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“Compromise with Lawlessness”: The Relationship between Lynching and the Death Penalty in Arkansas, 1895-1925

MICHAEL LYNCH

In the bright daylight of June 3, 1898, hundreds of citizens gathered around the jail in Texarkana, Arkansas. The mob, demanding that a Black man named Bud Hayden be hanged, removed Hayden with a rope and dragged him to a tree that stretched out over a railroad crossing. As his body hung suspended in the late spring air, thousands reportedly witnessed members of the mob riddle his body with bullets.¹

Three years later and only seventy-five miles to the northwest, another large crowd gathered, huddling as heavy rain pelted Arkadelphia on March 23, 1901. Not even the foul weather could deter them from their objective – to see a Black man named John Wesley hang for the alleged rape of a young white woman. Officials placed a black bag over his head, tightened the rope around his neck, and after twenty minutes or so, the satisfied crowd of thousands began to disperse. Wesley’s body was cut down from the rope, placed in a coffin, and shipped to his family members in East Texas.²

Unlike Hayden, Wesley’s death was a state-sanctioned execution, following his conviction over a month earlier. As a result of the public frenzy around Wesley’s case, his execution was made public by the Arkansas General Assembly’s passage of House Bill 349. The bill, in becoming Act 58, stated that executions would return as public displays exclusively for rape offenses.³ This reversed a decision made in 1887, fourteen years earlier, that permitted only twenty-five witnesses to attend any given execution. In allowing Wesley’s execution to be public, the state of Arkansas drew a new connection between the legal institution of the death penalty and the extralegal act of lynching, where the crowd could leave satisfied in either scenario.

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¹ “‘Hang Him!’ Shouted an Angry Mob at Texarkana,” *Arkansas Gazette*, June 4, 1898; Nancy Snell Griffith, “Bud Hayden (Lynching Of),” *Encyclopedia of Arkansas*, <https://encyclopediaofarkansas.net/entries/bud-hayden-8408/>, accessed Mar. 14, 2026.

² “Wesley Met Fate Without a Tremor,” *Arkansas Gazette*, Mar. 24, 1901; “A Just Reward,” *The Southern Standard* (Arkadelphia, Arkansas), Mar. 28, 1901.

³ Act LVIII, Mar. 21 1901, *Acts and Resolutions of the General Assembly of the State of Arkansas*, 1901, p. 105-106.

Beginning in the early 1900s and continuing through to the late 1930s, state-sanctioned executions became increasingly common as a method of satisfying a community's desire for vengeance while simultaneously staving off the more infamous and extralegal method of lynchings – a method considered distasteful for state officials who wanted to promote a more civilized sense of law and order. On regional and national levels, scholars have examined the connection between race, lynching, and capital punishment, prompting the use of the term “legal lynchings” to describe rushed, state-sanctioned executions.⁴ Importantly, in 2006, historian Michael J. Pfeifer argued that as lynchings declined in the 1920s-30s, capital punishment was administered instead, “symbolizing the social and especially racial control of crime once expressed by lynching.”⁵ In the decades since, academics from the varying fields of history, law, and sociology have drawn similar conclusions to Pfeifer's, leading to establishment of a “substitution theory” that explains how the death penalty took the place of lynching in American society: as the method of lynching became increasingly rejected, the death penalty was ‘renovated’ and its use quickly expanded.

Despite the mass attention on the regional and national levels, a small number of works have examined this at the state level in Arkansas.⁶ In 1999,

⁴ W. Fitzhugh Brundage, *Lynching in the New South: Georgia and Virginia, 1880-1930* (University of Illinois Press, 1993); William Bowers, *Legal Homicide: Death as Punishment in America, 1864-1982* (Northeastern University Press, 1984); George C. Wright, *Racial Violence in Kentucky, 1865-1940: Lynchings, Mob Rule, and “Legal Lynchings”* (Louisiana State University Press, 1990); John C. McAdams, “Racial Disparity and the Death Penalty,” *Law and Contemporary Problems*, 61 (Fall 1998): 153-170; Jesse L. Jackson, Sr., Jesse L. Jackson, Jr., and Bruce Shapiro, *Legal Lynching: The Death Penalty and America's Future* (New York: New Press, 2001); Christopher Waldrep, *The Many Faces of Judge Lynch: Extralegal Violence and Punishment in America* (Palgrave Macmillan, 2002); Stuart Banner, *The Death Penalty: An American History* (Harvard University Press, 2002), 137-145.; Eliza Steelwater, *The Hangman's Knot: Lynching, Legal Execution, and America's Struggle with the Death Penalty* (Boulder: Westview Press, 2003); Michael Pfeifer, *Rough Justice: Lynching and American Society* (University of Illinois Press, 2004); Michael J. Klarman, *From Jim Crow to Civil Rights: The Supreme Court and the Struggle for Racial Equality* (Oxford University Press, 2004); Margaret Vandiver, *Lethal Punishment: Lynchings and Legal Executions in the South* (Rutgers University Press, 2005), 9; Charles J. Ogletree, Jr. and Austin Sarat, eds., *From Lynch Mobs to the Killing State: Race and the Death Penalty in America* (New York University Press, 2006); Howard M. Allen & Jerome M. Chubb, *Race, Class, and the Death Penalty* (State University of New York Press, 2008); Amy Louise Wood, *Lynching and Spectacle: Witnessing Racial Violence in America, 1890-1940* (University of North Carolina Press, 2009); Michael Meltsner and Barrett J. Foerster, *Race, Rape, and Injustice: Documenting and Challenging Death Penalty Cases in the Civil Rights Era* (University of Tennessee Press, 2012); Ashraf H. A. Rushdy, *The End of American Lynching* (Rutgers University Press, 2012); David Rigby, Charles Seguin, “Capital Punishment and the Legacies of Slavery and Lynching in the United States,” *The Annals of the American Academy of Political and Social Science* 694, (Sage Publications, 2021), 205-219; Michael Ayers Trotti, *The End of Public Execution: Race, Religion, and Punishment in the American South*, (University of North Carolina Press, 2022).

⁵ Pfeifer, *Rough Justice: Lynching and American Society*, 8.

⁶ Richard A. Buckelew, “Racial Violence in Arkansas: Lynchings and Mob Rule, 1860-1930” (Ph.D. diss., University of Arkansas, 1999), 187; Timothy R. Finch, “Chapter XVIII: Arkansas and Missouri” in *Invitation to an Execution: Overview of American Death Penalty*, e.d. Gordon Morris Bakken (University of New Mexico Press, 2010); Guy

historian Richard A. Buckelew explored lynching in Arkansas as he compiled a detailed list of known occurrences in the state. As Buckelew discusses the decline of lynching, he points to the emergence of legal executions as one of multiple reasons that Arkansan lynchings ceased in 1936.⁷ John A. Kirk pushed this Arkansas focus further in 2023, probing the transition from lynching to state punishment specifically in Arkansas by exploring two death penalty cases in the late 1930s. Kirk finds that, in Arkansas cases, the “line between lynching and ‘legal lynching’ was a very blurred one indeed.”⁸

Focusing more on death penalty cases than lynchings, this essay will corroborate how ‘blurry’ this transitional period was in Arkansas, while also demonstrating that the movement between the two was a far more gradual process than appears from the perspective of regional and national studies. Although the key transition appears to occur distinctly in the 1930s, its transformative origins are rooted in much earlier decades, closer to the turn of the century.

Additionally, this work uses a statistical analysis to examine the death penalty in Arkansas, driving the understanding of the state’s death penalty in new directions while simultaneously adding to the wealth of literature that attempts to understand the role of race in death penalty cases. From the first death penalty at Arkansas Post in 1820 to the most recent executions in 2017, the state of Arkansas has legally executed 533 people. In the wider context of the South, this positions Arkansas as seventh out of thirteen Southern states.⁹ On the high end, Virginia, Texas, and Georgia have executed over 1,000 people; however, Arkansas has executed more than Kentucky, Mississippi, and Louisiana. When considering the lower overall population of Arkansas, its use of the death penalty is quite high. Considering this, as well as Arkansas’s ties to the Deep South through slavery and lynching, establishes the state as a remarkable example to explore the ways in which racial bias could impact capital punishment sentences. To do so, this work will analyze the statistics of all state-sanctioned executions in Arkansas to provide an overview of capital punishment in the state, using data from the *Encyclopedia of Arkansas* and the *ESPY File*.

While a statistical analysis will clearly indicate how the death penalty in Arkansas has been racially biased, the case study of Wesley, in comparison to Hayden, provides a narrative example of how the death penalty could satisfy a mob’s desire for vengeance. Moreover, considering the death penalty as a tool for mob satisfaction reframes the transition from lynchings to death penalties. In this way, the “very blurred line” between lynching and capital punishment becomes a

Lancaster, *Bullets and Fire: Lynching and Authority* (University of Arkansas Press, 2017); Guy Lancaster, *American Atrocity: The Types of Violence in Lynching* (University of Arkansas Press, 2021); Michael Ayers Trotti, *The End of Public Execution*, (2022); John A. Kirk, “Lynching to Legal Lynching” *Arkansas Historical Quarterly* 82 (2023), 141-170.

⁷ Buckelew, “Racial Violence in Arkansas,” 187.

⁸ Kirk, “Lynching to Legal Lynching,” 146.

⁹ “State by State Overview,” *Death Penalty Information Center*, <https://deathpenaltyinfo.org/state-and-federal-info/state-by-state>, accessed Mar. 18, 2026.

little clearer: the transition is not a simple substitution, as Kirk also suggests, but rather a back-and-forth between which tool would most efficiently allow the desires of mob justice to be sated.

