

DOSTOEVSKY IN TEXAS



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DOSTOEVSKY IN TEXAS

Dostoevsky's oeuvre obviously transcends his own traumatic memories and has had a major impact on twentieth-century sensibility. It provides a text for the depth psychologist as well as the present-day utopian terrorist.

His appeal is such that he has always presented something of a dilemma for the Soviet control apparatus. Though far removed from the spirit of social realism, his works have been tolerated rather than suppressed-untaught and often unavailable, but not forbidden. Even in the USSR, however, his collected writings are finally scheduled to appear in thirty volumes-spurred by a hefty advance from a Japanese publisher for a translation.

As we have seen, Dostoevsky's traumatic memory-seeing a courier beat a coachman who in turn whipped the horses-stood in his mind for a whole chain of abuses involving father over mother, masters over serfs, authorities over prisoners, convicts over each other. During the course of his life, his attitude toward power and authority underwent a profound metamorphosis

and was elaborated and reflected in *The Double*. *Crime and Punishment* (where the memory formed the substance of Raskolnikov's dream of childhood), and "The Peasant Marey."

Two questions might be asked at this point: (1) exactly what made the courier-horse memory traumatic, and (2) how did writing these particular works help Dostoevsky master the trauma? The answer in both cases stresses the importance of aggression.

Bearing in mind that the courier-horse act of abuse was emblematic of many others, the single effect of any one of these, and surely the cumulative effect of all of them, must have been that Dostoevsky was flooded from an early age with aggressive-sadistic stimulation. The act of writing itself helped transform these passive experiences of being overwhelmed into an active one in which unwelcome affects could be attributed to fictional characters, elaborated, and transmuted.

Above all, it was aggression that was split off and projected. The story of Golyadkin projects it only as far as a fictional double. *Crime and Punishment* intensifies it and places it farther away-in the drunken killing of the mare by the uncontrolled Mikolka of the dream of childhood, and later in Raskolnikov's planned, intellectually rationalized act of murdering the pawnbroker woman. By the time he wrote the autobiographical "The Peasant

Marey," Dostoevsky acknowledged aggressive impulses to be his own. But they are only those of his childhood, when he was about to strike some frogs but never did. The dangerous wolf is imaginary and never materializes, and the potentially hostile Marey turns out to be motherly and protective. As a result of all these displacements over time, aggression has been dispersed, tamed, and its direction reversed: the originally murderous counteraggression has been transformed into submissive humility.

At the opposite extreme from Dostoevsky's transformation of personal trauma into creative literature are the legions of clinical examples of attempts at mastery of trauma which never achieve significance. Both creative and clinical processes follow the fundamental psychic principle of attempting to master passively experienced trauma by active repetition, yet one illuminates an area much beyond itself, whereas the other is seldom of more than private interest.

In the Freudian spirit that "a most important piece of information is often . . . disguised as a beggar" (Breuer and Freud [1893-95] 1955, 279), this chapter presents a clinical case history. Instead of a masterpiece of creative imagination, one hundred years after Dostoevsky and half a world away, in the attempt to master a strikingly similar childhood beating memory, a dull Texan farm boy committed a brutal act of child-murder.

What possible relevance to the present context can this case offer us? The differences are glaring. In the personal realm, Dostoevsky went from being overstimulated with murderous counteraggressive impulses to a characterological submissiveness to authority-achieving in this way some degree of mastery over his own traumatic history. Thanks to his gift of creative imagination, in his writing he was able to work through displacements consciously; he identified with his fictional characters yet distanced himself from them. His legacy of work broadens the reader's capacity for compassionate understanding of human characters and experiences far removed from one's usual life sphere. Our clinical protagonist, on the other hand, did the opposite. He went from his customary adaptive docility to an outburst of murder; he lost safe distancing from past victims and villains and regressed from memory and thought to unconscious identifications, repetition, and acting out.

The differences between unthinking, impulsive, psychotic action and thoughtful delay, elaboration, and working through are not only glaring but together constitute the familiar signs of ego weakness as against ego strength. Whatever Dostoevsky's personal psychopathology-and even a casual reading of his biography reveals it to have been considerable-his talent and ability to work at it reflects only ego strength. Yet such creativity, while reflecting ego strength, cannot merely be equated with ego strength; many are graced with

strong egos but no creativity.

