yehuda 1999;) have provided detailed accounts of the *Malleus Maleficarum* or *Hammer of Witches* and the official Catholic belief about witches, their actions and motives, and the proper methods for identifying them and obtaining confessions through torture. Oesterreich (1974 101) notes,

like so many other things in the Catholic Church exorcism came to an end...in 1614 with the publication...at the time of the Counter-Reformation with the publication of the *Rituale Romanum*.

The rite of exorcism formulated in this publication remains to be the accepted definition. James (1986 116) also notes that such works

became part of the body of European jurisprudence for three hundred years. They were on the bench of every judge, the desk of every magistrate, and were accepted by both Catholic and Protestant legislators.

These earlier literary works are important to this study because they are a form of ritual abuse law in its primitive state. They also provide an element of legal precedence. Local customs, values, and norms were important components of English Common Law. In turn, Common Law is based in local norms, values, and customs. They established patterns of beliefs still held by some segments of contemporary society (Hodges 2006). Furthermore, poets like Dante (1993) and Milton (1975) rephrased these beliefs about evil. These works personified Satan, individualized the conception of evil, and gave spatial dimension to the conception of hell. Dante's *The Inferno* came out at roughly the beginning of the witch craze while Milton's *Paradise Lost* came at the end of the era. Artists to local publics portrayed the images of witches, hell and Satan in the literature. Hodges (2006) contends literature and art provided frameworks for the construction and reconstruction of new realities of evil. Art and literature of the period gave direct and indirect support to new theologies and frameworks of evil, Satan, and hell.

Ben-Yehuda (1980), Robbins (1959), Spence (1968), and Erikson (1966) all provide similar explanations for the crystallizations, authorization, and denouncement of witches during the burning-time period. Witches and witch-hunts waxed and waned throughout Europe and the English colonies through the 17th century. Crime definitions are specific to societies. Social change is constantly at work on the criminal justice system criminalizing, decriminalizing, and recriminalizing behaviors. Friedman (1993) notes that English colonies were theocracies whose laws were based on Biblical scripture. Crimes were sins, sin was crime, and the courts acted as the "secular" arm of the church. The most famous episode was the Salem Witchcraft Trials of the late 17th Century. Witchcraft was listed in "The Laws and Liberties of Massachusetts" as a capital offense. The court used special witch trial procedures and experts to identify witches. For example the court accepted as evidence "spectral visions of townspeople," sticking the accused with pins (witches do not bleed), and the use of *peine forte et dure* to obtain confessions. While several explanations (gender aspect, town rivalries and factions, etc.) have been offered for the Salem episode, Cotton Mather's explanation reflects the beliefs of his time. Colonists

firmly believed in the reality of the 'invisible world,' the world of angels and spirits were...palpable reality; Satan, the eternal adversary, dominated the evil half of the invisible world. (Friedman 1993 47)

The 'invisible world' was a crucial aspect of the colonial theory of criminality. Every period asks the question: Why is there evil in the world? Why do people do terrible crimes? Every period has its own conventional answers. The criminal sinner becomes in later theory the degenerate criminal. Pfohl (1985) notes that "the facts" of the Salem trials is clear evidence of the dominance of demonic theorizing until the end of the seventeenth century. With the rise of secular rationality and rule of law, the belief in Satanism, witchcraft, and orthodox religion diminished as a rational belief system emerged to make sense of the world. Holzer (2002) states that a rational, secular belief system will produce different approaches to explain possession:

medical, religious, spiritual, popular, traditional, naturalistic, empirical, and para-psychological. Truzzi (1971, 1974), Bruce (1996) and Hodges (2006) contend that these approaches are applied to witchcraft, Voodoo, Satanism and other belief systems.

It is understandable then that each structural base will develop an approach to account for the ritual abuse phenomena within the parameters of its own belief systems. According to Hodges (2006), the definitions of current belief systems have subsumed selective portions of earlier belief systems. The definitions of current ritual abuse laws are an amalgamation of the contexts from history, religion, science, ideologies, popular culture, politics, and worldviews. He further contends that in the 1980-90s a critical mass of these elements combined to increase an increased awareness of child abuse and to create child abuse laws in five states as certain triggering events occurred. The legal background to better understand this process can be established by looking at the various levels of analysis found in The Integrated Conflict Theory. The next section makes some brief comparisons and contrasts between the two historic eras of ritual abuse.

LEGAL BACKGROUND

The study of the origins of ritual abuse entails a process. The early witch-craze era and witch trials provide a template of the Satanic Panic of the mid 1980-90s. In both eras, it was necessary to re-construct and demonize the witch and to re-socialize the faithful to set the sacred legal process in motion. Literature, developed by experts, was used to educate the agents of control and to keep the sacred legal bureaucracy focused on the "sinner." Innocent individuals were wrongfully convicted in order to deter a perceived threat to society.

These social structures, events, and individuals came together in a political critical mass. The lack of evidence, the social construction of the "sinner," the hearsay convictions and sheer paranoia of these eras is amazing in what we believe to be a modern rational era. It portrays what happens when such fears are made into law. The fear factors involved in this process are discussed in the next section.

Discussion of Fear Factors

Demonic possession, evil witchcraft, and anti-Christian sentiments in general have long histories of conflict in European cultures. These are deeply embedded fears created in Western society extending from a centuries old cultural background of fearing evil and/or the devil. These fear factors have in fact remained a modern problem in a rational society.

The debates over the presence of good and evil have current relevance, especially when portrayed in the mass media. The 2005 movie "The Exorcism of Emily Rose" is the story of Ameliesse Michel's possession by the devil. She died in 1976 after a failed attempt by the Catholic Church to exorcise her of demonic possession. The movie focuses on the debate between scientific and sacred explanations for demonic possession. The defense attorney for the accused priest argued that Emily was actually suffering for possession and that scientific explanations (medicine, psychiatry, etc.) could not explain. The priest is convicted and sentenced to time served in jail presumably because of the jury's acceptance of a sacred, as opposed to a scientific, explanation. These issues can be analyzed sociologically. The ritual abuse scare of the 1980-90s provides the philosophical basis for what caused this conflict in our society and remains largely intact. This is because the structural bases of both belief systems exist in society. Each belief system is considered valid by different segments in society. The basic arguments between the two belief systems have remained the same.

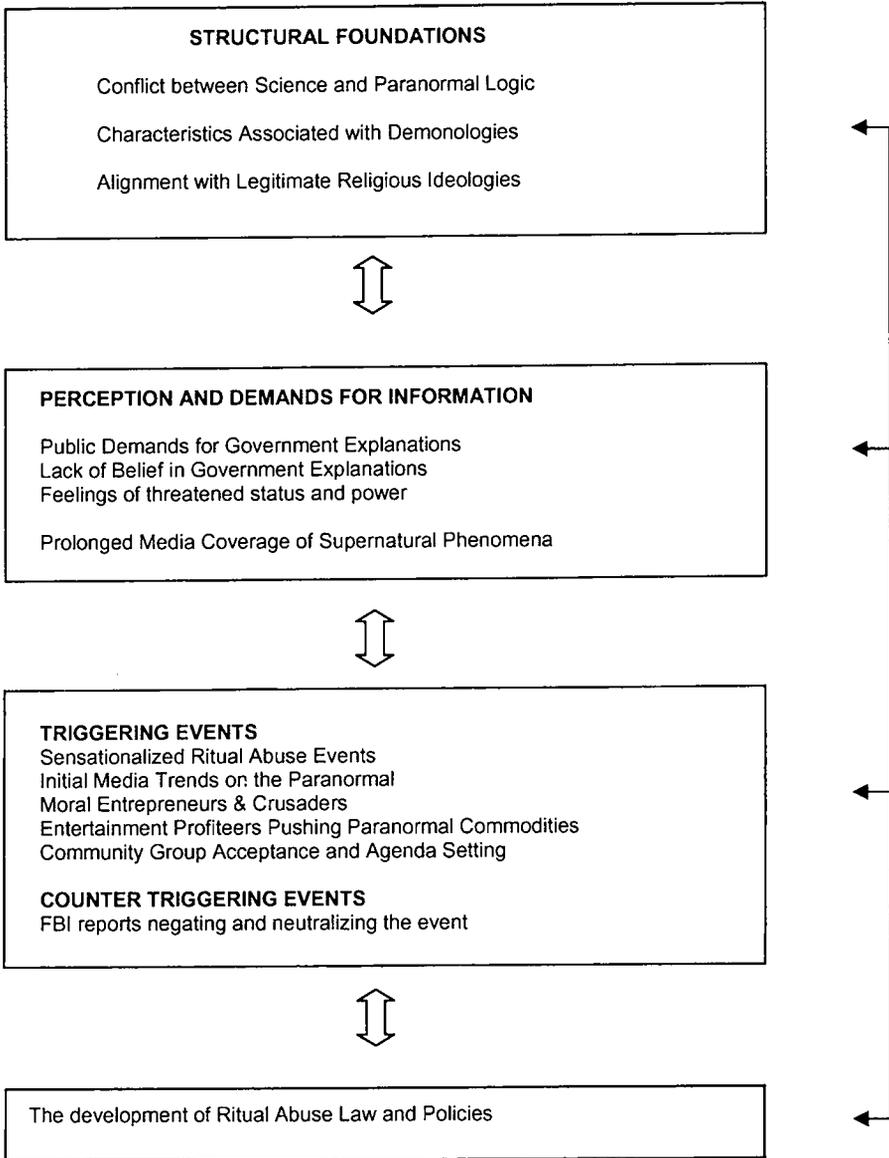
Perlmutter (2004) argues that the differences in explanations exist international. Domestic and international terrorists believe that their acts are signs of social conflict. Their religious and political ideology put them on the side of "good" and justified their violent acts against evil forces. This belief system allows individuals to impose their collective facts on non-believers. It is apparent that a comprehensive theoretical approach is necessary to include the critical elements present in the formation of ritual abuse law.

THEORETICAL CONCERNS

Integrative Conflict Theory

The theory selected to analyze the formation of ritual abuse law combines Integrated Conflict Theory and a Constructionist ap-

Figure 1: Applying the Integrative Conflict Model to Ritual Abuse Concepts & Thought



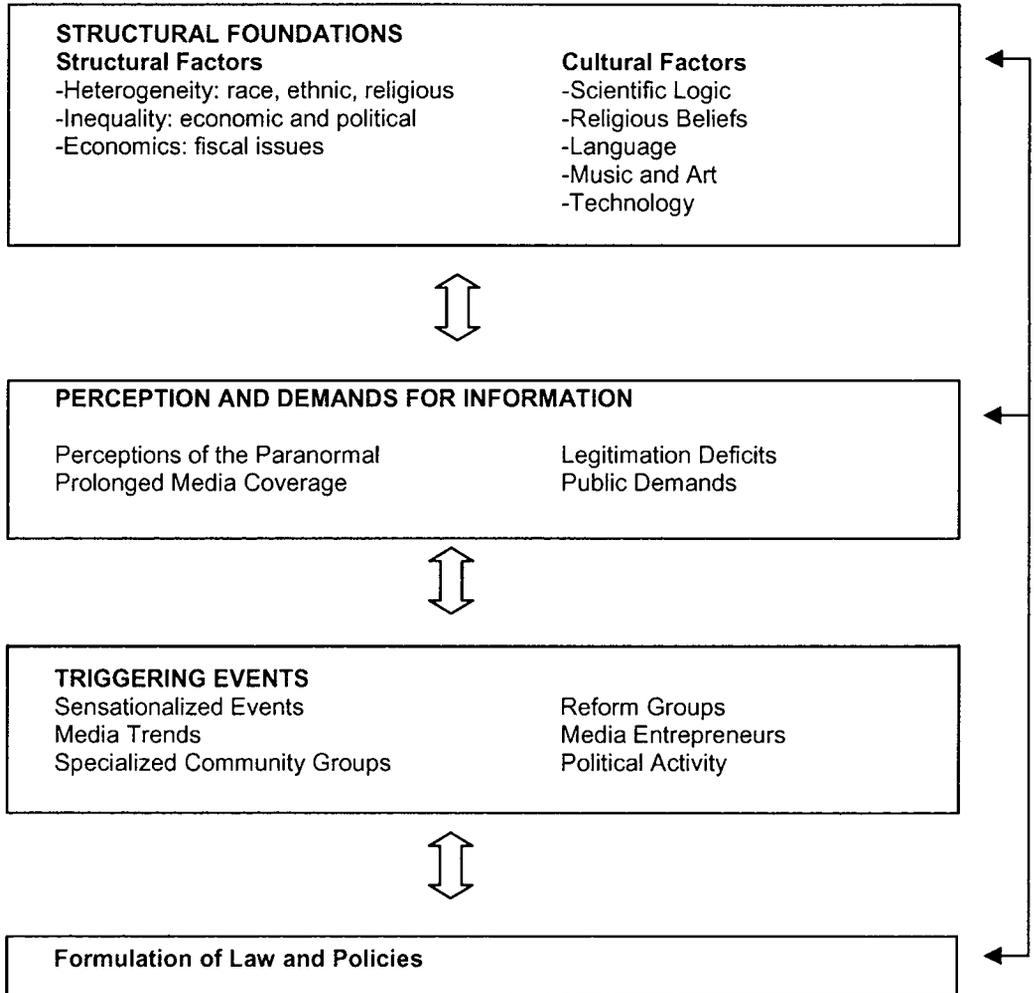
Note: Figure adapted from Hodges and Ulsperger (2005b: 98)

proach. Ritual abuse laws are varied, making it difficult to apply one theoretical approach. There can be inherent conflict within or between several layers of analyses. It is not necessary that the levels occur in a sequential order, just that all are present. Figure 1 outlines the modified version of the Integrative Conflict perspective. Various authors (Gallihier & Cross 1982, 1985; McGarrell & Castellano 1991, 1993; Cross 1991; Hodges & Ulsperger 2005a, 2005b) have elaborated this perspective. They argued that different belief systems and ideologies are

important because they provide the core norms and values for the structural bases involved in law formation. These current norms and values are reflected in earlier ideologies. However, competing ideologies are not always in conflict and at times may complement each other.