On June 2, 1898, a young white woman named Jessie Scott was spending her morning picking berries in her family's garden in Texarkana.¹⁰ After an unusual noise caught her attention and disturbed her berry picking, she investigated and poked around the nearby barn. As she entered, she found a Black man and proceeded to ask him what he was doing there, to which he responded by asking her the same question. Surprised and scared, she told him that she was going to tell her mother, then turned to run. At the same time, the man grabbed her, leaving the imprint of his fingers on her arm.¹¹

For the initial part of the investigation, Sheriff J. T. Dillard believed that it was strictly a physical altercation. After he stopped his initial search for suspects, he returned to the Scott residence to obtain more information. Jessie and her mother, Talitha Scott, were the only residents, as Jessie's father was deceased, formerly a circuit clerk of the local court. The Scotts admitted to Sheriff Dillard that it was a sexual assault, a detail they had not divulged earlier. As Sheriff Dillard and others finished their search of the area, City Marshal W. E. Casey encountered Ben Hayden riding a bicycle toward the nearby town of Buchanan. As Casey arrested Hayden and brought him back to town, the nearby Corbett family reported a stolen bicycle.¹²

Bud Hayden, upon his arrival at the Texarkana jail, quickly drew a large crowd of hundreds. Jessie Scott was quickly brought to the jail to identify him. She ultimately denied that he was her assailant, believing that Hayden's complexion was too dark. Yet Hayden was not released, as authorities deemed his conflicting stories about how he obtained the bicycle as suspicious. Mrs. Corbett then identified the bicycle as her husband's, and they kept Hayden in custody. As evening set in and the night passed, hundreds of citizens remained outside to guard the jail. By the morning, the crowd had grown to an estimate of thousands. From there, they elected seven leading citizens to escort Hayden to the barn where the crime occurred, in hopes that Scott may identify him. In the barn, she did so, reportedly including that his voice was the same as her assailant's. At 11 o'clock, the seven men reported their findings to the crowd of thousands. Multiple speeches were given as the course of action was debated. At one point, someone

¹⁰ Although newspapers described Scott as twelve years old, the 1900 census record indicates that she was born in 1882. If true, this would make her sixteen. This discrepancy was noted by Nancy Snell Griffith in her *Encyclopedia of Arkansas* article on Bud Hayden. Additionally, Sheriff J. T. Dillard referred Scott as a sixteen-year-old in a letter to the governor, published in the *Daily Arkansas Gazette* on June 5, 1898 (p. 2).

¹¹ "Hang Him! Shouted an Angry Mob at Texarkana," "Texarkana Lynching," *The Butler Weekly Times* (Butler, Missouri), June 9, 1898; "Lynching at Texarkana," *The Forrest City Times*, June 10, 1898; Griffith, "Bud Hayden (Lynching Of)."

¹² "Hang Him! Shouted an Angry Mob at Texarkana," "Texarkana Lynching"; "Lynching at Texarkana"; Griffith, "Bud Hayden (Lynching Of)."

Newspapers also referred to Bud Hayden as: Ben Hayden, Ben Haden, and Levi Hayden.

shouted that Scott was the child of “one of our departed citizens who was honored by everybody.” The same speaker continued: “in justice to his withered remains...what shall we do?”¹³ The crowd responded with an emphatic “hang him!”¹⁴

Eighteen-year-old Hayden was reportedly handed to the mob after some resistance from the authorities. A rope was looped around his neck, and he was dragged through an opening in the crowd, where he was kicked and was “struck by everybody.”¹⁵ Refusing to speak as the mob pulled him to the Iron Mountain railroad, the mob pulled Hayden into the air, hung him from a tree, and riddled his body with bullets. The size of the crowd, not yet dispersing, caused the next train into the station to be delayed for an hour.¹⁶

As a system of social, political, and economic control, lynchings helped maintain white superiority in the post-Reconstruction era. As Arkansas historian Guy Lancaster points out, lynchings have often been imagined as “heat-of-the-moment passions” from enraged, frenzied mobs. While this imagery is accurate in many cases, it often draws attention away from the underlying political authority that fueled white Southern lynchings and allowed their perpetrators to walk away without arrest or prosecution. In the common cases of Black victims lynched by white mobs, lynchings were often as equally concerned with the activation of white citizens’ political authority and a larger discouraging of other Black citizens as they were with committing an actual act of violent retribution against a specific person.¹⁷

The lynching of Bud Hayden similarly counters the imagery of an agitated, insatiable mob. As described in the *Arkansas Gazette*, a “cooler headed mob never collected” as the one that brought Hayden to his death.¹⁸ Though newspapers often used this to characterize lynching mobs as somehow more reasoned or level-headed, there is some degree of accuracy to this description. Instead of violently breaking into the jail and grabbing their victim from a cell at the first opportunity, this mob elected a committee of seven prominent citizens to ensure that he was Scott’s assailant. Following Scott’s identification of Hayden, the crowd reportedly discussed as to whether or not they should lynch him, and multiple speeches took place.

To be clear, this odd sort of citizen-directed half-trial does not change the fact that it was clearly a horrific act of racial violence. Yet, it also fits Lancaster’s description of lynchings: not acts of racial violence solely committed for the purpose of enacting racial violence, but to also exercise white political authority. Through their appointment of their town’s most prominent citizens as leaders, the

¹³ “‘Hang Him!’ Shouted an Angry Mob at Texarkana.”

¹⁴ “‘Hang Him!’ Shouted an Angry Mob at Texarkana.”

¹⁵ “‘Hang Him!’ Shouted an Angry Mob at Texarkana.”

¹⁶ “‘Hang Him!’ Shouted an Angry Mob at Texarkana”; “Lynching in Texarkana,” *New York Evening Journal*, June 4, 1898; “Texarkana Lynching”; “Lynching at Texarkana”; Griffith, “Bud Hayden (Lynching Of).”

¹⁷ Lancaster, *Bullets and Fire*, p. 7-11.

¹⁸ “‘Hang Him!’ Shouted an Angry Mob at Texarkana.”

mob that formed in Texarkana illustrates how the power and control of white Arkansans was not only implemented in fits of fiery passion, but also in more systematic and deliberate ways.

These systematic appearances were also necessary for mobs to legitimize lynchings. Although it may seem like a small adjustment, this step was critical in pivoting from the image of a lawless mob to one of a more rational and civilized pursuit of justice. From this new construct of a sense of legality, “legal lynchings” became a new option for satisfying a mob. The term, first surfacing in the mid-to-late 1930s, is defined by John Kirk: “there must be evidence that a person met their death at the hands of the state, arrived at through the courts by an abrogation of due process of law.” George C. Wright, in his study of Kentucky, more broadly defines “legal lynching” as a manipulation of the legal system to ensure that Black defendants received the death penalty, achieving the same effect as a lynching at the hands of a mob. The idea of legal lynching summarizes that in many cases, death penalties achieved the same purpose as lynching: to both demonstrate power and respond violently to the existential threat that white citizens perceived in Black people.¹⁹

True legal lynchings that fit these definitions, however, only make up a fraction of Arkansas’s death penalty cases. In examining how race and capital punishment intersect through a broader perspective of statistics, legal lynchings can be understood as one component within a much greater context.

Throughout the state’s history, 533 people have been sentenced to death. 298 of them were Black, comprising 56% of the total. From there, white Arkansans make up 33%, Native Americans account for 10%, and 2% are unknown. While Black Arkansans stand out as overrepresented in this data set, the fifty-one Native Americans put to death ranks Arkansas as the third-highest state in terms of Native American executions.²⁰

The racial disparities between Black, white, and Native capital punishments are compounded in a wider context when compared to the demographics of the state population as a whole. Averaging decennial census data from 1820 to 1970, the population of Arkansas has historically been approximately 76.8% white. Black Arkansans comprised 23.2% of the state’s population. Per the state average, the Black-to-white ratio of the general population has been one-to-three. Yet for executions, the ratio becomes nearly two-to-one. Simply put, over 50% of Arkansan executions up until 1970 came from less than 25% of the state’s population.²¹

¹⁹ “Lynching to Legal Lynching”; Wright, *Racial Violence in Kentucky*, p. 12.

²⁰ “Registry of Known American Indian Executions, 1639–2006,” *Death Penalty Information Center*, <https://deathpenaltyinfo.org/stories/registry-of-known-american-indian-executions-1639-2006>, accessed Nov. 28, 2025; David Rickard and Mark K. Christ, “Capital Punishment,” *Encyclopedia of Arkansas*, <https://encyclopediaofarkansas.net/entries/capital-punishment-4160>, accessed Mar. 26, 2026.

²¹ “Table 18: Arkansas – Race and Hispanic Origin, 1810–1990,” United States Census Bureau (2002), <https://www2.census.gov/library/working-papers/2002/demo/pop-twps0056/table18.pdf>, accessed May 7, 2025.

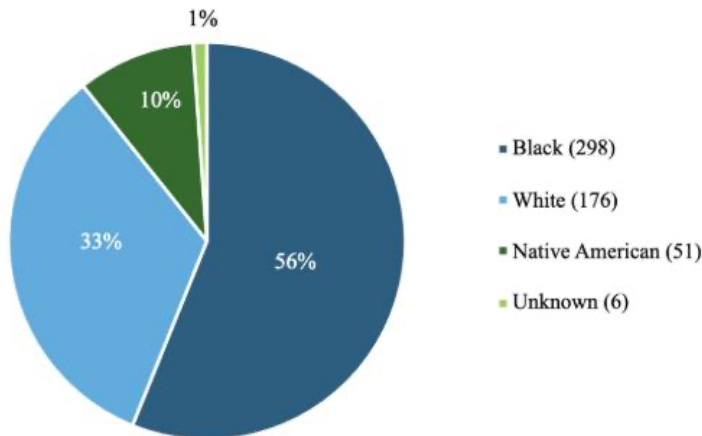


Figure 1: Executions by Race in Arkansas, 1820-2017. Data from the *ESPY File* and the *Encyclopedia of Arkansas*, “Capital Punishment.”

To further explore the entanglement of race and capital punishment in Arkansas, we can examine the death penalties by county. The top three counties include: Sebastian, with ninety-nine prisoners executed, Pulaski with forty-nine, and Mississippi with twenty-seven.¹³ By itself, Sebastian County claims nearly one-fifth of all executed Arkansans. The famous “Hangin’ Judge” Parker, who presided over the whole of the “Indian Territory” that stretched west of Fort Smith and across modern-day Oklahoma, is partly responsible for such a large number in Sebastian County. Over a term of twenty-one years, Judge Parker (or rather, his juries) condemned seventy-nine people out of Sebastian County’s total of ninety-nine.²² Furthermore, Judge Parker’s jurisdiction over the ‘Indian Territory’ also explains the surprising 10% of executions that involved Native Americans. In fact, cross-referencing the racial statistics with Judge Parker’s term shows that forty-four out of fifty-one total executed Native Americans were executed by Judge Parker alone.

Decennial census records sorted by race and county show that historically, Pulaski County has held some of the largest Black populations compared to other counties, continually climbing above 30% and 40% rates. Similarly, Mississippi County has climbed into 30-40% rates, even tipping above 50% in some years. Both counties have remained considerably above the 23.2% statewide historical average, reflecting that the counties with the most executions are also counties with some of the highest Black populations. In both Pulaski and Mississippi counties, over twice as many Black Arkansans have been executed versus white Arkansans.²³

²² Jerry Atkins, *Hangin’ Times in Fort Smith: A History of Executions in Judge Parker’s Court* (Butler Center for Arkansas, 2012), 19.

