

Epidemic Subjects—Radical Ontology

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Table of Contents

Elisabeth von Samsonow <i>Epidemic Subjects</i>	7
Suzana Milevska <i>Becoming-Girl: Compossibility, Intersectionality, and Agency</i>	13
Levi R. Bryant <i>Two Ontologies: Posthumanism and Lacan's Graph of Sexuation</i>	29
Arantzazu Saratxaga Arregi <i>Girl: A Paradigmatic Example of Evolutionary Disobedience</i>	51
Boyan Manchev <i>Pandora's Toys, or zoon technicon and the Technical Ghosts of the Future</i>	67
Peter Sloterdijk <i>Theory of Evolution</i>	81
Karin Ferrari <i>Weird Wired Viral: A Graphic Novel</i>	89
Francesca Coin <i>Tearing the Neoliberal Subject</i>	99
Johanna Braun <i>The American Girl and the Horror of (In)Justice</i>	119
Angela Melitopoulos <i>Autism and Networks</i>	135
Elisabeth von Samsonow <i>Latency: Biography of an Omniscient Spy</i>	149
<i>Contributors</i>	165

Johanna Braun

The American Girl and the Horror of (In)Justice

The justice-seeking dead girl has become an increasingly popular figure in the entertainment industry. The United States in particular is the endemic locus of the epidemic success of the dead girl who seeks justice through revenge. The haunting *girls of justice* can be found as some of the most iconic figures of horror movies, such as the infamous twins in *The Shining* (1980) or the little girl that rushes to the other side to help those who are seeking justice in *Poltergeist* (1982). It is at the turn of the twenty-first century that a range of movies are released in which girls emerge from the dead to call for justice: Little ghost girls whisper their mothers' secrets in *The Sixth Sense* (1999) and *The Others* (1999), the murdered girl from next door reappears in *Stir of Echoes* (1999), the husband's brutally killed underage mistress returns in *What Lies Beneath* (2000), and the out-of-control Samara terrorizes people in *The Ring* (2002).

Recent years have seen a new wave of justice-seeking girls, but those girls—and young women—are (mostly) alive and well and pretend to be haunting presences. Various kinds of cultural output portray this trend, but none more successfully than Hollywood movies such as *Silent House* (2011), *Jessabelle* (2014), *Gone Girl* (2014), and recent productions from young filmmakers, such as *Final Girl* (2015), *Bound to Vengeance* (2015), and *February* (2015). Television series such as *Pretty Little Liars* (2010–), *American Horror Story* (2011–), *Revenge* (2011–2015), *Hemlock Grove* (2013–2015), and *Scream Queens* (2015–) also cover this phenomenon. Several of these productions are adaptations of highly popular books, thus spreading and perpetuating the popularity of those narratives.

They all have one plot element in common: Once an act of injustice is committed against the (predominantly white middle-class) girl, she takes justice into her own hands, even beyond her own death.¹

However, this figure is nothing new: The girl has always played a crucial role in communicating the errors of the justice system. Since the origin of *Justitia*—or *Lady Justice*, as she is called in the United States—the *girl in white* has been associated with the democratic system of justice. However, while *Lady Justice* is always portrayed as a

1 Aside from this striking similarity, these productions vary intensely in their motivations and outcome.

calm, righteous judge, the image of the girl has strayed, increasingly conceived of as the victim of an inefficient or corrupt legal system or as an unpredictable slayer. There are many more complex and inter-related reasons for the rise of the justice-seeking girl in popular productions, but not all aspects can be addressed in this essay. While the vengeful woman is the focus of some insightful studies, the direct link between the girl and the justice system has yet to come to light.² In this essay I locate the justice-seeking *undead* girl in the legal text and draw parallels between legal reality and its fictional doppelgangers. In the beginning I will trace the girl and her very specific legal position in the development of the American legislative text and its impact on fictional narratives of that time. A deconstructive reading of legislative changes from the 1990s to the present will then help us to understand the rise of the vengeful girl in US film and television productions. This essay seeks to understand the rise of the girl in fiction as both symptomatic of and in relation to the absence or prominence of the girl in the legal text. It is time to recover the girl as a significant historical agent in order to uncover her emblematic singularity.

Let us look closely at whom we are following; *whose footsteps are we tracing?* The justice-seeking girl is a clearly shaped image in a wide range of American literature, film, and television narratives. She is the girl who whispers in the dark, calling your name. She is the noise from under your bed. Her uncanny giggle makes you second-guess your state of mind. She wanders through the house in her innocent-looking uniform, making a spectacle of her appearance. She is the possessed girl, the hysterical girl, or the spectral girl who haunts the family.