According to Hodges and Ulsperger (2005b), the Integrated Conflict Model provides a better understanding of this emergent process. These authors use the core components of this theory: structural foundations, perception and demands for informa-

Figure 2 - The Integrative Conflict Model



Note: Figure adapted from McGarrell and Castellano (1991) and Hodges and Ulsperger (2005b).

tion and protection, triggering events, and counter-triggering events. These components are useful in understanding not only the formation of law but also reflect ideological shifts supported by social constructions (see Figure 2).

This model provides the basic guidelines in the development of ritual abuse law and allows consideration of causes, contexts, and elements that are real and perceived, triggering and counter-triggering events and "inherent conflict" at each level of analysis. Causes can be associated with structural bases, which are often the universal, generalizable, and structural streams that have long existed in society. Context can be ideological and cultural aspects of society that are relevant to a time and a local geographic

area involving the phenomena researched. Context deals with the perceived and real notions held by that society. They are often localized and different across geographic boundaries in time and space.

Perceived and real elements are at the heart of the social constructions of reality. The interpretations involved in the creation of "the other" form conflicting ideologies and set the stage for emerging triggering events based on real life situations. Triggering events are those events and phenomena that bring conflict to a point of critical mass. Structural foundations make it possible for triggering events to occur (Galliher & Cross 1985). Triggering events are affected by structural foundations, which can affect change in structural foundations. McGarrell & Castel-

lano (1991) note that triggering events can include the tactics of moral entrepreneurs. Newsletters from a moral entrepreneur, for instance, can create networks of support that spur other groups to action. These concepts are important because moral entrepreneurs existed historically and currently as the experts.

Inherent conflicts are addressed because there are various kinds of conflict in a society. Under different conditions, conflicts are interpreted in various ways. For instance, are ritual abuse laws the result of conflict between different segments in society engaged in a power struggle for power and dominance? This question of inherent conflict comes out of understanding different levels of analysis. Integrated Conflict model seeks to bridge the gap between micro and macro theoretical approaches. Structural bases are aligned with several social structures in society. This perspective can consider consensus among segments while viewing those same segments in conflict with others. It considers conflict at various levels of analysis (individuals, groups and organizations). The perspective is designed to consider the conflicts that arise out of triggering events and beliefs that arise out of what dominant groups perceive as real. The events can be interpreted as a form of false consciousness or interpreted through Symbolic Interaction. It makes use of Symbolic Interaction in what is perceived and what is real in the social construction of a reality. The perspective also adapts concept of the re-socialization that occurs after the conflict is resolved. The perspective adopts the strengths each theory offers through conceptual combinations. These are woven together as they apply to a given situation and the surrounding circumstances. In this research, it is an analytical guide to a constructionist approach of grounded theory.

The Constructionist Approach

The Constructionist approach requires observation, insight, interpretation, and communication to an audience. Schwandt (1998) and Lincoln & Guba (1989) state the properties of social constructions:

1. Constructions are attempts to make sense of or to interpret experience, and most are self-sustaining and self-renewing.
2. The nature or quality of a construction depends upon "the range or scope of information available to a constructor, and the constructor's sophistication in dealing with that information."
3. Constructions are shared and some of those shared are "disciplined constructions," that is, collective and systematic attempts to come to common agreements about a state of affairs, for example, science.
4. Although all constructions are considered meaningful, some are rightly labeled "malconstruction" because they are "incomplete, simplistic, uninformed, internally inconsistent, or derived by an inadequate methodology."
5. The judgment of whether a given construction is malformed is made only with reference to the "paradigm, out of which the constructor operates," in other words, criteria or standards are framework specific, "so for instance a religious construction can only be judged adequate or inadequate utilizing the particular theological paradigm from which it is derived."
6. Ones constructions are challenged when one becomes aware that new information conflicts with the held construction or when one senses a lack of intellectual sophistication needed to make sense of the new information.

These authors also note that the question of whether constructions are true is socio-historically relative. Truth reflects consensus at a given time on what is the best or most informed constructions. This constructionist perspective comes out of grounded theory. This is especially true when the author knows little about those studied. The approach allows the data to emerge from the sources before it is analyzed and interpreted.

Inductive Logic and Grounded Theory

According to Charmaz (2004), the hallmark of grounded theory consists of the researcher deriving the analytic categories directly from the data, not pre-conceived concepts or hypotheses. Grounded theory and inductive logic methods force the researcher to attend closely to what happens in the empirical world. From a constructionist, interpretative perspective, the researcher must

study the meaning, intentions, and actions of the participants. This is true of source materials, literature or in-depth interviews. The first question focuses on "What is happening here?" The researcher starts with individual cases, incidents, or experiences and develops progressively more abstract conceptual categories to synthesize, and explain the data and to identify patterned relationships. This is consistent with the approach of Integrated Conflict Theory's focus on localized occurrences and their effects on structural bases. This is done through rich, thick descriptions and analysis of the data. Data, methods and theory are woven together in an intricate and complementary fashion to understand the formation of ritual abuse laws (Charmaz 2004).

This author contends that using a constructionist perspective will provide an analytical tool to answer such research questions as "Whom are the people making these claims of ritual abuse?" Why are they making them? What social structures do they represent? What do they say? How do others respond? What are the fear factors and processes involved that promote these social constructions into law? What are the motives of those who make claims of ritual abuse? Why are they successful? Hester & Eglin (1992) conducted early interactionist's studies on the connection between (perceived) accounts and conduct. They paraphrase and interpret C. Wright Mills and Edwin Sutherland:

Mills (1940) referred to socially defined and available "Vocabularies of motive" as permitting the "release" of the energy required to perform an action. These "vocabularies" were good reasons, justifications, excuses, etc., in terms of which action make sense both prior to and after its occurrence. Sutherland (1939) made use of a similar notion in his theory of differential association and, in particular his theory of white-collar crime (Sutherland 1949). In the former, he proposed that a person becomes delinquent because of excess definitions favorable to violation of the law over definitions unfavorable to violation of the law. These definitions referred not only to techniques of committing crime, but also to a collection of motives, rationalizations, excuses, and justification for committing crimes. In his study of white-collar crime, Sutherland indi-

cated that an "ideology" for illegal business practices is learned which helps the novice to accept the illegal practices and provide rationalizations for them. (Hester & Eglin 1992 189-190)

The above quote explains how fears based in belief systems become vocabularies of motive. This is consistent with Hodges' (2006) explanation that fear factors become "vocabularies of motive" and evolve from or into ideologies that work in a similar fashion as fear, anxiety and social change grip a group. Gusfield (1986) suggests that inherent cultural conflicts arise in the form of symbolic crusades. Social values are codified into law to maintain the status of the dominant group. Richardson, Best and Bromley (1991) and Vidich and Lyman (1998) note that this type of study requires a certain detachment of the researcher. This allows the researcher to examine the actions of each entity involved to explain why both actors and processes are the way they are. In summary, a version of the Integrative Conflict and Constructionist's perspectives are combined with an inductive analysis to provide a theoretical understanding of the formation of ritual abuse laws.

ANALYSES

This analysis is consistent with Currie's (1968) statement on imaginary deviance of the witch craze era. According to Currie, four elements cause the phenomena of witchcraft to be suppressed by the forces of social control.

1. a widespread belief in witches and the practice of witchcraft to harm others;
2. an emerging new occupation involving experts to identify witches;
3. the use of ambiguous tests to discover the witches; and
4. a traditional ideology concerning evil that fuels the search for any deviant acts fits the description.

What Currie suggests with these phenomena is similar to what happened during the ritual abuse scare of the 1980-90s.

The first element above focuses on structural bases such as culture, history, and ideology and the conflicting belief systems that arise. This established a conflict between ideologies that has survived for centuries.

Hodges (2006) includes the need to re-create "the other" in more demonic terms to sensationalize and to establish the fear that would trigger events in both eras.

The second element corresponds to the notion of triggering events. Moral entrepreneurs not only became involved in creation of experts identifying witches but also in getting other professionals involved in the ritual abuse scare. The fear factors justified demonizing "the other" through new interpretations. In the witch craze era, witches were created into a new form of heretic for a variety of motivations. During the ritual abuse panic, mental health professionals were essential in identifying ritual abuse. Experts used hypnosis to reveal repressed memories of their clients to establish the occurrence of ritual abuse. The trust in the accusing experts deflected responsibility and accountability in both the witch craze era and the ritual abuse panic.

The third element suggests that experts established a chain of credibility that other professions found hard to dismiss. In both eras, experts and agents of social control cooperated. In the witch craze era, the experts were the clergy while mental health professionals were important during the ritual abuse panic. In both eras, experts created, interpreted, and defined and constructed social reality. During the witch craze, church policy had to be reframed from witchcraft as an illusion to witchcraft as a real and perceived threat (Ben-Yehuda 1980; Goode & Ben Yehuda 1999; Ellis 1995). This associated the notions of demon possession as a potential reality with multiple personality disorders. In both eras, there were manufactured efforts by experts/moral entrepreneurs that influenced the emerging process. This ultimately led to the creation and prosecution of witches in the witch craze and later Satanists in the ritual abuse panic.

The fourth element focuses on the notion that the ideologies survive intact to be used against future perceived threats to the social fabric. The perceived threat becomes a reality based on an ideology (Thomas & Thomas 1928) that takes form as a social problem. The ideology provides the legitimacy for moral entrepreneurs and control bureaucracy to take on a life of its own. During the witch craze, the Protestant and Catholic Inquisition bureaucracies emerged to destroy heresy in the form of witches. During the ritual

abuse era, the formation of laws through the bureaucracies of social control emerged to find and stop ritual abusers and Satanists. A primary difference during the ritual abuse panic was the role of the media in sensationalizing ritual abuse to the public. Furthermore, Norris and Potter (1986) noted the several occurrences of child abuse at the time of the Satanic panic of the 1980s and 1990s associated with day care centers. This fear factor of our unprotected children at the mercy of potentially evil groups of persons with religious agendas was a triggering event that escalated the forming of social networks to counter the potential social problem. Hodges (2006) contends from these networks other social organizations such as some associated with the mental health profession and the forces of social control became involved and pushed for legal protections resulting in ritual abuse laws.

CONCLUSIONS

This research is important because the impact of the ritual abuse panic had on wrongful convictions. Many wrongful convictions result in conviction of an innocent person while the actual perpetrator remains free to commit more crime. In the case of a wrongful conviction based on the sexual abuse panic, individuals were imprisoned who had not committed a crime. Gross, Jacoby, Matheson, Montgomery & Patil (2005) clearly note this result of ritual abuse laws gone wrong.