²³ “Population by Race and County 1870 – Present.” *Historical Census Data*, AR State Data Center, UALR, <https://arstatedatacenter.youraedi.com/past-census-data/>. Accessed 7 May 2025.

A racial factor is also evident in the various crimes that produced death penalties. In Arkansas, the main capital crimes have included murder (or capital murder, post-*Furman*), murder-robbery, rape, and murder-rape. In the nineteenth century, however, more crimes were eligible for the death penalty, including assault and larceny.²⁴ Overall, the most prominent offense that has resulted in execution is murder, cited as the offense in 76% of executions. Although this provides a solid foundation, there is a degree of uncertainty due to the splintering of murder offenses into different categories, including murder-robbery and murder-rape.²⁵

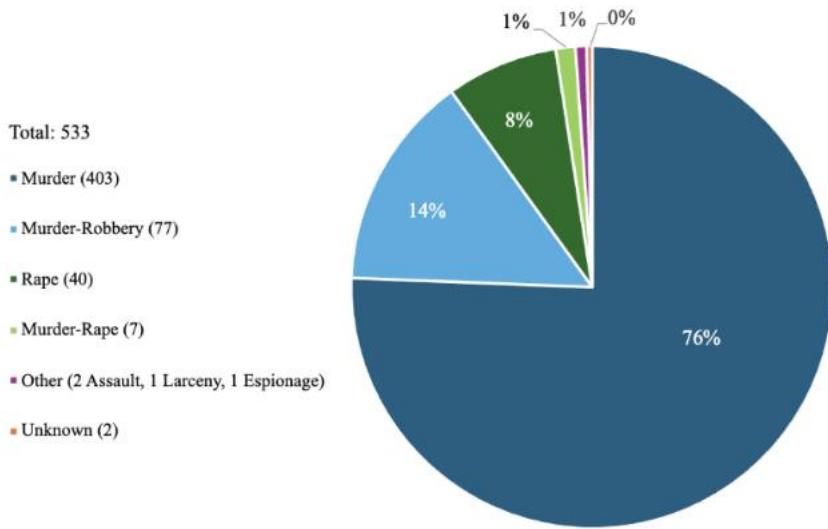


Figure 2: Executions by Crime in Arkansas, 1820-2017. Data from the *ESPY File* and the *Encyclopedia of Arkansas*, “Capital Punishment.”

Despite the fact that the majority of capital offenses result from murder charges, it is perhaps the rape category that is most indicative of racial disproportion. Angela Davis, examining this from a more national perspective, writes:

Remarkably few white men have been prosecuted for the sexual violence they have inflicted on these women. While the rapists have seldom been brought to justice, the rape charge has been indiscriminately aimed at Black men, the guilty and innocent alike. Thus, of the 455 men executed between 1930 and 1967 on the basis of rape convictions, 405 of them were Black.²⁶

Using Davis's numbers, the rate of Black executions for rape offenses equals 89%. In Arkansas, this rate is largely the same, if not slightly higher: out of the forty executions that cited rape as the offense, thirty-eight were Black Arkansans

²⁴ In one case during the Civil War, even espionage managed to justify a death sentence, see Carl H. Moneyhon, “David O. Dodd, the ‘Boy Martyr of Arkansas’: the Growth and Use of a Legend,” *Arkansas Historical Quarterly* 74, no. 3 (2015): 203–30.

²⁵ Rickard, “Capital Punishment,” *Encyclopedia of Arkansas*.

²⁶ Angela Davis, “Rape, Racism, and the Myth of Black Rapists,” *Women, Race and Class* (Random House, 1981), 172–173.

(95%). Similarly, out of the seven murder-rape offenses in Arkansas, five were Black. Even though the murder-rape category is much smaller, the fact that it is 71% Black echoes the same discrepancy established by the larger rape category and the nationwide statistic.

One instance included in the more general rape category in Arkansas is John Wesley, who was hanged from the gallows in the rain in Arkadelphia in 1901. On December 3, 1900, Josie Cleveland concluded her shift at the telephone exchange in Arkadelphia. After clocking out at 5pm and briefly shopping around the area, she began her nightly walk toward home where she lived with her father. The half-mile path took her to the edge of town and past the local cemetery. As she passed by its gates, a man grabbed her, pulled her into the cemetery, and raped her. The *Arkansas Gazette* reported the next day that "for nearly two hours there waged a fierce battle between this 17-year-old girl and the brute." Her father, alarmed at his daughter's absence, started walking into town to look for her. As he passed the cemetery, he noticed the gate was left wide open. Hearing a cry from within the graveyard, he rushed in, where he found his daughter lying wounded and alone.²⁷

A manhunt began as soon as word of the crime reached others. After around eleven hours of searching with bloodhounds and a crowd, nothing was found. The small size of the town, combined with the particularly horrific duration and location of the crime, had already ignited the town in outrage. The fact that the search produced no findings only amplified the seething anger spreading throughout Arkadelphia. In the weeks that followed, these tensions continually heightened as several suspects were brought forward but were dismissed after they were not positively identified.²⁸

The *Arkansas Gazette*'s initial report of Cleveland's rape specifically describes Cleveland as "very popular" and her father as "highly respected," further stoking tensions and heightening the probability of racial violence to occur.²⁹ Moreover, one of the taglines of the article itself reads: "Deed of Negro Brute Will be Avenged Speedily in the Event He Is Captured." The use of the word 'avenged' certainly alludes more to the rule of mob justice rather than the spirit of due process. Mob justice seemed to be inevitable as the mob began to form in Arkadelphia as it had in Texarkana three years prior. Just as the citizens of Texarkana came together to elect seven leaders for their mob, the citizens of Arkadelphia banded together to provoke an arrest and established a reward of \$1,000 for the culprit. At that point, half a dozen suspects had reportedly been brought in on suspicion, but were each released when Cleveland could not identify them. With reward money on the line and a handful of unavailing arrests, the agitation in Arkadelphia only increased. After another arrest and subsequent release a few days later, many speculated the agitation would culminate in a lynching. On December 15, the *Gazette* wrote that "many sensational stories have been printed [that week] concerning the probability of a lynching" and that during the most recent arrest, there were

²⁷ "Not Caught As Yet," *Arkansas Gazette*, Dec. 5, 1900.

²⁸ "Arkadelphia Fiend," *Arkansas Gazette*, Dec. 29, 1900.

²⁹ "Not Caught As Yet."

frequent reports of “citizens...preparing to burn or lynch the negro on his arrival.”³⁰

On December 19, yet another arrest was reported - an unnamed man from Booneville who matched the description of Cleveland’s assailant. Although his arrest announcement is sparse on details, the final sentence reads: “everybody feels assured he is the man wanted.”³¹ Just as there are no details on the unknown man’s arrest, there are similarly no details on his release. He is not mentioned in any later articles that follow the story. There is a possibility, however, that he could have been lynched. According to Ralph Ginzburg’s *100 Years of Lynchings* list published in 1962, there is an entry of a lynching in Arkadelphia on December 21. This lynching is not included in Richard Buckelew’s 1999 dissertation that documented many of the lynchings in Arkansas.³²

The story continued to develop on December 27, when Governor Daniel Jones offered \$500 of state money to be added to Arkadelphia’s \$1,000 reward, translating to over \$49,000 in 2025. On December 28, twenty-four days after Josie Cleveland’s rape, Sheriff Abrahams arrested John Wesley in Ogemaw, Ouachita County. Two days later, the *Arkansas Gazette* and the *Arkansas Democrat* reported that Cleveland did not identify Wesley and that was he released by Sheriff Abrahams. However, this was not true. It was not until February 9, almost six weeks later, that the *Arkansas Gazette* revealed that Wesley had been jailed in Arkadelphia the entire time, where Cleveland had in fact identified him. The same issue reported that the authorities originally issued a false statement, for they were “afraid that if it was given out that the negro had been positively identified...mob violence would follow.”³³

At his indictment, Wesley pled not guilty to the charge of rape, and the trial was set for the following Monday. On the day of the trial, Sheriff Abrahams addressed a courthouse filled beyond capacity, opening with a prayer that “no act should be done that would cause regret.”³⁴ During the quick two-day trial, Cleveland positively identified Wesley as her assailant, and Wesley tried to present an alibi, but reportedly failed. After deliberating for twenty-five minutes, the jury returned the verdict of guilty. A few days later, after waiting for the crowds to disperse and the tensions to die down, Judge J. D. Conway sentenced Wesley to the death penalty and set his hanging for March 23.³⁵

A little over a week later, with the tensions of Clark County still flaming, Wesley was burnt in effigy in Gurdon, the next town over from Arkadelphia. In response to the public sentiment growing nearer and nearer toward a lynching,

³⁰ “Offers \$1,000,” *Arkansas Gazette*, Dec. 8, 1900; “Arrested At Hot Springs,” *Arkansas Gazette*, Dec. 12, 1900; “Failed to Identify Him,” *Arkansas Gazette*, Dec. 13, 1900; “Still and Serene in Arkadelphia,” *Arkansas Gazette*, December 15, 1900.

³¹ “An Arkadelphia Suspect,” *Arkansas Gazette*, December 19, 1900.

³² Ralph Ginzburg, *100 Years of Lynchings* (New York: Lancer Books, 1962), 256; Buckelew, “Racial Violence in Arkansas.”

³³ “Reward for Rapist,” *Arkansas Gazette*, Dec. 28, 1900.; “Wesley is the Man,” *Arkansas Gazette*, Feb. 9, 1901.

³⁴ “Evidence In,” *Arkansas Gazette*, Feb. 19, 1901.

³⁵ “Evidence In,” *Arkansas Gazette*, Feb. 19, 1901, p. 1; “Wesley Convicted,” *Arkansas Gazette*, Feb. 20, 1901; “Border City Sale,” *Arkansas Gazette*, Feb. 23, 1901.