2 Scholars have thus far paid little attention to the themes of revenge and justice in film and television. While vengeful girls and women are the focus of some iconic studies such as Carol Clover's *Men, Women, and Chain Saws: Gender in the Modern Horror Film* (Princeton, N.J.: Princeton University Press, 1992), Barbara Creed's *The Monstrous-Feminine: Film, Feminism, Psychoanalysis* (New York, N.Y.: Routledge, 1993), Jacinda Read's *The New Avengers: Feminism, Femininity and the Rape-Revenge Cycle* (Manchester: Manchester University Press, 2000), and Martha McCaughey and Neal King's *Reel Knockouts: Violent Women in the Movies* (Austin, Tex.: University of Texas Press, 2001), or more recent publications such as Alexandra Heller-Nicholas's *Rape-Revenge Film: A Critical Study* (Jefferson, N.C.: McFarland, 2011), and Claire Henry's *Revisionist Rape-Revenge: Redefining a Film Genre* (New York, N.Y.: Palgrave Macmillan, 2014), the direct link between the girl and the justice system fails to be registered. As evidenced by the titles, the Rape and Revenge genre in particular has received much critical attention for its protagonists and their socio-cultural context. In contrast, it seems the justice-seeking *undead* girl as an iconic figure (which can be found in a wide range of productions and is now even represented in a prime time soap opera) is widely ignored.

This girl has an agenda; those who are haunted by her must confront her provocation. If she does not receive undivided attention for the cause she represents, she easily loses her temper. Then, nobody is safe from her rage. She can open doors and windows without exertion; she manipulates cutting-edge technology to find entry to your most sacred place. And herein lies the crucial point of her convincibility: *the home*. She will find you in the comfort of your bedroom or stand behind you when you look in the bathroom mirror. She is an expert in discovering your safe haven. Those who are confronted by the justice-seeking girl's rage start asking the burning questions: *Who are you and what happened to you?* As in every courtroom examination, these questions lead to unpleasant answers. We find out that it is not the girl herself who is horrifying, but the things she communicates. After some soul-searching investigations we discover that the horror mediated by the girl does not come from her but from a story, from a historical context. The girl subjectivizes the horror of history, particularly the horror that is produced or concealed by law. *But why the girl? Why is she so prominently attached to the horror of law?* As I will demonstrate, it is her own only loosely defined legal status that enables her to navigate through the hazy corridors of the crumbling house of law.

The Girls' Gothic Home

When we follow the repeating formula of the house, the girl, and the horror of injustice through American narratives, it is quite easy to identify its historical features, to see the resemblance to its ancestor, its Gothic heritage. It was especially in the British Gothic genre of the late eighteenth century in which the image of the justice-seeking girl trapped in a house where all her rights are taken or hidden away from her was professionalized to perfection. It seems as if the American single-family home was built on the foundation of British castle ruins. This begs the question: *Why is the justice-seeking girl so intimately linked to the home?* While the woman was identified with the home, the house's interior, and internal space in general, it is the girl who points to the horror of exactly that home and its connection to the public machinery that stands behind it. The Gothic house as a home to legal operations was a point of reference in fictional narratives as well as the archetype for the haunted house.

The Gothic has a notorious aesthetic, but here I am not concerned with the Gothic as moody and gloomy style. I explore a mode of (hi)storytelling that is specific to the interpretation of the history of

law: the *Gothic Mode*.³ The Gothic Mode is a form of narrating law. Therefore, I emphasize the connections between the Gothic and the law and blend out its aesthetic dimensions, critically scrutinizing Gothic (hi)story as political history. From its inception, the Gothic has incorporated a nationalistic narrative concept rooted in a myth of long-lost ancestors who left an Old World, taking a justice system with them. Sean Silver identifies this origin in “The Politics of Gothic Historiography, 1660–1800” (2014):

The “Gothic” did not begin as the kaleidoscopic category it has become. It did not refer to the occult, the macabre, or the supernatural; it was not a genre of horror-driven art, a subgenre of rock music, a style of soaring architecture, or a post-punk subculture with its own recognizable fashion. Nor did it mean, simply, “of or pertaining to the Goths”—the fourth-century civilization in upper Germania—or even, more loosely, “medieval,” “antique,” or “barbaric.” In its original acceptation, the Gothic referred to a partly misremembered, partly manufactured, yet still historically potent myth of origins for the balanced model of English politics.⁴