Finally, in one major set of false conviction cases, the patterns of injustice are so complex and murky that we can hardly ever say that specific defendants were "exonerated," even though there is no doubt that most were falsely convicted. We're referring here to the epidemic of child sex abuse prosecutions that swept across the country in 1980s and early 1990s. Focusing especially on child care centers, and frequently including allegations of bizarre satanic rituals.

In almost all of the exoneration cases that we consider in this report there is no question that the murder, rape or other crime did occur. The problem is that someone other than the defendant did it. In these mass child molestation prosecutions, the identity of the perpetrators is not an issue. The question is: Did the crimes really happen at all?...

Needless to say, no physical evidence ever corroborated any of these unlikely claims. In other cases, the accusations were merely implausible, and appear to be generated by over-eager prosecutors and therapists who demanded that the young children they examined tell them that they had been molested, and would not take No for an answer.

Overall, more than 150 defendants were initially charged in at least ten major child sex abuse and satanic ritual prosecutions across the country, from 1984 to 1995, and at least seventy-two were convicted. It is clear that the great majority were totally innocent; almost all were eventually released by one means or another before they completed their terms. It is possible however that some of these defendants did commit some acts of sexual molestation, incidents that later grew into implausible and impossible allegations as the children were interviewed repeatedly by prosecutors and therapists. We included only one of these cases in our database, a case in which we know that all of the supposed victims now say that they were never molested in the first place—that the crime never occurred. Otherwise, none of the wrongfully convicted victims of this terrible episode in American legal history are included on this list because they have not been officially exonerated. (Gross et al 2005 539-540)

Hodges (2006) contends that the mere accusations of children are supported by expert's selective interpretations produces a legal process that accused innocent individuals. These social structures and triggering events came together in a political critical mass during the witch trials of the 1600s. A similar process is portrayed in the 1980-90's ritual abuse scare and the attempt to protect children.

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SHAPING VISUAL SOUND: A FRIENDLY LOOK AT TOTAL INSTITUTIONS AND THEIR ROLE IN THE SUBCULTURE OF COMPETITIVE MARCHING MUSIC

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ABSTRACT

Visual sound is the intricate blend of thematic music, marching, interpretive dancing, and colorful costuming that emerged in the early 1970s as modern drum and bugle corps and competitive high school marching bands engaged in field competitions against other corps and bands. The performance seasons for corps and for bands are intense, lasting only a few months, and each competition reflects a complex intersection of artistry, ambition, athleticism, and awards. This article is premised on the idea that a friendly version of total institutions is a latent development in the performance histories of drum corps and high school marching bands, and some personalized, illustrative, ethnographic, and numerical data, as well as descriptive narratives, are used to portray their emergence and role in this performance subculture. Rehearsal camps for corps and bands, and life on tour for corps, as types of controlled-movement environments, have become vital and virtual necessities for performance development and competitive success as musicians and dancers enter the fields of competition for their shows which last from ten to twelve minutes on football fields before fans, spectators, other contestants, and judges.

INTRODUCTION

Drum Corps International (DCI) and Bands of America (BOA)¹ are two non-profit organizations that sponsor music performance and music education in the U.S. The domain of DCI is primarily drum and bugle corps, sometimes simply called drum corps, whereas BOA works with secondary education programs, especially high school bands. The two organizations were born at about the same time (DCI in 1972 and BOA in 1975), have common interests, and both set the performance criteria and judging standards for their respective participants.

I belonged to a small corps in its percussion/drum line, and my daughter was a member of a state championship marching band during her four years of high school. I have visited a corps and the band while in camps; attended many competitions; have taken notes regarding the music played; evaluated the programs with estimated scores and rankings; and, have compared my estimates against actual outcomes. I am also a sociologist who, having been in the army, having read Goffman's *Asylums* (1961), and having taught in prisons found that some elements of total institutions apply to competition seasons for drum corps and high school bands, but with differences of purposes.

Total institutions are usually seen as controlled-movement environments that are organized for the impartial treatment of their residents, with the administration having primacy over the individual, working to ensure

that power differential. In contrast, the total institution element of rehearsal camps and life on tour for corps and for bands is designed to build confidence, competence, artistic skills, stamina, and pride as the performance journey takes place. This project reflects an exploration into the differences between some traditional interpretations of total institutions with a variation of them wherein enhancement of the self and talents, not the mortification of them, are focal concerns.

This study is a complex one, involving several overlapping and staged elements. Included are discussions about total institutions as they have been viewed and studied traditionally; a discussion about the inspiration for this project; a discussion about how the *classic* era of drum and bugle corps evolved from its military background; how that era evolved into the *modern* one of DCI and BOA; an alternative look at the total institutional element of life for three performing units – DCI's The Cavaliers from Rosemont, IL, its Glassmen from Toledo, OH, and the Marching Grey Ghosts from Illinois Valley Central High School in Chillicothe, IL; and the performance schedules and score data from their respective 2007 seasons as they reflect tightness of life and partial registers of the effects of their training schedules.

The two corps and the band were selected as a combination of convenience, purposive, comparative, and biased samples: They were not chosen randomly. The Cavaliers is

my favorite drum corps, and it is a perennial favorite for many others. The Glassmen was selected as a comparative corps that is always a contending one, but it rarely wins big competitions. The Marching Grey Ghosts was chosen as the high school band because it is local, providing inspiration, and several people affiliated with it offered me their assistance and encouragement. Drum corps and competitive high school bands are not the same things, are closely related, and their features are generously interwoven. One of their commonalities is the creation of a total institution-like existence for their rehearsal and performance seasons, so a discussion about total institutions is in order.

TOTAL INSTITUTIONS

Goffman did not invent total institutions: He outlined their special features and purposes. Others, such as social reformers, novelists, social scientists, and film producers knew about them long before the arrival of Goffman's book. Jeremy Bentham was credited in the late 18th century with designing the panopticon prison wherein inmates are constantly monitored by guards, thereby reducing individuality and enhancing depersonalization; in 1862/2002 Fyodor Dostoyevsky wrote about prison camps in Tsarist Russia in his book *House of the Dead*; in 1943 psychologist Bruno Bettelheim wrote about detainees' adaptive mechanisms in Holocaust-era concentration camps; in 1953 film producer Billy Wilder gave us the movie *Stalag 17* about conflict and turmoil in a p.o.w. camp in Hitlerian Germany, and in 1957 actor/producer/director Jack Webb released the movie *The D.I.* about U.S. Marine Corps boot camp at Parris Island, SC. We see through these illustrations that organizational concern for control over the lives of residents or incarcerants is maximized with concern for their comfort and well being minimalized, and this differential is ensured by three dominant features of total institutions: 1) batch/comunal living environments, 2) strict ordering of daily routines, and 3) the loss of individual autonomy and individuality because everyone lives their lives in common (Goffman 1961).

Total institutions exist as types of formal organization that operate under different philosophies and their memberships are filled in diverse ways. One basic principle of management is the belief that residents deserve

to be there, are threats to society, so life there must be harsh as punishment. There are many survivors of prisoner of war and concentration camps who have written about their experiences using the first-person voice of experience combined with social science. Some of those survivors who would confirm Goffman's study and the punitive element of total institutions would include Bettelheim (1943), American diplomat Alexander Dolgun (1975), Nobel Prize winner Alexander Solzhenitsyn (1973b, 1974, 1976), and sociologist Pitirim Sorokin (1950). Then, a modern religious movement is viewed from a critical perspective and a friendlier one that is aligned with the utility of total institutions for competitive music.

The Christian revitalization movement called *curtillo* emerged in the U.S. in the late 1940s, took root in the 1950s, and is a renewal staple for several major denominations. It has been described by Marcoux (1982), criticized by Dragostin (1970), and parsed by O'Sullivan (1988, 1989, 1997, 1999).

Entry into this redemptive religious movement and non-territorial community (O'Sullivan 1997) occurs during a sequestered three-day weekend of religious education as religious *seekers* (Lofland 1966) join to enhance their senses of religious self. Its initiates voluntarily separate themselves from friends and family to hear talks about religious piety, study, and action as stages of cognitive development (O'Sullivan 1988), the possible effects of appropriate linguistic skills (O'Sullivan 1989), as well as personal witnessing as the telling of retold epiphanies (O'Sullivan 1999).

Sleep, meals, meetings, and group discussion periods are tightly scheduled because there is much to be done in a short period of time that is managed by gentle mentors, volunteers, and personal sponsors. It is this very structuring, though, that Dragostin criticizes, claiming that the unsuspecting seekers are blindsided or lulled by the movement's bandwagon of moral appeals that are cloaked red herrings for its forced indoctrination and elitist membership, making it more totalitarian than humanitarian.

O'Sullivan, though, does not deny that controlled activities are elements of the *curtillo* weekend, but he feels that its purposes are more self-enhancing and self-fulfilling than Dragostin contends: People seek the *curtillo* weekend solace to become better Christians,

and there are amiable others to guide the seekers in their religious journeys. Likewise, musicians and dancers join drum corps and high school bands as *performance* seekers to become better at what they do, to learn about themselves and others, and to test their skills against those of other performers in competitions under the tutelage of skilled mentors, volunteers, and personal sponsors.

With the advent of each new competition season corps and band directors must re-create their performing units due to attrition from *aging out*², graduation, or residential mobility, all of which requires the recruitment of new performers. For example, in 2007 The Cavaliers was composed of about fifty percent first-year members, and because all positions are open every year the auditions for limited placements are keen. A similar rotation occurs in high school bands because seniors graduate, others move away or drop out, and freshmen or other newcomers arrive. Some bands, like corps, base membership on levels of performance proficiency, while others, like the Marching Grey Ghosts, have open membership. Regardless of how corps and bands are formed they are more than mere associations of people who have similar interests: They gather to become members of performance communities wherein pride, cohesion, and masteries of skills are made through shared preparations as many become one.

The shaping of skilled performers' artful field shows usually begins in rehearsal camps, and are often continued with life on the road. Both require that participants and their chaperones lively closely and intimately with others, sharing their daily routines. Just as military enlistees, prison/camp inmates, and *cursillo* initiates relinquish personal privacy and some individuality for the benefit of the group, so do corps and band members for the show, challenges and personal growth, respect for self and others, the honor to have competed, and the emotional roller coasters that are felt during awards ceremonies. The purpose of corps and band camps, and competitive touring, is to enhance the skills of the musicians and dancers, but some of their defining features replicate Goffman's descriptions of total institution in the modern era of competitive music, and that realization served as the basis for this article.

INSPIRATION AND FOUNDATION

This study's inspiration and foundation began on June 9, 2007 when I took a personal day from work and visited The Cavaliers in training camp at Eastern Illinois University (EIU) in Charleston, IL. The corps had been there for about a week, and I spent a lazy time at my alma mater watching the corps' drills and practice sessions. That evening I attended the 2007 program's preview performance and I then began to wonder if an article could be written about this subject? Later that month I attended the DCI Central competition at Illinois State University (ISU), and on the way home I realized that there were several personal, sociological, and cultural reasons for this work.

At the personal level it looked like fun: I am a big fan of drum corps and high school band field competitions, so I attended many local contests as "research." Sociologically, studies of total institutions have included analyses of seclusion, supervised schedules, and the common life of residents in jails/prisons, p.o.w. camps, work camps, mental asylums, hospitals, training grounds for members of religious orders, military schools and military basic training facilities, as well as tourist facilities, but not such an activity as this, even though it has been discussed outside academia. Kuzma (2004) wrote about the time he spent with the Denver Blue Knights drum corps, and Laine (2007) spent a year studying the Concord High School Marching Minutemen from Elkhart, IN, but neither author used specific sociological frames of reference, so that task remained undone. Beyond these, there are several cultural bases for this study.

We cherish independence, yet in the world of competitive marching music participants voluntarily relinquish this trait for the group. We are competitive people: We want to win at war and in sports, and a philosophy about sports states that to "win" second place is merely to be the first loser. Performance trophies for a competition's grand champion, first place, second place, third place, and other standings are sized proportionately. Music and dancing performances have moved from peripheral (Steward 1955), esthetic, and "high" culture arts into stylized contests attracting spectators and sponsors, alike: DCI contests, alone, attract more than 400,000 people every year (Drum Corps International 2008). Witness, also, the currency

of television's "reality" shows that spotlight competitive singing and dancing.