Representative S. P. Meador of Clark County proposed House Bill 349, which allowed for public executions for convicted rapists. Reversing the earlier decision to limit the amount of witnesses to twenty-five, the new bill proposed that only executions for rape be made public. Executions for murder and other offenses would remain private. As the bill was expedited through the legislature, Wesley tried to appeal against the Clark County court’s decision, citing bias among the all-white jury. The Arkansas Supreme Court affirmed the verdict and refused a retrial. The Arkansas General Assembly passed the bill to make rape executions public on March 20, and Governor Jeff Davis signed it into law the following day.³⁶

At 10 o’clock in the morning on Saturday, March 23, a crowd of 2,000-3,000 people gathered at the gallows erected in Arkadelphia. In the 1900 census, Arkadelphia reported 2,739 residents, signifying just how united the citizens were in their desire to see Wesley’s body drop. Huddled in the pouring rain, the spectators watched as Sheriff Abrahams walked Wesley to the unforgiving structure. Once Wesley was in place, Abrahams announced to the crowd that Wesley had made a full, sworn confession earlier that morning. Wesley’s confession detailed Cleveland’s rape, as well as the assault of two other women in previous years. When asked if there was anything else he had to say, Wesley responded: “Nothing except that I am guilty in all three cases, and I’m glad that the people have let me live long enough to make peace with God. I’ve got religion and believe God has forgiven me. I am ready to die.”³⁷ The sheriff stepped on the mechanism and John Wesley’s body plummeted through the air, falling seven feet towards the muddy ground. The crowd responded with cheers, as his body – with neck unfortunately unbroken – struggled for ten minutes. Against his shackles, Wesley managed to reach up, grab the rope, and hoist himself up multiple feet. The “great crowd looked on...and with cries of joy, saw his prolonged death struggles.”³⁸ Seventeen minutes after Wesley first fell, he was pronounced dead and cut down from the rope.³⁹

John Wesley’s public execution represents a complex point in the evolution of the death penalty in Arkansas. Whether Wesley was guilty or not, the execution, the passage of the bill allowing it to be public, and the attendees’ reactions blurred the line between death penalty and lynching, supporting the connections of authority and deterrence between lynching and capital punishment. Per eyewitness accounts, the crowd’s apparent joy at Wesley’s tortuous death elicited

³⁶ “Burned In Effigy,” *Arkansas Gazette*, Mar. 5, 1901, p. 1; “New Trial Refused,” *Arkansas Gazette*, Mar. 14, 1901, p. 2; Act LVIII, *Acts and Resolutions of the General Assembly*; “A Just Reward,” *The Southern Standard* (Arkadelphia, Arkansas), Mar. 28, 1901; Mark K. Christ, “John Wesley (Execution Of),” *Encyclopedia of Arkansas*, <https://encyclopediaofarkansas.net/entries/john-wesley-18668>, accessed November 25, 2025.

³⁷ “A Just Reward”; “Wesley Met Fate Without A Tremor.”

³⁸ “A Just Reward.”

³⁹ “Wesley Met Fate Without A Tremor”; “A Just Reward”; “John Wesley (Execution Of)”; “Table 4, Census Bulletin, 1900,” U.S. Census Bureau (1900), <https://www2.census.gov/library/publications/decennial/1900/bulletins/demographic/7-population-ar.pdf>, accessed Nov. 20, 2025.

the same fervor that was expressed in Texarkana in 1898. At least for the crowd, the sole difference lay between a legal rope and an illegal one.

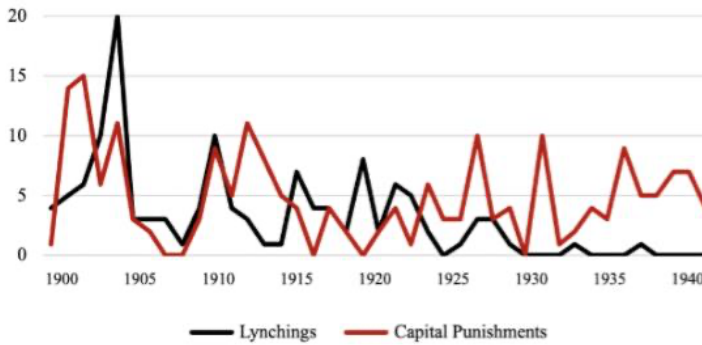


Figure 3: Number of Known Lynchings and Capital Punishments Per Year in Arkansas, 1900-1940. Data from the *Encyclopedia of Arkansas*, “Capital Punishment” and “Lynchings.”

For historians, however, the due process afforded to John Wesley dismisses his case as a lynching. Wesley evaded a mob lynching and was put on trial, perhaps due in small part to Abrahams’s keeping his arrest a secret. Yet, considering Arkadelphia’s multiple prior lynchings, the already blurred line between lynching and legal execution becomes even more muddled.⁴⁰ As Pfiefer points out, the death penalty’s geographical distribution often mirrors areas where lynchings occurred. Though Pfiefer refers to a more general regional connection, recent statistical analyses suggest that this correlation could apply at state and even county levels.⁴¹

Turning to Arkansas-specific statistics once more, we can compare the death penalties against the known lynchings in the state to further understand how this transition from lynching to capital punishment progressed. Importantly, this comparison demonstrates that, in Arkansas, this transition is not simply death penalties replacing lynchings - there is a much more dynamic relationship between the two. In some years, the relationship is almost directly inverse, while in others, the number of each respectively rises and falls with the other.⁴²

⁴⁰ Two decades earlier, Arkadelphia lynched four Black men within a three-year period. All four victims were under arrest when armed mobs entered the jail, physically removed the victims, and lynched them. For more information, see: Nancy Snell Griffith, “Wash Atkinson (Lynching Of),” *Encyclopedia of Arkansas*, <https://encyclopediaofarkansas.net/entries/wash-atkinson-14100>, accessed Nov. 24, 2025; Nancy Snell Griffith, “Arkadelphia Lynching of 1879,” *Encyclopedia of Arkansas*, <https://encyclopediaofarkansas.net/entries/arkadelphia-lynching-of-1879-9242>, accessed Apr. 28, 2025, accessed Nov. 24, 2025.

⁴¹ Pfiefer, *Rough Justice*, 153; David Jacobs, Jason T. Carmichael, and Stephanie L. Kent, “Vigilantism, Current Racial Threat, and Death Sentences,” *American Sociological Review* 70, no. 4 (2005): 656–77; Rigby, Seguin, “Capital Punishment and the Legacies of Slavery and Lynching in the United States,” 205–219.

⁴² Rickard, “Capital Punishment”; Brent E. Riffel, “Lynching,” *Encyclopedia of Arkansas*, <https://encyclopediaofarkansas.net/entries/lynching-346>, accessed Mar. 29, 2026.

Wesley’s case falls at the very beginning of this gradual transition. Considering it as part of that transition, Wesley’s execution begins to feel even more like a “legal lynching.” Both the lynching of Bud Hayden in Texarkana and the hanging of John Wesley in Arkadelphia demonstrated the power and authority of white citizens as the same objective were achieved through two different methods. In Texarkana, the prominent white citizens deliberately carried out the lynching after assembling into a committee and effectively making the crowd into a jury that presided over Hayden’s lynching. In Arkadelphia, Representative Meador took the passions of the town and guided the matter through the legal system by proposing the bill to make Wesley’s execution public. Both displays of political authority allowed the mobs to walk away satisfied with a violent response to the threat they perceived in Black Arkansans.

This threat, which became more apparent to white Southerners as Black people inched toward new rights and political freedoms following the Civil War, evolved from the rapid social, economic, and political changes that challenged white Americans’ ideas of power and morality. In turn, rape crimes against white women were deeply and psychologically offensive to white citizens. As historian Amy Louise Wood explains, crimes of rape committed by Black men against white women “particularly horrified white southerners because it was considered an assault not only on white women’s purity, but white men’s authority to protect and control that purity.”⁴³

As historians have pointed out, this notion of protecting white womanhood not only allowed lynchings (and legal lynchings) to be sanctioned by the community, but it also allowed the acts to be defended in local newspapers. This criteria is certainly true of Wesley’s case, as the editor for the *Southern Standard* wrote after Wesley’s trial: “In a general way, I am opposed to mob law, so-called, but in such a case as this, I honestly believe he ought to have been burned at the stake on the ground where he committed the offense.”⁴⁴ Additionally, historian Nancy Snell Griffith quotes Governor Jeff Davis, who signed the bill making the execution public into law: “revolting crimes against female purity are the same everywhere...it is vain to plead for abstract justice or talk of vindication of the law.”⁴⁵

The day after Wesley’s death, the *Pine Bluff Daily Graphic* declared that the passage of the bill was “nothing less than a compromise with the mob element.” The article continued, adding that the legislature was “not governed by the demands of justice and the promptings of reason, but was swayed by the passions of the frenzied populace.”⁴⁶ Similarly, *The Monticelloian* agreed, calling it the “first

⁴³ Amy Louise Wood, “The Spectacle of Lynching: Rituals of White Supremacy in the Jim Crow South,” *The American Journal of Economics and Sociology* 77 (2018): 765.

⁴⁴ “John Wesley - The Brute,” *The Southern Standard* (Arkadelphia, Arkansas), Feb. 28, 1901.

⁴⁵ Nancy Snell Griffith, “At the Hands of a Person or Persons Unknown” in *Bullets and Fire: Lynching and Authority*, ed. Guy Lancaster, (University of Arkansas Press, 2017), 47-48.

⁴⁶ “Compromise with Lawlessness,” *Pine Bluff Daily Graphic*, Mar. 24, 1901.

case on record where the law-making power ever passed a law to reconcile a mob.”⁴⁷ Later, this same concept of compromise with mob elements was echoed by Arthur Raper in 1933 who wrote: “Peace officers and leading citizens often make promises which virtually preclude impartial court procedure...it is not incorrect to call a death sentence secured under such circumstances a ‘legal lynching.’”⁴⁸

John Wesley was the first of five people to be publicly executed for rape in Arkansas under the new law. The second, Charles Anderson, followed Wesley later the same year. A crowd of 10,000 people gathered to witness Anderson’s last words - “I am not guilty, I ain’t lying” - and his subsequent execution. Anderson, like the other four, was Black.⁴⁹

The law that publicized death penalties for rape offenses was rescinded in 1905, marking a shift back toward making capital punishment a private affair. The episode, largely forgotten in the public eye, complicates the often-oversimplified transition from public to private executions. In terms of a timeline, it briefly brings the concept of public execution forward into the twentieth century, instead of confining it to an idealized version of nineteenth-century frontier lawlessness. As the title of the *Pine Bluff Daily Graphic* article reads, it was this “compromise with lawlessness” that brought the legal institution of the death penalty so close to the “rough justice” of lynching. With this compromise, Arkansas joined the other Southern states of Kentucky, Louisiana, and Tennessee in reversing their previous statutes on the death penalty, seemingly experimenting with how it could be used.

Changes to the death penalty continued in Arkansas as Act 55, passed in 1913, moved all capital punishments to Arkansas State Penitentiary in Pulaski County and away from the counties of their respective trials. With the same bill, the Arkansas state legislature embraced electrocution as the new method of execution. As historian and law expert Michael Ayers Trotti indicates, these changes to the death penalty did not arise purely from a spirit of reform. While they did standardize death penalty procedures, they also made these procedures unfamiliar to the public, forming a “secret, silent monster” as Trotti suggests.⁵⁰

As the Progressive Era of the early twentieth century continued at the national level and new statutes were implemented on a state level, the attitudes towards death penalty verdicts for rape offenses shifted. After the execution of Lee Simms for rape in 1913, the state of Arkansas would not execute another defendant

⁴⁷ “Editorial,” *The Monticelloian* (Monticello, Arkansas), Mar. 29, 1901.

