

JOHN JAY'S

FINEST

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**outstanding undergraduate writing
from across the curriculum**

Jeffrey Heiman
Adam Berlin
Editors

A NOTE FROM THE EDITORS

We all work, we study, we teach, and what is always on our minds is the pandemic and how much it has taken.

We miss the face-to-face and the spontaneity of the classroom, and yet, despite the heavy weight of lockdowns and social distance, we have all seen that Zoom, Blackboard, and willingness to reach over the internet can really produce. Witness the essays in this volume, which are as probing and careful and intellectually driven as any we have published. This is sterling work—even with the trauma and the uncertainties of the time. We applaud you, writers.

Powerful writers are known as much for the way they convey an idea as for the idea itself. And the ideas here are shaped into twenty-seven unique pieces—expository essays and research projects, personal narratives and memoir, policy papers and analyses of literary works. This year’s selections dig deep into our moment in history. They take on racial injustice and COVID and genocide and, in many ways, the search for identity in a rapidly changing world. And what pulls the book together is the precise attention to prose, to word choice and sentence and the heft of a paragraph.

Last year we were not able to hold our annual ceremony. The virus hit with too much disruptive force. This year we are here, in Zoom rooms across the city and beyond. And we are so pleased to celebrate together.

As every writer knows, writing is solitary work, but what makes it to the published page is a measure of collaboration. An assignment means already that a student and professor are working together in productive dialogue, reading, refining, and thinking onward. Each piece is the exchange of ideas that makes so much inquiry possible and is a signature of intellectual vibrancy at our college. We want to commend both the midnight struggle and the team effort in these pages.

The day would not be possible without the support of many at the college. We thank President Mason and Provost Li and all in their offices for supporting the project. This year the *Finest* has once again joined forces with Bettina Muenster and the Office for Student Research & Creativity. We thank Bettina for extending the reach of the *Finest*. For her perpetual moral support, we thank Maribel Perez. This year we are again indebted to Dalyz Aguilar for designing another fine cover. To John Jay College’s professors, who inspire, who challenge, and who demand careful, responsible, and effective writing, we salute your dedication. And, of course, our admiration and congratulations go to all the students in this year’s volume. We are proud to publish your fine work.

Jeffrey Heiman
Adam Berlin
April 2021

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♦ ENGLISH 101

ANTI-BLACKNESS AND ITS IMPACT ON SCIENCE FICTION

NATHANIEL EXIL

AS THE SCIENCE FICTION GENRE CONTINUOUSLY GROWS within the film industry, blackness's presence and influence progressively become more popular each year. Racial acceptance is a theme that continues to make strides within America. As a result, the conditions of anti-blackness in science fiction are finally starting to improve. What exactly is anti-blackness? Anti-blackness is a form of racial prejudice against black people and black culture, which has existed for centuries. It has affected not only science fiction but everyday life. However, blackness in SF is no new phenomenon. The impact of African-Americans in the genre has been present for decades. Numerous African-American actors and black films have contributed to black SF throughout history. Popular names surmount such as Will Smith, Samuel L. Jackson, Laurence Fishburne, Idris Elba, Zoe Saldana, and more. However, one significant name that many science fiction consumers most likely do not know is Sun Ra. He arguably paved the way for black science fiction today. So why are these contributors' works only being recognized today? How has anti-blackness been pushed into the genre? Questions such as this arise when discussing the impacts of blackness in the SF film industry. As the perspective of blackness within SF (science fiction) is assessed, past and present forms of anti-blackness are exposed within the genre.

The Assignment and the Writer: The final assignment for ENG 101 asks students to write a research paper on a topic of interest related to the course theme. For this section, students studied science fiction and otherness, examining how minority writers use science fiction to critique Western culture. Nate's paper is an excellent exploration of anti-blackness in film. He expertly brings together black scholarship with his analysis of films such as *Back to the Future* and *I Am Legend* to show how Hollywood has historically misrepresented blackness. Nate's commitment to research for this paper has allowed him to produce a truly original contribution to scholarship on racial injustice, as he suggests how science fiction films could openly accept blackness.

– Professor Christian Fryer-Davis

There is a recurring theme of black actors in science fiction that only play minor or supporting roles. Many times, the minor roles played by blacks are antagonistic. A famous movie that possibly adheres to this theory: *Back to the Future* (1985). In an article by Adilfu Nama on black speculative fiction, he notes that *Back to the Future* actively discourages black leadership. Nama examines the real motive of the film's attitudes towards black people. He states, "[*Back to the Future's*] portrayal of a black mayor leading a city into moral and economic ruin, sends a message that black leadership should not be trusted" (Nama, pg.263, 2009). Seems far-fetched? One comment made to Goldie Wilson, the movie's black mayor, was, "A colored mayor, that'll be the day!" Of course, this is understandable since this scene takes place in the 50s, where racial segregation was the norm. However, later on, the movie still actually portrays Goldie Wilson as a destructive mayor. This portrayal is the reason behind Nama's speculation of anti-blackness in *Back to the Future*. It furthers the point that even in popular SF films, anti-blackness is present. If such a popular movie contains racist tropes, what does that say about the rest of society? In reading on racism and popular culture, Danielle Dirks and Jennifer C. Mueller wrote, "In the United States, popular culture has assisted in the maintenance of a white supremacist racial hierarchy since its American inception... 'Blacks have been subordinated, marginalized, positioned, and devalued in every possible manner to glorify and relentlessly hold in place the white-dominated order and racial hierarchy of American society' (p. 2)... we see anti-black ideology and iconography as structurally embedded in every aspect of American social life—historically and today" (Dirks & Mueller, 2007, pg.116). This theory of historically structuralized anti-blackness in today's society supports the claim that racism has trickled down into every aspect of life. Going back to Nama's analysis, *Back to the Future* is not exempt.

So what does it matter if Goldie Wilson is black? Him being black and a bad character does not necessarily mean the movie's racist, right? It is important to remember the time of the movie's debut. *Back to the Future* was not a film that came out in modern-day America, which still deals with forms of anti-blackness. It was 1985. The Civil Rights act of 1964 dismantled legal segregation and discrimination, but racism was still alive. In a time of constant racial tensions, why would this film portray a black man, one of the only black men in the film, as a bad leader? Goldie Wilson is the mayor of 1985 Hill Valley, the town where the main character, Marty McFly, resides. At the beginning of the film, audiences notice that the town in 1985 is dirty, vandalized, and gloomy. However, when McFly time travels back to 1955, Hill Valley is pristine, clean, and remarkably charming. Why did Goldie's fruits of labor produce a terrible neighborhood? Some might argue that his incompetence has nothing to do with his race. Then why would the film mention his race in the first place? *Back to the Future* questioned his leadership abilities because of his blackness, yet the film intended to portray him as a bad mayor. This notion is openly anti-black. This also seems to be the thought process behind Adilfu Nama's speculation on the film's subtle racism. Films that significantly lack black representation should not paint black people negatively while referring to their skin. All this does is subliminally amplify anti-black prejudices within audiences.

One movie that opposes anti-blackness without ever having to mention race is *I Am Legend* (2007). This movie is a post-apocalyptic story about a man whom he

believes is the last human on earth. It takes place in a desolate New York City filled with vampiric zombies that come out after dark. The story shows how the protagonist, played by Will Smith, tries to survive in this dystopian society. Spoiler alert: he ends up sacrificing his life to save humanity and find a cure for the zombies. In a piece on the racial politics concerning the film, Sean Brayton suggests, "While [*I Am Legend*] certainly contains some messianic accents, the idea of a black "Christ" (like a black president) is perhaps incongruous with the American brand of Christian fundamentalism... The neoconservative fantasy... is more convincing when we ignore the protagonist's racial identity..." (Brayton, 2011, pg.4). The main character most likely was strategically cast as a black man for representation purposes. This form of racial representation can be impactful. Time and time again, white counterparts, mainly white males, have been the sole representatives for SF's main characters. Audiences never questioned Luke Skywalker or Spock's racial identity, so it is only right that science fiction films with black protagonists do not mention race, right? Making *I Am Legend*'s main character black and giving him a Christ-like role challenges anti-black ideology. Even though the film challenged these ideas, America received *I am Legend* extremely well, amassing \$585.3 million at the box office, with \$77.2 million in the opening weekend. Painting Will Smith in this light was brilliant, especially considering his previous presence in science fiction before 2007. To give a reference, *Men In Black* (1997) and *Independence Day* (1996) were also popular SF films, with Smith cast as the main characters.