Historically, music and art programs have been accorded lower statuses and budgets when compared with other school activities. Many school bands are now accorded state- and nation-wide acclaim for their performances and programs, working closely with drum corps whose members often belong to each. Bands' performances during football half-time periods are now taped for review, and may be dress rehearsals for field competitions the next day. The assignment of diminutive and "nerd" statuses to drum corps and competitive high school marching is no longer in vogue.

Given such thinking, I recalled Berger's 1963 *Invitation to Sociology*. He invited us to pay attention to the sociology of everyday life, and with that behest in mind a combination of traditional sociology and a systematic look at the world of competitive marching music seemed inevitable, requiring a two-stage inquiry into competitive marching music's history.

STAGE I: DRUM AND BUGLE CORPS IN THE CLASSIC ERA

Musical instruments have served significant utilitarian, ceremonial, and entertainment roles in the U.S. military. Today, all branches of our armed services have orchestras, wind ensembles, concert bands, chorales, parade bands, and some of them have drum and bugle corps. "The Commandant's Own" drum and bugle corps of the U.S. Marines may be the most renowned of them as it often plays in exhibition for, and recruits from, major DCI and BOA events. The repertoire of such parade bands or corps is often, and necessarily, martial music which can stimulate deep feelings of national pride and patriotism, and that same type of music was repeated by fledgling corps.

It was in the early years of drum corps history that several civic organizations emerged as being important to the art form, all intending to have positive influence on America's youth. One of them is the Boy Scouts of America (BSA), and at least three contemporary corps still endorse their founders: The corps are The Cavaliers, the Madison Scouts from Madison, WI, and the Racine Scouts from Racine, WI. Two other founding organizations are the American Legion (AL) and the Veterans of Foreign Wars (VFW)

whose influence started early competitions, whose very nature affected a continuing military presence on the field of competition for corps and bands.

Just as the modern rodeo began from friendly contests of horsemanship and wrangling skills between rival ranches, the idea that our kids are better than yours was unavoidable. Performance contests among posts within the AL and VFW, as well as between their various posts, began. The drum corps to which I belonged in a suburb of Chicago was sponsored by American Legion Post 422 in Berwyn, IL, and we were the Berwyn Blue Knights. We never went on competition tours because touring had yet to evolve into its current lifestyle. We rehearsed on Tuesday nights, worked on field maneuvers in a local forest preserve district, and the people of Berwyn witnessed our parade skills as we marched on their streets. We never went to corps camp because we did not need it. While we had periodic AL, VFW, or other locally-sponsored competitions we were a modest parade corps, paid for our day-trip participation. I left the corps after four years, and it was disbanded just several years later because many parents felt that it had become too regimented, demanding, and competition-oriented as its Director correctly envisioned the future.

The American Legion and Veterans of Foreign Wars have always had state and national conventions, and some of the staples of those gatherings were regionally-appropriate competitions between their sponsored drum corps, and those contests always had a strong military quality to them. Before we entered the competition field we had a "tick line" uniform and personal inspection to see if our clothing was clean and our white shoes spotless. The American, state, and organization flags were carried and guarded by corps members bearing arms – the color guard³; the music was based in 4/4 time; and movements on the field were in block formations as we marched forward, backward, sideways, in parallel lines, and at right or oblique angles like soldiers performing drills on parade grounds. Drum majors continue to call corps/band "ten hut," salute judges before and after their drills, and the uniforms for most corps and bands today still mimic the formal attire worn by officer candidates in our military academies.

Judging was conducted by AL and VFW

officials who were also musicians. All corps competed against each other without regard for size or skill levels which produced lopsided scores and assignment of awards. We entered competition at one end of the football field and exited at the other, while trying to engage in meaningful, artistic, and precise formations. If we left the field too early, stayed on the field too long, or strayed off the field we were docked performance points which then, as now, are based on a complex rating scale from 0-100 points.

Many members of early competitive drum corps, as well as their leaders, disagreed with the stringent AL and VFW regulations and settings, contending that the rules stifled creativity, membership potential, fair competitions between diverse corps, performance styles, independence, growth, and opportunities to compete. The watershed year of tension was 1972 when DCI was formed, signaling the beginning of the *modern* era of drum corps. Three years later in 1975 BOA was formed for high school marching bands, so DCI and BOA are just about "Irish Twins."

DCI conducted its first championship contest in 1972 (Wikipedia 2007a) and BOA followed suit in 1976 with its Summer National Championships and in 1980 with its Grand National Championships (Wikipedia 2007b). A second stage or era of competition and preparation had begun.

STAGE II: DRUM CORPS AND MARCHING BANDS IN THE MODERN ERA

There was great historical animosity between drum corps and high school bands, and some of this tension was due to the fact that they competed for membership: Each could take talent from the other. My high school band director, for example, would not let me be in *any* band of his because I belonged to a drum corps. Some conflict may also have been due to a preference for a wider range of sounds than drums and bugles afforded. Concert bands use a wide variety of woodwinds, brass instruments, and percussion devices. Drum corps in the classic era were limited to true valve-free bugles, single-and horizontal-valve horns, and percussion instruments. Band directors were purists, so drum corps were perceived as being noisy, brash, and incapable of using or producing "good" music; but, that was before DCI and BOA. The unofficial link between them and their performing units is so

great now that the label of "corps style" often identifies the imitative impact that corps have had on high school and college bands, alike.

Before I get to the thrust of this article, the total institution element of competitive music, there is need to present some elements of this modern art form. I take this liberty and opportunity to spend some descriptive time focusing on financial sponsorship, instruments and music choices, field performances, and a philosophical debate about the purposes of corps and bands

Financial Sponsorship

Since DCI is the parent body of today's competitive corps it helps to underwrite corps and competitions from private and corporate sources, but it cannot cover all costs. The Director of The Cavaliers told us at the June 2007 preview that the corps has an annual budget in excess of \$1,000,000.00. The Cavaliers, the Glassmen, and other corps must rely on a wide variety of incomes including tuition payments, paid performances, civic support, corporate and private donations, sales of memorabilia and recordings, booster groups, funds-raising events, sponsorship from instrument and uniform makers, as well as some monies from the U.S. Marines' drum corps. Alumni donations are also important: Early in the 2007 season, for example, there were problems with the portable kitchen of The Cavaliers and hastened donations from past members helped to cover the unanticipated and out-of-budget costs, and it was replaced for 2008.

The primary source of income for public high school bands, such as the Marching Grey Ghosts, is local tax revenue allocation and extracurricular activity fees, and income for private school bands is derived from tuition payments. Like corps, bands rely on their booster clubs, donation dinners, paid performances, local business sponsorships, sales of performance recordings, and other types of gifts. Several years ago, for example, the IVC band was invited to play in the Fiesta Bowl Parade and field competition in Arizona. My wife and I, like other parents, paid for our daughter's airfare and personal expenses, and the owner of a local logistics and trucking company donated one of his trucks and employees to transport the band's equipment.

The movement from AL and VFW leadership and sponsorship of drum corps led to

creative financial thinking, but the new era for corps and for bands did more than change the flow of money. It changed the way they were able to look at their instruments, music choices, and auxiliary performances to expand and enhance their field shows.

Instruments and Music Choices

There is a good reason for the abbreviation of "drum and bugle corps" to the shortened "drum corps." Corps no longer rely on bugles. Instead, they use a variety of such multi-valve and bell-front instruments as all types of trumpets, the marching euphonium, the marching baritone, the marching French horn, the mellophone, the shoulder-mounted and converted contrabass/tuba, all providing balanced and tonal variety for open-field and outdoor competitions in football stadiums.

One of the biggest advances in field competitions for corps and for bands was the introduction of the stationary percussion section, or the "pit," in the mid-1980s. Just as the orchestra pit does not entertain on stage for live musicals and operas, these percussionists do not march on the field, but they do play in front of it. Their instruments include various mallet devices such as vibes or xylophones, tympani, chimes, gongs, wood blocks, amplified instruments (guitars, keyboards, even an electronic bass violin), hand bells, sleigh bells, cow bells, and anything that can be struck because these "toys," as I have heard them called, create special sound effects that marching instruments are incapable of providing.

The total impact of the changes in instruments from the classic era of drum corps to the modern one, and the joint modernity of competitive bands, represents a significantly wider range of musical options for both types of marching units. Among corps, original compositions are heard often because such music is designed especially to attend to the horns and percussion instruments which they use, and adapted scores are ones which highlight parts for specific instrument choirs. While we sometimes hear original compositions for bands, we hear more frequently combinations of classical, modern, and contemporary composers whose scores also offer balance between bands' brass, woodwinds, and percussion sections, providing enough tonal, tempo, thematic, and theoretical variety for dancers to engage in colorful,

intricate, and interpretive dramatizations of the music.

Changes in Field Performances

Prior to the formation of DCI, corps competed with other corps regardless of size, meaning that small corps like my Berwyn Blue Knights and similar corps, like the Windy City Cadets from Chicago, went head-to-head against such Chicagoland heavyweights as The Cavaliers and the Imperials from Norwood Park. Small and open-membership corps were incapable of beating larger and more selective corps in open contests, as results from one classic era contest show.

The 1958 American Legion's State of Illinois drum and bugle corps championship was held at Lane Tech High School in Chicago, and I was there with my corps. The Cavaliers won first place with a score of 92.50, the Imperials were in third with 86.60, we were eleventh with a score of 68.40, and the Windy City Cadets was twelfth (last) with a score of 62.40.

To make competitions more equitable, DCI created divisions based on corps size and resources. Division III corps had memberships ranging from 30-79 members; Division II corps were allowed between 70-135 participants; and Division I corps, such as The Cavaliers and the Glassmen through the 2007 season, were permitted as many as 135 musicians and dancers. These categories were re-arranged and re-organized into the International, Open, and World Class groups (including The Cavaliers and the Glassmen) at the onset of the 2008 season (Drum Corps International 2008).

Just as DCI divides corps into stratified categories, BOA does the same for high school bands, each providing contest awards within classes, thereby maintaining degrees of equity among corps and bands. By so doing, DCI and BOA encourage high levels of enthusiasm, ever-expanding musicality, a feeling of fairness, and friendly competition.

Since DCI and BOA share common interests, they share more or less common provisions for field competitions. Having separated ways with AL and VFW rules, corps and bands no longer march from one end of the field to the other. Instead, their programs begin and end at mid-field, allowing for maximum audience visibility and pleasure, con-

centration of sound, and optimal opportunities for dancers to perform, too. For example, once in a great while the flags/auxiliaries – the dancers – of DCI's Vanguard from Santa Clara, CA perform their famous "bottle dance" at the fifty-yard line of the field with the musicians behind them, showcasing them. This dramatic performance is athletic artistry, and *all* members of the audience, regardless of corps allegiances, love it and appreciate its difficulty. There are also times when the pit section has a particularly inspiring piece, so the corps or the band forms a semi-circle around it, creating a band shell, and stepping off the field without penalty, now.

The changes are many, but there is one element of field competition that has kept its prominent place in the design of programs for both corps and competitive marching bands. Some competitions have a special trophy for audience appeal, and this maneuver helps the corps or band to earn it.

My wife calls this event a musical "surprise" because the corps or band has been moving away from the audience, playing softly, until it turns around, majestically read-dressing the spectators. There are now complementary blasts of musical phrases from all instruments whose sounds emphasize a change of expression in the song or the program. I have heard people in the stands and "amateur" fans call this sequence a "bang and boom," and our daughter and her friends call this move a "park and blow." However, among such "professional" advocates as those who belong to "The Cavalier Nation" and groupies for other corps, as well as corps members, themselves, this explosion of sound is known as the "park and bark." Its sole purpose is to be dynamic, causing people in the audience to say "WOW!" because cheers and applause may be the only rewards the units earn.

Drum corps and high school bands engage in more or less similar types of field competitions, but not against each other because they are different types of units. While corps do participate in traditional parades and concerts, their primary purpose is to compete on the field. High school bands are busy throughout the school year, and competition is one element or phase of their music programs; but, some people feel that it is, or should be, the band's primary focus, and herein lies that which I call "The Great Debate" as it pertains to the competing cul-

tural issues: Do the kids join to enhance themselves as performance *seekers*, or do they join to be performance *winners*?