During the English Civil War (1642–1649) the monarchy glorified an approximately 600-year lineage, as illustrated by the narrative in Nathaniel Bacon’s *Historicall Discourse of the Uniformity of the Government of England* (1648), a nostalgic myth of the origin of parliamentary rule. In this heritage fiction, the immigrant ancestors of the Angles and the Saxons are combined through an arranged marriage. They are not only the so-called “name givers,” but cultivate the rhetoric of being “the free people” to their descendants. However, the Gothic ancestors are the source of something more crucial: the heritage of a republican legal system.⁵ Another thing the Gothic heritage myth brings to the table is the subjectivization of political origin and law. The liberalism of the American post-1968 student movement and Second Wave Feminist campaigns were therefore in a way already embedded in the oldest layers of the body of law that was English by nature. It comes as no

3 For more on the Gothic Mode, see: Alastair Fowler, *Kinds of Literature: An Introduction to the Theory of Genres and Modes* (Oxford: Oxford University Press, 1982), p. 109; and Ruth Bienstock Anolik, “The Missing Mother: The Meanings of Maternal Absence in the Gothic Mode,” in: *Modern Language Studies* 33.1/2 (2003), p. 24–43.

4 Sean Silver, “The Politics of Gothic Historiography, 1660–1800,” in: Glennis Byron, Dale Townshend, eds., *The Gothic World* (London and New York: Routledge, 2014), p. 3.

5 Nathaniel Bacon, *An Historicall Discourse of the Uniformity of the Government of England* (London: Mathew Walbancke, 1647), p. 96.

surprise that, through this connection of the political and the personal, the space of the individual became a political arena. In his oft-cited *Commentaries on the Laws of England* (1765–1769), the influential legal theorist William Blackstone showed how architecture and politics are tightly intertwined, writing, “Our system of remedial law resembles an old Gothic castle, erected in the days of chivalry, but fitted up for a modern inhabitant.”⁶ Here it becomes evident that the Gothic castle is not just a governmental building, but a *home*. Around the time when Blackstone published his *Commentaries*, the young Horace Walpole, son of British Prime Minister Robert Walpole, published his influential novel *The Castle of Otranto* (1764). Although Walpole first published the novel anonymously, he later not only acknowledged his authorship but also added a notorious subtitle. *The Castle of Otranto: A Gothic Story* (1765) then introduced to the world a popular method of (hi)storytelling and at once marked the origin of the prolific professionalization of the *Gothic Mode*. In *Otranto*, we find, on the one hand, the castle as the site of a political family drama, and, on the other, the architecture itself, perfectly fitting the legal system Blackstone portrayed. Showing house and home as a hazy structure animated from an unpredictable outside source was thus introduced to the literary canon. In its aftermath, the Gothic offered a range of authors an outlet to comment on contemporary legal questions. Both the house (home) and the legal system are portrayed as *haunted* through this mode of storytelling. British literature at the time—such as Clara Reeve’s *The Old English Baron: A Gothic Story* (1778), Sophia Lee’s *The Recess, or A Tale of Other Times* (1785), Mary Wollstonecraft’s *Mary: A Fiction* (1788), Ann Radcliffe’s *The Castles of Athlin and Dunbayne* (1789), and *The Mysteries of Udolpho* (1794) as well as Emily Brontë’s *Wuthering Heights* (1847) and Henry James’s *The Turn of the Screw* (1898)—also draws heavily on the connection between the home and a defunct legal system.

The early blockbuster Gothic novels and Blackstone’s *Commentaries* traveled together to the British colonies and communicated the doctrines of the English Common Law to the colonists. The Gothic Mode not only spread epidemically over the Atlantic, it also spontaneously sprouted branches on its family tree. In order to withstand the ravages of time and obscure its political agenda, the Gothic Mode channeled different narrative forms. From the 1790s to the 1820s, we find a range

6 William Blackstone, *Commentaries on the Laws of England*, vol. 4 (Oxford: Clarendon Press, 1765–1769), p. 267–268.

of popular outlets for the Gothic Mode.⁷ For example, Sophie Lee's *The Recess* (1783–85) merged the Gothic with the historical novel; Matthew Lewis's *The Monk: A Romance* (1796) introduced the horror genre through the lens of the Gothic Mode; Mary Shelley's *Frankenstein; or, The Modern Prometheus* (1818) initiated science fiction. Decades later, Wilkie Collins's *The Woman in White* (1859) connected the Gothic with the thriller, and Anna Katharine Green's *The Leavenworth Case* (1879) introduced the detective novel to the Gothic. What they all have in common is an obvious interest in the *mechanics of the law*. On both sides of the Atlantic, authors were eager to incorporate this personal and professional interest into their stories. It comes as no surprise then that some of the most influential figures in American and British literature had a background in law: Wilkie Collins completed his legal studies, Henry James went to Harvard Law School, and Charles Brockden Brown worked in a law office before he wrote his novels. Ann Radcliffe's husband had legal training, Horace Walpole's father was an influential politician, and Horace Walpole himself was a member of parliament. Mary Wollstonecraft advocated women's rights and E.D.E.N. Southworth was known for her expertise in Married Women's Property Reform Laws, which she successfully incorporated in her stories. Harriet Beecher Stowe was a staunch abolitionist and human rights activist.

