

# Arbitrary Condemnation and Sanctioned Violence in Shirley Jackson's "The Lottery"

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*This article will discuss current issues surrounding the administration of capital punishment in the U.S. with insights from Shirley Jackson's "The Lottery". The story itself shows the atavistic nature lurking beneath humankind's civilized surface and leads the reader to examine such notions as scapegoating, ritual cleansing, gender, class structure, arbitrary condemnation, and sanctioned violence. There may be more truth in Jackson's short story than the reader cares to confront. This opens the possibility that fiction can give us more insight into value issues than other sources can. Although fiction is made up of imaginary elements, it is true to reality and human experience. The legal historical reality of capital punishment and its subsequent implementation as it has existed and still exists in our culture purports to establish and maintain what amounts to a legal fiction of its own. In this story, Jackson presents us with a glimpse into humankind's past and brings the reader to question the justification and use of capital punishment in our culture.*

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The less there is to justify a traditional custom, the harder it is to get rid of it. (Mark Twain)

It is a pleasant day in late June. The townsfolk gather in the village square as they do each year for this event. All attention is focused on the annual lottery drawing. Families anxiously wait to hear whose name will be called this time. The suspense finally ends when Tessie Hutchinson's name is drawn and announced. The townspeople then proceed to savagely stone her to death.

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As high school students, most American readers have been exposed to Shirley Jackson's startling short story "The Lottery." The incident that is usually associated with the story is the above-mentioned random execution of a member of the community in what appears to be a barbaric primitive ritual grounded in tradition. The death by stoning is ritually performed by fellow villagers who seem to be "common decent folks" and believe that what they are doing will somehow benefit the common good.

So what is it exactly about this story that seems so shocking to readers? Why is it that most recall this particular incident so vividly? And how is a work of fiction written in 1948 significant to our understanding of present day issues of social justice as they relate to our criminal justice system and its processes?

What the story tells us as a work of art, amplified by sociological and anthropological perspectives, proves relevant to our current society's policies on capital punishment.

What appears to shock the reader may be the notion of the inherent unfairness of the act, since it involves the killing of an innocent victim. But beyond this, the arbitrary nature of the selection process of who is to be executed haunts us and leaves us with feelings of uneasiness. It is precisely this feeling of uneasiness about an arbitrary execution that moved readers to react to this story at the time it was published. In fact, the controversy surrounding Jackson's work caused the cancellation of hundreds of subscriptions to the *New Yorker* where it first appeared. Ironically, it was later adapted for television, radio, and ballet.

Jackson had apparently hit a nerve by presenting a fictional arbitrary execution that appears to happen on a regular basis with the complete support of the citizenry. Referring to the furor caused by the 1948 publication of the story, Jackson said, "Millions of people, and my mother, had taken a pronounced dislike of me." She goes on to say:

[O]f the three hundred odd letters that I received that summer, I can count only 13 that spoke kindly to me, and they were mostly from friends. People at first were not so much concerned with what the story meant; what they wanted to know was where these lotteries were held, and whether they could go there and watch. (Charters, 1987, p.1311–1312)

Harold Bloom seems to agree that Jackson hit a universal nerve and suggests that the shock effect achieved by Jackson "depends upon tapping into a universal fear of arbitrary condemnation, and of sanctioned violence" (Bloom, 2001, p. 9). In response to readers being upset, Jackson responded that "she wanted to dramatize graphically the 'pointless violence' in peoples lives, to reveal the general inhumanity to man" (Friedman, 1975, p. 64).

Bloom (2001) goes on to suggest that "The Lottery" "is crisply written and cunningly plotted. But it scarcely bears rereading, which is the test of canonical literature" (p. 9). Nevertheless, it has been widely anthologized, and a rereading may be useful in the context of literature relating to issues of social justice and utopia, the kind of world we would like to live in. The fact that the story seems to be such a transparent attack on blind obedience to tradition may be the reason that no further explanation is necessary. But it is not just an attack on mindless, cultural conformity; it is a suggestion of evil inherent in human nature (Coulthard, 1990).