However, one historical science fiction film that directly addressed blackness is the independent film *Space is the Place* (1974). A man named Sun Ra played the lead role and composed all the music for the film. Born Herman Poole Blount, he was an actor, composer, poet, and philosopher. Ra's film entailed a story about a black guardian angel that saves blacks from oppression and brings them to a different planet. At the time, science fiction's realms did not include possibilities such as these. *Space is the Place* explored techno-messianic themes and changed black speculative fiction forever. Many would argue that *Space is the Place* was the origin of Afrofuturism aesthetics. (Drygalska 2019) Afrofuturism is a cultural philosophy or aesthetic predicated on integrating native African history with technology, imagining the continent's future without eurocentrism (Layne, 2018).

Space is the Place bases the plot on precisely this concept of "what if black people weren't oppressed anymore?" Sun Ra's film not only challenged the lack of black representation in science fiction but introduced a new way to view blackness. He portrayed blackness as the savior in his film. In the world of anti-blackness, this is considered blasphemy. His film promoted open blackness, unlike *I am Legend*. The themes in *Space is the Place* were unheard of in 1974. It was something different. It meant progression for African-Americans in science fiction. However, it also directly opposed white domination in SF. Ra's movie was one of, if not the first black science fiction films.

As *Space is the Place*, and *I am Legend* are examined, it is important to dictate the difference between inclusion and acceptance. *I am Legend* was able to coexist with films including leading white roles because, by the early 2000s, racial acceptance had been a blossoming theme for almost a decade. The 90s started pushing for more black representation and racial progression. In a piece on race relations during the 90s,

historical sociologist Orlando Patterson said, “being Afro-American is no longer a significant obstacle to participation in the public life of the nation... Afro-Americans have also become full members of what may be called the nation’s moral community and cultural life” (Patterson, 1997, pg.17). However, how come movies that include black representation and do not refer to race generally do better than movies that include black culture and pro-blackness? In an article on blackness in Hollywood, Renée T. White wrote, “In mainstream Hollywood, black-themed films are considered too financially risky. It comes as a surprise when they are critical and financial successes... the fact that these movies [with black casts] that can be wildly different are all put in the same category as if they’re all the same, ignoring actual genres, which can have a huge effect on its ability to travel, already leads to people misunderstanding its worldwide box office potential.” Hollywood may have strategically cast Will Smith as the protagonist in his science fiction movies, but it did not mean they loved his black skin. He might have been just a poster boy for the representation of black people. White’s analysis would also explain the little recognition of Sun Ra’s *Space is the Place*. His film included open blackness, which is too financially risky and indeed was not accepted in the 70s when the film came out. Understandably, many films do not mention race or black culture, so their box office earnings are not hurt; films have to make money. Ten of the top fifteen highest grossing science fiction films internationally have white male leads to put into perspective. However, films that include “color blindness,” such as *I am Legend*, only negate black progressivism in Hollywood. The presence of blackness is included but not accepted. Black culture is not received in movies like *I am Legend*. They only need actors with black skin. Genres such as science fiction should be making conscientious efforts to include black culture and pro-blackness if they desire real racial progressivism. To not fully welcome open blackness in all of its attitudes is to be anti-black.

Thankfully, in today’s society, culture is changing. Blackness is starting to become more accepted. One Afrofuturistic movie that did exceptionally well, which made \$1.344 billion at the box office, is Marvel’s *Black Panther* (2018). It is about an African superhero-king who must fight against outside forces to ensure his people’s prosperity and those outside of his black nation. A piece by Ewa Drygalska on *Space Is the Place* cites, “*Black Panther* created an alternative, technologically advanced African state of Wakanda, questioning Western dominance in the area of scientific knowledge” (Drygalska 2019). Marvel’s blockbuster adaptation of this comic book similarly includes techno-messianic themes that change how society perceives African heritage. This film includes themes strikingly similar to Sun Ra’s *Space is the Place*. Both protagonists are portrayed as messianic leaders who save their black people from outside oppressors. *Black Panther* is an excellent example of a science fiction film that accepts blackness instead of just inclusion. More films like these must be made to destroy the institutions of anti-blackness in society today.

The progression of black people in today’s society continues to improve, but it is not linear. There are times when racial tensions within America persist and when the nation seems to be working together towards absolute equality. However, there is no doubt that popular culture is becoming more receptive to people of all backgrounds. This is why it is essential that if genres such as science fiction embrace blackness, it must be accepted, not just included. Films such as *I am Legend* do not improve real

progressivism; it only helps representation. Real progressivism appreciates people of different backgrounds and holds no implicit racial biases within society. Representation of blackness is excellent and needed, but it does not dismantle anti-blackness. This concept can be construed as color blindness, which is a component of anti-blackness. Color blindness follows the white supremacist rhetoric that in order for others to exist within “white spaces” (historically science fiction), they need to symbolically and politically erase all non-white culture (Ramasubramanian, 2018, pg.426).

On the other hand, an inadequate representation of blackness while mentioning race is open anti-blackness. This point is why films such as *Space is the Place*, and Marvel's *Black Panther* are critical towards black people's progression in American media today. While not every film that includes black people has to include black culture, it is vital to acknowledge black culture more for progression. Alternatively, there needs to be a push for more science fiction films that openly include blackness in *Black Panther's* case. The genre of science fiction has included white male dominance for decades, so it is crucial to change the standard. Once America is at a state where blackness is embraced in “white spaces” in everyday life, racial equality might improve. African-Americans included in science fiction must continue to be cast in acceptance, not just inclusion, so America as a nation can move past its ugly historical theme of anti-blackness.

REFERENCES

- Brayton, S. (2011). The Racial Politics of Disaster and Dystopia in I Am Legend. *Velvet Light Trap: A Critical Journal of Film & Television*, 67, 66–76. <https://doi-org.ez.lib.jjay.cuny.edu/10.1353/vlt.2011.0005>
- Coogler, R. (2018). *Black Panther*. Walt Disney Studios Motion Pictures.
- Dirks D., Mueller J.C. (2007) Racism and Popular Culture. In: Vera H., Feagin J.R. (eds) *Handbooks of the Sociology of Racial and Ethnic Relations*. Handbooks of Sociology and Social Research. Springer, Boston, MA. https://doi.org/10.1007/978-0-387-70845-4_8
- Drygalska, E. (2019). Space Is the Place: Black Cinema in Search of Speculative Fictions. *Journal of Popular Culture*, 52(4), 910–930. <https://doi-org.ez.lib.jjay.cuny.edu/10.1111/jpcu.12827>
- Layne, P. (2018). Space Is the Place: Afrofuturism in Olivia Wenzel's *Mais in Deutschland Und Anderen Galaxien* (2015). *German Life & Letters*, 71(4), 511–528. <https://doi-org.ez.lib.jjay.cuny.edu/10.1111/glal.12211>
- Nama, A. (2009). Black Space: imagining race in science fiction film. *Historical Journal of Film, Radio & Television*, 29(2), 262–264. <https://doi-org.ez.lib.jjay.cuny.edu/10.1080/01439680902890860>
- Patterson, O. (1997) *The Ordeal of Integration: Progress and Resentment in America's "Racial" Crisis*. New York: Civitas.
- Ramasubramanian, S., & Miles, C. (2018). White Nationalist Rhetoric, Neoliberal Multiculturalism and Colour Blind Racism: Decolonial Critique of Richard Spencer's Campus Visit. *Javnost-The Public*, 25(4), 426–440. <https://doi-org.ez.lib.jjay.cuny.edu/10.1080/13183222.2018.1463352>
- White, R. T. (2018). I Dream a World: *Black Panther* and the Re-Making of Blackness. *New Political Science*, 40(2), 421–427. <https://doi-org.ez.lib.jjay.cuny.edu/10.1080/07393148.2018.1449286>
- Zemeckis, R. (1985). *Back to the Future*. Universal Pictures.