What, then, is the nature of creative, artistic ability? What does it consist of? Surely the power to integrate many diverse elements into coherent patterns-another aspect of ego strength-must be part of the answer to "the problem of the creative artist"?

The following case, and the chief reason for presenting it, suggest otherwise. As we shall see, the criminal act and the events surrounding it involved an exquisite degree of coordination, both of different levels of functioning-for example, somatization, fantasy formation, and organized action-and of different time frames. However, all of this synthesizing organization took place *unconsciously*. Moreover, it is of such a high level that it impresses one as being quite comparable in scope and complexity-perhaps superior?-to the *conscious* craftsmanship of creative writing.

Needless to say, this is not meant to imply that conscious and unconscious processes are to be equated; or that the creative artist is necessarily ill, any more than that psychopathology confers creativity. Rather, because high levels of integrative power are to be found in both creative and uncreative individuals, integrative capacity per se cannot be considered the hallmark of creativity. This will be expanded upon at the end of the chapter.

It was the eve of the Fourth of July in San Antonio, Texas.⁷ Three heavy-equipment construction workers, low on money and out of jobs, were preparing to spend the night in a car parked near a gravel pit when a man appeared, unexpectedly, out of the brush. In the words of one of the construction workers, “He walked towards us. Not fast. Not slow either. Just sort of casual. Except he’s sweating and out of breath, and kind of unsteady on his feet. I yelled, ‘Hey, boy, where are you going?’ But he doesn’t answer, just comes up towards our lights looking sort of dazed and says, ‘What’s going on here?’ We say we don’t know but let’s find a policeman, and just then one came up.”

The patrolman who came up was a deputy sheriff. He pointed a pistol at the man, whose name was Jimmy Shaver, told him that a little girl had been raped and killed, and asked whether he knew anything about it. Shaver said that he had just been beaten up by some stranger and had run off into the brush to hide.

By then word of the rape-murder of the three-year-old child in a gravel pit had spread, and a large, angry crowd was gathering. A constable soon appeared on the scene. He was from a neighboring precinct and this was not his jurisdiction, but he was running for re-election in a close contest. He quickly handcuffed Shaver, whisked him off to the county jail, phoned a reporter, and returned to the crowd.

During the ensuing jurisdictional dispute between the sheriff s and the constable's offices, the defense attorneys turned to the nearby Air Force base and its department of psychiatry for a psychiatric evaluation of their client, Shaver. This was necessary for two reasons. First, Shaver was on active duty with the Air Force; and second, at that time, if a defendant's sanity was in question in the State of Texas, it had to be determined in court by a jury trial before the criminal matter itself could come to trial.

Hence, Shaver was brought to the psychiatrist's office, where I examined him. His appearance was totally unremarkable: he was a pale man of thirty-two, of medium height and slight build, dressed in a short-sleeved sports shirt, plaid slacks, and plastic sandals. His manner was passive, his expression somewhat dull and apathetic. He said that when he was picked up by the police he believed that he had run into the brush to escape being beaten up by some man. Later he had remembered a bit more. He had been in charge of some military recruits. At the end of the day he had illegally released one of them, Brawley, from disciplinary restrictions, and together they had gone out drinking at the Lazy-A Bar. Shaver's plan was to kill time in this way until his wife, a waitress, got off from work at midnight.

At first he said this was all he could recall. But a few days after being taken into custody he struck his head while in his prison cell and was thereafter able to "recall" something further. He and Brawley had been

drinking heavily at the Lazy-A. There had been a little girl there, playing shuffleboard with her brother while her parents sat and drank with the owner. Shaver had driven Brawley back to the barracks and returned to the Lazy-A. A strange man and a girl came up to him as he stood by his car at the side of the road; the man kicked him in the genitals and hit him in the stomach. Shaver vomited, then fainted, and when he regained consciousness he found himself lying in a gravel pit without his clothes. He could not understand how he got to the gravel pit and why he was undressed.

When he was asked about his past, he spontaneously began to talk about his father: "He was brutal, just brutal. You know what he did? Beat a horse to death with a chain just for stepping on a pig. He beat him around the head till he hardly had a head left. He beat me, too, and cursed me out, for chucking corncocks at the chickens and stuff like that. I fell down and couldn't get up. Black and blue. I tried to run away that night but he caught me and put me back to bed. Later on I took off and went to my mother's home. I must've been about ten. Hardly ever saw him after that."