These are only a few figures that highlight the early and direct connection between the rhetoric of law and the Gothic narrative, but they illustrate that the Gothic narrative structure was developed with an expertise in law and law-making. These writers all had a sophisticated understanding of the mechanics of the law and its effect on everyday events. Together they built the American Gothic home as a prime political arena.

The Domestication of the Gothic Castle

While English rule was still housed in the aristocratic castle of the Old World and its ruins, the British colonies transformed these ruins into the now ubiquitous single-family home. Although it took some time to transform the frontier home—the cabin in the woods—into a solid family home, the home as haunted political arena became manifest in the colonies' narratives. The Declaration of Independence solidi-

7 See Robert Miles, *Gothic Writing 1750–1820: A Genealogy* (London: Routledge, 1993), p. 1.

fied the identity of the United States, and the unstable cabin in the woods of early Puritan settlements gradually transformed into solid poured foundation homes. But this growth in confidence was still subject to the brutal hauntings of the past. The horror of possession and dispossession (physically and mentally) has been a driving force for both fictionalized and eyewitness accounts of the history of the United States of America. Girls mediate the symbolic horror of oppression: that of indigenous people, of victims of human trafficking and slavery, of women in general. The American girl, turned into a political agent, mediates the gap between defendant and plaintiff. Through this mediation she outs the nation as a polyphonic, cultural hotspot. The girl appears as a disenfranchised entity that calls witness to this horror yet is bound by her involvement in these conflicts.

The former law student Charles Brockden Brown was one of the first to translate the Gothic narrative for a readership in the New World. In his first novel, *Wieland: or, The Transformation: An American* (1798), Brockden Brown plays out the narrative of a utopian home haunted by the Old World Order. While the English Common Law was perceived as a uniting legal structure, United States Common Law varied greatly in its interpretation across the states. The only binding contract all states were and are subjected to is the United States Constitution. This singular uniting document provides that each state is free to build its own law structure under federal constitutional law. Therefore, the individuality of the law was instrumental in the development of the United States' legal structure, which is echoed in the transformation of the monumental aristocratic castle into the suburban single-family home.

In the mid-1800s, Victorian enthusiasm for political conservatism and formidable architectural features resurrected a popular fascination with the Gothic, marking the age of the American Gothic style of single-family domestic architecture. As a perfect stage for public-private dramas in the horror and Gothic genre, the American Gothic home was also voraciously reproduced in both England and its former colonies. One of the main features of Victorian-era architecture is its mutability, which incorporates an amalgamation of different periods and styles. In its late-nineteenth-century iteration, the American home reveals its deep-seated affiliation with the Gothic Mode.⁸

⁸ William Hughes summarizes this phenomenon in his introduction to the *Historical Dictionary of Gothic Literature* (Lanham: Scarecrow, 2013), p. 5.

The Girl in the House of Law

The star of the Gothic narrative is the girl trapped in the endless corridors of an imperfect and oppressive legal system embodied in a haunted home. The girl is the moralistic embodiment of a gaping wound, the failure of the intersection of justice and law. As the symbolic, vehement point of rupture, she is a double negative: a glitch imbued with the power to not only reverse a structural error and seek retribution, but also to allow the corrupt system to implode.

What becomes even more obvious is why the girl who seeks justice is so prominently featured in English and American narratives. The reason may lie in the characteristics of the Common Law, operated through Case Law. Each sentence has the potential to change the law. Therefore, the legal system enables the girl to rewrite history on a case-by-case basis. The legal structure is more susceptible to change than, for example, the Civil Law system, where previous court rulings are only loose guidelines, and the law itself is grounded by comprehensive procedures. Anchoring the narrative of the haunting girl in jurisprudence, however, begs the question: *Why is it the girl who communicates the law?*