♦ ENGLISH 101

(TRIGGER) WARNING: FREE SPEECH ON COLLEGE CAMPUSES IS EVOLVING

AVA NABATKHORAN

ONLINE CLASSES CAN BE TRICKY because you can't get a full reaction from your peers which is why the classes are uneventful and static, but this wasn't the case during my Honors Colloquium 1 (colloquium) class on Friday, October 25, 2020. We were talking about the topic of privilege and justice and students were talking about the grand-jury hearings for the police officers who killed Breonna Taylor, the 26-year-old EMT who was killed by police in her own home, and how she received no justice. Many students were passionate about this subject and agreed that justice was not served, but one student didn't share the same opinion. Instead of keeping his opinion to himself, he decided to share it with the class and said, "Why should I care about Breonna Taylor?" (Jones). After this, the call no longer remained uneventful or static. After a moment to let what he said sink in, the call blew up. Students were enraged and started yelling, many students turned their cameras off, the chat in the Zoom call was exploding and the professor didn't know what to do. I have social media, so I see what it's like when someone gets canceled, and I've witnessed it enough where I understand the process. However, I have never seen someone get canceled so up close.

The Assignment and the Writer: In English 101, students embark on a sustained inquiry-based research project for much of the semester, integrating secondary sources into a culminating essay that explores a single inquiry question in depth. In her approach to the assignment, Ava developed a truly original inquiry, responding to current situations in our academy and in our society to explore the boundaries of free speech, safety, trigger warnings, and academic freedom. Her impressive essay successfully synthesizes primary and secondary source research, integrating interviews, scholarly overviews of constitutional law, with current debates about freedom of speech on college campuses.

– Professor Kim Liao

What exactly happened which caused this real-time cancellation of a person? What caused a flurry of discussion during the video call and after in multiple group chats? What caused a petition to circulate demanding to kick a student out of the Honors Program? What caused and is still causing massive change within the Honors Program? Hate speech. Or should I say free speech? Which is which? That is the true question.

Intrigued by this, I decided to investigate the line between free speech and hate speech, learning quickly that the murky landscape was full of misconceptions which fueled larger disagreements. A discussion to help gather research for this very project led to some tense accusations fueled by anger and misunderstanding. Some students believed the purpose of the discussion was to excuse the student's vile and utterly grotesque comment, rather than to talk about the constitutionality of free speech in general. This misunderstanding led some students to use profane, tense, and accusatory language and the discussion no longer became about the topic of free speech, but rather airing grievances and demanding answers. What would one classify as used during this discussion? Free speech- or maybe hate speech. That's the problem with speech being so subjective. Let me be clear: this paper will not discuss whether or not I condone the content of the comment that was said during colloquium (because I do not!), but whether a student has a constitutional right to say these comments on college campuses. Where do colleges draw the line, or should colleges even draw the line at all? How has free speech on American college campuses evolved and what is at stake?

Before we talk about what free speech on college campuses looks like, let's do a quick recap on the journey free speech had throughout American history and its importance to society. You don't need to take a constitutional law class to understand Americans deeply value their free speech (but I did, so I will give you some quick highlights). The Supreme Court has generally favored free speech- even if it was controversial, such as it was in *Brandenburg v Ohio*, (1969) where Nazis wanted to have a march in the town square. For the most part, the only time the Court would step in is when the speech posed a clear and present danger. Throughout the years the court has used many different tests and methods to figure out whether someone's free speech has been unconstitutionally violated. However, there is not a clear definition or test one can use, and the definition of hate speech is even more ambiguous. If the Supreme Court can't come up with a clear consensus on what is hate speech and what isn't, how are college campuses supposed to restrict "hate speech"?

Thomas Emerson's writing in "Freedom of Speech" does a wonderful job of condensing a long and somewhat confusing history of the freedom of speech and explains although free speech can cause problems, the benefits outweigh the drawbacks. Emerson quotes John Stuart Mill's idea that "Even speech that conveys false information or maligns ideas has value... compels us to retest and rethink accepted positions and thereby promotes greater understanding... the MARKET-PLACE OF IDEAS should be open to all..." (Emerson 1126). This highlights that there is a teaching moment from any type of speech, and it can cause us to grow. It's important to note we can always learn from each other, even if what was said was not something we agree with. By understanding why we don't agree with someone and taking note of what we can do to better get our point across or potential topics to

further discuss, we are able to better ourselves and our society. Mill's reasoning is very popular and resonates with a lot of Americans because free speech is such an important part of our culture and ourselves. Emerson agrees with this idea and writes "...freedom of speech is essential to the development of the individual personality. The right to express oneself and to communicate with others is central to the realization of one's character and potentiality as a human being" (Emerson 1126). Once again, we see how essential free speech is to our growth and society. It is not a surprise that the courts generally favor free speech because of benefits such as the ones mentioned above, but college campuses need to decide if they agree.

Now that we've seen the rich and lively history of the First Amendment, let's narrow the focus to college campuses. Protests are not something that was uncommon at college campuses, and the University of California, Berkeley, is a central location for the free speech movement. In Michael Baers' "Free Speech Movement", he summarizes UC Berkeley's free speech movement. During the 1960s a group called SLATE was formed as a way for students to express their ideas and stances on issues larger than themselves and the college such as human rights. As with most student movements, hostility from the administration caused major problems for both groups. The faculty worried about the violence and chaos that would ensue because of SLATE's controversial ideas, which caused the faculty to take action and stop the students. One such measure was "eliminating a narrow strip of sidewalk at the intersection of Telegraph Avenue and Bancroft Way that had been a main point of egress to the campus and a traditional location for political activity" (Baers 384). SLATE and other student activists were now at a disadvantage and could feel how they had no support from the faculty. However, during a time of civil activism and student movements increasing due to events such as the Vietnam War and the Civil Rights Movement, students could not stay quiet.

The faculty tried to silence their students in many ways and even used force. The most pivotal point in SLATE's battle with UC Berkeley's staff was when one of the student leaders was tackled by Berkeley police officers before he had a chance to speak. Today, we see campus police attacking student protestors, so this is not a new tactic. Today, we see campus police attacking student protestors, so this is not a surprising tactic. Although this event happened many years ago, "Wars in Iraq...demonstrations for and against abortion, and a new gay and lesbian equal rights campaign were all contemporary issues that made the free speech cause feel as relevant and important in the new century..." (Baers 385). Baers illustrates that free speech is still something relevant because we don't all agree with what is going on in our society. Although the topics are different, the same emotion and determination are still present, but now we have more tools to help us express ourselves. Back then we didn't have social media, so now that we do, it is important to evaluate how that has changed the free speech movement.

In an age of social media and deeply divided political views, we see how this factors into how free speech is treated on campuses. In an article by *The New York Times*, "Colleges Grapple with Where-or Whether to Draw the Line on Free Speech", Alina Tugend illuminates a common problem seen on college campuses nationwide: after the 2016 election, large student protests would greet controversial figures coming to speak. One notable- and perhaps the most infamous- incident occurred at

Middlebury college when Charles Murray, a conservative and controversial writer came to speak. Tensions were already high between liberals and conservatives after the 2016 election, and Middlebury having a strong liberal presence, made Mr. Murray an outcast. After the chaos erupted, the faculty interviewer in charge of Mr. Murray received a concussion and, "The event made national headlines and was viewed by conservative commentators as emblematic of a nationwide problem: liberal students refusing to hear speech they disagreed with." (Tugend). This article poses a great point about the inability to listen and how it can cause tensions to escalate and create further divisiveness. Colleges have the role of giving students new perspectives and allowing them to see more than just one side of an issue. Students then can form their own opinions and decide whether or not they would want to attend such sessions with controversial speakers, rather than blocking the speaker and causing violence. Instead of blocking controversial speakers, students should ask questions that challenge the speaker, and this could possibly alleviate some misunderstanding, or allow students to get their point across without restricting someone's free speech and avoiding physical violence. In addition, it is interesting to see how this incident not only made national news but would become a turning point in the free speech movement, and how it would pose the question of where the lines need to be drawn on college campuses, and whether or not consequences are necessary for students who overstep.