The feelings of uneasiness caused by executions being performed in an arbitrary manner reverberates on several levels. First, we see the characters within the story itself

begin to question the necessity of the ritual. Though these ritual executions seem to have the support of the entire community and have been carried out for as long as everyone seems to remember, a doubt seems to linger. Mrs. Adams tells us, "Some places have already quit lotteries" (S. Jackson, 1999, p. 77). On another level, we as readers feel quite uncomfortable observing such blind obedience to tradition among the villagers. And further, we as readers may be likely to make a connection as we witness modern day executions and realize that there is arbitrariness in these instances as well.

To what degree do we as individuals resemble the different villagers? Do we accept executions as part of our cultural tradition or do we question the manner in which they are performed? As we well know, some places have already quit executions.

The title Jackson has chosen for her story reinforces the underlying meaning. Our lives, in many instances, are subject to fate or chance. This is not a new theme in literature but it takes on special meaning when related to issues of justice and society. Justice, as it relates to life, especially life on death row, becomes like a lottery.

Not all people who kill or are convicted of killing are executed. Between 1976 and 1998, 5,553 people were sentenced to death; 403 were executed. Does this make the death penalty an "arbitrary lottery," as opponents claim, or a filter reserving death for only the worst offenders, as supporters claim? (Macionis, 2002, p. 157)

The decision to execute is dependent on many variables not related to the offense itself. Our present day policy of state sanctioned execution is shrouded in a legal myth that blatantly ignores reality. The certainty of execution for capital offenses is guided not just by the nature of the offense but by race, class, gender, geography, media attention, and political variables. Jackson's story prods the reader into confronting these realities by her shocking ending.

The setting and atmosphere of "The Lottery" significantly contribute to the impact and meaning of the story. Jackson opens the story on the morning of June 27. It is a clear and sunny day, the grass is green and the flowers are blooming. Townsfolk gather in the village square for an annual event and exchange smiles and small talk. This setting, however, conveys an atmosphere which is deceptive since this pleasant summer gathering will sharply change and eventually lead to ritual murder. Jackson uses this atmosphere to increase the irony of the story.

The setting where the story takes place appears to be a New England town, very likely North Bennington, Vermont. Shirley Jackson was married to Stanley Edgar Hyman, a literary critic who taught at a nearby college. The significance of the locale would be historically relevant because of New England's history of witch trials and persecutions (Yarmove, 1994). These were essentially rituals conducted out of fear and involved selecting certain individuals to be executed as scapegoats for the good of the community.

Ritual executions involve notions of ritual pollution and ritual purification. The end result is thought to have been a type of ritual cleansing through the execution of the accused. The villagers in Jackson's story see this as being accomplished through their annual event and this may provide insights into our own cultural acceptance of executions.

Yarmove (1994) suggests that there is significance in the day of June 27 being chosen by Jackson to begin her story. The summer solstice (June 21) has already passed and the Fourth of July has not yet arrived. June 27 falls halfway between these two dates. He explains that in European societies, Midsummer's Day was celebrated at the summer solstice, not in the middle of summer as its name would suggest. It had a long, heathen, orgiastic tradition behind it. American Independence Day, on the other hand, is redolent of democracy, freedom, and to a certain degree, justice, because it marks the birth of a nation anchored in the belief that people are "endowed by their Creator with certain unalienable rights. June 27 bisects the two weeks between these two dates and may well embody the contrast between superstitious paganism and rational democracy, a dynamic that plays a central role in 'The Lottery,' especially in light of the story's locale" (Yarmove, 1994).

The annual summer gathering of the villagers seems rather routine. The men mingle and speak of planting, rain, tractors, and taxes. The villagers prepare for the lottery as they would for any other business function which is essential to the conduct of the community.