⁴⁸ Arthur Raper, *The Tragedy of Lynching*, (University of North Carolina Press, 1933), 19; cited in Wright, *Racial Violence in Kentucky*, 12.

⁴⁹ “‘I Ain’t Lying,’ Said Charley Anderson, as He Dropped to Eternity.” *Arkansas Democrat*, July 26, 1901; “The Law Vindicated,” *Arkansas Gazette*, July 27, 1901; “John Wesley (Execution Of)” ; Mark K. Christ, “Charles Anderson (Execution Of),” <https://encyclopediaofarkansas.net/entries/Charles-Anderson-18832>, accessed Nov. 19, 2025.

⁵⁰ Vivien Miller, “Hanging, the Electric Chair, and Death Penalty Reform in the Early Twentieth-Century South,” in *Crime and Punishment in the Jim Crow South*, edited by Amy Louise Wood and Natalie J. Ring, (University of Illinois Press, 2019), 170-191; Trotti, 137, 139-141; *Atlanta Constitution*, Oct. 5, 1893, cited in Trotti, 148; “Capital Punishment,” *Encyclopedia of Arkansas*; Mark K. Christ, “Arkansas State Penitentiary,” <https://encyclopediaofarkansas.net/entries/arkansas-state-penitentiary-3569>, accessed Dec. 3, 2025.

exclusively on a rape charge until 1932 – nineteen years and nine months later.⁵¹ Within that time, nine known lynchings for the crime of rape/attempted rape occurred. After 1932, eighteen death penalties and only one known lynching were carried out for the same crime. From this, it is clear how lynching could appear to simply be replaced by the death penalty if the focus was solely on the 1930s. Yet, a wider scope clearly indicates this explanation is a bit too simplistic. From 1895 to 1913, fifteen death penalties and fourteen known lynchings occurred in Arkansas for rape alone. This view adds more nuance, suggesting that the death penalty was utilized in tandem with lynchings to demonstrate white authority in rape cases – not that it suddenly emerged as lynchings became increasingly rejected by an evolving Arkansan society.⁵²

In summary, while a statistical analysis firmly establishes that race has played a strong role in how Arkansans have been capitally punished, John Wesley’s case reveals this racial bias through the *way* he was executed. Especially in comparison to Bud Hayden, the fact that Wesley was hanged in front of a joyous crowd of thousands speaks to the connection between the racial violence of lynching and a more modern concept of capital punishment. While Wesley’s execution supports this correlation, it also helps us understand how the transition between the two developed at a practical level. Wesley’s execution in 1901 shows an earlier iteration of a “legal lynching,” introducing the idea that the connection between lynching and capital punishment was more of a relationship than a transition; it was more nuanced and gradual than a simple substitution. This relationship is also supported by examining how their respective statistics interact with each other over time.

In the study of early twentieth-century Arkansas, lynching emerged to historians as one of the primary ways that mobs sought out their version of justice. With an understanding that the death penalty played a significant role at this time as well, lynchings can be contextualized in a very different way. Perhaps when the mob believed a death penalty verdict would be given, they allowed the courts to proceed; when they were not confident of a death penalty, they would resort to lynching. Whether this exact scenario is accurate or not, comparing the cases of Hayden and Wesley demonstrates that, ultimately, the mob would be satisfied with either result.

⁵¹ There is an exception, Will Bettis and Spurgeon Rucks in 1924. However, they were sentenced to death on convictions of ‘murder-rape,’ not exclusively rape. For more information, see Michael Anthony, “‘Otherwise, You Will Have to Suffer the Consequences’: The Racial Cleansing of Catcher, Arkansas,” (Ph.D. diss., University of Arkansas, 2023).

⁵² Rickard, “Capital Punishment”; Riffel, “Lynching.”

From Print to Film: Political Censorship and Nationalism in Nineteenth and Twentieth-Century Central Europe

KARTIK JOSHI

Renewed focus on the prevalence and impact of state censorship in the contemporary age makes an understanding of historical systems of censorship especially important. With the advent of the internet, global public discourse has exploded to unforeseen levels, making it possible for both state and private entities to use the malleability of internet content to enforce censorship and promote favored ideas. Advancements in technology similarly occurred in the nineteenth and early twentieth centuries, with innovations such as the steam powered rotary press, the electric telegraph, and new visual imagery technologies such as the lithograph. These technologies, combined with emerging ideologies, led to an increase in subversive political discourse, which the Habsburgs correctly recognized as a serious threat to their historic hegemony in central Europe. Primarily, the ideology of nationalism came into its own in the century, shifting the primary allegiances of polities towards ideals of a shared national identity, and the vision of self-governing nation states. Nationalism threatened Habsburg dominance of Central Europe, almost all of which was under direct or indirect Habsburg influence. Austrian censorship, a direct product of Habsburg rule, was by far the most stringent, while German censorship was more easily evaded by the uneven enforcement of laws across distinct German princely states. Furthermore, the advent of cinema as an artform further altered how states responded to and used media to promote certain ideas while suppressing others.

The systems of political censorship that arose to counter challenges to the status quo political orders in Germany and Austria, can be compared responses to nationalist sentiment. Each state's administrative practices and legal tools were leveraged to shape what could be printed or distributed, and beguiling forms of social commentary, notably satire, were both challenged and constrained by state regulators. The advent of cinema challenged systems of censorship and promoted nationalism in the twentieth century, while simultaneously being wielded as a propaganda tool by insurgent fascism. The film *Jud Süß* (1940) represents an early example of nationalism being depicted on the screen as state propaganda, while the Hungarian film *80 Hussars* (1978) represents the resurgence of romantic nationalism in the face of Soviet imposition in Central Europe.

Austria was by far the most fervent aggressor when it came to the censorship and suppression of nationalism in the nineteenth century. The ruling Habsburgs had controlled Austria since the thirteenth century, and the Holy Roman Empire (which included much of Germany) since the fifteenth century. Though their tenure was marked by constant high-stakes crises, the Habsburgs reigned one of the most

powerful and consistent dynasties in Europe, with an obvious interest in the maintenance of their power, and the suppression of nationalism and republicanism. Following the Napoleonic Wars, which saw the collapse of the large multiethnic Holy Roman Empire in 1806, the German Confederation was established at the Congress of Vienna. Nationalists were naturally disappointed with the implementation of a weak Confederation (a means to protect Habsburg interests) as opposed to a pathway towards German unification, or at least the creation of a new German sphere of influence under Prussia. Under Napoleon, a German client state under France known as the Confederation of the Rhine had been established, which combined nearly 100 principalities into a somewhat unified German state.¹ This taste of nationalism, while not universally desired, became popular amongst the German bourgeoisie and lower elite. The defeat of the old imperial powers caused many to question their loyalty to fragmented princely states and instead look to the nation as a cultural community. From 1804-1816 popular German romantic nationalism thrived, based on a shared history, language, and customs. However, at the Congress of Vienna, representatives of these ideologies were not taken seriously, and the German Confederation was established with Habsburg Austria as the presiding power. More disastrous even then the Congress's dismissal of nationalist sentiments, was the failure to foresee Prussia as an eventual competitor to Austrian hegemony in Central Europe, as Prussia would ultimately be responsible for suturing the German states in the latter half of the century. The Congress intended to conserve power with the old regimes of Europe, which was believed to be a recipe of peace and stability in Europe, though the repeated revolutions and nationalist uprisings of the nineteenth century show that the Congress was ultimately unimperturbable in this mission. It is worth considering that had the Congress allowed for early romantic nationalism to be applied where there was popular support for it, the rise of the more militant, exclusionary nationalism of the early twentieth century could have been avoided.

Meanwhile, Austria continued to rely on a vast bureaucracy in Vienna to administer its colonial holdings on the European continent, where the suppression of nationalism was a principal concern of the empire. In the late eighteenth century, under the rule of "enlightened despot" Joseph II, the role of censorship was centralized within the state. Austrian foreign minister Klemens von Metternich was particularly instrumental in the implementation of censorship after the Napoleonic period. The most notable deviance of Austrian policy from the rest of Europe was in the tiered system of. Certain works could find themselves subject to censorship for particular groups, namely lower social classes or the less educated, while permissible for consumption by the aristocracy.² Metternich, in his capacity as foreign minister, greatly monitored the importation of works, preventing Austrian publishers from taking advantage of the same loopholes that those in the German

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¹ Hans A. Schmitt, "Germany without Prussia: A Closer Look at the Confederation of the Rhine," *German Studies Review* 6, no. 1 (1983): 9–39, 12.

² Robert Justin Goldstein, *The War for the Public Mind: Political Censorship in Nineteenth-Century Europe* (Bloomsbury Publishing, 2000), 216.

Confederation utilized.³ Furthermore, the select bureaucrats who oversaw censorship made it intentionally difficult to navigate the specific guidelines, with the real-life applications of censorship often differing from the written law, representing the Austrian government's absolutist view of governance. Political commentators therefore had two main avenues by which they could distribute their material. The foremost was to smuggle material in from abroad, which was made possible (though by no means easy) by Metternich's resignation amid the liberal revolutions in 1848. Secondly, printers would rely on the protection of patrons, members of the aristocracy who would permit and distribute sensitive material within higher class circles. The 1862 press law led to a reduction in the severity of censorship, as licenses were no longer required of publishers, and the prosecution of offenders was moved away from the whims of individual bureaucrats and into the courts with jury trials. Press restrictions eased in the leadup to the First World War, though censorship remained especially brutal in satellite regions, such as Hungary and Poland, where the desire to suppress nationalism remained at the forefront of the law.