The legal status of women and girls in the Common Law of England and its interpretation in the colonies were defined more by women's loss of privileges through marriage than by those which they enjoyed. The legal doctrine of *coverture* in English Common Law had two separate legal statuses for the female population: the *feme sole* and the *feme covert*. Although the term *feme* typically translates to "woman," the word has a connotation that is closer to girl. While the Latin *femina* means woman, *feme* derives etymologically from *femella*, meaning little or young woman. Therefore, the *feme sole* is the singular girl. In contrast to the married *feme covert* (the "covered" girl), the *feme sole* is only mentioned briefly in Blackstone's *Commentaries*. It is precisely her mercurial legal status that enables the single girl to navigate seamlessly through the dangerous territory of the law. Through this loophole, the *feme sole* is able to act as an intact legal person. The girl then becomes the free agent capable of winding through complex pathways to emerge from oppressive social and political structures. It is significant that it is the act of "covering" that renders the girl a woman and wife. This defines the girl not biologically but as a legal status and political position. It is exactly because the girl does not have a clearly defined or strong position in the law that she can operate as the *free agent of justice*.

The girl's overriding goal is to liberate herself from her legal status of the wife or, more specifically, to not run the danger of becoming legally

bound. The legal status of *feme covert* brought with it brutal dispossession. William Blackstone sums it up in his *Commentaries*: “the very being or legal existence of the woman is suspended during marriage, or at least is incorporated and consolidated into that of the husband; under whose wing, protection, and cover, she performs everything.”⁹ With this legal masking, the husband or legal guardian takes control over every aspect of ownership of his wife. Therefore, it comes as no surprise that husbands—and husbands-to-be—are often portrayed as accomplices to the failed legal structure in the aforementioned narratives: masters of the house and aggressive overlords of the girls’ property. This notorious behavior builds their reputation as Gothic villains, some of the most illustrious figures of the Gothic narrative. The Gothic villain professionally rules the machine of injustice and is deceitful in his way of operating the house/home. He is the Gothic girl’s nefarious opponent. Although the Gothic villain is such a prominent figure in Gothic storytelling, it is the girl who is so instrumental in communicating and questioning the mechanics of law.

It is significant how girls challenge American legal history and how important it was for them personally (or for their legal assistants) to record their eyewitness accounts. But although we recognize that the girl has always played a crucial role in communicating the errors of the justice system, it is disturbing to see how, especially in the last two decades, the girl has become the horror figure she is today. Since the early twenty-first century, the girl who seeks equity does not summon her victims to trial but drags them to the slaughterhouse. As we will see below, this development has also a progressive side to it. The justice-seeking girl appears in a group of film subgenres that have evolved from the Gothic genre and re-tell the story of the girl trapped in a haunted home that is inhabited by a law-making authority.

A Very Brief History of Justice-Seeking Girls in Film

Since the late 1950s, the evil child, especially the possessed little girl, plays a key role in many horror films.¹⁰ You might know her as Rhoda

9 William Blackstone, “Of Husband and Wife,” in: *Commentaries on the Laws of England* (Oxford: Clarendon Press, 1765–1769), vol. 1, chap. 15.

10 For more on evil children, see Sabine Büssing, *Aliens in the Home: The Child in Horror Fiction* (Westport: Greenwood Press, 1987); Steven Bruhm, “Nightmare on Sesame Street: or, the Self-Possessed Child,” *Gothic Studies* 8.2 (2006), p. 98–113; Margarita Georgieva, *The Gothic Child* (Basingstoke: Palgrave Macmillan, 2013); Adrian Schober, *Possessed Child Narratives in Literature and Film: Contrary States*

in *The Bad Seed* (1956), Karen in *Night of the Living Dead* (1968), or Regan in *The Exorcist* (1973). The girl in close contact with dark, perhaps satanic, alien forces is also the main source of horror in later films such as *Poltergeist* (1982), *The Others* (1999), *The Orphan* (2009), and *Sinister* (2012). What are the socio-political conditions that have turned these once angelic faces so gruesome?

The horrors of displaced property were already evident in early cinema. It is here where the girl, pretending to be a ghost, dresses herself in white sheets in order to protect her property and react to current developments in women's property laws. Films such as *The Haunting of Silas P. Gould* (1915), *Wee Lady Betty* (1917), *The House of Mystery* (1920), *The House of Whispers* (1920), *The Ghost in the Garret* (1921), and *A Fool and His Money* (1925) clearly address the complexity of inheritance laws. These films' protagonists recognize the value of camouflage to protect their property. We find similar scenarios in the Gaslight Film genre of the 1940s.¹¹ But here it is the husband, the

(Basingstoke: Palgrave Macmillan, 2004); Karen J. Renner, *The 'Evil Child' in Literature, Film and Popular Culture* (Abingdon: Routledge, 2013); Sage Leslie-McCarthy, "'I See Dead People': Ghost-Seeing Children as Mediums and Mediators of Communication in Contemporary Horror Cinema," in Debbie Olson and Andrew Scaphill, eds., *Lost and Otherved Children in Contemporary Cinema* (Lanham: Lexington Press, 2012) p. 1–18; Colette Balmain, "The Enemy Within: The Child as Terrorist in the Contemporary American Horror Film," in Niall Scott, ed., *Monsters and the Monstrous: Myths and Metaphors of Enduring Evil* (Amsterdam: Rodopi, 2007) p. 133–148.