Griffin tells us that:

[A] good harvest has always been vital to civilizations. After the fields have been prepared and the seeds are sown, the farmer can only wait and hope that the proper balance of rain and sun will ensure a good harvest. From this hope springs ritual. (Griffin, 1999, p. 44)

And so we see Old Man Warner who has been through the lottery 77 times saying, "Lottery in June, corn be heavy soon" (S. Jackson, 1948/1999, p. 77). Griffin goes on to say that:

Many ancient cultures believed that growing crops represented the life cycle, beginning with what one associates with the end—death. Seeds buried, apparently without hope of germination, represent death. But with the life forces of water and sun, the seed grows, representing rebirth. Consequently, ancient peoples began sacrificial rituals to emulate this resurrection cycle. What began as a vegetation ritual developed into a cathartic cleansing of an entire tribe or village. By transferring one's sins to persons or animals and then sacrificing them, people believed that their sins would be eliminated, a process which has been termed the "scapegoat" archetype. (Griffin, 1999, p. 44)

In the Jungian sense, archetypes are complexes of past collective experience represented by rituals and symbols and even more or less civilized people remain inwardly primitive. Jung's collective unconscious has been described as a storehouse that contains latent memory traces inherited from man's ancestral past. The crowd of townsfolk in Jackson's story appears to be under a hypnotic spell of sorts. And so we discover that the "original paraphernalia for the lottery had been lost long ago," and "so much of the ritual had been forgotten or discarded" (S. Jackson, 1948/1999, p. 75).

The group experience then lowers the level of consciousness. Therefore, the base actions exhibited in groups, such as the stoning of Tessie Hutchinson, do not take place on an individual level, for here such actions would be deemed "murder." On the group level, people classify their heinous act simply as "ritual." Although civilized people may no longer hold lotteries, Jackson's story illustrates society's tendency toward violence

and its tendency to hold onto tradition, even meaningless, base tradition, revealing our need for both ritual and belonging (Griffin, 1999). It is not a far stretch of the imagination to view public acceptance of executions in this light. Violence and fear of violence lead to more violence. It is a never ending cycle that gains acceptance like tradition.

Jackson has chosen a third person point of view. As readers, we are unaware of the narrator. In a sense, we mingle with the crowd of villagers and become participants as onlookers. The narrator seems to disappear into the crowd. We are left alone to make judgments and draw conclusions. Jackson presents the events but we must decide why they occurred and what they mean. We are presented with a moral and ethical scene and sit as judge and jury.

Most of the villagers are faceless, nameless onlookers who seem to participate in the annual ritual in a somewhat robotized trance. They smile but do not laugh. They do not question the authority and tradition of these executions that has convinced them that what they are doing is somehow in their best interest.

Jackson allows certain select characters to stand out by either showing us their role in the community and ritual or by brief dialogue. Old Man Warner is the elder of the community and has survived 77 lotteries. He views them as necessary and good. He responds to Mr. Adams' mere mention that a northern village has abolished them by saying, "Pack of crazy fools ... Next thing you know, they'll be wanting to go back living in caves.... First thing you know, we'd all be eating stewed chickweed and acorns. There's *always* been a lottery" (Jackson, 1948/1999, p. 77). When Mrs. Adams reaffirms that some places have quit lotteries, Old Man Warner says, "Nothing but trouble in that," and continues, "Pack of young fools" (p. 77). Old Man Warner serves the purpose of defending tradition and not questioning it.

Mr. Graves, Mr. Summers, and Mr. Martin are characters Jackson has chosen to represent the power and authority within the community. Peter Kosenko (1985) suggests that the village exhibits the same socio-economic stratification that most people take for granted in a modern capitalist society. He looks at the upper social hierarchy of the village and observes that Mr. Summers, who conducts the lottery, owns the village's largest business (a coal mine). He is wealthy and, as his name suggests, has the time and energy to devote to civic affairs. Mr. Graves who assists him is the village's second most powerful government official—the postmaster. His name reinforces the solemnity of the occasion and is associated with death. And beneath Mr. Graves is Mr. Martin, who has the economic advantage of being the small town grocer. These three economic and politically powerful men also happen to administer the lottery. Kosenko notes that in the off season, the lottery box is stored either at their places of business or their houses.