With little encouragement he began to talk about his experiences with women. He had married "on the spur of the moment to the kind of girl you'd mess around with." He had difficulty getting or maintaining an erection. "Sex just didn't mean much one way or the other. I could always take care of myself that way, y'know? I'm still that way. It's better like that." His wife was

unfaithful, became pregnant by another man, and would slap, kick, and curse him, as did her mother sometimes. "So one day I suddenly turned and slapped her in the face. She screamed. That's when I left."

He was asked if women other than his wife and mother-in-law had treated him that way. He immediately answered, "My cousin, Beth. We were about nine or ten. She hit me with a rock on the head at the swimming hole. She got the older boys to throw me into the swimming hole before I could swim. I almost drowned. She'd tease me about being afraid to dive and do things like that.

GR: Do things like that."

SHAVER: Well, the older boys would have sex with her, y'see. I'd watch them do it. I was scared to touch her. But she teased me into it.

They'd watch. I was ashamed. Couldn't do much. Then she'd get mad at me afterwards.

GR: Was it one of those times she hit you with a rock on the head and got the older boys to throw you into the swimming hole and you almost drowned/'

SHAVER: Yes.

Beginning at about the same age, ten, Shaver had nightmares about twice a week of a black cloud coming down on his head and suffocating him, or of being chased and killed by his father. Childhood enuresis continued until adolescence. He was frequently truant from school, ran away from home five

or six times, and left school after the eighth grade. His father abandoned the family at about this time and was said to have been killed in a fight. Little is known of Shaver's relationship to his mother except that he would sometimes go out on double dates with her and her boyfriend. His marriage at eighteen lasted for one month. When his mother remarried, he enlisted in the military service, was in active combat as a tailgunner, and earned the Bronze Star.

When he returned from overseas, the childhood nightmares of suffocation recurred. He would wake up in a cold sweat screaming. There were compressive headaches which sometimes assumed the character of a migraine, and a strange taste in the mouth associated with vomiting.

During the next several years he had many jobs. His relations with women were chaotic; the women often became pregnant by some other man; there would be fights followed by reconciliations. He married a second time and the following day re-enlisted in military service.

He never trusted anyone, never had a close friend, was shy, passive, and reclusive. He was afraid of being hurt and avoided fights. He especially feared guns and knives. He had difficulty concentrating, would become depressed and wander off "in a daze." He drank heavily on weekends and subsequently had difficulty recalling events. He suffered increasingly from headaches and would dip his head in cold water to seek relief.

This information came forth with little reluctance over the course of a few interviews with me. Shaver seemed eager to talk about himself. Several times he turned back to his father and the fear of his beatings. There were also almost gleeful recountings of how he had cheated women out of money or otherwise tricked them.

At the end of the last session, the following exchange took place:

SHAYER: Can I tell you something, Doc?

GR: Sure, Jimmy. Anything.

SHAYER: You won't laugh or nothing?

GR: No, I won't.

Shaver: I write.

GR: You're *right*?

SHAYER: I *write* . . . like poems.

GR: Poems? You write poems? About what? Tell me.

SHAYER: About God. Things like that. I think about it a lot.

GR: You do?

SHAYER: Would you like to see one I did yesterday?

GR: Yes, I would.

Shaver: Here. You can keep it.

He took a scrap of lined paper from his shirt pocket and handed it to me. There was a penciled poem in block letters. It began:

Like father, like son,

Like horse, like cart . . .

The conviction instantly flashed hot: "So, he *did* do it. And I know why." Modified in some moments by the cooler thought: "Or, *if* he did it, I'll bet I know why."

Amnesia: "The inability to recall past experiences. . . . Often the onset is acute, following a psychological or physical trauma severe to the individual. It may develop subacutely (as sometimes occurs in idiopathic epilepsy) or chronically (as in dementia praecox)" (Hinsie and Shatzky 1940, 26).

Amnesia, feigned: "Amnesia is more frequently alleged [that is, feigned] than any other mental anomaly. It is obviously a convenient defense, and it is a simple matter for a person accused of a serious crime to assert that he has no memory whatever concerning it. The first thing to decide in such a case is the presence or absence of those disorders which experience suggests may be associated with some degree of amnesia: alcoholism, epilepsy, hysteria, melancholia, mania, confusional insanity, dementia praecox, dementia paralytica, senile dementia, and amentia" (East 1927, 354).