11 The Gaslight Film also gets defined under such terms as *Gothic Romance Film*, *Paranoid Woman's Film*, *Gothic Film*, *Gothic Woman's Film*, *Female Gothic Cycle*, *Woman's Melodrama of the 1940s*, *Gothic Female Melodrama*, *Female Gothic*, *Freudian Feminist Melodrama*, *1940s Persecuted Women Films*, *Bluebeard Cycle*, *Gaslight Genre*, or *Gaslight Melodrama*. See Diana Waldman, "'At Last I Can Tell It to Someone!': Female Point of View and Subjectivity in the Gothic Romance Film of the 1940s," *Cinema Journal*, vol. 23, no. 2 (1984), p. 29–40; Diana Waldman, "Architectural Metaphor in the Gothic Romance Film," *Iris* 12 (1991), p. 55–69; Mary Ann Doane, *The Desire to Desire: The Woman's Film of the 1940s* (Bloomington, Ind.: Indiana University Press, 1987), p. 123–154; Helen Hanson, *Hollywood Heroines: Women in Film Noir and the Female Gothic Film* (London: I. B. Tauris, 2007); Lucy Fisher, "Two-Faced Women: The Double in Woman's Melodrama of the 1940s," *Cinema Journal* 23.1 (1983), p. 24–43; Thomas Elsaesser, "Tales of Sound and Fury: Observations on the Family Melodrama," *Monogram* 4 (1972), p. 2–15 and in: Christine Gledhill, ed., *Home is Where the Heart is: Studies in Melodrama and Women's Film* (London: BFI, 1987), p. 43–69, p. 59; Ian Conrich, "Gothic Film," in: M. Mulvey-Roberts, ed., *The Handbook to Gothic Literature* (New York, N.Y.: New York University Press, 1998), p. 76–81, p. 76; Maria Tatar, *Secrets Beyond the Door: The Story of Bluebeard and His Wives* (Princeton, N.J.: Princeton University Press, 2004) p. 90/92; Tania Modleski, *Loving with a Vengeance: Mass-Produced*

proto-Gothic villain, who tries to steal property from his young wife. Luckily for the wife, she is not his first victim; the former wives of the Gothic villain haunt the house, making the protagonist aware of the Gothic villain's true intentions. It is particularly interesting to consider this against the background of the massive influx of soldiers, alienated from their homes, or returning from the war. After all, it was not just the domestic home that was invaded; the majority of working women lost their jobs as a result of the soldiers' return. Here again, the dispossession of women produces the haunting image of girls. But while the former wives of the Gothic villain had been eager to assist their successor through subtle clues, the tone changed dramatically in the 1960s. Although the narrative is similar, the outcome is quite different. In the next iterations of the Gaslight Film, young women took the place of the Gothic villain. The heiress now had to protect her property from her nieces, daughters, granddaughter, younger cousins, and sisters. We find these new girls in popular movies such as *Bewitched* (1945), *Lizzie* (1957), *Homicidal* (1961), *Dementia 13* (1963), *Hush... Hush*, *Sweet Charlotte* (1964), *Picture Mommy Dead* (1966), *The Ghastly Ones* (1968) and *What's the Matter with Helen?* (1971). In blockbuster films like *The Innocents* (1961) and *The Haunting* (1963)—which resurrect the domestic manor, symbolic of the Old World Order, as the familial domain—it is now the protagonist who is the source of horror. Here we find girls who are pathologically perilous, capable of psychotic breaks in an effort to secure their control over the American home. Even when the events have an implied supernatural origin, it is almost exclusively a mad girl who runs the show.