Jackson tells us that Mr. Summers and Mr. Graves make up slips of paper to be used in the drawing and store them in the safe of Mr. Summers' coal company where they are locked up until the morning of the lottery. For the rest of the year, the box is put away in Mr. Graves' barn, underneath the post office, or on a shelf in Mr. Martin's grocery store. Kosenko (1985) draws the connection: who controls the town also controls the lottery. Kosenko goes on to say that the lottery takes place in the village square between the post office and the bank, two buildings which represent govern-

ment and finance, the institution from which Summers, Graves, and Martin derive their power. They represent authority, power, tradition, and conformity. Executions are symbolic rituals that magnify the power and authority and forcibly remind the citizenry of the immense coercive power behind the law (Jacobs & Carmichael, 2002).

On the other hand, we meet Tessie Hutchinson, the protagonist, who exhibits a rebellious nature. Tessie challenges the sanctity of the affair by being late for the lottery: "Clean forgot what day it was," she says to Mrs. Delacroix. And later we will see her speak out defiantly about the justness of the whole process when she is selected to be executed. Yarmove (1994) suggests that her name is significant. It is the irony that lies behind the protagonist's name, Tessie Hutchinson, that magnifies the allegorical force in this story. Historically, there really was a well known New England Hutchinson—Annie Hutchinson, who, having been exiled from Massachusetts Bay Colony in 1638 because of her religious beliefs, emigrated to Rhode Island, where she established her own church (Yarmove, 1994). In Salem witchcraft trials, purification rituals expelled the suspected pollutants in a similar fashion that modern day executions purport to do and in a similar arbitrary manner. Tessie Hutchinson serves this function for the greater good of the community. The community sees the lottery as serving this function also.

On its surface, Jackson gives us a story that seems to be an obvious attack on blind obedience to tradition but, beyond this, we may gain some insights into our own acceptance of obedience to tradition as it relates to capital punishment. Coulthard (1990) points out that it is not the ancient custom of human sacrifice that makes the villagers behave so badly, but that it is their thinly veiled cruelty that keeps such a custom alive. Savagery fuels evil tradition and not the other way around. He notes from the beginning that the villagers display no genuine human community, no real bond of love of any type. We cannot help but detect the absence of family loyalties as evidenced by Tessie Hutchinson disputing the results of the drawings once her name is drawn, by making attempts to lower her chances of being chosen and attempting to draw her own married children into the situation.

Jackson's story prods the reader into confronting the realities of modern day execution rituals by presenting a fictional counterpart. Many people in contemporary society have preconceived ideas about capital punishment, why it is done, what purpose it serves, and to whom it is done. Many of us are guilty of accepting custom and tradition without questioning it. Many of us are socialized into this process from such a young age that it goes without examination. At the beginning of Jackson's story, we see that little Bobby Martin had stuffed his pockets full of stones and that the other boys will soon follow. We guard our traditions and beliefs as if they are sacred burial mounds that should be beyond reproach. We see little Bobby and Harry Jones and Dickie Delacroix making a big pile of stones in their own corner of the square and guarding it against the raids of the other little boys.

Stones are mentioned five times at the beginning of the story and then five or more times near the end. We must assume that Jackson has attached some symbolic significance to these objects she has selected to include. The use of stones in execution rituals has historical and biblical significance.

Jackson has chosen simple objects such as stones, a box, and slips of paper to represent the workings of a simple-minded solution to provide for the betterment of the community. The villagers accept this solution in a trance-like state because it has always been done that way. The ritual has lost its significance, and the purpose has long been forgotten.

The black box used to draw the lottery slips of paper from has become splintered and faded, suggesting replacement may be necessary. Mr. Summers suggests that a new box be made but this upsets the villagers because tradition is involved here. He was successful in having slips of paper substituted for the wood chips that were originally used as lots to be drawn. The increasing numbers of people involved in lotteries demanded a change in the technology used. But most of the history of the lottery and the black box is somewhat vague, creating a feeling of uncertainty.