The Great Debate

It is sometimes argued that the development of personal character and musical talents outweigh the importance of competition results and winning, just as it has been argued that the purpose of competition is to win, not to lose. While the mission statements for The Cavaliers and the Glassmen omit the word *winning* and fail to mention competitive performance, and while the Marching Grey Ghosts' motto is *Pride and Performance*, competition is a way of life and a measure of performance skills.

Differences between one philosophy and the other can be illustrated with two personal stories. As parents we were proud as the Marching Grey Ghosts won competitions when our daughter was in it; but we also felt anguish when it did not do as well. As adults we were proud of the band kids at the time of our son's death: About forty of them came to the visitation at the funeral home where they played *Ghost Riders in the Sky*, the band's signature song, for him and for us; and on the following day several members of the trumpet section were excused from school to play brass accompaniment to the church organ at the funeral mass. The purpose of drum corps is to compete, but the goal of high school bands may be more than that, which is illustrated by ideas gained during two interviews that I conducted during the course of my research. One of my subjects was the Director of the band and the school's only music teacher, and the other subject was a senior clarinetist who had just returned from band camp 2007.

When I talked with the Director and asked for his opinions on the comparative and competitive stances of *journey vs. competition, performance vs. points*, or the "*Why compete?*" issue, he had several comments. He tells his students every year that trophies in the band room reflect *nothing* that is objective about judging: The only fact that exists about the awards is that they were based on judges' evaluations on particular days. The judges' written comments on the performances they evaluated can be used to help musicians and dancers to become better at what they do, and those same judgments can help the directors improve their music

education programs.

Then, one of the questions that I posed to the musician was "Why do you like competition?" and she provided a long list of reasons. Her first answer was an immediate one: "It's fun!" she said. Other items on her response menu included the solidarity that exists among band members, being differentiated from the rest of their fellow students; after they compete and pack their gear, band members get to sit in the stands, for free, to watch the other bands and compare performances; she gets to evaluate the newcomers at the beginning of the season and wonder what they will become, then look at them at the end of the season to see what they became; to watch the *magic of transformation* (her term) as individuals become members of the collective and share common emotions when trophies are distributed; to look at the performances, scores, and placements when member unity is present, compared to when it is absent; and she feels wry pleasure when the band's performers convince the judges that they are good. She enjoys the competition.

Whether or not the scales are tipped in favor of personal development over competition, or the reverse, is matter of personal perception that can be debated *ad infinitum*. A necessary item to address now, though, is the friendly and constructive setting in which kids in drum corps and in bands shape their seasons' performances – the total institution element of the subculture of competitive marching music.

TOTAL INSTITUTIONS IN THIS PERFORMANCE SUBCULTURE

Total institutions are formal organizations that have the responsibility of maintaining constricted lifestyles for prison inmates, for example, within walls. The total institution role for corps and for bands is different, referring to the need for arranged-living environments, without walls, allowing corps and bands to take shape, practice, and travel during performance seasons. The technical details of performances are learned and continually reinforced in close and closed settings. Drum corps did not compete often or regularly in the classic era, just as high school bands entertained mainly at football games and appeared in Homecoming and local parades. Controlled living and rehearsal settings were not generally required.

There are now about 100 DCI-sanctioned competitions every season, and corps travel from town to town, from state to state, to compete; and there are too many high school band field competitions to count. As premier DCI corps, The Cavaliers and the Glassmen start new seasons with weekend-long rehearsal sessions in the Winter; and in late Spring or early Summer members arrive at the corps' residential camps, such as the one I visited. When competitions start in mid-June these corps and others are on the move, constantly meeting tour demands. Bands' pre-season camp schedules and locations vary by philosophy and resources, but the Marching Grey Ghosts meets in residential camp for about a week before the new school year starts. There is little room for sybaritic comfort and individuation which corps and band members, alike, accept as they prepare for their respective competition seasons.

Corps and band directors cannot rely on public or private transportation systems to get musicians, dancers, other staff members, and equipment, from one site to another, on time. Intricate choreographies of corps and bands are not self-taught. There is no such thing as an *a priori* understanding of others' movements during performances: All must be nurtured and enhanced in common and commanded settings. The total institution aspect of life for corps and band members is a vital, if unanticipated, element of competitive music, and this demanded lifestyle is evident in rehearsal camps for corps and for bands, and during road tours for corps, which now receive directed attention.

Corps and Band Camps

DCI's competition season begins in mid-June, ends in mid-August, and its premier corps usually compete in thirty to thirty-five events. Before the tour begins, though, the corps gather in various rehearsal camps wherein attendance is mandatory: The musicians, dancers, and staff members begin the process of shaping themselves into a community of visual sound.

The Cavaliers and the Glassmen had their first 2007 competition on June 16 in Annapolis, MD. Before that, though, The Cavaliers had extended camps at Northern Illinois University in DeKalb and at Eastern Illinois University; and the Glassmen held camp at the

FIGURE 1 - The Marching Grey Ghosts' Band Camp Schedule for Monday, July 30, 2007

TIMING	EVENT
7:00 AM - 7:45 AM --	Wakeup and breakfast
7:45 AM - 8:15 AM --	Stretching and exercises
8:15 AM - 9:00 AM --	Marching drill blocks (fundamentals of marching) with "Dr. Beat" - an electronic and noisome metronome
9:00 AM - 11:00 AM --	Program drill with rank and section leaders. Everyone must learn where everyone else is on the field at all times.
11:00 AM - Noon --	Practice in instrument sections.
12:00 PM - 12:45 PM --	Lunch
12:45 PM - 2:00 PM --	Break with change to visit the floriculture gardens of the estate upon which the camp is located
2:00 PM - 4:00 PM --	Practice in instrument sections.
4:00 PM - 5:45 PM --	Program drill without instruments.
6:00 PM - 6:45 PM --	Dinner
7:00 PM - 8:00 PM --	Program drill.
8:00 PM - 8:45 PM --	Basic marching, again with "Dr. Beat"
8:45 PM - 9:00 PM --	Break
9:00 PM - 10:00 PM --	Entire band rehearses music in pavilion.
10:00 PM - 10:45 PM --	Rest (or more rehearsal, if needed).
10:45 PM - 7:00 AM --	Lights out.
Midnight --	"Midnight March" The rite of passage and initiation for freshmen and other newcomers, after which the seniors say "Welcome to the Marching Grey Ghosts!"*

*This event usually occurs within the first two complete days at camp to help create solidarity early, and in 2007 it happened on the first full day.

University of Toledo and practiced in its Glass Bowl. While at EIU The Cavaliers lived on campus in one of the dormitories, ate dorm service food, and practiced in the football stadium and in other locations on campus.

Drills and rehearsals occur all day long and into the night. On the day of my visit The Cavaliers' sections were practicing by 8:30 a.m. with a lunch break around noon; the afternoon session began around 1:00 and lasted until about 5:00. The early evening session began around 6:00 and the preview program lasted from 7:30 until 8:30, and more rehearsal followed. Once The Cavaliers arrived in California for DCI finals its anticipated rehearsal dates and times during the week of August 6 – 11 were:

Tuesday 10:00am-10:00pm
 Wednesday 4:00pm-10:00pm
 Thursday 10:00am-2:30pm
 Friday 10:00am-2:30pm
 Saturday 10:00am-2:30pm
 (The Cavaliers 2007)

Even with rest and food breaks that was a lot of practice time; but it was the end of the

season, the time for which the corps had been preparing the entire Summer. There was much to be done in a short period of time.

When corps members are on a college campus they are not exactly "roughing it," whereas camp accommodations for the Marching Grey Ghosts are rustic. Every August all band members, as well as their leaders and chaperones, have instruments, bedrolls, luggage, and personal kits packed into school buses and a truck for the trip to a 4-H camp in central Illinois. Other personal items such as electric fans, food, coolers, and bottled water are toted to camp by devoted families and friends. *All* campers live in cabins without air-conditioning, sharing living quarters with eight to ten others. Shower water is cold, and the drinking water has a metallic taste. Creature comforts are few, but they are not there for rest and relaxation.

The camp is about a two-hour drive from home; family members have limited visitation privileges; and the weather of central Illinois in August is usually steamy and unpredictable. It is here, after Summer pre-camps at home, that the show takes form with daily

Figure 2 - 2007 Tour Season for the Cavaliers and Glassmen

Date	Place	The Cavaliers		The Glassmen	
		Score	Rank	Score	Rank
	Toledo, OH				
6/02-6/09	Charleston, IL	Pre-Season Camp			
6/16	Annapolis, MD	73.900	1st	81.850	5th
6/17	Pittsburgh, PA	75.050	1st	65.100	4th
6/19				64.650	3rd
6/20	Decatur, IN	77.100	1st	66.000	3rd
6/23	Toledo, OH	78.550	1st	69.459	3rd
6/24	Belding, MI	79.950	1st	70.950	3rd
6/25	Erie, PA			72.200	2nd
6/26	Hornell, NY			74.050	1st
6/28	Oswego, IL	81.900	1st		
6/29	Normal, IL	81.300	1st	72.900	5th
6/30	Kalamazoo, MI	81.900	2nd	73.600	4th
7/01	Port Huron, MI	82.950	1st	73.700	3rd
7/02	Centerville, OH	82.700	3rd	74.100	4th
7/06	Michigan City, IN	84.459	1st	74.850	3rd
7/07	Canton, OH	84.400	1st		
7/08	Allentown, PA	85.325	2nd	75.825	6th
7/09	Dublin, OH	85.550	1st		
7/10	Charleston, WV	86.259	2nd		
7/10	Salem, VA			78.800	4th
7/12	Louisville, KY	86.400	2nd	73.300	5th
7/13	Murphreesboro, TN	87.500	3rd		
7/14	Atlanta, GA	88.125	3rd	77.900	12th
7/15	Jacksonville, AL	89.550	2nd	78.500	4th
7/16	Tupelo, MS			77.900	3rd
7/18	Lafayette, LA			77.900	4th
7/19	Houston, TX	90.400	1st	81.150	4th
7/22	Denton, TX	91.300	1st		
7/23	Midland, TX			81.250	4th
7/26	Dubuque, IA	91.450	1st		
7/27	Naperville, IL	91.900	1st		
7/28	Denver, CO			81.400	6th
7/28	Indianapolis, IN	91.950	2nd		
7/30	Ogden, UT			82.550	5th
7/31	Boisie, ID			84.500	5th
8/02	Portland, OR			84.750	4th
8/02	El Paso, TX	93.950	1st		
8/04	Phoenix, AZ	94.475	1st		
8/04	Stanford, CA			84.425	6th
8/05	Clovis, CA			86.750	5th
DCI Division I World Championships					
Quarterfinals					
8/09	Pasadena, CA	96.225	2nd	87.175	10th
Semifinals					
8/10		96.775	3rd	87.025	10th
Finals					
8/11		96.350	3rd	85.750	11th

*Does not include all camp dates or stopover towns.
(Sound Machine Archives 2007; The Cavaliers 2007)

sessions for instrument groups, marching drills, and learning the program. As with corps' camps, band camp has little personal privacy, schedules are demanding, and this isolation is deemed necessary in order to create a minimum amount of distraction.

Parents and friends are granted a one-day, non-emergency opportunity to visit and to replenish diminished personal supplies. While family members are not allowed to transport the musicians and dancers to camp, just as they are not allowed to transport their kids to parades or competitions, they are allowed to take them home in private vehicles. These limitations are similar to those imposed upon visitors to prison, hospitals, and military "boot camps," and exist for similar purposes. When the band returns home to the new school years it meets during regular class hours, after school in a parking lot, and in evening sessions on the football field where visitors, like my wife and me, are welcome.

Dostoyevsky wrote of life in a Russian prison, and Solzhenitsyn (1973a) did about the same in *One Day in the Life of Ivan Denisovich*, so what is "one day in the life of band camp" like? My student subject provided an approximate timetable for Monday July 30, 2007 to answer that question, as shown in Figure 1. While there are daily variations in schedules, the timing of them is precise because there is much to be done in a short period of time between arrival on Sunday and departure on Friday.

Once camp is completed for the Marching Grey Ghosts' the secluded rehearsal period is also completed. The same cannot be said, though, for corps during competition season.