Even without these classical definitions and traditional cautions, laymen and professionals alike are often skeptical about the existence of amnesia, let alone of fugue states of altered consciousness during which any kind of behavior can take place over extended periods of time without subsequent recall. If the claim of amnesia is made to support one's innocence of criminal behavior, the disbelief becomes almost insuperable.

Shaver, however, did not insist on his innocence. He simply could not account for being at the gravel pit beyond vaguely "remembering" someone's attacking him. His attitude was one of puzzlement and passivity. "They showed me my car and they showed me these panties in my car all torn to Hell. They told me some little girl had been killed and raped. I didn't know anything about it because at that time I figured I had been beaten up by some guy and I run off into the brush to hide. But the next day I remembered I let my buddy off and I come back to the Lazy-A, and that little girl. If it happened, what they say happened, I must've done it. ... I was the only one."

A full battery of tests was carried out. The results of a physical examination were negative. Although the electroencephalogram was within normal limits, temporal lobe epilepsy could not be ruled out. On psychological testing his intelligence was rated dull normal, and while responses to various tests indicated poor control of strong emotions and marked inner conflict with fear of being injured, there was no gross evidence

of psychosis.

Therefore, on the basis of this material a psychological hypothesis was formulated. If Shaver had committed the rape and murder, it represented an acting out of a series of memories of such passively experienced incidents as seeing his father beat a horse to death, being beaten by his father, being seduced (raped?) by his cousin, then struck on the head and almost drowned. The innocent three-year-old victim of the rape and murder represented the girl cousin, Beth, his childhood tormentor. In other words, if Shaver was the murderer, he had beaten the little girl the way he saw his father beat the horse's head, the way he feared his father would beat him, the way he kept dreaming that his father beat him, and finally the way cousin Beth had struck him on the head.

A so-called truth serum interview under sodium amytal was then conducted by the chief of the psychiatric service, who was most skeptical of this formulation.⁸

EXAMINER: O.K., Jimmy, I have given you a shot that is going to bring back your memory of that night, July 3rd. . . . You're driving down the road now, Jimmy. . . . You come to the Lazy-A. Now you are in the Lazy-A. You are sitting at the bar drinking beer. . . . Tell me, Jimmy, who is with you?

SHAYER: Brawley.

EXAMINER: See anybody else inside there?

SHAVER: Yes, I see a little boy and a little girl.

EXAMINER: Yes? What does the little girl look like? What color dress does she wear?

SHAVER: Well, I never mess much about clothes anyway.

EXAMINER: Well, now what are you going to do?

SHAVER: Well, it's about time to go back to the base. It's late.

EXAMINER: O.K. You're on your way back to the base, Jimmy. You going to let Brawley off?

SHAVER: Yes. I let him off at the barracks.

EXAMINER: Sure. Now where are you going to go?

SHAVER: Oh, now I'm to pick up my wife at one o'clock.

EXAMINER: Got some time left, have you?

SHAVER: Not much. I'd better get down there right away.

EXAMINER: O.K. Now you're driving down the highway. Where are you going?

SHAVER: Now I start to go back to the Lazy-A.

EXAMINER: You go back to the Lazy-A?

SHAVER: Yeah.

EXAMINER: O.K., are you there?

[Shaver becomes agitated, gets up, looks around, frightened.]

EXAMINER: Back at the bar, Jimmy? Just close your eyes. Don't worry. You'll be all right.

Tell me what happens now. Just keep your eyes closed. Keep your eyes closed. You're back at the Lazy-A. What's happening?

SHAVER [entranced]: Now I see . . .

EXAMINER: Do you go back in?

SHAVER: Now I see . . . The same cars are there as when I left.

EXAMINER: Same cars?

SHAVER: Studebaker.

EXAMINER: O.K. So what do you do now?

SHAVER: Well, I walked around to the juke box and played a song, you know, and stood looking over the place. Then I started outside, and here's this little girl. So the little girl wants to go for a ride, you know?

EXAMINER: Sure.

SHAVER: I figured no harm in that.

EXAMINER: That's right.

SHAVER: She says, "Please, sir, mister, will you take me for a ride in your car?" I says, "Why sure honey." You know I love children.

EXAMINER: Sure. Then what happens, Jimmy?

SHAVER: Well, we get in the car and drive down the road there. I always was an impulsive guy. I wonder, Doctor, if there's anything for that?