The Middlebury College protest opened the floodgates for discussions about free speech laws on college campuses which can potentially lead to expulsion. Stephanie Saul's article, "Dozens of Middlebury Students Are Disciplined for Charles Murray Protest", discusses the aftermath of the incident. After the protest, the university issued an apology to Mr. Murray, and 67 students received punishment "ranging from probation to official college discipline, which places a permanent record in the student's file" (Saul). However, some people argued that this wasn't an effective punishment and students wouldn't be deterred from protesting future speakers. I think the students who resorted to violence, should be severely punished, but those who used their words to protest shouldn't be as severely punished. Rather than scaring kids straight, I believe in having conversations, taking a step back, and reevaluating the circumstances. Similarly, political science professor Matthew Dickinson pointed out, "They don't understand the value of free speech at a college and what free speech really means... I think some people are going to say we should be looking more broadly at the institution and whether we taught these students properly." (Saul). I agree with Mr. Dickinson and think colleges need to be more conscious about the lessons they emphasize. One such lesson is to listen to those with different views. Unfortunately, some colleges such as the University of Wisconsin don't take the path of reflection but take the path which involves disciplinary action.

What exactly does disciplinary action entail? In the article "Free Speech Laws Mushroom in Wake of Campus Protests" written by Jeremy Bauer-Wolf, it's clear that some universities have no problems going to great lengths to discipline their students. The protest at Middlebury college inspired the University of Wisconsin to require a very aggressive tactic to restrict free speech, "including suspending for at least a semester students who have twice been found responsible for "interfering with the expressive rights of others." Students who violate free speech policies three times must be expelled." (Bauer-Wolf). The problem with this approach is figuring out what

restricts free speech is very subjective, and this policy wouldn't require issues to be seen on a case-by-case basis but give every situation the same weight. While there hasn't been much news about students facing the consequences of this policy, these rules have been expanded upon. Recently, the University of Wisconsin System Board Regents approved more amendments which further restrict student's free speech and expand the three-strike system (Sheth). Passing more restrictions is not the solution, and many people argue that these new rules are unconstitutional. However, it is hard to decide what is and isn't constitutional because different people have different beliefs and understandings about free speech. This approach can become very biased because it is very likely that someone will use their own personal beliefs and agenda when deciding what is hate speech and what isn't which can hurt one group of people more than another.

What are colleges' agendas? They can include fulfilling their own mission statement, educating students and getting them out of their comfort zone, and/or keeping the parents of students and donors happy. Are colleges willing to have free speech and risk not prioritizing their agenda? Katyln Ann Patton writes about this internal battle and their legal implications in her article, "Trumping the First Amendment: Student-Driven Calls for Speech Restrictions on Public College Campuses". She highlights what the goal of going to college is, "Students are expressing their political views in these spaces, and this expression [uncensored free speech] is consistent with the educational mission of a college or university—developing well-informed citizens..." (Patton 202). Many people agree with this idea that the sole purpose of going to college is to leave as an educated person, ready for the real world. However, with other objectives such as promoting a mission statement, the goal of preparing students for the real world can get lost.

I wanted the opinion of someone who has the job to promote a college's mission statement, but also balances other priorities such as challenging students, so I asked Dr. Raymond Patton, Director of the Honors Program at John Jay about this and his opinions about free speech in general. Dr. Patton talked about balancing the "Common Good" which is John Jay's mission statement and how that makes it harder to draw the line. These competing priorities make it very hard for administrators to make decisions and have resulted in various different punishments. Curious about his thoughts on punishment and the free speech bans, I asked what he would do, and he emphasized "I would defer in a way to expertise. Colleges have lots of different offices with radically different expertise... Discipline is not what I do. I'm an educator, not a corrections officer. I felt better knowing my scope in this was as an educator and program director" (Patton). Dr. Patton believes in teaching moments rather than punitive punishments which is remarkable. By choosing to have a conversation with the student and deferring to expertise, rather than rushing to remove the student, he is able to better understand the situation and learn something new. As mentioned earlier, Mill's Marketplace of idea reference is essential to teaching moments, because we are all able to learn from "good" and "bad" speech, as long as we are willing to listen. Also, this protocol of playing to your strengths and doing only what you are responsible for, helps alleviate some of the unknowns and conflict with this ambiguous topic. If more colleges consulted with their experts (of all fields), rather than focusing on publicity, perhaps we would have less problems.

However, there will always be opposing viewpoints, and in our ever-changing world, there will always be new subtopics under free speech. Safe spaces, trigger warnings, and social media use, all play into campus life and can cause more confusion and catastrophe. All of these subtopics complicate the conversation regarding free speech and make us think if it is valid to limit certain discussions to certain contexts. Safe spaces in particular, are areas where free speech is restricted to benefit students and make them feel comfortable, but are safe spaces a good thing? Elisa Mateo-Saja, Chair of the John Jay Honors Council and a senior at Macaulay Honors College at John Jay, spoke about safe spaces and the potential problem they can create. For example, "A very liberal college campus provides a safe haven for liberal people with liberal ideologies and they become very comfortable, so opposition can lead to people being violent and rude when they come across a difference of opinion" (Mateo-Saja). This danger is prevalent on campuses as mentioned in Tugend's article and happened here at John Jay when the student with the quite controversial, alarming, and unpopular view spoke. Thus, safe spaces then favor certain groups of people over others, causing some degree of tension. There is a debate on the effectiveness of safe spaces and what "safe" should pertain to. Physical safety, obviously, but what about intellectual safety and how can students be challenged, while still being respectful?

I posed this question to Dr. Patton and he mentioned a critical problem with safe spaces: if all speech is welcome then some of the speech said will have ties to ideas of systemic oppression and inequality. Speech relating to these topics go directly against John Jay's theme of justice and also goes against the Honors Program mission of educating for the common good. What makes the situation even more delicate is the Honors Colloquium class. Unlike other classes, colloquium has the goal of creating a community and the speech said in the class is critical to fostering (or hurting) the Honors community. Hence, the goal of the course is a competing priority with absolute free speech. Dr. Patton mentioned terms such as inclusivity, respect, and community then mentioned he agrees with something he read in article, "basically guaranteeing safety is maybe going too far, but it needs to be a space safe enough that students are able to learn and share their views and feel listened to and without being opposed or excluded." (Patton). Notice how the difference in terms and wording goes a long way and will have a different impact. Another point is each group of people have different priorities (ex: faculty want to teach their material without worrying about being censored or getting into trouble, administrators want to fulfill the mission statement, while keeping parents, students, and donors happy, while students want to feel comfortable to speak their mind), but who gets preference? In specific situations such as colloquium, an introductory class to the Honors Program run by the Honors Director, should promoting the mission statement come first? What about in a history class where students are asked to voice their opinions on a controversial topic- should all comments, even insensitive ones, be allowed? The same phrase can have vastly different impacts if said in different situations due to the different expectations and priorities in these situations. Speaking of the importance and value of words, trigger warnings are the epitome of this and show how significant slight changes can cause.