It is this feeling of uncertainty about the arbitrariness of ritual executions that has cultural implications for us today and gives added meaning to Jackson's story. We now view ritual executions in cultures like the 14th-century Aztecs as archaic and barbaric and indicative of a primitive atavistic nature. But the U.S. is among a tiny handful of countries that are responsible for the majority of executions worldwide. In fact, 80% of all known state-sanctioned executions took place in China, the Democratic Republic of Congo, Iran, and the United States (Senna & Siegal, 2001).

In the U.S., not everyone who is responsible for killing someone is executed. As the saying goes, many are called but few are chosen. What then, determines whose name is drawn? There are a variety of variables unrelated to the act itself that lead to these fatal decisions: race, geography, gender, politics, media, and class.

The relationship of race and capital punishment has a long history. Numerous researchers allude to the notion that blacks are more likely to receive the death penalty than are whites charged with the same crime, indicating systemic racial bias in the administration of capital punishment (Sorensen & Wallace, 1999).

Justice Powell, author of the majority opinion in *McLeskey*, admitted the inability to conduct executions expeditiously and in a nonarbitrary manner had since led him to reject the post-*Furman* jurisprudence with which he had been so intimately involved. He referred to this as a failed experiment and said he regretted his decision (Sorensen & Wallace, 1999).

However, it is not just the race of the offender that extends the odds of execution but also the race of the victim. This is especially true if the victim is white. Blacks who kill whites are more likely to proceed to a capital trial than the other way around (Sorensen & Wallace, 1999).

If the death penalty operates in a just manner, it would be imposed fairly regardless of race and region. Arbitrariness involving racial and regional applications has policy implications. Murders committed in certain geographical regions, especially Southern states (sometimes referred to as the Death Belt), are more likely to result in death penalties than others. One's chances of being executed in a Southern state are roughly three times greater than if convicted of the same crime elsewhere (J. Jackson, 1996).

Another variable that needs to be addressed and which determines who is to live and who is to die is gender. Sex bias has been recognized by legal scholars such as Justice

Thurgood Marshall (1972) in *Furman v. Georgia*. There is also overwhelming evidence that the death penalty is employed unfairly against men and not women. It is difficult to understand why women have received such favorable treatment since the purposes allegedly served by capital punishment are seemingly applicable to both sexes. Female offenders are unlikely to be arrested for murder, are only very rarely sentenced to death, and almost never executed. Males who commit homicides are nearly seven times as likely to be sentenced to death as are females who commit homicide (Streib, 2002).

The death penalty operates like an old used car that starts and stops at will. A particularly insightful analysis is provided by Alex Kozinski and Sean Gallagher:

The net effect is that we have little more than an illusion of a death penalty in this country. To be sure, we have capital trials; we have convictions and death sentences imposed; we have endless and massively costly reviews by the state and federal courts; and we do have a small number of people executed each year. But the number of executions compared to the number of people who have been sentenced to death is miniscule, and the gap is widening every year. Whatever purposes the death penalty is said to serve—deterrence, retribution, assuaging the pain and suffering of the victims' families—these purposes are not served by the system as it now operates. (Kozinski & Gallagher, 1995, p. 1)

Media and politics also influence who is likely to be executed. The amount of attention particular media devote to particular homicides must have an impact on prosecuting attorneys, especially those with political ambitions. As in all cases, some cases proceed to trial and others do not. Some are plea bargained and some have their charges reduced to other offenses. Someone makes these decisions, whether we consider them arbitrary or not.

Other types of unfairness also persist, especially class distinctions. James Acker addresses the issue of social class and capital prosecution:

Defendants not wealthy enough to hire the best legal talent—the kind that anyone accused of a crime would want if his or her own neck were on the chopping block—are too often abandoned to the services of lawyers who lack the resources, experience, or ability to mount a decent defense. Whereas, financially well-off murder defendants will hire a dream team of lawyers and experts, indigents may be saddled with a fatal nightmare; lawyers who drink on the job, sleep through trials, and are grossly inept. Many observers see more than a grain of truth in the old saying: If you don't have the capital, you get the punishment. (Acker, 2003, p. 181)