Corps on Tour

Most competing high school bands do not go on tour during the fall season, but there is a Summer program that is conducted and sponsored by the Mid-American Competing Band Directors Association (MACDBA). Organized in 1972, participating bands from the upper-Midwest use this venue in place of Fall or early Winter competitions (Lane 2007) for good reason: Instruments are hard to play when fingers are cold, lips are chafed, and spit is frozen. Attention here, though, is placed on the touring competition season for The Cavaliers and the Glassmen.

Figure 2 provides several pieces of inter-

esting and related data about the corps. Each one had competitions that were spaced just several days apart; the competition sites were in different towns throughout the country; and as the season progressed the competitions become more widespread, eventually leading to the 2007 DCI championships. The corps were on tour: All of the musicians, dancers, staff members, volunteers, and equipment were transported daily in self-sufficiency for the entire season.

A competing corps needs several major pieces of equipment to accomplish this task. There must be enough coach buses to transport everyone, and the number of vehicles needed is dependent upon the size of the entourage and its composition. There are tractor-trailer trucks which are specifically designed to carry the corps' instruments, uniforms, spares of each, repair equipment, and a corps has its own built-in labor-force with the musicians and dancers to load and unload vehicles. There is often another tractor-trailer truck which, in other times, would have been called the chuck wagon – a portable kitchen – because everyone has to eat.

Just as religious seekers are the focal points of support in *cursillo* weekends, corps and band performance seekers are similarly upheld. Accordingly, there are many paid staff members from the Director to musician and dance instructors to medical personnel, as well as volunteers who do infrastructural and "grunt" work at camp and at competition sites. When at The Cavaliers' camp, for example, I met one of the coach/bus drivers who was working without stipend for the corps because her daughters had been with a corps, and she fell in love with corps life and its purposes. Her summer months were not quite as *total* as that of the instructional staff, musicians, and dancers, but her duties were different – to transport them safely and on time.

When the corps is being moved from one competition to another the people sleep in the coaches as well as they can, and when it arrives in a city for practice and competition they often sleep on the gymnasium floors of local high schools for which arrangements have been made ahead of time, and cooks fire-up the stoves/ovens in the portable kitchen. IVC has been a host school for The Cavaliers, the Madison Scouts, Pioneer from Milwaukee, WI, the Bluecoats from Canton, OH, Pacific Crest from Diamond Bar, CA in 2007,

and the Colts from Dubuque, IA in 2008 as they all prepared for DCI Central at ISU.

Competitions typically take place in the late afternoon or early evening. When they are over the corps members load and board their caravans and depart, arriving at the next way station for sleep on hard floors and more rehearsal for the next show, compete, then move on again. DCI touring corps repeat this process for two months. The Cavaliers' 2007 season, for example, consisted of visits to six towns before competitions began; and once it did the corps visited more than forty other towns and cities in just under sixty days, and the Glassmen did about the same.

Daily life in rehearsal camps for corps and bands, and life on tour for DCIs premier corps, all mirror the communal living arrangements, strict ordering of daily routines, and significant loss of privacy as the triune of elements for total institutions outlined by Goffman. Fortunately, though, electronic technologies now allow outside communication and inside recreation to alleviate the monotony of travel, communalism, and the isolation of sporadic contact with families and friends at a level that was neither imagined nor possible when the modern era of competitive marching music began.

NET EFFECTS: COMPETITION SEASONS

Figures 2 and 3 are presented for comparative purposes. Figure 2 shows that The Cavaliers and the Glassmen were entered in many of the same contests during the 2007 season. More importantly, though, is the fact that they were spaced just a day or two apart from each other, on average, in different cities around the country. Precise timing and pre-arrangements were crucial.

Other data in Figure 2 show the comparative scores and rankings for The Cavaliers and the Glassmen. On June 16 The Cavaliers scored 73.900 points and won first place; and on August 11 it scored 96.350 points, finishing in third place in the DCI Division I finals. The improvement difference was 22.450 points, and the corps' standings throughout the early weeks of the season remained about the same, but sagged late in the season. Nonetheless, its consistently high rankings were anticipated because The Cavaliers was DCI Division I champion in 1992, 1995, 2000, 2001, 2002, 2004, and 2006 (The Cavaliers 2007).

The data for the Glassmen show some

similarities for the 2007 season. On June 16 its score was 61.850 and it finished in fourth place; and on August 11 it scored 85.750 points, finishing in eleventh place in the DCI Division I finals. The improvement difference was 23.900 points and its relative placements in competitions also remained about the same throughout the season, but with two significant variations in large events, and plummeting during finals. Rarely a top corps, the Glassmen has never won its DCI division title even though it usually competes in the finals, with its highest placement as fifth in 1998, 1999, and 2001 (Wikipedia 2007c).

There are several possible explanations to account for the changes in placement for The Cavaliers and the Glassmen in the 2007 season. Competitions early in the Summer are often smaller so the contestants are not as challenging; as the season progresses more of the better corps are encountered and the challengers are improving, also; and, fatigue may have taken its toll. The purpose of competition is to *compete* – to become as precise in performance as possible and to be better than an opponent in a contest. Someone wins. The DCI Division I world championship for 2007 was awarded to the Blue Devils from Concord, CA which was accorded a score of 98.000 points – 1.650 more points than The Cavaliers earned, and 10.500 more points than was earned by the Glassmen. Someone won.⁴

Since field competitions are limited to performances lasting from ten to twelve minutes, it cannot be concluded that drum corps performers undergo the season because they enjoy sleeping in crowded buses and on gymnasium floors for two months. Instead, these performance seekers opt for life of total voluntary involvement as they pursue the music, the dance, the show, meeting others, the combined allures of travel and competitions, the contests, and, ultimately, knowing themselves better.

Figure 3 presents an entirely different picture for the Marching Grey Ghosts. Its competition seasons for the past several years were composed of five to six contests in the Fall which were unevenly spaced on Saturdays, and only day-trips from home. Other than time spent in camp this band's members cannot live in such totality as their corps counterparts for one simple reason: They are still in high school, meeting their curricular requirements.

Figure 3 - Field Competition Seasons For the Marching Grey Ghosts*

Year	Place	Date	Class	Score	Rank
2002	Monticello, IL	n/a	Pre-Season Band Camp		
	Pekin, IL	9/21	n/a	59.15	1st
	Washington, IL	9/28	n/a	81.90	1st
	Mt. Prospect, IL	10/06	n/a	74.60	3rd
	Urbana, IL	10/16	B	80.00	2nd
	Normal, IL	10/26	2A	79.00	1st**
2003	Monticello, IL	n/a	Pre-Season Band Camp		
	Danville, IL	9/27	n/a	89.40	1st
	Mt. Prospect, IL	10/11	n/a	73.50	6th
	Urbana, IL	10/19	B	91.00	4th***
	Normal, IL	10/25	2A	77.15	1st**
2004	Monticello, IL	n/a	Pre-Season Band Camp		
	Normal, IL	10/16	2A	68.55	1st**
	Urbana, IL	10/23	B	81.67	2nd
2007	Monticello, IL	7/28-8/03	Pre-Season Band Camp		
	Pontiac, IL	9/22	3A	73.50	2nd
	Geneseo, IL	9/29	3A	76.80	1st****
	Washington, IL	10/06	3A	81.10	2nd*****
	Urbana, IL	10/13	B	87.17	2nd
	Normal, IL	10/20	1A	59.40	1st**

* Available, but not inclusive, dates and score data.

** State champion for class.

*** Governor's Trophy for combined field and parade scores, classes C/D & B.

**** Grand Champion over all bands.

***** Grand Champion for combined field and parade scores, classes 3A & 4A.

A look at the comparative scores within each season shows considerable variation. Judges look for different elements in programs; not all judges are equally skilled or trained; not all competitions use the same criteria for class size; the competitors vary; scoring methods differ; a program may not be strong enough to maintain a competitive edge over the opposition; while the program remains the same for a season, it is modified as the Director sees fit; and, no two *performances* are the same, as shown in 2007's statewide contests at Urbana then at Normal. In the first of these the band took second place in class with a score of 87.17 points, but only three other bands scored higher in the entire show. A week later the band won first place in class with a score of 59.40 points that represent a difference of -27.77 points from the previous week. Two possible explanations for this shift are that the judging styles were different, and the judges looked for different elements of proficiency. Regardless of scores, though, first

place in class in the state competition is still first place in class in the state competition.

During the 2002, 2003, 2004, and 2007 seasons the band was able to earn the title of winner in its class in the contest which is recognized as the state championship event, and 2003 was a banner year for the band. On successive weekends it earned the title of state champion in its class, as well as the Governor's Trophy for combined contests and combined small-band classes at the other state-wide competition.

Drum and bugle corps and competitive high school marching bands are not the same, so as Weber (1983 45) might argue it would be unfair to contend that one of these art forms is superior to the other. Their instruments are different, as are their sounds. Corps memberships are based on auditions every year, whereas bands may or may not be. Their organizations and finances are also diverse. DCI oversees one, and BOA oversees the other. Their competition schedules and seasons are different. When the

drum corps competition season is completed, the corps disperse until auditions are completed and rehearsals begin during the Winter and Spring months; but when high school band competition season is completed, the students return to their regular classes the next week. Corps and band members make different kinds and degrees of personal sacrifices. Collectively, though, competitive corps and high school bands are composed of countless numbers of young people who enjoy the challenges and the opportunities which the subculture of visual sound has to offer them, as they create it.

CONCLUSION

When most of us think about total institutions we are probably inclined to view them as harsh places of residence with an overbearing administrative and caretaking staff. Prisons, concentration camps, military boot camps are likely to be high on our lists of examples, but lower on those same lists we might see summer camps for our kids or exotic cruises on luxury sea liners. There are no real descriptive differences between them, but the variation lies in purpose: Some are designed to separate people from society as punishment or soldierly training, and others are for recreation.

Another type of total institution exists as training grounds for the religious, as when people seek professional religious orders, or when laypeople seek a better understanding of their religious selves by attending such a religious renewal weekend as *cursillo*. If we change, slightly, the expression *religious* seeker to *performance* seeker we can take a look at today's competitive marching music and the role that total institutions play in it.

Young musicians and dancers join drum and bugle corps and competitive high school marching bands in order to enhance their performance skills as the corps and bands engage in tense field competitions during short seasons – several months in the Summer for corps and several months in the Fall for bands. Since there is much to be done in a short period of time for both corps and bands, communal living arrangements, tight schedules, and significant loss of privacy are needed in rehearsal camps or on tour as the corps and bands are shaped from being loose associations of musicians and dancers into cohesive performing units for this modern subculture of competitive marching

music.

END NOTES

¹ Bands of American became Music for All in the Spring of 2007 to encompass a wider range of high school music education programs. The old name of BOA was retained here for conversational convenience.

² Musicians and dancers can participate in drum corps between the ages of fourteen and twenty-one or twenty-two years, depending on their birthdates. If a person has a twenty-second birthday which falls just two days before the competition season starts, eligibility is lost; but, if another person has a twenty-second birthday falling just two days after the season begins, eligibility is maintained. Those who have *aged-out* may choose to participate in the smaller and non-competitive Drum Corps of America, work for a corps, simply move on, or participate in another performing art. Some enterprising and former members of the disbanded DCI Division I Star of Indiana, for example, created the successful and entertaining touring troupe called *Blast* that presents corps-style music in a lively, colorful, and fast-paced stage production.

³ Drum corps and competing high school bands no longer carry national, state, or organization flags onto the field of competition, yet the expression "color guard" is still here. Today, this unit may be called the color guard, the flag corps, or the auxiliaries, but they are the dancers who perform visual interpretations of the music. The presence of dancers engaging in balletic movements while twirling imitation rifles and sabres is a symbolic reference to the military background of field competitions.

⁴ This article was based on DCI data and scores from the 2007 season, and since then the 2008 season has been completed. The 2008 DCI World Class competitions were held in Bloomington, IN with the following results: The Quarterfinals were on August 7th and The Cavaliers placed 2nd with a score of 97.050, and the Glassmen were 11th with 87.625 points; the Semifinals were on August 8th and The Cavaliers had 97.555 points and placed 3rd, and the Glassmen earned 88.125 points for 13th place; the Finals were on August 9th and The Cavaliers' 97.325 put the corps in 3rd place, while the Glassmen was scored with 87.200 points for 11th place. The DCI World Class Champion for 2008 was the Phantom Regiment from Rockford, IL which earned 97.125 points (Sound Machine Archives 2008; The Cavaliers 2008).