Have you ever seen a trigger warning? Maybe you saw one before an episode of your favorite show or on a social media post? If you haven't seen one, the point of

trigger warnings is to give the audience a heads up that there will be content that some people might find disturbing (ex: sexual assault, suicide, eating disorders), and this way the audience can prepare themselves and can choose to not see the content if it is too disturbing. However, as trigger warnings cross over from TV shows and social media, to classrooms, some professors believe these warnings suppress the one of the goals of education: to shake up previously ingrained beliefs by removing students from their comfort zones. In his article, "Trigger Happy: From Content Warning to Censorship" Jack Halberstam bashes the need for trigger warnings in classrooms, and he emphasizes the competing forces in this debate. "Can we refuse the entitled requests for comfort that students/clients now bring with them to the classroom? Can we still dare to be surprised, shocked, thrilled into new forms of knowing?" (Halberstam 541-542). Halberstam highlights how trigger warnings would get rid of raw reaction which leads to lively discussions in the classroom. I think that students should feel some discomfort intellectually, but not physically, and because students can get triggered from serious topics and have very real consequences, I differ with Halberstam's point of view. I also don't think getting rid of trigger warnings have as strong of an argument as getting rid of safe spaces, because trigger warnings don't restrict your free speech and you can still have raw reactions, with a trigger warning provided. How? Professors can simply give a heads up to their students that the content for the class can be triggering and the professors can lead by example by showing how to remain respectful while still having a lively discussion. If a student happens to say something insensitive, the professor can choose to have a conversation about it and acknowledge how the student's answer is factually and morally incorrect (using the marketplace of ideas). Luckily, I have seen some of my college professors use similar tactics when discussing topics like slavery, genocide, and sexual violence. The students were able to all contribute freely, feel some discomfort (but not physical discomfort), and the professors were able to get their points across and even though they gave a trigger warning, they didn't feel they were being censored. While I haven't seen people have problems with trigger warnings, I do think it is important that Halberstam brings up how students are seen as clients and academics have to decide whether pleasing their client and their parents who have paid all the tuition, is in their best interest or if educating students so they are well informed and ready for what life throws at them, is a higher priority.

Colleges need to prepare students for the real world and consequences, but is social media included in this? Should students be punished for what they do outside of the classroom, as in their free speech on social media? Nowadays, you always hear how colleges-and jobs- will check your social media, and it isn't uncommon to see petitions to either expel or rescind someone from a college because of something they said on social media. Dr. Patton mentioned the importance of education, highlighting "in most cases, the people most in need of education are those who are ignorant. While recognizing there is a line between ignorance and something else, and that can be a hard line to find" (Patton). While Elisa mentioned how an acceptance isn't a complete guarantee, and there wouldn't be backlash if a student wouldn't be accepted because they did something questionable. She said, "It's in the fine print! It is small, but there, and they can rescind your acceptance...going to college is a privilege and it is a privilege to be accepted into certain institutions" (Mateo-Saja). I was surprised that

the student in this case had the pro-punishment mindset, while the admissions committee member had a different view. Perhaps it is because students understand the weight of social media posts better and demand more change in society as a whole, compared to older people. On the other hand, the students don't need to think about the implications of rescinding someone (parents can get involved and it could be a public relations nightmare), while admission committee members do, causing them to be more forgiving. Different roles impact the way people deal with these situations and we have to be able to look at both perspectives. Going back to Elisa's point about rescinding an accepted student as opposed to not accepting a prospective student, once you rescind a student, you are getting rid of one of your clients. In order to avoid this tricky situation, it is important to vet the students before their acceptance and welcome to the community. How is this possible?

When talking about the interview process, Dr. Patton pivoted to focusing on the interview questions as opposed to looking up potential students' social media accounts:

I would say that there are questions that are relevant for admission committees to look at that people who review social media would be less likely to get at. One of the questions we ask about is, well you might remember it, in the Macaulay admissions we ask about John Jay as an institution that is focused on justice. We talk about it being an Honors College at an urban institution, CUNY. We see how that registers for students and that's important because we see if John Jay is the right fit for you. (Patton)

These questions allow the admissions committee to get a peek to what the students are like without having to potentially cross the line of free speech and expression. Realistically, people can seem to be good fits for colleges and programs and then have something from social media arise. What should happen then? As previously mentioned, Dr. Patton says he is a big fan of having conversations with people rather than making rash decisions. This mindset of trying to educate people first and trying to understand the intent of the content can help reduce further problems involving potential free speech problems.

Unfortunately, you can't educate people if they just speak to provoke others, and that is the line I draw between hate speech and truly ignorant and insensitive free speech. Once you start talking not to add onto the conversation, but intentionally hurt others, your constitutional claim is no longer valid. We aren't mind readers, so we can't tell what someone is thinking when they speak, but we can ask them to elaborate. When the student elaborates on their point, we can then see their intent and most of the time, there is no malice attached to it and it is an issue of poor delivery, and the student can be more mindful for the future. There is a teachable moment in every situation, and while it may take a while to find, I promise you it is there. After the whole incident that happened in colloquium, the Honors Program is now more aware of the free speech problem that all colleges face, and they are more aware about what John Jay values. Rather than forgetting the incident, the program is having difficult conversations and learning from their mistakes because it would be ignorant to think there will never be another free speech dispute, and this is the right thing to do. Trigger warnings, for instance, are a newer subsection in the free speech debate and now

colleges have to make a decision, while still trying to make everyone happy. Older generations think that the younger generation is getting coddled due to all the politically correct language we use along with the safe spaces and trigger warnings, and colleges need to prove the older generations wrong. After you leave college you need to be prepared for what life throws at you, and colleges can only provide a safe haven for so long. Students should feel safe to come to school and learn but should expect to be challenged. It is hard to draw a line between keeping students safe from discomfort while still preparing them for the real world, but it is not impossible. It's also not impossible to carry out all the objectives such as fulfilling a mission statement, challenging students, protecting students, and "customer satisfaction", and still protecting free speech. Both of my parents are immigrants, so I understand the importance and value of free speech, but I'm also a very empathetic person and can understand the power of total free speech. However, I still think more speech is better than no speech. In addition to that, we need to listen. We need to learn how to listen to others no matter how abhorrent they may be. Students don't need to learn how to agree, but they need to learn how to listen.

REFERENCES

- Baers, Michael. "Free Speech Movement." *St. James Encyclopedia of Popular Culture*, edited by Thomas Riggs, 2nd ed., vol. 2, St. James Press, 2013, pp. 384-386. *Gale eBooks*, https://link.gale.com/apps/doc/CX2735801014/GVRL?u=cuny_johnjay&sid=GVRL&xid=d17a2bc6. Accessed 10 Oct. 2020.
- Bauer-Wolf, Jeremy. "Free Speech Laws Mushroom in Wake of Campus Protests." *Inside Higher Ed*, 16 Sept. 2019, www.insidehighered.com/news/2019/09/16/states-passing-laws-protect-college-students-free-speech.
- Emerson, Thomas I. "Freedom of Speech." *Encyclopedia of the American Constitution*, edited by Leonard W. Levy and Kenneth L. Karst, 2nd ed., vol. 3, Macmillan Reference USA, 2000, pp. 1125-1132. *Gale eBooks*, https://link.gale.com/apps/doc/CX3425001023/GVRL?u=cuny_johnjay&sid=GVRL&xid=97757b87. Accessed 10 Oct. 2020.
- Halberstam, Jack. Trigger Happy: From Content Warning to Censorship. *Signs: Journal of Women in Culture and Society*, Volume 42, Number 2 (January 2017), pp. 535-542, <<http://ejournals.ebsco.com.ez.lib.jjay.cuny.edu/direct.asp?ArticleID=4EE58369DC6EC164D42F>>
- Jones, Trevor. "Telling Your Story: Reflect on power/privilege/perspective." Honors Colloquium 1 John Jay College of Criminal Justice. Zoom. 25 Oct 2020. Discussion. *
- * I changed the name of the student because he shouldn't get more attention than he already received.
- Mateo-Saja, Elisa. Personal interview. 13 October 2020.
- Patton, Katlyn Ayn. "Trumping the First Amendment: Student-Driven Calls for Speech Restrictions on Public College Campuses." *Case Western Reserve Law Review*, vol. 68, no. 1, Fall 2017, pp. 189-212. EBSCOhost, search.ebscohost.com/login.aspx?direct=true&db=a9h&AN=127811833&site=ehost-live.
- Patton, Raymond. Personal interview. 15 October 2020.
- Saul, Stephanie. "Middlebury Disciplines Student Protesters." *The New York Times*, 24 May 2017, [nyti.ms/2qY6t3Q](https://www.nytimes.com/2017/05/24/us/middlebury-disciplines-student-protesters.html)
- Sheth, Aashna. "Board of Regents Approves Amendments to Legislation on Student Free Speech." *The Badger Herald*, 22 Apr. 2020, badgerherald.com/news/2020/04/22/board-of-regents-approves-amendments-to-legislation-on-student-free-speech/.
- Tugend, Alina. "Colleges Grapple with Where — or Whether — to Draw the Line on Free Speech." *New York Times*, 5 June 2018, [nyti.ms/2xKZpfE](https://www.nytimes.com/2018/06/05/us/politics/colleges-free-speech.html).