EXAMINER: Well, we'll see, Jimmy. What happened next?

SHAVER: Well-I mean-I-you get times that are right. You know, at that moment-you know what I mean? And I can't understand it.

EXAMINER: Tell me, Jimmy.

SHAVER: Well, when I got down there I turned the corner on Frio Road . . . and I went on up there and I didn't know nothing about that place up there but the girl did so we went in . . . and after I got her out there, I-don't know!

[Starts up-looks frightened-presses both his hands tightly over his mouth]

EXAMINER: Yes, Jimmy. It's all coming back to you.

SHAVER: I could—

[Agitated, thrashing about],

EXAMINER: Yes, Jimmy. It's all coming back to you.

SHAVER: Hey! Hey! Let me out of here! Let me out! Let me out of here! PLEASE LET ME OUT!!

[Screaming and thrashing about.]

EXAMINER: Don't worry. You remember what happens, Jimmy. Tell me. What were you thinking about? What did you do?

SHAVER: IT WAS THAT GIRL BACK HOME!

EXAMINER: The same thing happened?

SHAVER: And I beat her until she was a pulp and I was glad!

[Sobbing].

EXAMINER: Which girl back home was it, Jimmy?

SHAVER [Weeping]: Back where they used to go swimming with us. They was always treating me so mean.

EXAMINER: The one who always treated you so mean? Was that who it was? Is that who you thought it was?

SHAVER: Yes, sir. [Weeping], I could have killed her!

EXAMINER: You could have killed her. For what she did to you?

SHAVER: Yes. She was always doing things. Hit me in the head with a rock. Almost had me drowned-knocked me out-you know they had me drowned, Joe?

EXAMINER: Yeah. I know.

SHAVER: Almost had me drowned. [Groaning], My father. My father! I'm telling you he was the most rotten, the most deceiving man there ever was. [Weeping]. I hated his guts. Abosolutely hated his guts! Whip a horse to death with a chain 'cause it stepped on a little pig. Pig wasn't worth two cents. He beat me-do you know, Joe?-he beat me with a lariat rope. A lariat rope!

EXAMINER: Jimmy, what was the girl's name down in the swimming hole?

SHAVER: It's been a long time. Now let me think. Oh! Beth! She's dead now. She had an auto accident-a truck. She used to work in these places, you see. Truck drivers come there and she used to take a trip now and then. Well, that was all right with me-that's been some years back. I hated her guts.

EXAMINER: And the little girl in the car?

SHAVER: If you want to hear it, got any more stuff you can put in my arm? Kind of makes me feel like I was about half high.

EXAMINER: Yes, that's the way it feels all right.

[injecting more amytal intravenously],

SHAVER: I'm here to cooperate, you know. . . . I never was afraid of the needle before but that's quite a needle. . . . You sure I'm getting it, Doc?. . . . Hey, it's those blood veins right there, hmm . . . private property . . . can I have a cigarette?

EXAMINER: You were telling me about that night out at the gravel pit. How mad you got.

SHAVER: You see, I didn't have no sexual desire for this little runt of a kid. She wasn't nothing to me. And rightfully . . . they didn't do nothing to me. I never seen the people before. I didn't think anything about it. I walked outside and that little girl was standing by my car. Just throwing stones, you know. Just throwing stones at my windshield and at my body.

EXAMINER: Your body?

SHAVER: *My car body.*

EXAMINER: How did you feel?

SHAVER: I thought it probably wouldn't hurt it. But then she got to picking up bigger rocks and hitting it in the body and knocking paint off. I told the little girl to go home and leave. Well, she could talk a little bit, but not too plain. She says, "I ain't gonna do it." Just like Beth.

EXAMINER: Just like Beth used to say?

SHAVER: I don't know what got ahold of me at that time. I just don't realize how in the world I could do such a thing as I did.

EXAMINER: Right then and there you did something?

SHAVER: I slapped the little girl down. And then-she said she wanted to go for a ride. Sure,

why not? I left. I would-the only thing I was going to do, Doc, see, I was going to take her right around this parking lot, you know, like that, and back. A little girl like that. But I mean, you know, I thought it might feel better, Doc, to do something like that. I didn't have anything on my mind at that time. But then later on an *evil* come up over me.

EXAMINER: An *evil* came up over you?