Recent discoveries utilizing DNA technologies indicate that mistakes occur in capital cases and innocent people have been executed by the state. The discovery that 13 defendants had been wrongfully convicted and sentenced to death in Illinois in a little over a decade prompted Governor Ryan of Illinois to order a moratorium on executions in that state effective January 2000 (Governor's Commission on Capital Punishment, 2002). Acker notes that "most nations throughout the world, and in particular those endorsing democratic values shared by the U.S., have chosen to abolish capital punishment in law or practice" and also says that

[T]he death sentences that are eventually carried out—at no time exceeding 100 annually over a quarter century since executions resumed in 1977, in a nation where 15,000 to 20,000 intentional homicides have been committed each year—are deliberately hidden



from view and cloaked in euphemisms that shield a distant public from the grim realities of state-sponsored killings. (2003, p. 182)

It is hard for some to imagine abolition of capital punishment in our culture. They equate abolition with undermining law and morality. But it is precisely law and morality that are being undermined by the arbitrary administration of capital punishment.

If we acknowledge that the death sentence is imposed arbitrarily based on social class, race, gender, geography, and other variables and puts innocent people at risk, then, "the time may be at hand to condemn state killing for what it does *to not for* America and what Americans most cherish" (Sarat, 2001, p. 30). We must look beyond the mere act of execution and look at the meaning behind it all. This is what Jackson's story "The Lottery" allows us to do. And so in the final sentence of the story it is indeed fitting that when Tessie Hutchinson is arbitrarily selected from the crowd to be executed, she cries out: "It isn't fair, it isn't right..." (S. Jackson, 1948/1999 p. 79).

## References

- Acker, J. (2003). The death penalty: An American history. *Contemporary Justice Review*, 6, 169–186.
- Bloom, H. (Ed.). (2001). Shirley Jackson. In *Bloom's major short story writers*. Broomall, PA: Chelsea House Publishers.
- Charters, A. (1987). *The story and its writer. Shirley Jackson, the morning of June 28, 1948*. New York: St. Martin's Press.
- Coulthard, A. (1990). Jackson's "The lottery." *Explicator*, 58, 221–227.
- Friedman, L. (1975). *Shirley Jackson*. Boston, MA: Twayne Publishing.
- Governor's Commission on Capital Punishment. (2002). *Report of the governor's commission on capital punishment*. Springfield, IL: State of Illinois.
- Griffin, A. (1999). Jackson's "The lottery." *Explicator*, 58, 48.
- Jackson, J. (1996). *Justice and penalty: Legal lynching*. New York: Marlowe and Co.
- Jackson, S. (1999). The lottery. In E. McMahan, S. Day, & R. Funk (Eds.), *Literature and the writing process*, (pp. 74–79). Upper Saddle River, NJ: Prentice-Hall. (Original work published 1948.)
- Jacobs, D., & Carmichael, J. (2002). The political sociology of the death penalty. *American Sociological Review*, 67, 109–131.
- Kosenko, P. (1985). A reading of Shirley Jackson's "The lottery." *New Orleans Review*, 85.
- Kozinski, A., & Gallagher, S. (1995). Death: The ultimate run-on sentence. *Case Western Reserve Law Review*, 46, 1.
- Macdonis, J. (2002). *Society: The basics*. Upper Saddle River, NJ: Prentice-Hall.
- Marshall, T. (1972). *Furman v. Georgia*. 408 U.S. 238, 3.
- Sarat, A. (2001). *When the state kills: Capital punishment and the American tradition*. Princeton, NJ: Princeton University Press.
- Senna, J., & Siegal, L. (2001). *Essentials of criminal justice* (Instructor's 3rd ed.). Belmont, NY: Wadsworth.
- Sorensen, J., & Wallace, D. (1999). Prosecutorial discretion in seeking death: An analysis of racial disparity in the pretrial stages of case processing in a midwestern county. *Justice Quarterly*, 16, 558–578.
- Streib, V. (2002). Gendering the death penalty: Countering sex bias in a masculine sanctuary. *Ohio State Law Journal*, 63, 443–474.
- Yarmove, J. (1994). Jackson's "The lottery." *Explicator*, 52, 242–245.

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