♦ ENGLISH 101

RESILIENCE AND REGRETS

ANGISNEL LARA-VALDEZ

EMOTIONAL, PHYSICAL, MENTAL. When distressed in any of these areas, we often experience trauma. It doesn't matter if the catalyst is large or small. Whether a person has lived through a war or a car crash, trauma is trauma. But isn't there always growth out of suffering? At least that's the common saying: "Pain will only make you stronger." But the truth of that statement is debatable. The situation itself could be eradicated, but its shadow will always linger. Is there truly growth in pain? Does experiencing trauma always lead to resilience? Being dealt with my own fair share of hardships, I sought answers. But mostly, I question if all my suffering has been worth it.

In my case, I was burdened with an eating disorder. "Fat." The label that poisoned my mind, convincing me of its truth. I was never a thin child, but while doctors considered me healthy, friends and family saw nothing but "fat." Diets and shapewears were all I ever knew, yet I still wasn't good enough. Their approval was all I wished for, so there was only one thing left for me to do. Starve. Spoil my relationship with food until I was hunched over with my finger down my throat. Until I was thin enough to be loved. But the attention I had hoped for was never given. No, it seemed as if the thinner I got, the more they shut me out.

"Fat." I may have hated that label but it was the only way they could see me. And I longed to be seen. I rummaged through the pantry, forcing down everything I could find. Doesn't each bite guarantee that they will love me? They will love me.

The Assignment and the Writer: For the English 101 inquiry project, students are asked to explore a question of their choice through writing a personal story, conducting an interview, and researching peer-reviewed articles. When I first read of Angi's struggles from her personal essay, I knew her vulnerability and honesty would lead to something special. As a result of asking herself if the pain of her experiences was worth the strength she had gained, Angi searched for answers through her interviews and through reading studies on resilience. Then she capably weaved together the required elements of the inquiry assignment while also poignantly claiming this essay form as her own.

— Professor Sara Whitestone

“Fat.” The label came back, each time harsher than the first. The outcome I had hoped for was no longer a possibility. Maybe I needed to be thin again? By then I was caught in an endless cycle of binging and purging, of gaining weight and of losing weight, with no way out. I had stripped my own freedom because I was a prisoner to food. I needed help. I knew I needed help. I went back to the people who shut me out hoping that maybe this time things have changed. The cycle remained and while my loved ones turned a blind eye, I was forced to seek refuge in religion.

I grew up catholic, the belief that God was watching over me, keeping me out of harm's way. Told he was teaching me life lessons that would benefit me in the long run. But what was he trying to teach me when I was starving myself? Where was he when I was taught only thin people could be beautiful? If I couldn't be thin, I couldn't be loved. My nightly prayers begging for the end of this worthless life remained unanswered and once again, I was alone.

In my search for answers, I discarded the lie I had convinced myself of—that all my suffering was worthwhile—when I stumbled upon Phil Klay's article, “Can the Trauma of War Lead to Growth, Despite the Scars?” Those who fight in war zones often suffer from post-traumatic stress disorder (PTSD). And, while Klay uses his own experiences as a veteran to discuss the potential blessings that come along with trauma, he also debunks the false narrative that wisdom cannot be learned without pain. Rather, in his research, Klay found a split answer. While some veterans were grateful for their experiences and believed the horror they had lived through resulted in stronger mindsets, others felt that their scars were too burdensome to be sources for growth. Not everyone rises from suffering to positivity. Whether or not the obstacles faced lead to resilience ultimately depends on each person's responses to adversity (Klay, 2020).

Suffering, and the wisdom that may follow, is at best a mystery. While one may be able to endure difficulties and then grow from them, someone else may experience trauma as continued torture. Much like Klay's research, my mind was split in two. I was so unsure of where I lied and my desperation for an answer only grew. I sought out multiple articles yet couldn't find the answer I was looking for. But I couldn't give up. I couldn't resort back to negative cycles and mindsets of my past. So I decided to conduct my own research.

As I interviewed my relative, Jayliss Johnson, she and I focused on the divorce of her parents and the wounds this traumatic event inflicted. Unfortunate circumstances led to her family moving 1,144 miles away from each other, leaving her with the ultimatum of who she was going to live with. It felt as if she was being asked to declare who she loved more. Ultimately she chose her mother, but her father's absence strained Jayliss's relationship to him. When I asked if she regrets everything she's experienced, Jayliss replied, “No. I feel like we as humans, we are made to be able to overcome challenges and those challenges will shape us into a better person, or worse.”

Those challenges don't come without scars, however. As Klay discussed, there are long-lasting effects that come along with traumatic situations, whether that be PTSD, or in Jayliss's case the fear of emotional vulnerability. Unfortunately, she often was alone, with no positive influences. As a result, Jayliss now “associates emotional vulnerability with a negative feeling.”

As I continued battling my eating disorder and my own intrusive thoughts, I searched everywhere for a lifeline. Yet no one came to save me. I didn't have people to depend on, I couldn't even depend on religion, and how was I supposed to depend on myself when it was me who I was running from. I searched for years, I'm surprised I made it past a year, but still, I am always alone. I began to believe that it was all in my head and that it was possibly my fault that no one had the decency to make sure I was still breathing. When I went to my family screaming for help—barely able to choke out the words—they didn't stay quiet because they didn't care. No, they simply couldn't hear me. I wasn't loud enough. I wasn't sick enough to need care. There was nothing wrong with me.

I kept feeding myself lies, the only thing I could manage to eat, convincing my mind that I was okay. I knew I wasn't, but it was easier if I pretended because maybe then they'll finally notice me. Lie after lie after lie, I started to feel like an impostor in my own skin. I could no longer believe the words that came out of this body that I inhabited. I would stare in the mirror, no longer aware of who was looking back. On top of it all, I was on the verge of death. I couldn't even remember when I had my last meal, because the scars, both on my body and in my mind, were still so fresh.

This pain will benefit me in the end, I thought. It was the biggest lie I convinced myself of in order to endure the pain just a little longer—in order to stay alive, just a little longer. And while every bone in my body was telling me to just let go and give up, I still hoped that maybe, one day, someone would come save me. I was too naive to realize that I had no one left, but that small shred of hope—the hope of being saved by someone who loved me—is why, now, I am able to see the sunrise every day.

Emotional scarring in the aftermath of intense traumatic events is almost inevitable. In a study titled “Childhood Trauma is Associated with Maladaptive Personality Traits” De Carvalho, et al correlates negative adult personality traits to childhood abuse and neglect. The researchers found that trauma—especially when experienced at a young age—has detrimental effects on identity development and often results in unhealthy coping mechanisms (2014).

“Long-lasting scars.” This is a term I use to describe the after-effects of my own traumatic events. Being consumed by guilt after eating a meal is my scar. No longer being able to step into a church is my scar. Waking up in the morning and bursting into tears because I don't know if I'm myself is my scar. This isn't to say I'm not more resilient now because of what I have endured. I am stronger than I've ever been. And, because of my search, I have, at least, finally found a few answers.