Censorship in German lands closely aligned with the domination of Austria over German affairs. Censorship in Germany's Third Reich, as with many policies implemented by the National Socialists, represented the continuation of a legacy of censorship, extending back through the nineteenth century. The fragmented nature of the un-unified German states functioned as a kind of political potpourri, allowing for diverse censorship practices to coexist, which created both openings for bypassing regulations, as well as enduring constraints. As stated earlier, the Habsburgs exercised their power at the Congress of Vienna, where the future of Europe was recorded specifically away from nationalist sentiments. The German Confederation under Austrian direction adopted a system of press laws known as the "Carlsbad Decrees," based upon Austrian Minister Klemens von Metternich's harsh Austrian censorship laws, which aimed to quell sentiments of nationalism in Austria's satellite states. The Carlsbad Decrees included policies in line with censorship regulations throughout Europe, including but not limited to prior censorship, security deposits for publishers, and police review for everything from newspapers and satirical prints, to lithographs and engravings.⁴ The Hambach Festival of 1832, a major nationalist public demonstration in Berlin to advocate German unification, combined with the 1830 July Revolution in France to convince the confederations leaders in Frankfurt to pursue further restrictions, including the extension of prior censorship to lithographs and other forms of visual imagery.⁵ Satirical publishing particularly did experience a temporary upsurge in the period immediately following the 1848 revolutions, though further crackdowns occurred under the so-called "reaction resolution" of 1851, which encouraged the independent German states to further censor dissident speech in their respective jurisdictions.⁶ States reserved the right to use police inspections, requirements of

³ Goldstein, *War for the Public Mind*, 219.

⁴ Goldstein, *War for the Public Mind*, 41.

⁵ Goldstein, *War for the Public Mind*, 42.

⁶ Goldstein, *War for the Public Mind*, 51.

printing licenses, and seizure rights to control images and satirical publications, yet while federal press laws remained on the books, enforcement varied based on principality in the post-revolutionary period, representing the diverse priorities held by Germany's broad and fragmented ruling class. In Prussia, for example, officials often focused their crackdowns on attacks against the monarchy, while in Bavaria, offenses against moral laws could levy greater sentences. These discrepancies in enforcement allowed satirists and other politically dissident authors to find creative ways to get their ideas out despite regulation. For one instance, artists would publish works in states with looser regulations and then have them distributed throughout the Confederation.⁷

The collapse of the German Confederation, and the subsequent unification of Germany following the Austro-Prussian War, changed the nature of press restrictions in Germany. Most historians agree that the catalysts for unification were more related to Prussian competition with Austria as opposed to the early nineteenth century conception of nationalism. Nationalism, however, was effectively utilized to galvanize support for unification as part of Chancellor Otto Von Bismarck's strategy of *realpolitik*.⁸ Bismarck and other conservative leaders argued strongly in favor of passing restrictive press laws on the national level, though these efforts failed, and the more liberal Reich Press Law was passed in 1874. Under these statutes, caution money and licensing requirements were outlawed, and the burden of proof fell on the state to prove the illegality of a published work, though individuals within publishing houses could still be personally prosecuted for offenses. As was the case pre-unification, methods of prosecution varied by state, specifically when it came to the use of jury trials to prosecute violators of censorship laws.⁹ The tradition of censorship has had lasting impacts in Germany. Following the collapse of Kaiser Wilhelm's Second Reich, censorship remained in the Weimar Republic, which practiced censorship of print and film by the government despite a constitutional ban.¹⁰ Censorship of leftist films, under the premise that they might "endanger public order and security" occurred.¹¹ Later victims of censorship included Adolf Hitler and his allies, though his eventual rise to power under the Nazi Party platform would see the most notorious examples of state censorship in modern history. The censorship regime only came to an end under the West German constitution, and more completely after Germany's reunification in 1990, though

⁷ James Brophy, "Irony and Popular Politics in Germany, 1800-1850," in *Sensationalism and the Genealogy of Modernity: A Global Nineteenth-Century Perspective*, ed. Alberto Gabriele (Palgrave Macmillan, 2016), 29-47.

⁸ Otto Pflanze, *Bismarck and the Development of Germany: The Period of Unification, 1815-1871* (Princeton University Press, 1963), 111.

⁹ Goldstein, *War for the Public Mind*, 53.

¹⁰ Ursula E Koch, "Politische Bildzensur in Deutschland Bis 1914," *Jahrbuch Für Kommunikationsgeschichte* 16 (2014): 109-70.

¹¹ Kara L. Ritzheimer, *'Trash,' Censorship, and National Identity in Early Twentieth-Century Germany* (Cambridge University Press, 2016), 249.

some symbols, particularly those glorifying National Socialism and some Communist symbols remain illegal today, a source of recent controversy.¹²

Hungary was subject to the same restrictions that existed in the broader Austrian Empire during the nineteenth century. As previously stated, the Habsburgs remained primarily focused on quelling nationalism, and maintaining order throughout their empire, which was by far the most diverse of the European empires, being a patchwork of Germans, Magyars (Hungarians), Slavs, Italians, and others. This diversity predisposed the empire to greater internal turmoil over nationalism, as these ethnic groups sought to expand their access to autonomy apart from Austrian oversight. However, it also made Hungary particularly primed, along with Prussia, as an early bulwark against Habsburg hegemony, though Hungary's path to independence would be long and hard fought. Hungary had been under Habsburg since 1526 but was the most semi-autonomous of the Austrian satellites. Hungary also benefited from a historical constitution, though over the eighteenth and nineteenth centuries, the Habsburgs steadily worked to further centralize authority in Vienna. By the early 1800s, crucial decisions affecting Hungary were increasingly handled by the Austrian State Chancellery in Vienna, which headed the empire's vast bureaucracy, and reduced Hungarian self-governance.¹³ As discussed earlier, censorship formed a major pillar of Habsburg control in the pre-revolutionary decades. Establishing even a single printing press required authorization from the monarchy.¹⁴ Despite these measures, opposition leaders regularly attempted to circumvent state controls. One tactic utilized was the use of private correspondence to circulate information. As private letters were not subject to formal censorship, nationalist leaders such as Lajos Kossuth wrote and distributed handwritten parliamentary reports that summarized debates occurring in the Hungarian Diet. By 1883, as many as one hundred copies were clandestinely mailed across the country, a violation of press laws, but difficult for authorities to systematically block.¹⁵ When Kossuth secretly acquired a lithographic press to reproduce these reports, the effort triggered a state crackdown, underscoring how seriously the government viewed even small breaches of its censorship regime.

The Hungarian nobility took particular issue to their exclusion from central Habsburg institutions, and by the irregular and often ineffective representation available to them in Hungarian state bodies.¹⁶ Many saw the growing network of imperial offices as a direct encroachment upon the authority of Hungary's constitution. They were equally resentful of administrative practices that allowed the Crown to manipulate county politics or appoint royal administrators who could override local authority. As early as the 1820s, counties began openly defying royal

¹² Jesus Mesa, "Americans Shocked by '60 Minutes' Report on German Speech Policing," *Newsweek*, February 17, 2025, <https://www.newsweek.com/americans-shocked-60-minutes-report-german-free-speech-policing-2032241>.

¹³ István Deák, *Lawful Revolution: Louis Kossuth and the Hungarians 1848-1849* (Columbia University Press, 1979), 14.

¹⁴ Deák, *Lawful Revolution*, 29.

¹⁵ Deák, *Lawful Revolution*, 29.

¹⁶ Deák, *Lawful Revolution*, 15.

decrees on taxes and troop levies, which forced Emperor Francis I to summon the Diet in 1825, which had not met for fourteen years prior.¹⁷ Economic pressures further exacerbated tensions. Following the coalition wars against Napoleon, the Habsburg treasury was nearly bankrupt, and relied on the taxation of Hungarian commoners, as well as members of the lower nobility.¹⁸ Romantic nationalism further fueled grievances amongst the Hungarian population, including the nobility. Besides the fact that Hungarians were barred from the privileges of participating in Austrian royal politics, the Austrians attempted to introduce German as the centralized language of the empire, an insult to Hungarian autonomy.¹⁹ The absence of a free press, and the government's refusal to allow certain publications, contributed to the growing belief that legal reform required a broader national movement. Together, the combination of absolutist censorship, economic pressures, administrative centralization, and the emerging politics of nationalism created the conditions in which Hungary's liberal opposition gained strength. By the mid-1840s these grievances had coalesced around demands for press freedom, national autonomy, and social reform, setting the stage for the revolutionary upheavals of 1848, with major political figures Lajos Kossuth and Count Lajos Batthyány leading efforts towards full Hungarian independence, going beyond the efforts of conservative reformers earlier in the century.

Revolutionary events began in the spring of 1848 when unrest in Vienna and news of the Paris uprising emboldened Hungarian reformers. Kossuth delivered a speech demanding constitutional governance across the empire. His message spread rapidly through Vienna and was instrumental in the forced resignation of foreign minister Klemens von Metternich. With the Habsburgs distracted by turmoil in Vienna, Hungary secured the formation of a government under Lajos Batthyány. The April Laws soon followed, establishing civil equality, representative government, and a modern administration. But national tensions inside the Kingdom and growing alarm in Vienna soon hardened opposition. Support softened from other Habsburg nations, and by early 1849 Austria launched a full counteroffensive. Kossuth organized a mass volunteer army, which had successful campaigns through the winter and spring of 1849. However, with the ultimate intervention by Russia, which included nearly 200,000 Russian troops converging with Austrian forces from multiple fronts, Hungary could not maintain its gains, and the interim government was dismantled. Though some conservative reforms took place throughout the latter half of the century, notably with the compromise of 1867, which saw further autonomy granted to Hungary, full independence would not come until the fall of the Austrian empire following the Great War.

As previously discussed, Hungarian nationalism emerged in the nineteenth century as a project rooted in liberal reform and political integration rather than religious or ethnic exclusion, with membership in the national family defined primarily through loyalty to the Hungarian state and participation in its political

¹⁷ Deák, *Lawful Revolution*, 16.

¹⁸ Deák, *Lawful Revolution*, 4.

¹⁹ Deák, *Lawful Revolution*, 43.

culture.²⁰ This was in line with romantic nationalist movements of the early to mid-nineteenth century. Romantic nationalism linked national identity with the emotional, historical, and cultural spirit of a people, emphasizing shared language, folklore, and traditions as the basis for a unified nation, often in opposition to imperial rule, fostering movements for self-determination and unification. During the era of the Austro-Hungarian Compromise, nationalism functioned as a unifying ideology that sought to assimilate minorities through language, education, and civic participation, reflecting a confidence in liberal progress. However, as imperial power receded in Europe, the elimination of a common struggle for romantic nationalists, shifted nationalism from an inclusive to an exclusive ideology. In the era of mass politics that came about in the late nineteenth and early twentieth centuries, Hungarian political elites who had assuaged nationalist began to question the effectiveness of liberal politics in maintaining order within the Hungarian state.²¹ After all, the post Habsburg Kingdom of Hungary was one of if not the most diverse European state (only about 40% Magyar), and hosted a number of prominent religious factions as well.