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THE CRIMINAL IS TO GO FREE BECAUSE THE CONSTABLE HAS BLUNDERED: CHALLENGES OF LAW ENFORCEMENT IN THE FACE OF THE EXCLUSIONARY RULE¹

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ABSTRACT

The criminal justice system is in a quagmire; known criminals are easily let off the hook by suppression of the truth in pursuit of the truth. A survey of all state and local law enforcement officers in a large mid-western county revealed the enormity of the challenges that law enforcement officers grapple with against the technicalities and intricacies of the exclusionary rule. This reality, coupled with the outcome of an in-depth literature review inform the twin arguments of this article, that individual rights, which form the basis of the exclusionary rule, should be construed in a manner that does not impede the process of seeking the truth; and when the wider common good is jeopardized by the methods employed by law enforcement officials in safeguarding the same common good, the difference between the ends and the means may become blurred.

QUINTESSENCE OF THE EXCLUSIONARY RULE

The exclusionary rule prohibits use of evidence at trial, even when the evidence is unmistakably linked to the suspect, if the rights of the suspect are not upheld at arrest. The rule first came to the fore in the 1886 case of *Boyd v. United States*. Boyd was charged with illegal importation of goods. To prove the case, the government compelled Boyd, through a court order, to produce his invoices for the goods. Boyd produced the invoices but later objected that the act amounted to self incrimination and therefore a violation of his Fifth Amendment rights. In supporting Boyd's objections, the Supreme Court ruled that,

compulsory production of the private books and papers of the owner of the goods sought to be forfeited in such a suit is compelling him to be a witness against himself, within the meaning of the Fifth Amendment to the Constitution; and is the equivalent of a search and seizure, and an unreasonable search and seizure, within the meaning of the Fourth Amendment. (*Boyd v. United States* 1886 634-5)

The Fourth Amendment states that,

The right of people to be secure in their persons, houses, papers, and effect against unreasonable searches and seizures shall not be violated, and no warrants shall issue but upon probable cause, supported by oath of affirmation, and particularly describing the place to be searched,

and the person or thing to be seized.

Based upon this provision, the Supreme Court later ruled in *Weeks v. United States* in 1914 that the Fourth Amendment barred in a federal prosecution the use of evidence obtained through illegal search and seizure. Later on this interpretation was applied to state criminal actions in the 1961 case of *Mapp v. Ohio*, when the Supreme Court stated that to deter the police from violating the provisions of the Fourth Amendment, the only option was to impose the exclusionary rule. This way state prosecutions, too, would exclude from trial any evidence obtained by any means deemed to have violated the provisions of the Fourth Amendment. Essentially, the key policy goal of the exclusionary rule, according to *Mapp v. Ohio*, was to deter law enforcement officials from violating the provisions of the Fourth Amendment. The focus of this study is the extent of such deterrence on law enforcement and an illumination of the latent and corollary effects of the rule and its implication on crime prevention in particular and public safety in general.

CRIME CONTROL OR DUE PROCESS?

The issue of whether to release offenders on technicalities or to convict guilty persons on technicalities has taken a center stage within criminological thought over many decades with the rift between the two schools only becoming wider (Paulsen 1961; Kaplan 1974; Sunderland 1978; Trant 1981; Brubaker 1985; Crocker 1993; Jackson 1996; Lynch 2000; Mbuba 2004; Caldwell 2006). There is a major concern in the

midst of the efforts to unmask the way forward over the rightfulness or wrongfulness of admitting truthful evidence but which is obtained irregularly, and that concern oscillates between whether the intention is to control crime at whatever cost, which invites a possibility of sanctioning innocent citizens, or to enforce the spirit of the law, whose most conspicuous cost is the potential of failing to take punitive steps on confirmed offenders. A lot of the impetus to these two incongruent approaches was gained after Herbert Packer formulated his renowned two models of the criminal process – crime control and due process (Packer 1966). Although the theme of Packer's two models has since been written, interpreted, and reinterpreted umpteen times, the primary concern of the crime control is efficiency while due process centers on fairness to the accused person. This view is best articulated by Roach:

The criminal process in the crime control model resembles a high speed assembly-line conveyor belt operated by the police and the prosecutor...[with all eyes fixed on a guilty plea while] the due process model is an obstacle course in which defense lawyers argue before judges that the prosecution should be rejected because the accused's rights have been violated. (Roach 1999 676-677)

Due process is borne out of the need to ensure fairness to the accused person and the exclusionary rule is viewed by due process advocates as the epitome of that fairness. Although opponents of the rule label it as a legal apparatus of suppressing the truth in pursuit of the truth, the rule tends to take on the form of a vicious circle unless we define which truth we are interested in pursuing. If one seeks to control crime at whatever cost, the circle stops at admitting all forms of incriminating evidence under all circumstances. If the idea is to safeguard individual rights at whatever cost, it stops at suppressing all the probative evidence in spite of the nature of the crime and any other adduced evidence. Those who champion for the former view aim at fighting crime with every tool available while advocates of the latter have a higher concern for human dignity especially in dealing with criminal suspects.

WHAT LAW ENFORCEMENT OFFICERS SAY OF THE RULE

Most of what is known about the effects and implications of the exclusionary rule is based on scholarly, legal, and judicial commentaries with surprisingly almost no attention on what law enforcement officials themselves say of the rule. To fill this void, state and local law enforcement officers in a large Midwestern county were polled. Surveys were distributed to the local officers during a regular in-service training and collected at the end of the training. The surveys were also delivered to the state police district in whose jurisdiction the county falls, and collected after two weeks. There was a 51 percent overall return rate (n=379). The main questions asked were whether the exclusionary rule serves as an adequate deterrent to police misconduct in dealing with suspects and the perceived effect of the rule on crime occurrence and prevention.

The results of the survey revealed a strong feeling among the officers that the rule does not provide a potent sanction to unscrupulous officers. Seventy two percent of all the officers felt that the rule places a disproportionately higher amount of concern on the rights of the suspect above the rights of everyone else including the victims, thereby leading to an unfair escape by guilty individuals from criminal sanctions. According to the officers, when an offender is released back to the streets on the basis of legal technicalities after a successful arrest, new victims are created and in this way, law-abiding citizens are the ultimate sufferers and not the wayward officer who is purported to be punished by the release of the suspect. According to them, there are suspects who, upon arrest, provide unsolicited verbal admission to criminal involvement without Miranda warnings but things change drastically after the suspect consults with defense attorneys. It is the suppression of evidence gathered in this way that spawns the controversy. A common complaint among officers was that the rules of evidence are so complicated and technical that to rid the streets of guns, drugs, and dangerous criminals, the justice system should take cognizance of the fact that some of the important decisions the officers make take place in the heat of passion. Decisions they make within a split second are scrutinized for years by defense attorneys in search of legal loopholes, which

the law enforcement officers thought impedes their efforts in preventing crime and ultimately brings unfairness to the law-abiding members of society.

Of the 379 respondents, only 14 percent perceived the rule as a successful attempt at safeguarding the interests of all citizens and a paltry 4 percent claimed that the rule does not help anybody. This pattern did not change with the officer's educational level neither did it change with the racial background of the officer, but it did change with the officer's rank, years of service, gender, and agency type. Seventy nine percent of all entry-level officers felt that the rule only benefits criminal suspects but this percentage dropped to 67 for middle-level cadre officers who include sergeants and lieutenants at the local level, and senior troopers at the state level. This pattern could be explained by two factors. First, entry-level officers, the majority of whom are patrol officers, deal with criminal suspects more directly than mid- and top-level administrators and so they are more likely to hold stronger views of the effect of the exclusionary rule on criminal suspects. Secondly, mid- and top-level managers are more likely to respond to survey questions in a manner that reflects the official agency position rather than what they personally believe.

Among the officers who had served for five years or less, 81 percent thought that the exclusionary rule only benefits suspects and criminals but this percentage fell steadily to 48 percent of the officers who had served for twenty five years and above. This could be explained by the correlation between years of service and rank. The longer the period of service, the higher the likelihood that the officer will be higher ranking, and therefore the higher the likelihood of supporting the agency position against personal views. With respect to gender, 83 percent of all female officers and 72 percent of all male officers maintained that criminal suspects stand to benefit from the exclusionary rule disproportionately more than other citizens. This disparity could be a result of the fact that there are fewer female officers at the top agency management ranks, where the official position would be to support the rule as a tool of safeguarding all citizens.

Across the agencies polled, 81 percent of local law enforcement officials and 15 percent of state law enforcement officials be-

lieved that criminal suspects were the main beneficiaries of the rule. This pattern is supported by the fact that outside of the crimes that occur on or along interstate highways, which are the preserve of state police officers, most street patrol activities are conducted by local law enforcement agencies. The higher amount of contact between these agencies and typical street criminal suspects explains the stronger views by officers at the local level on the effect of the exclusionary rule on crime.

When officers were asked whether they would favor abolishment of the exclusionary rule as a way of making law enforcement easier, 61 percent answered in the affirmative and 16 percent in the negative, while 23 percent remained noncommittal. This trend remained largely the same across agency types but varied by rank, gender, educational level, years of service, and officers' racial background. With respect to rank, 59 percent of patrol officers, corporals, and troopers supported abolishment of the rule compared to 47 percent of lieutenants, master troopers, and upper level management. There were proportionately more female respondents (66 percent) than male respondents (61 percent) who favored removal of the rule, a fact that again may reflect the agency position since more males than females are at the top administrative positions.

The higher the officers' educational level, the lower was the likelihood of supporting abolishment of the rule. Abolishment was supported by 70 percent of the respondents with no more than a high school diploma compared to 61 percent of officers with some college education or associate degrees, 56 percent of officers with bachelor's degrees, and 53 percent of those with masters degrees and above. As already noted, since educational achievement is likely to influence rank, these responses could as well be reflective of the fact that officers who are directly involved with criminal suspects would favor an environment that is totally devoid of technical restraints to law enforcement. There was not much variation of this response by years of service – 63 percent of officers who had served for five years or less supported abolishment compared to 60 percent of officers with twenty five or more years of service. When responses on support for abolishing the exclusionary rule were cross-tabulated with the respondent's race, a sig-

nificant variation was found between white and racial minority officers. Sixty four percent of white officers were in favor of abolishment, compared to 47 percent of all minority officers. If the common belief that racial minorities are often the target of police brutality and other forms of illegality by law enforcement is true (see D'Alessio & Stolzenberg 2003; Reitzel & Piquero 2006; Becket, Nyrop & Pfingst 2006), then minority police officers, who are conceivably the product of their own communities, are more likely than the white majority to stand with any law that limits police discretionary powers in dealing with criminal suspects.

Finally, the respondents in the survey were asked how often they would let go of clearly guilty law breakers for fear that the exclusionary rule would set them free any way. Only 14 percent would let them free very often or often, 44 percent would do so rarely, and 42 percent very rarely or never. When these responses were cross-tabulated with officers' rank, the results failed to show a consistent pattern. Since educational level, years of service, and gender are all correlated with rank, they, too, did not show a regular pattern and neither did the officer's racial background. The trend of responses, however, did confirm one thing, that despite the widely supported notion that law enforcement officers are not at ease with the exclusionary rule, they still do their part diligently, leaving the decision of exclusion of evidence to the judiciary and others as mandated by the law.

IS THE RULE AN UNDUE REPRIEVE TO GUILTY PERSONS?

The Fourth Amendment is unequivocal in forbidding unreasonable search and seizure, but the Amendment is silent on how to prevent such behavior or even how to remedy it if and when it occurs. The exclusionary rule as interpreted by the Court in *Mapp v. Ohio* (1961) provides the mechanism of enforcing the Fourth Amendment. But the rule, which is a judicial creation, has been cited so often in legal, judicial and academic discourse, that it has come to be construed as a "constitutional right of the accused" instead of being seen as a "constitutional common law", if at all (Brubaker 1985). By viewing it this way, there has been a general failure to allow for the necessary lightheartedness in the face of the growing public concern over the limitation it places on effective law enforcement.