Although not everyone is able to build resilience as a result of the distress that comes with trauma, growth doesn't always have to be so painful. So, why? Why couldn't I have acquired the strength and wisdom I now have without hating myself in the process? I can't imagine that I will ever be thankful for the unnecessary torment I have inflicted on myself.

In my interview, I asked Jayliss if she regrets the suffering she's endured in order to become more resilient. And I sit here, asking myself that very same question. A question I have always known the answer to.

Yes, I do.

REFERENCES

- De Carvalho, H., Pereira, R., Frozi, J., Bisol, L., Ottoni, G., & Lara, D. (2014). *Childhood Trauma is Associated with Maladaptive Personality Traits*. Retrieved October 18, 2020, from <https://doi.org/10.1016/j.chiabu.2014.10.013>
- Johnson, J. (2020, September 12). Personal interview
- Klay, P. (2020, July 06). *Can the Trauma of War Lead to Growth, Despite the Scars?* Retrieved October 09, 2020, from <https://www.nytimes.com/2020/07/06/health/ptsd-war-trauma-growth.html?searchResultPosition=9>

♦ English 101

IS THIS REALLY ABOUT COVID? DISCRIMINATION AGAINST ASIAN AMERICANS AMID THE PANDEMIC: AN ANALYSIS OF HISTORICAL ROOTS

AMY ZOU

LIKE ANY NORMAL TUESDAY IN BROOKLYN, in early February 2020, I listened to music as I walked to work at the Bay Ridge afterschool program. At that time, Covid-19 had barely spread throughout the United States, but its arrival in California was quick to saturate the news. Out of nowhere, a Caucasian boy jumped in my path, startling me. He stood there and stared. Assuming he wanted to talk to me, I took out my earbuds. He then glanced to his friend and yelled, “She has Corona! Run!” I gave him a look and continued walking. When I arrived at work, I mentioned the incident to my coworker. She, like me, who is Asian American, merely said, “Oh, something like that happened to me the other day.” She shrugged, as if this were common. Her reaction, I would soon understand, represented something unfortunately accurate. I soon realized that what I experienced that day was, in fact, becoming quite common.

The Assignment and the Writer: ENG 101 is an inquiry-based research-writing course. Like “real-world” researchers, 101 students don't start with a pre-determined thesis; they end with bold ideas after an extensive, recursive, semester-long investigation. To begin, students design and revise their own questions. Then, they focus on the inquiry about which they're most passionate, the one they feel needs attention now. Amy's passion for her final question and her demand for answers is palpable in this complex study. Inspired by personal experience with Anti-Asian sentiment during the COVID-19 pandemic, Amy discovered through research that there's nothing novel about this sentiment; Corona wasn't the catalyst. So, what was? As with the best research, Amy's findings unearthed more and more questions, and in this impressive work she faces those questions head on.

– Professor Christen Madraza

Amid the Covid-19 pandemic, many Asian Americans and Asians living in the U.S. claim they've had similarly negative experiences over the past year. Since late winter of 2020, expressions of Anti-Asian sentiment have spiked nation-wide. According to the article, "How Asian Americans are Fighting Bias and Racism in 2020," Alvin Patrick (2020) reports, "There's been a nearly 845% increase compared to all the reported cases in 2017, 2018, and 2019 combined." The increase of reports during the pandemic shows that racial discrimination towards Asian Americans has drastically increased, at least as of late, as linked to the association of people of Asian descent with the cause of the pandemic.

Further, in a survey of 9,654 U.S. adults conducted by the Pew Research Center, researchers found that "about four-in-ten U.S. adults (39%) say it is more common for people to express racist or racially insensitive views about people who are Asian than it was before the coronavirus outbreak" (Ruiz & Horowitz & Tamir, 2020). They also found that 58% of Asian Americans believe that racist views are now more common during the outbreak than before it (Ruiz & Horowitz & Tamir, 2020). Thousands of Asian Americans have reported occurrences in which they've been the subject of racial slurs or jokes, and many have even experienced threats and physical attacks (Ruiz & Horowitz & Tamir, 2020). This recent spike in racism against our community has been, of course, linked to Covid-19 and, in fact, the Asian American Voter Survey claims that these racial attacks and macroaggressions that Asian Americans continue to face during the outbreak led many Asian American voters to be "concerned about hate crimes related to COVID-19" and to believe that "discrimination against Asian Americans exists in society" (Patrick, 2020).

These numbers show a shift. Prior to Covid-19, many people believed that Asian Americans do not face as much racial discrimination, or much at all, as compared with other groups of people. According to the report, "Pew Research Center Poll: Pew Social Trends--October 2009-Racial Attitudes in America II," 2,884 national adults were asked, "How much discrimination do you think there is today against people in the United States who are of each of the following races or origins?" The survey concluded that 23% of adults believe that Hispanics or Latinos face a lot of discrimination, 18% for Blacks or African Americans, 10% for White Americans and 8% for Asians or Asian (Pew, 2009). This shows that people believed that other minority groups face much more discrimination than Asian Americans, who are often considered "closest" to White Americans.

In 2015, a study entitled "Pew Research Center: April 2015 Survey of Multiracial Americans" surveyed 22,719 national multiracial adults and asked the same question. According to the survey, 13% of multiracial adults believed that American Indians face a lot of discrimination, 26% for Hispanics or Latinos, 41% for Blacks or African Americans, 9% for Whites, and 5% for Asians or Asian Americans (Pew Research Center, 2015). Not only could this show an even lower percentage of perceived racism toward Asians and Asian Americans over a six-year period, but it also shows that non-white, multiracial groups specifically perceive Asians and Asian Americans as facing less discrimination than other groups, even their own and even white groups.

Does this mean that discrimination against the Asian-American community is new? Was it entirely caused by Covid-19 and the amplified response to it by

politicians such as President Trump who called the virus, “Kung Flu” or the “Chinese Virus”? According to the *BBC News* article (2020) “President Trump Calls Coronavirus ‘Kung Flu,’” Trump’s counselor Kellyanne Conway clarified that Trump, “has made it very clear he wants everybody to understand, and I think we need Americans to understand, that the virus originated in China.”

While Trump’s explanation of the virus clearly exacerbated racial prejudice against Chinese Americans and resulted in many people blaming Asian Americans for the pandemic who might not have otherwise, many believe that his leadership (and the pandemic itself) are not original causes of the racism against the U.S. Asian and Asian American community that exists today. Just because many are now beginning to notice the existence of racism towards people of Asian descent, doesn’t necessarily mean the issue is new. In fact, it’s possible that the xenophobic response to the virus we’ve recently witnessed has deep historical roots, which have also influenced other discriminatory sentiments.

Take Asian Americans’ reputation as the “model minority,” for example. In 1966, the term “model minority,” coined by William Petersen, was named as a stereotype that perpetuates the idea that a particular minority group can achieve higher levels of success in the United States, in contrast to other minority groups. According to the article, “‘Model Minority’ Myth Again Used as a Racial Wedge Between Asians And Blacks,” the author, Kat Chow (2017) claims that people believe that “Asian-Americans, with their ‘solid two-parent family structures,’ are a shining example of how to overcome discrimination.” Since Asian Americans tend to have a strong family structure and put emphasis on education, many believe that they are more likely to succeed socioeconomically. However, it’s important to recognize that this myth is really just a way to perpetuate racism towards other minority groups, specifically African Americans. The claim is that if Asian Americans can succeed, African Americans can just as well; the argument blatantly ignores decades of structural racism towards African Americans and pits one group against the other.

According to Janelle Wong, a professor at the University of Maryland, the model-minority myth is also discriminatory to Asian Americans, too, as it causes people to ignore “the role that selective recruitment of highly educated Asian immigrants has played in Asian American success.” (Chow 2017). On the surface, the term seems to compliment Asian Americans. In reality, however, it forces them to fit some “perfect” model while also ignoring the difficulties Asian Americans face in the United States as well as the “selective recruitment” strategies practiced in terms of their immigration. The myth also results in more competition in the college admissions process and the workplace due to the community’s likeliness to be held to higher standards than others.