SHAVER: And even *more* of an *evil*! I don't know. I was sick already, Doc. I have headaches. Seven to eight hours at a time, Doc, you know? And they drive you to do anything to get away from them. I've ducked them in almost solid ice, and drank, and done everything. . . . I went to the doctor and he says I have migraine headaches and wanted to give treatment for two years. Ain't that a kick, Doc?

EXAMINER: You thought it might feel better to do something with the little girl? Before you put her in your car you said you slapped her down?

SHAVER: Yes, sir. I knocked her out.

EXAMINER: Why did you do that, Jimmy?

SHAVER: Because I hated her. I thought she was someone else. Beth, when we were kids.

EXAMINER: What was the little girl doing to make you think such a thing?

SHAVER [Weeping]: Throwing rocks at my car.

EXAMINER: That made you think of Beth?

SHAVER: She hit me in the head once with a rock when we were young. Real small kids.

EXAMINER: After you knocked the little girl out, then what did you do, Jimmy?

SHAVER: Put her in the car. Then I drove down this country place, to this gravel pit. I'd

never been there before but I knew just about where it was.

EXAMINER: On the way out, how were you feeling toward the little girl?

SHAVER: Well, I-I didn't like her because she was *past*, but she was *still* coming up on me. She was still grasping me. She was still trying to take things away from me like she always had. She was *evil*.

EXAMINER: How did you know she was evil?

SHAVER: God told me she was from the devil.

EXAMINER: He told you? What did he say exactly?

SHAVER: He told me to find Beth and destroy her, because she-come back to me, and was going to take all my things away again. Everything.

EXAMINER: So you got out to the gravel pit. Then what?

SHAVER: Well, then I took her and I beat her and I beat her and I beat her and I beat her some more.

EXAMINER: How did you feel at that time, Jimmy?

SHAVER: Well, I didn't want to do it. I knew that it was God's will. He sent an angel and told me.

EXAMINER: What did you do after you beat and beat on this little girl?

SHAVER: Then I run my finger up in her real far because I wanted to hurt her. For the way she hurt me so many times.

EXAMINER: Who was she then?

SHAVER: She was Beth.

EXAMINER: What did you do with her then?

SHAVER: Just left her there. And run out through the brush.

EXAMINER: Did you think you'd done something wrong?

SHAVER: No, sir.

EXAMINER: Then why did you run?

SHAVER: Well, I just run. I run and the grass began to scratch me, and then I put on my clothes and started walking towards the lights. I walked up there in front of the lights and the cops put handcuffs on me.

EXAMINER: How do you feel about what happened, Jimmy?

SHAVER: All right.

EXAMINER: Jimmy, don't you know that you made a mistake?

SHAVER: When?

EXAMINER: That little girl you killed. She wasn't Beth, Jimmy.

SHAVER: Who was she?

EXAMINER: She was just a little girl that you'd never seen before.

SHAVER: You mean that I didn't kill the right one. Huh? [Weeping],

EXAMINER: She was just a little girl that you'd never seen before, Jimmy? How does that make you feel?

SHAVER: It makes me feel terrible. [Weeping.]

EXAMINER: How do you think God will feel about that, Jimmy?

SHAVER [Weeping]: He sure won't like it. I'll have to pray and pray that he'll forgive me.
But I'm afraid it's too late for that now.

EXAMINER: Jimmy, look up here a minute, boy. What do you think is going to happen now?

SHAVER: I'll go to the electric chair, I guess.

EXAMINER: Are you afraid to go to the electric chair?

SHAVER: I don't know. I've never been there.

EXAMINER: Do you think you deserve to go to the electric chair?

SHAVER: Yes, sir. I guess I do.

EXAMINER: Why?

SHAVER: You just said I killed the wrong girl.

EXAMINER: Would it be because you killed the wrong one? Let me ask you this, Jimmy. If you had killed the right one, then would you have had to go to the electric chair?

SHAVER: Oh, no. She was evil. She was evil. *Nobody* would send me to the electric chair for her.

How is one to look at this story? From the point of view of a jury, central issues would involve both the rights of the accused and the concern that society be protected from a repetition of such violence. Questions having to do with the defendant's legal sanity, such as his responsibility at the time of

the crime and current ability to stand trial, hinge on the existence of free will. The extent to which he was able to exercise free will would be estimated by traditional judicial tests of sanity—for example, the ability to know right from wrong, adhere to the right, and participate in his own defense (McNaughten's Rule).