It is arguable that, thanks to the Fourth Amendment, Americans are now more secure from the wanton intrusion into their private lives by errant law enforcement officials. As Crocker (1993 311) explains, "the exact degree of that increased security and its distribution between the guilty and the innocent are difficult to measure". When an unjustifiable search is conducted on a suspect, the search is typically expected to yield no evidence of criminal conduct. If, indeed, the search yields no evidence, the suspect can redress the matter by opting to sue the searching officer for the intrusion of privacy and for any other inconveniences appertaining. Such suits provide a comparatively strong deterrence to unscrupulous agents of law enforcement for the irregular invasion of privacy and other forms of behavior that amount to violation of the constitutional guarantees of the Fourth Amendment. The most central law in that regard is encapsulated in Title 42, Section 1983 of the U.S. Code, which allows citizens to sue anyone who, "acting under color of law" denies them their constitutional rights. Titles 42, and any other tort law for that matter, have their own deficiencies but that was outside of the realm of this study.

Suppose, in contrast, a search based on standards of evidence which are less than probable cause leads to the discovery of enormous amounts of evidence that can be used to solve, say, a spate of murders, burglaries, or other serious crimes. A verdict to throw away such evidence and to acquit the suspect on technicalities arising from the way the evidence was gained does not only allot the benefits of the exclusionary rule entirely to criminal suspects, but it also defeats the very essence of law as a tool of ensuring justice for all. In order not to defeat that noble essence, a conviction needs to be predicated not on the splendid performance of detectives – although of course detectives ought to be unambiguously precise – but on existence of unmistakable evidence that links suspects to criminal acts.

Trial outcomes are thought to be binary; an accused person is either guilty of the offense, whereupon he/she should face legal sanctions, or innocent, which necessitates his/her non-conditional release. This paves way for the need to recognize the distinction between what Roach (1999) refers to as "factual guilt", in which the suspect probably com-

mitted the offense, and "legal guilt", which is established in judicial proceedings, and which must take into account the rights of the criminal suspect. The import of treating factual guilt as a bona fide phenomenon cannot be gainsaid because failure to incapacitate an offender on technicalities where guilt is already established beyond public knowledge does not only grant the offender a chance to commit further crimes thereby hurting the society even more, but it also demoralizes victims and law-abiding citizens in their hope to witness justice being served.

Clearly, it matters less to a rape victim, for example, how the assailant was arrested, than the fact that the goon is finally apprehended. The fact that a platoon of police officers descended upon a defenseless murder suspect with kicks and blows does not obliterate the simple fact that the suspect killed, if indeed he did. It only means a second crime is being committed, this time by agents of the law, and the two crimes should be processed separately. In other words, truth does not change with the methods used to unearth it. Marcus (1990 610) puts it more candidly, "it does not matter by which methods truth has been obtained so long as it has been obtained."

The purpose of law enforcement is to facilitate what ought to be the duty of every citizen, namely, to stop crime and to apprehend criminals, which are the twin pillars of ensuring public and personal safety. To acquit a clearly guilty suspect for no other reason than an alleged wrong procedure of collecting the incriminating evidence would erroneously elevate the law to a position higher than the citizens for whom the law exists in the first place. Unfortunately, this outcome tends to be a goal in itself, at least in the minds of those who champion for the total preservation of the integrity of the warrant-issuing authorities (see Lynch 2000). Although nothing much has been done to remedy it, the weakness of the exclusionary rule was noted as early as 1954 by an authority no less than the Supreme Court in the case of *Irvin v. California*, when the Court bewailed that:

That the rule of exclusion and reversal results in the escape of guilty persons is more capable of demonstration than that it deters invasions of right by the police. The case is made, so far as the police are concerned,

when they announce that they have arrested their man. Rejection of the evidence does nothing to punish the wrong-doing official, while it may, and likely will, release the wrong-doing defendant. It deprives society of its remedy against one lawbreaker because he has been pursued by another. It protects one against whom incriminating evidence is discovered, but does nothing to protect innocent persons who are the victims of illegal but fruitless searches. (347 U.S. 128 1954 136-137)

In the face of the exclusionary rule, judicial proceedings tend to pit the offender more against law enforcement officials than any other witness including the victims of the crime. According to the rule, only one wrong move by the police either in apprehending the suspect or in collecting evidence, and the criminal is set free, notwithstanding the weight and truthfulness of the available evidence. As a result, the prosecuting officers are forced to operate as though they were themselves on trial, to such an extent that some will tell lies (Calabresi 2003 113) in a desperate move not to have an otherwise guilty person freed.

As explained above, guilt is not relative; it is absolute. With no gimmicks, a person who abducts and kills another has clearly committed homicide and this fact is not obliterated by the methods the police use to gain ingress into the suspect's house where the body of the victim is found. This stance does not contradict the due process argument that in the absence of the exclusionary rule, nothing would keep the police from invading citizens' privacy. Instead, it begs an answer to a fundamental question: is it possible to deal with the violation against the suspect's rights and at the same time save the society from further depredation by handing the offender their just deserts? The answer is a resounding yes. The yet-to-be-taken move in dealing with this intrinsically two-in-one case might be to divorce the suspect's original crime from the officer's misconduct and to treat the two as separate offenses instead of using one to defuse the other. Such a move would pave the way for dealing more appropriately with the individual police officer, and then proceeding with the original trial. Unfortunately, what we see is an exclusionary rule that Cardwell (2006 2) likens to the weather: "everyone talks about it but nobody does any-

thing".

The exclusionary rule was originally meant to deter future misbehavior by unscrupulous agents of law enforcement. But until the law agents are made accountable directly and personally, the rule's deterrence power is likely to remain a mirage. If an officer has a characteristic bias against a particular category of people or is bent on settling a personal vendetta with an innocent citizen, there are innumerable opportunities for dragging the innocent citizen to court, regardless of whether the case would be sustained or not. In any case, the search itself, the seizure, the arraignment, and the concomitant events the suspect goes through before the court ultimately suppresses the evidence represent a colossal amount of suffering, much to the gratification of the officer. To the extent that the exclusionary rule does not redress the injury visited on the person whose rights are violated by the officer, and to the extent that the rule is totally quiet on how to protect the innocent from unreasonable searches which end up yielding nothing, it fails to ensure justice both inherently and at the face value. If the suppression of evidence presents no directly or indirectly punitive value to the officer, the assumption that suppression will deter any officer from future misconduct will remain unfounded.

From a different perspective, the numerous flaws in the justice system including inaccuracy, inadequacy of counsel, prosecutorial misconduct, and scientific and forensic testing errors have all given rise to the recently discovered widespread wrongful convictions of innocent persons (Klein 2006). The effect is that non-criminals are persecuted while known criminals are left to roam. However, all is not lost in the apparent jurisprudential quagmire – research has shown that serious crime is more likely than less serious crime to arouse the need to act tough, and jurors in serious crime trials are less willing to disregard otherwise inadmissible evidence (Rind, Jaeger, & Strohmertz 1995). This is perhaps the only hope that the number of confirmed serious criminals who are set free by the proviso of the exclusionary rule is not alarmingly high.

DISCUSSION

Supporters of the exclusionary rule begin by protecting it as both necessary and indis-

pensable in a free society, arguing that it preserves judicial integrity and maintains individual dignity (Jackson 1996; Lynch 2000). But critics maintain that the society cannot tolerate freeing of individuals, whose guilt would clearly be established by the introduction at trial of the suppressed evidence, arguing that there is little firm, empirically verifiable evidence that the rule has any deterrence effect on bad law enforcement practices (Sunderland 1978; Brubaker 1985). This study corroborates this stance by establishing that suppression of some evidence represents no retribution on the part of the officer. Critics also charge that the rule impedes effective law enforcement by placing an unreasonable burden on law enforcement officers to master the intricacies of the Fourth Amendment, and promotes disrespect for law and order by releasing criminals on technicalities (Schlag 1982; Brubaker 1985; Marcus 1990). The current study, similarly, finds the provisions of the Fourth Amendment intricate for law enforcement officers given the split-second nature of the decisions they have to make routinely in dealing with street crime.

Although discontentment regarding the exclusionary rule has existed as long as the rule has been in existence, the debate on the merit of its continued application was perhaps sparked off in 1928 when Justice Brandeis averred in a dissenting ruling that

existence of the government will be imperiled if it fails to observe the laws scrupulously [and that] to declare that the government may commit crimes in order to secure the conviction of a private criminal would bring terrible retribution. (*Olmstead v. United States* 1928)

But in a rejoinder to this view, Chief Justice Burger cautioned that the public has accepted the distasteful results of the exclusionary rule only on the faith in the judiciary, and that the society is increasingly hurt by the insistence that exclusion is the only solution to the quagmire (see Sunderland 1978).

We can well ponder whether any community is entitled to call itself an 'organized society' if it can find no way to solve this problem except by suppression of truth in the search for truth. (Sunderland 1978)

Indeed, when U.S. Supreme Court Justice Benjamin Cardozo remarked that, "the criminal is to go free because the constable has blundered" (Washington 2005 773), he summed up the gist of the problem of relying solely on the exclusionary rule to tame the wayward law enforcement officer.

It should, however, be recognized that those who fear that the police and prosecuting officers' behavior cannot be contained unless there is a strong reliance on the exclusionary rule are not without merit. The fear is real and could not have been articulated better than in the words of a former U.S. Attorney General Robert Jackson, who lamented that,

the most dangerous power of the prosecutor is the power to pick people that he thinks he should get, rather than pick cases that need to be prosecuted. (Goldstein 2006 643)

With the broadened scope of substantive criminal law and the subsequent little force of procedural protections, a determined prosecutor can generally locate some charge that will stick (Klein 2006). This necessitates checks and balances on law enforcement excesses such as torture, entrapment, forced testimony, planting of incriminating evidence on otherwise innocent citizens, and other illegal activities by the police.

Without a doubt, the exclusionary rule has a noble role to play in the justice system, especially if the existing exceptions to the rule are broadened and buttressed. But in their current form, the exceptions to exclusionary rule only revolve around school students, prison inmates, plain view evidence, and honest mistakes, all of which have no direct relationship to street crime where the rule reigns supreme. Since it has been shown that simple inadmission of evidence does not redress such illegal activities, it is imperative that the exceptions be expanded to reflect the nature of police work and the conditions under which they make the decisions that later form the subject of elongated litigations.

A partial solution to the predicaments of the rule is to be found in the stipulation of Section 1983 of Title 42, which provides for federal relief when state officials, acting under the color of law, violate the citizens' rights as enshrined in the Fourth Amendment. As argued by Goldstein (2006), a prosecution

that is unwarranted and malicious is in itself a violation of the Fourth Amendment. Failing to admit evidence by citing violation of individual rights and dismissing the case altogether while letting the offending officers go free will only represent a double tragedy; crime has been committed, on the one hand, and the officer has violated the law, on the other. In this situation, the way forward is to delink the original violation by the suspect from the officer's misdeeds and to treat the two offenses separately but contemporaneously. In sum, given the inherent failure of the exclusionary rule to address police misconduct during the process of law enforcement, there is need to continue to seek tangible solutions to the structure that itself handcuffs the very agents of the law while providing an otherwise undue reprieve to criminal suspects.

CONCLUSION

This study has exposed some of the main inadequacies of the exclusionary rule as a tool of containing the waywardness of police officers in collecting evidence. In this process, it was shown that although the original intention of the exclusionary rule was astute, the rule errs in its unilateral focus on technicalities. The zeal with which the justice system absolves criminal suspects as a result of police misconduct was cited as the single most important factor in the witnessed loss of criminal convictions among successfully solved cases. The reprieve granted to criminal suspect by the rule has given rise to a scathing, yet still unattended criticism, as

one of the chief technical loopholes through which walk the guilty on their way out of the courthouse to continue their depredations. (Crocker 1993)

To make a distinction between the illegal act of invasion of privacy by law enforcement officers, on the one hand, and the illegality of the offense an accused person is charged of, on the other, would be a decisive step towards averting further loss of obvious convictions on technicalities. It is not until this separation is achieved that it will be possible to proceed with trials without being unduly interrupted by any blunders the constables might have committed.

ENDNOTE

¹ The statement "(t)he criminal is to go free because the constable has blundered" is attributed to the U.S. Supreme Court Justice Benjamin Cardozo, as cited and referenced further on in this article.

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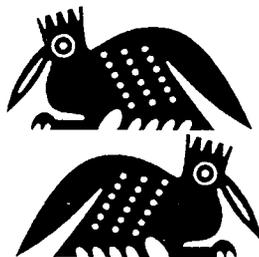
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