The twist is that while the haunted and haunting housewives of the original films were legally hidden because of their status as *feme covert*, the younger generation operates exclusively from the position of *feme sole*. While the image of the devoted housewife and mother was still propagated through celebrities like June Cleaver, one increasingly found the girl in the position of dissent. It is no coincidence that Lesley Gore's hit song "You Don't Own Me," Betty Friedan's influential *The Feminine Mystique*, and the signing into law of the Equal Pay Act all collided in 1963. Yet, the girl who protested for and demanded expanded women's rights was rendered on the screen as a violent home intruder. Habitually, those girls are brutally punished in the course in many horror films of the 1960s and 1970s and can

Fantasies for Women (Hamden, Conn.: Archon Books, 1982), p. 21; Guy Barefoot, *Gaslight Melodrama: From Victorian London to 1940s Hollywood* (New York, N.Y.: Continuum, 2001).

be seen in direct correlation to the Slasher Film genre. The Slasher Film from the 1970s introduces the concept of the *final girl*, a term coined by Carol Clover in her groundbreaking analysis, *Men, Women, and Chainsaws* (1992). While the final girl is mostly an innocent girl that has to become resilient and resourceful in order to survive, the Gothic villain is instrumental in her ordeal. In contrast to the oppressive husbands in Gothic literature and the Gaslight genre, here the Gothic villain becomes a grotesque creature, a monster of preposterous proportions. The Gothic villain is now a cruel rapist and child molester. In films such as *Black Christmas* (1974), *Texas Chain Saw Massacre* (1974), *Halloween* (1978), and *Nightmare on Elm Street* (1984), girls are violently hunted down by villainous men and boys.

What becomes evident in these examples is that, while the girl was instrumental in negotiating women's rights in those narratives, her own rights were still nebulous. This changed drastically in the early 1980s when the girl started to negotiate on her own behalf.

At the end of the twentieth century something strikingly happened: The justice-seeking girl arises in fact and fiction as a law-making authority. The identity of the girl and the cause for her cries for justice converge with great intensity. Now it seems nearly impossible to differentiate one from the other. In this sense the girl is not only objectively fighting for a cause, but the cause becomes her mission. The girl becomes the subjectivity of justice: the subject of law. To get a better understanding of this development we must take a closer look at legislative changes from the 1990s to the present.

The Dead Girl in the Legal Text

The 1980s and 1990s witnessed an extensive revision of the United States justice system. A group of missing or murdered girls were instrumental in changing the legal debate. Here the dead girl arises as the agent of justice, in whose name the family or community campaigns for drastic changes in the justice system.

The murder of Polly Klaas was instrumental in the enforcement of the *Habitual Offender Laws*, or the so-called *Three Strikes Laws*. After the twelve-year-old was abducted from her bedroom during a sleepover party in 1993 to be raped and murdered, those legislations introduced harsher prosecutions for repeating offenders. A year later, the *Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act* was introduced as part of the *Federal Violent Crime Control and Law Enforcement Act of 1994* (which contains the additional *Violence Against Women Act*). In the aftermath, each individual state

was asked to create a sex offender registry. In 1996, the *Wetterling Act* was extended by *Megan's Law*, which allows the public not only to view these registries, but also to receive an official notification once a convicted sex offender moves into their neighborhood. *Megan's Law* is named after seven-year-old Megan Kanka in New Jersey, who was brutally raped and murdered by her neighbor in 1994. *Megan's Law* enabled the often criticized public visualization of sex offenders.

Polly Klaas's family collaborated with other affected families to reinforce their campaign for improvements in the legal system. In the case of the kidnapping and murder of nine-year-old Amber Hagerman in 1996, who is still missing, her family actively campaigned for tighter controls and measurements for sexual offenders. At the insistence of Polly's father, Marc Klaas, and with the support of congressman Martin Frost, the *Amber Hagerman Child Protection Act* was introduced in 1996. This law introduced a national sexual offender database and alert system. The *America's Missing: Broadcasting Emergency Response*, or *AMBER Alert* in short—which was widely covered in the media—was introduced in the same year. This notification system alerts neighborhoods and communities immediately when a child goes missing. While the *Amber Hagerman Child Protection Act* only applied to under-16-year-olds, the age group for the alert system was extended after the case of 19-year-old Suzanne Lyall. Suzanne Lyall vanished without a trace in 1998 and remains missing. *Suzanne's Law* was introduced in her name in 2003 to alert law enforcement officers immediately when a child or teenager goes missing and not to wait until 48 hours have passed, as in the case of missing adults. News of the missing teenager is sent directly to the *National Crime Information Center* (NCIC) at the Department of Justice in order to initiate interstate search operations.

The *Jessica Lunsford Act*, or *Jessica's Law*, named after nine-year-old Jessica Marie Lunsford, who was abducted, abused, and murdered by a convicted sex offender in Florida, followed in 2005. Prominent media coverage of the case portrayed sex offenders as lifelong threats. Thanks to *Jessica's Law*, sex offenders are now electronically monitored to prevent them from becoming chronic criminals. In May 2014, *Megan's Law* was expanded by an international notification system, which meant that US authorities release information on the whereabouts of registered sex offenders on an international level.