Far removed from the doctrine of free will is the clinician's experience that psychic determinism operates along the entire gamut of human behavior. From the amytal interview it is apparent that this rape and murder represented the reenactment of consciously remembered, severely traumatic events in Shaver's childhood. A close examination of the data might even support the further supposition that forgotten memories of primal scene experience unconsciously, yet decisively, helped shape Shaver's life. For example, his lifelong neurotic adaptation could be seen as based predominantly on *masochistic* identifications with both parents in the sexual act, and the rape-murder was based on an eruption of repressed *sadistic* identifications with both parents in the primal scene (Rose 1960a).

Setting aside both frames of reference, legal and clinical, let us look at the story primarily as a *story*, having a narrative line and an integrated thematic development. There is obviously the theme of violence, closely interwoven with that of revenge. The traumatic historical elements from the past are represented on many levels simultaneously: they are symbolically

represented in the form of physical symptoms, ritualistic reenactments, the murder and rape, and the confabulating attempt to account for himself at the scene of the crime. Also, these historical elements are recapitulated and integrated in differing time frames: momentary percept, structured symptom, patterned episode, lifetime style.

Regarding lifetime style, Shaver's characteristic behavior pattern was one of passive submission to abuse, leading, finally, to a sudden about-face and turning against the persecutor in a single act of revenge. Character being fate, he repeatedly let himself be taken advantage of by women before suddenly getting even.

With this sadomasochistic character structure as background, Shaver's long-standing neurotic symptoms may be considered as middle-ground. Among the symptoms, his sexual impotence and marked passivity, compulsive masturbation and enuresis all testify to the fear of bodily, probably sexual, injury and possibly death. The attacks of migraine may symbolically repeat his experience with violence directed especially to the head: the horse against the pig, father's demolishing the horse's head, Beth striking Shaver on the head with a rock, and so on. Likewise, the nightmares of smothering, the excessive drinking, and the attempts to cure headaches by dunking the head in water may refer to the memory of almost drowning after being impotent with Beth. (At the same time they may also represent

castration threats displaced upward to the head.)

The events of the day of the murder recapitulate the characteristic pattern within a tighter time frame. It is a holiday eve, but Shaver is alone, deprived of his wife, who, as a waitress, is off feeding others. We may guess that resentment and rebellion are brewing since he illegally releases Brawley from disciplinary restrictions. Seeking further for a sense of release, and perhaps even hearing preliminary Independence Day fireworks already being set off in the hot summer night, he goes off with Brawley for some heavy drinking. This culminates in the explosion of rape and murder, which, as he made clear, was an act of revenge against his childhood tormentor.

A few days after his apprehension by the police, he struck his head while in his cell and thereafter felt he could “recall” something of what had happened. The content of this “recall” was a confabulation. It is significant that it was ushered in by a blow to the head, just as the murder episode had been precipitated by blows to the body of his car. As is so often the case with organic confabulations (Williams and Rupp 1938), the content also contained elements of truth. In the confabulation, he said he had been hit on the head and genitals by a man, knocked out, and stripped. Once again the theme of assault by Beth and father is recapitulated. Again, too, one could theoretically posit sadomasochistic identifications in an unconscious memory of the primal scene.

We move, finally, to the specific precipitant of the murderous violence, the single moment when Shaver perceived the little girl "just *throwing stones*" at his windshield and at his *body*." "Your body?" "My car body" (emphases mine). Just as a searchlight beacon in its 360-degree sweep simultaneously illuminates points at every radius from the center, most proximate and most distant, this single instant of perception reveals itself. And compressed within it, as within the lifetime character and symptom patterns, the day's events, the criminal act, and the attempt to explain it away through confabulation, we find the same recapitulation of familiar traumata. "It was that girl back home! And I beat her until she was a pulp and I was glad!"

This moment merits closer scrutiny. My car body = my body. A stone = a stone. A stone thrown from the hand of any little girl at my car body = the stones thrown by Beth at my naked, humiliated, impotent child-body-head-genital just before they nearly drowned me. Before the rush of accumulated affect and the pressure of the past, and facilitated by alcohol, spatial, personal and temporal distinctions dissolve into equivalences. "She was *past*, but she was *still* coming up on me."