Moreover, Hungary's significant Jewish population, concentrated in urban areas, began to be associated with capitalism, liberalism, and cosmopolitanism, considered by many nationalists to be enemies of national cohesion.²² Though antisemitism was not a new phenomenon in Europe, it found a new home in its linking with subversive ideologies (namely communism), against nationalism, which by the early 20th century had emerged from a subversive ideology into a mainstream political project. In this context, nationalism was redefined in Hungary through the language of Christian morality and historical mission, with political actors arguing that Hungary's survival depended on defending a specifically Christian national identity against internal and external enemies. By the interwar period, nationalism thus operated less as an inclusive political project, and more as a system that defined who could legitimately belong to the nation and who could not.²³

Cinema and Censorship in the Twentieth Century

As the film industry emerged in the early twentieth century, it became increasingly difficult for governments, absolutist or otherwise, to maintain the same standard of censorship that was present for theater or print restrictions. On one hand, censors no longer had to be physically present in rehearsals to catch violations, as they did for theater. However, film output began to outpace censorship authorities, and by 1912, for example, no censorship restrictions existed for films in

²⁰ Paul A Hanebrink, *In Defense of Christian Hungary: Religion, Nationalism, and Antisemitism, 1890-1944* (Cornell University Press, 2006), 15.

²¹ Hanebrink, *In Defense of Christian Hungary*, 23.

²² Hanebrink, *In Defense of Christian Hungary*, 26.

²³ Hanebrink, *In Defense of Christian Hungary*, 45.

the Austrian empire.²⁴ While not a result of Habsburg influence, observing reactions to the early film industry in France is effective in rationalizing the impact and pervasiveness of film content, and how even more reformed regimes might have been trigger to react to film by aggressively regulating it. The passage of the French 1881 Law on the Freedom of the Press, which remains on the books with key amendments, was revolutionary in distinguishing France from other European states in its treatment of potentially subversive content, though this did not come without limitations. The key policy shift in France came in the abolishment of prior review, opening the floodgates for subversive content to be produced without the initial scrutiny of French censors. The nature of this subversive content could generally be contrasted from the rest of Europe, as the Third Republic, while marked with major crises such as the Dreyfus Affair and ministerial corruption, was a relatively stable state compared to Central Europe, and especially compared to previous iterations of the French state over the nineteenth century. The passage of the press law created a liberal press environment, which the magazine *La Caricature* satirized as “The Great Epidemic of Pornography.”²⁵ Revisions were made by the national assembly to the enforcement of the law in the year following its passage, which distinguished obscene imagery or pornography based on the method of delivery: whether or not the material was readily visible through individual pictures, or tucked inside a larger book or collection, which was more commonly consumed by the upper classes, evident of the Third Republic’s willingness to enforce moral standards on class lines, similar to the regimes of past.²⁶

France’s modern government, like its predecessors, could not shake off the republican anxiety that media could create deviances in public morality, threatening the order of the society and more importantly, the control of the state. These concerns influenced the Republic’s response to the new and emerging Film industry. The French were familiar with the power of theater to mobilize mass audiences, and while censorship of the theater was formally abolished in 1906, an 1884 municipal law gave local authorities rights to restrict material, creating an intentional contradiction in law akin to the situation in pre-unification Germany.²⁷ Early films were short spectacles played in fairs and cafes, and their potential was still ambiguous, as was their position within the existing censorship laws.²⁸ Actions from moral reformers, such as senator René Bérenger, led local governments to ban some films perceived as indecent in the early 1900s, though no further restrictions were passed to address such films. However, the republican government recognized their role in film censorship, as a broader strategy to expand republican control over the

²⁴ Goldstein, *War for the Public Mind*, 233.

²⁵ Robert Justin Goldstein, *Censorship of Political Caricature in Nineteenth-Century France* (Kent State University Press, 1989), 235.

²⁶ Susan Waller, “Censors and Photographers in the Third Republic of France,” *History of Photography* 27, no. 3 (Sept. 2003): 226.

²⁷ Kenneth Garner and Richard Abel, “Regulating a Risky Business: Film, Censorship, and Public Safety in Prewar France, 1909–1914,” *Yale French Studies*, no. 122 (2012): 164

²⁸ Garner and Abel, “Regulating a Risky Business,” 166.

actions of the media.²⁹ Anxieties about juvenile crime and general urban disorder in the early 1900s also increasingly converged on cinema, especially crime reenactments and execution films, which had emerged as a popular sub-genre, though it was not taken seriously by critical opinion.³⁰ In 1909, when the major cinema company Pathé released footage of a real execution, the interior ministry issued a decree classifying cinema as a “spectacle de curiosité”, which granted mayors authority to regulate its exhibition, a step toward film censorship, though once again no formal law clarified this power.³¹ Tensions reached a climax in 1912 when a number of town mayors banned crime films, arguing that such pictures glorified criminals and encouraged the imitation of criminal acts.³² Film restrictions would ultimately relax, and the French cinema industry would eventually become the most prolific in Europe. Film as a medium for political action continued to come into its own and would become a major medium of the nationalist conflicts that would continue to plague Central Europe in the 20th century.

The use of film threatened the legitimacy of old regimes, but as revolutionary groups ascended to power themselves, they were able to effectively pivot the role of film to further legitimize their own power. Following the world's first explicitly Marxist revolution in Russia, Vladimir Lenin described cinema as “most important of all arts” for its ability to push Communist propaganda, and legitimize the new state power of the revolution.³³ No example of film as a tool of state propaganda, however, is perhaps more notorious, widespread, and prolific as pre-contemporary Germany under Adolf Hitler's Nazi Party, which has been well documented. Upon Hitler's arrival to power in 1933, he appointed one of his closest advisors, Joseph Goebbels, to the role of Reich Minister of Propaganda. Goebbels recognized the ability of film, which by then had established itself as a legitimate media of art and entertainment, as one of the most important instruments of propaganda, capable of “bridging the gap between politics and economics.”³⁴

As mentioned prior, representatives of Europe's pre-eminent empires at the 1815 Congress of Vienna, dismissed romantic nationalism as a contagious threat to their own power in the region, and efforts were taken to re-fragment German lands under the German Confederation. Meanwhile, the Austrian Empire imposed upon the German people press censorship, and the extreme suppression of nationalist movements throughout the early and middle nineteenth century, postponing the eventual political unification of Germany under Prussia. Romantic nationalism and its outgrowths, which may have been capable of channeling cultural pride into gradual constitutional reforms, was instead repressed until it resurfaced explosively in the wars of unification later in the nineteenth century, embedding nationalism in

²⁹ Garner and Abel, “Regulating a Risky Business,” 180.

³⁰ Garner and Abel, “Regulating a Risky Business,” 172.

³¹ Garner and Abel, “Regulating a Risky Business,” 172.

³² Garner and Abel, “Regulating a Risky Business,” 176.

³³ Boris Jachnin, “Karel Kachyňa,” *Kinema*, Nov. 20, 1995.

³⁴ Joseph Goebbels and Scott MacKenzie, “Creative Film (Germany, 1935),” reproduced in *Film Manifestos and Global Cinema Cultures: A Critical Anthology* (University of California Press, 2014), 493-95.

militarism and grievance rather than liberal integration. Antisemitism as a popular ideology simultaneously gained traction as a way to assign foreign involvement to the decline in domestic conditions. After Germany's humiliating defeat in World War One, the Weimar Republic was established, and was immediately susceptible to economic hardship, as Germany's industrial base had been debilitated, and the state now owed reparations to France, Belgium, Great Britain, and other Allied nations. The combination of economic hardship and national humiliation created unrest within the republic, which like states before it relied on top-down censorship, including bans on extremist parties, and the prosecution of figures like Hitler, which transformed the Nazis into martyrs of nationalism while granting them publicity and legitimacy.

In many of Goebbels's speeches, he explicitly described the Nazi ascent to power as a revolution, and saw the importance of art in legitimizing and informing this revolution.³⁵ In Goebbels's speech at the opening of the Reich Chamber of Culture, he described the role of media as going beyond the call to inform the public, in order to instruct of how to participate in the ideas of the revolution.³⁶ In 1935 he wrote that film must be a vehicle of the state to deliver culture, rejecting the more individualistic mass entertainment of the Weimar Republic, and the radical aesthetic experimentation that had come about globally in the 1920s. Simultaneously, he stated that filmmakers are expected to educate public taste rather than merely cater to it, even if doing so would require financial sacrifice, as filmmakers like other artists had a political responsibility equal to their artistic one.³⁷ Goebbels viewed state support of cinema as essential, placing film on an equal footing with architecture, theater, and galleries as a cultural institution deserving of public investment.³⁸ While the Nazi arrival to power drove much of Germany's cinema talent away, they nevertheless inherited one of the world's foremost film industries, second only to Hollywood, which was credited with a number of cinematographic innovations including expressionism, the concept of using symbolism as opposed to realism to tell a story.³⁹ Such methodologies were employed by Nazi-era filmmakers, though some critics argue that Goebbels's directors only stayed employed due to superior talent fleeing the country.⁴⁰

Major Nazi films included documentaries, which highlighted major events including the Nazi ascent to power, and served to directly cast Hitler as a godlike figure. Leni Riefenstahl, director and photographer, created the two-part movie series *Olympia*, documenting the 1936 Berlin Olympics. This film was rightly considered groundbreaking in its use of cinematography, while simultaneously promoting the idea of German glory through physical superiority. Her 1935

³⁵ Joseph Goebbels, "Speech at the Opening of the Reich Chamber of Culture (1933)," reproduced in *The Third Reich Sourcebook*, ed. Anson Rabinbach and Sander L. Gilman (University of California Press, 2013), 457–59.

³⁶ Goebbels, "Reich Chamber of Culture," 457.

³⁷ Goebbels, "Creative Film," 494.

³⁸ Goebbels, "Creative Film," 494.

³⁹ Susan Hayward, *Cinema Studies: The Key Concepts* (Routledge, 2000), 175–178.

⁴⁰ David Thomson, *The New Biographical Dictionary of Film* (London: Little, Brown, and Co., 2002), 372.

documentary *Triumph of the Will*, however, was less impressive, featuring repetitive speeches and Nazi rallies, though it was effective agitprop that both glorified and deified Nazi leadership.⁴¹

One of the most egregious examples of antisemitism in film comes from the Veit Harlan film *Jud Süß* (1940), which does not directly feature any Nazi Party leaders, but intends to place its plot as a representation of Germany's troubled history through an antisemitic lens. The film opens with text mentioning that it is based on true events, namely the story of Joseph Süß Oppenheimer, an eighteenth-century "court jew" under Duke Karl Alexander of Württemberg, who was accused and convicted of several financial and moral crimes following the duke's death. After refusing conversion to Christianity, he was hanged. The film's position as "historical fiction" attempts to grant itself legitimacy as an accurate representation of German history, though aspects of the film are heavily fictionalized.