In 2009 *Kelsey's Law* was introduced, named after the kidnapped, raped, and murdered 18-year-old Kelsey Ann Smith. After Smith was abducted in broad daylight from a store in Kansas in 2007, it took authorities four days to locate her body. The cellphone company Verizon was unable to release the necessary information on the cellphone's location to local law enforcement. *Kelsey's Law* allows law

enforcement to gain access to cell phone data and locate the device in an emergency.

Finally, in 2008, various victims' rights were bundled in the *California Victims' Bill of Rights Act*, or short *Marsy's Law*. *Marsy's Law*, named after Marsy Nicholas, who was stalked and murdered by her ex-boyfriend in 1983, is a Californian State Constitutional Amendment. It expands the legal rights of crime victims, increased criminal offenders' restitution, restricting the early release of inmates, and changed procedures for granting and revoking parole. In 2015, it became a law in Illinois.

Chelsea's Law, named after raped and strangled 17-year-old Chelsea King, was signed into California State Law in 2010. *Chelsea's Law* allows life without parole sentences and lifetime parole with GPS tracking for first-time as well as repeating adult child molesters.

Megan's Law, *Jessica's Law*, *Suzanne's Law*, *Kelsey's Law*, *Marsy's Law*, *Chelsea's Law*, and the *AMBER Alert* enable girls to bring justice from the dead. Those court decisions noticeably collide with a group of film productions where *undead* girls arise as brutal agents of justice.

In the form of the ghost girl, the wronged dead girl attacks the tranquility of the utopian single-family home. This violent little home-wrecker becomes the starlet of the entertainment industry at the turn of the century. In movies such as *The Sixth Sense* (1999), *The Others* (1999), *Stir of Echoes* (1999), *What Lies Beneath* (2000), *The Grudge* (2004), *Dark Water* (2005), *Shutter* (2008), *Jessabelle* (2014), and the immensely popular film series *The Ring* (2002–2017) we find ghost girls who persistently haunt family life until their cases are satisfactorily solved. In recent years we have even seen the *undead* girl in a wide range of television productions: girls who pretend to be of supernatural origin—as in *Pretty Little Liars* (2010–)—or who brutally haunt those responsible, under false identities—as in *Revenge* (2011–2015) or *Scream Queens* (2015–). Supposedly supernatural events are firmly grounded in reality, a tendency which is also included in several film productions, such as *The Uninvited* (2012), *Silent House* (2012), *Final Girl* (2015), and *February* (2015).

These examples imply that the girl is not only responsible for making law and order, but that the justice-seeking *undead* girl is produced by an inefficient law and that it is therefore her purpose to correct this glitch. The justice-seeking girl arises as the (factual and fictional) popular all-American girl through whom legal debates are visualized. A deconstructive reading of the legal texts in relation to their fictional doppelgangers has revealed that the girl has not only negotiated legal

proceedings, but emerges—particularly in recent years—as a law-making authority herself. While these factual and fictional narratives have consistently accorded the girl a legal force that has the power to call the legal system into question, finally at the beginning of the twenty-first century, she rewrites the law.

The girl starts to excessively enforce her own rules, and she is uncompromising and unpredictable in her verdicts. Furthermore, her unpredictability reveals her affiliation with the symbolic order of the law and its mechanics.

The girl takes control of the narrative and takes justice into her own hands. The girl writes her own laws, or they might be produced, implemented, and enforced in her name, revealing once again how the girl herself is already inscribed in the law. She is located in the midst of the legal system and overwrites it from the inside. The girl is solidified in her symbolic severity. Thus, the original concept of the Gothic villain is transferred to the girl. The girl overthrows the ruling power structures of the Gothic villain and drags him from his throne. She is no longer compelled to navigate through the haunted house itself. She now operates the American Gothic home, and in this house there exists only one rule: the law of the girl, the girl's law.

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LETTER OF CONFIRMATION

I, Dr. Elisabeth von Samsonow, the editor in chief of the anthology **Epidemic Subjects – Radical Ontology** (Diaphanes and University of Chicago Press, 2017), herby testify that Dr. Johanna Braun's scholarly paper „*The American Girl and the Horror Of (In)Justice*“, which was published in this scholarly volume, went through a peer-review process.

If I can be of any further assistance, please do not hesitate to contact me.

Sincerely,

Elisabeth v. Samsonow

Elisabeth von Samsonow
Vienna, February 23rd. 2017