In Shaver's case these bridging leaps in imagination-of time, place, and person-were uncorrected by realistic knowledge. They were acted upon, fatally, with an overriding conviction as to their truth.

Suppose, however, that he had had the requisite aspects of ego strength to stand off, reflect in the light of reality, and not act. Suppose, further, that he had had the talent to transform his experience into art, such as painting or writing. For example, what if he had gone drinking at the Lazy-A, had seen a little girl throw stones at the body of his car, and had later written a short story having to do with the rape and murder of a child one hot Fourth of July eve?

To be more precise, what qualities would have been required for an act of creative rather than clinical imagination, or simply normal control? To begin with, the author would have needed a dual capacity: to tap into the enormous organizing power of the unconscious, such as we have seen illustrated in the Shaver case, and at the same time be able to withstand and not be overwhelmed by the force of unconscious drives. Instead of feelings, thoughts, and perceptions, split off from history and the flow of time, seizing upon fortuitous details in order to *reenact* the traumatic past through a contemporary cast of innocent characters and events—the clinical face of imagination—still more would have been necessary for an act of creative imagination: (1) the talent to create forms that would channel the force of unconscious drives into an artistic medium, (2) transmit a sense of the scope and depth of integration taking place unconsciously, and (3) communicate a feelingful perspective that transcended the private dimensions of merely

personal trauma.

As for the underlying structure of the resulting work, the fictional characters and dramatic action might well have been organized around the same traumatic elements: “horizontally” on different levels ranging from the symbolic self-beatings of the migraine to actual violence, and “vertically” in different time frames, from lifetime pattern to the day’s events to a single crucial moment—each level and each time frame recapitulating the original experiences.

What effect might such a work have had on a potential audience? The emotional impact would still have been one of horror. But not only. If one may apply such a cold-blooded view to personal disaster, the aesthetic experience of the story would have been superior to the real event. For the shock of a real event tends to obliterate everything but horror, while the successful work of fiction allows other emotions to surface and coexist, each undiluted by the others. So this one, too, could have elicited a wider range of emotional reactions, together with greater understanding for the complexities involved. A reader of such a story, after richly experiencing identifications with the several characters involved, might well have been left with a more *compassionate understanding* of the nature of tragedy, the blurring of innocence and guilt, the tendency for it to perpetuate itself into the generations.

Art is superior to life. Creative imagination surpasses everyday and clinical imagination in its ability to enlarge upon life's very features and hold them up for feelingful reflection. Prominent among those features is the capacity of any mind, Shaver's included, to orchestrate diverse elements around a few unifying themes, on many levels simultaneously, and in different time frames-*unconsciously*.

Perhaps this capacity is revealed especially in traumatic themes, which determined Shaver's character, distorted his perception, made possible his crime, and lay embedded in his unconscious confession:

Like father, like son

Like horse, like cart . . .

POSTSCRIPT

As the summer wore on, temperatures climbed above 100. Tempers grew short, and threats were heard as rumors spread that outsiders were going to try to get the child-killer off on the basis of some "theory." A change of venue moved the trial out to a small ranching town suffering from drought and with little use for ambiguity. Within recent memory, a rancher had caught his wife *in flagrante* with the hired hand and, treating him like one of

his own herd, proceeded to rope and neuter him. He was duly tried and acquitted.

Shaver's sanity trial came first. It was held in a crowded schoolroom. The judge sat in his suspenders, there were cuspidors on the floor, and many in the jury wore their customary sidearms. Testimony was heard for up to fourteen hours a day, and Shaver was never seen to move a single time. Reporters were still taking bets on whether he would move at all when the jury began its deliberations. After twenty-three hours it found the defendant sane and fit to be tried.

Then came the criminal trial. It did not take as long. After some three hours the jury returned to ask two questions: (1) If Shaver were given a sentence of life imprisonment, could he ever be released from prison? and (2) if he could be released under a life term, was there any other sentence he could be given so that he would never be freed?

After being instructed by the judge, the jury returned a speedy verdict of guilty of murder with malice. The sentence of death in the electric chair was passed.

A second trial was held. Appeals to the U.S. Supreme Court were turned down. The sentence was executed close to the anniversary of the crime on the

eve of the Fourth of July.

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Notes

[7](#) This case presentation is an expanded version of Gilbert J. Rose, "Screen Memories in Homicidal

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[8](#) Dr. L. Jolyon West. Permission to use this material is gratefully acknowledged.