In the film, Charles Alexander, Duke of Württemberg (played by Heinrich George), is in poor financial conditions, and the parliamentary diet refuses to fund certain vanities such as an opera house, which frustrates the duke. To fund his lifestyle and further his power, the duke seeks financing from one Joseph Süß Oppenheimer, played by Ferdinand Marian, a Jewish jeweler who agrees to give the duke money only if he is allowed into Stuttgart, despite its ban on Jewish entry. The duke grants the appropriate papers, and Oppenheimer agrees to change his appearance to blend in. Before leaving, he tells one of his neighbors that he will make the door open for the rest of the Jewish community. Through lobbying, Karl Alexander grants Oppenheimer the right to manage and tax the roads of Württemberg to pay off the duke's debt, and the power of both the Duke and Süß grows. Through these taxes, the price of goods increases, frustrating the people of Württemberg. Süß Oppenheimer effectively lobbies for the abolishment of the anti-Jew laws, and more Jews enter the city. Simultaneously, both Oppenheimer, and the duke under his influence, are seen taking advantage of women, and the Jews in the movie are depicted as undesirable and dysgenic, in line with Nazi party narratives which perpetuated antisemitic stereotypes. Finally, the people of Württemberg rise up and confront the duke, who suffers a heart attack and dies. Süß is convicted and executed for the crime of raping a woman earlier in the movie, and a decree grants the remaining Jews three days to leave Stuttgart. The movie ends, and text appears on the screen reading "May our descendants adhere to this decree."

⁴² This movie through effective storytelling and cinematography attempts to scapegoat the Jews for economic and moral problems, representing the primary motivation of Nazi antisemitic propaganda through the lens of film. Though to modern audiences the film may appear to be an obvious and explicit example of antisemitic propaganda, to an audience already conditioned to such ideas, namely the Nazi-era German audience, this story was compelling in increasing fears surrounding Jewish/foreign influence.

⁴¹ Kevin Thomas, "Movie Review: Triumph of Will: Ultimate in Agitprop," *Los Angeles Times*, Nov. 15, 1978.

⁴² David Stewart Hull, *Film in the Third Reich* (University of California Press, 1969).

Following the end of the Second World War, denazification included the silencing of films like *Jud Süß*, which was banned by Allied decree in 1945. Cinema persisted, and examples of its usage towards nationalist ends in contemporary Europe can be found. As part of the USSR's sphere of influence following its victory in World War Two, Hungary transitioned into the Communist Hungarian People's Republic, a Soviet satellite state. Non-Communist political movements were outlawed, and non-Stalinists, including Trotskyists, were purged from the government, under the soviet backed regime of Mátyás Rákosi. An economic system modeled off of the Soviet Union, resulted in bureaucratic mismanagement of resources, and the blocking of Marshall Plan aid, which led to economic hardship.⁴³ Stalin's death in 1953 led criticism of Stalinism to become more mainstream, and the new Soviet premier Nikita Khrushchev made efforts towards de-Stalinization, culminating in a 1956 speech where he denounced Stalin for crimes against the Soviet people. Later that year, student protests erupted with nearly 20,000 demonstrators amassing at Budapest, in solidarity with reform movements that were ongoing in Poland. The Hungarian government requested assistance from the Soviets to control the demonstrations, and eventually, Khrushchev ordered a full-scale invasion of the country to prevent the reform government from leaving the Warsaw Pact, resulting in over 15,000 casualties and 25,000 arrests.⁴⁴ The Soviet backed government was re-installed under János Kádár, under which mentions of the uprising in 1956, and its brutal suppression, was greatly restricted.⁴⁵

A number of major motion pictures were restricted or outright banned under Kadar's regime. The film *A Tanú* ("The Witness" in Hungarian), which satirizes the Communist bureaucratic system, was banned for ten years, and was only released during a brief period of liberalization in 1969. Another film, *80 Hussars*, was published towards the end of the period. The film is, on its surface, about the sentiments surrounding the 1848 Hungarian revolution, and is one of the most prominent films to address the topic. The films covert messaging refrains from employing direct references to the 1956 uprisings, dodging censorship under Kadar, yet can be ostensibly interpreted as a commentary on the contemporary revolutions of Hungary. The film is uniquely effective in two ways, firstly by casting a compelling and historically accurate depiction of the nationalist struggles of 1848 and by inspiring its viewers to remain steadfast in the face of the numerous defeats that the Hungarian people have encountered at the hands of their rulers, whether that be in the eighteenth-century Rákóczi Uprising, the nineteenth-century revolutions, or the failed 1956 revolution against Soviet influence. The film opens by introducing its main characters, being Hungarian "Huszár" knights, stationed under Austrian direction in Poland. The Huszár unit is in search of Korsos, one of their own who has abandoned his post. The film introduces the political situation in

⁴³ United Nations, "United Nations Report of the Special Committee on the Problem of Hungary General Assembly," General Assembly, Official Records: Eleventh Session, Supplement No. 18 (A/3592), 1957, 18.

⁴⁴ United Nations, Report on Problem of Hungary, 68.

⁴⁵ Frigyes Kahler, "Communist Terror in 1956 and the Rule of Law," *Hungarian Review*, Jan. 7, 2013, <https://hungarianreview.com/article/communist-terror-in-1956-and-the-rule-of-law>.

Hungary, referencing the 40,000 peasants that have amassed in their home country. After Korsos is captured and beaten publicly, anti-imperial demonstrations erupt, and Austrian imperial soldiers fire into the crowd, killing multiple demonstrators. The Huszár unit, not wishing to participate in the brutal suppression of the Polish villagers on behalf of the Austrians, stage a mutiny and begin their return to Hungary, encountering repeated attacks from Austrian infantry. At the border they are ambushed, most are killed, and the remaining Hussars are executed after being told their actions were meaningless and would be forgotten.

Directors Sára Sandor and Sándor Csoóri initially wanted to make a film about the Siculicidium, the 1764 massacre of Transylvanian villagers at the hands of Habsburg soldiers, though the communist government prevented the development of such a concept.⁴⁶ While the story still parallels the theme of the Siculicidium, the story of the *80 Hussars* presents a more implicit rebellion while still capturing the attitude of the Hungarian people towards Soviet influence (Sándor). By demonstrating the Hussar's refusal to suppress Polish rebels and their subsequent desertion from their post in Poland, the film frames disobedience as both an imperative of morality and patriotism. This framing closely parallels the sentiments around the 1956 revolution, which was considered by many Hungarians as a justified uprising against an imposed political order rather than a counterrevolutionary disturbance.

The portrayal of Habsburg authority in the film is rigid, impersonal, and enforced primarily through military discipline, characteristics that strongly echo popular Hungarian perceptions of Soviet domination after 1945. Orders are portrayed as detached from local realities, as seen in dialogues between the imperial Austrian officials and the representatives of the demonstrators, reinforcing the sense that imperial power functioned more through coercion than a legitimate right to rule. Soviet domination over eastern Europe through the Warsaw Pact, though not imperial, relied on the same pillars to justify their rule. In this way, the Austrian imperial officials function in the film less as historical individuals and more as symbols of external political control, allowing the film to comment indirectly on communist governance without explicit reference to contemporary politics. Importantly, the film emphasizes fragmentation within the group of hussars, including fear, betrayal, and exhaustion, rather than presenting resistance as uniformly heroic. This reflects post-1956 Hungarian memory, which increasingly acknowledged the revolution as both morally justified, and flawed in execution. The ultimate failure of the hussars' march and their capture by imperial forces parallels the suppression of the 1956 revolution by Soviet troops, reinforcing a cyclical narrative in which popular resistance is repeatedly met with overwhelming force. Notably, the film's end, where we see the massacre of the Hussar unit by an overwhelming Austrian force, while fictionalized, is representative of the ultimate

⁴⁶ Basa Balázs–Názer Ádám, "Itt Forgott – Főszerepben Magyarország 1. Rész," Itt forgott – Főszerepben Magyarország 1. rész, 2022, <https://magyarnemzet.hu/kultura/2022/01/itt-forgott-foszerepben-magyarorszag-1-resz>.

Soviet suppression of the 1956 revolution. The film avoids direct political confrontation while still allowing contemporary audiences to recognize the analogy. Within the broader context of political censorship and popular resistance, *80 Hussars* demonstrates how historical cinema could operate as a substitute public discourse under Communism. Just as satire and coded critique functioned in nineteenth-century France and Germany to evade censorship, Hungarian filmmakers employed historical allegory to express dissent that could not be articulated openly. The choice to depict Habsburg oppression thus becomes a means of capturing Hungarian attitudes toward communist rule, presenting resistance as historically continuous, culturally grounded, and morally defensible. Through this lens, *80 Hussars* offers insight not only into 1848, but into the enduring structures of censorship and resistance that shaped Hungarian political consciousness well into the twentieth century.

Through the tumultuous time that was Europe's modern history, censorship took on multiple forms, as did cinema, which was used by different interests as state propaganda, and a tool of nationalist expression alike. Censorship and the suppression of subversive speech have been a timeless aspect of absolutist governing since antiquity, and this trend continued in nineteenth century Europe, even as major technological and ideological changes fundamentally transformed the delivery of information and ideas in the modern age. Across Germany, Austria, and Hungary, rulers employed censorship as a defensive mechanism to protect social hierarchy, dynastic legitimacy, and territorial integrity against nationalist threats. Officials sought to prevent criticism of government and restrict texts that threatened state conceptions of morality or national unity. Austria's multi-national empire made the suppression of nationalist discourse an existential priority, while German federal authorities balanced dynastic preservation with fears created from mass politics. Germany's fragmentation produced uneven enforcement, while Austria exemplified centralized absolutism, where bureaucratic practice often overrode formal law, supplemented by elite patronage and smuggling as marginal outlets of subversive ideas in the aftermath of 1848. Hungary's semi-autonomy did not shield it from Vienna's controls, though activists used private networks and county institutions to resist decrees until military intervention settled the question in 1849.

In the early twentieth century, the arrival of cinema, which was nearly unmatched in effectiveness and output speed, led imperial and republican governments alike to temporarily refrain from film censorship, though anxieties soon caught up with the technology. France adopted film censorship over fears that cinema promoted criminal and otherwise indecent activities. In Germany, as fascist nationalism found its way to the halls of power, film became an instrument both for the creation and maintenance of revolution. In postwar Hungary, film proved a powerful tool by which nationalists could resist the external rule of Soviet Communism, as Hungary had resisted external imperialism for over a century. Today, when weighing the balance between speech and censorship, it is important to keep the lessons of modern history in consideration, as new technologies create new challenges in a world of increasing censorship and incendiary rhetoric alike.