As the term “model minority” rose in popularity, people were less likely to associate Asian Americans with a group that once was a target of blatant racism. The author, Pan Suk Kim (1994), of the article, “Myths and realities of the model minority,” uses statistics just a few decades after the creation of the term “model minority” to disprove the myth. He states that, “Economic status among Asian Americans appears to be marked by bifurcation: for every Asian American household with an annual income of \$75,000 or more, there is roughly another with an annual income below \$10,000.” While some Asian Americans indeed became successful in

the U.S., reaching the top of the hierarchy, there are just many Asian American families living in poverty.

More recent, according to Anthony Cilluffo and Rajesh Kochhar (2018), in the article "Income Inequality in the U.S. is Rising Most Rapidly Among Asian," the Pew Research Center found that, "In 2016, Asians at the 90th percentile of their income distribution had 10.7 times the income of Asians at the 10th percentile. The 90/10 ratio among Asians was notably greater than the ratio among blacks (9.8), whites (7.8) and Hispanics (7.8)." In addition, "poverty rates were as high as 35% among Burmese, 33% among Bhutanese, and 28% among Hmong and Malaysians," which showed that the diversity within the classification of Asian Americans has led to many subgroups being overlooked on the topic of income inequality and poverty rates (Cilluffo & Kochhar, 2018).

Further, the generalization of people of Asian descent in the category of Asian Americans affects the resources and opportunities they receive in the workplace. Kim also claims the following:

The fact that Asian Pacific Americans are overrepresented at both the top and the bottom of the occupational hierarchy is cited as evidence that they experience discrimination in obtaining positions commensurate with their education and training and are not promoted according to their qualification (1994).

Since the category under Asian Americans includes a large group of people varying in culture, ranging from all East Asians to South Asians, the overrepresentation of Asian Americans from China leads to discrimination against others who are less likely to be hired or promoted based on qualifications. The ongoing belief that Asian Americans are "taking jobs" from other Americans is in large part to blame for this.

Fear of Asian immigrants' economic success is not new. Throughout history, the U.S. government passed several policies and laws to limit and regulate Asian Americans' economic success in various industries, from mining to even fishing. According to the article, "Discrimination against Asian American Business Enterprises: the continuing need for affirmative action in public contracting," by Myron Dean Quon (2008), "until as recently as the late 1940s, several states prohibited Asian Americans, including American-born citizens of Asian descent, from owning land." Even though Asian Americans were given citizenship under the 14th amendment, as decided in *the United States v. Wong Kim Ark*, 169 U.S. 649 (1898), they were only given the right to own land in 1946 as decided in *Oyama v. California*, 332 U.S. 633 (1946). Then in *Sei Fujii v. California*, it was decided that the Alien Land Laws of 1913 that prevented Asian immigrants from owning land was unconstitutional. Even though the laws were enforced to limit foreigners in general from owning land, it largely targeted Asian Americans, as they were the main group of immigrants in California at the time who could not receive citizenship ("Alien Land Laws", n.d). This was a way to prevent Asian Americans from starting agriculture businesses and represents a fear of the group's economic success (Quon, 2008).

It seems that xenophobia against Asian Americans is largely based on a fear that the ethnic group would dominate in U.S. industries. A study provided by the National Economic Research Associates found the following:

Approximately one out of four Americans hold decisively negative views of Chinese Americans, and that 32 percent believe that Chinese Americans are more loyal to China than to the United States. Indeed, the survey showed that 46 percent of those surveyed believe that “Chinese Americans passing on information to the Chinese government is a problem,” and 23 percent said that they would be “uncomfortable” if an Asian American were elected president, in contrast to 15 percent who would be uncomfortable with an African American president (Quon, 2008).

Many Americans are uncomfortable with Chinese Americans holding higher job titles and dominating the business world in the United States, but why?

Where did this “discomfort” come from? And is this the same discomfort many Americans began to express upon the arrival of the pandemic to the US? Some say yes and argue that the pandemic brought back the historical sentiments of what’s referred to as the “Yellow Peril,” which is defined by Merriam-Webster (n.d.) as “a danger to Western civilization held to arise from expansion of the power and influence of eastern Asian peoples.” According to “‘Yellow Peril’ in the Age of COVID-19,” by Hannah Joy Sachs (2020):

In the 1800s, at the height of “yellow peril,” white Americans believed Chinese immigrants would invade and overtake the country... White America believed the only way to protect the United States was to keep Chinese individuals out. Today [2020], the slurs yelled, the graffiti phrases spray painted, and the social media vitriol posted echo the arguments of the late Nineteenth and early Twentieth centuries. Once again, Asians are being labeled as filthy, compared to animals, and told to “go back to where they came from.”

The “Yellow Peril” named the fact that many people were afraid of East Asians as they were presented as a danger to the nation, particularly in terms of their “taking over” and as being “filthy.” Interestingly, according to Sachs, comparable sentiments emerged with the pandemic’s arrival in the United States.

In the years leading up to 2020, younger Asian Americans were perhaps used to experiencing more subtle microaggressions, but they likely never felt the full presence of “Yellow Peril” in their own lives. However, now, “Younger generations of Asian Americans have been for the first time experiencing — this more overt, in your face racism” (Patrick, 2020). The racism Asian Americans face today is more apparent compared to in the recent past, with the racial slurs and attacks targeting them, specifically. That doesn’t make it new, and so it leads us to wonder when this began and why.

The first major wave of Chinese immigration began in the 1850s, during the California Gold Rush (Echeverria-Estrada & Batalova, 2020). East Asians, primarily from China, Japan, Korea, and the Philippines, settled on the west coast, mainly in Hawaii and California. They picked up jobs in agriculture, factories, gold mines, and worked on the Transcontinental Railroad (“Asian American History”, 2006). In 1869, an editorial cartoonist, Thomas Nast produced the illustration, “Uncle Sam’s Thanksgiving Dinner,” to portray America as a nation opened to people of all races

(Walfred, 2014). The corners of the image included the phrases “Come one, Come All,” and “Free and Equal,” with illustrations of people of different races at a dinner table, eating together:



(Nast, 1869)

The image portrays a male guest in the bottom left of the image, believed to be of Chinese descent (based on his clothing and hairstyle) which was intended to show the United States' acceptance of Asian immigrants.

However, an increased demand for cheap labor provided by Chinese people led to an increase in Chinese immigration, and many Americans began to fear the increased immigration, which seems to have been the beginning of the “Yellow Peril.” According to the article, “America’s Long History of Scapegoating Its Asian Citizens,” the author Nina Storchlic (2020) explains the term “Yellow Peril” as a, “fear of an Asian invasion and resentment of the cheap labor coming from China.” Working-class Americans were threatened by the competition for labor with Chinese immigrants because of the low wage labor they provided.

Just a few years after Nast's portrayal of America as equal and open for all, the Chinese Exclusion Act passed in 1882, which would ban Chinese immigration to the U.S. It would also prevent Chinese people from becoming citizens under the 14th amendment, which guaranteed citizenship to children born in the U.S. The Chinese Exclusion Act, which was the first law to prevent the immigration of people based on ethnicity, would be in place for several decades until it was repealed in 1943 by the Magnuson Act (Wu, n.d).

In addition to fear of losing work, Americans also feared for their culture. Nast's attempt to portray the United States' acceptance of ethnic diversity and opposition to discrimination did not express how the nation truly felt about Chinese immigrants. Chinese culture was very different and unfamiliar to Americans. Chinese men worked at laundromats and restaurants, work usually taken upon by women (“The Yellow Peril,” 2013). The media at the time portrayed Chinese people with narrow and slanted eyes and very yellow skin. Americans were also uncomfortable with the way they dressed, such as the robes they wore and the queue hairstyle that Chinese men had (“The Yellow Peril,” 2013). It added to the xenophobia, fear, and dislike of these foreigners. As xenophobia spread, the term “Yellow Peril” describes

the racial prejudice against people of East Asian descent, largely the fear that they would invade Western land and their values of democracy and Christianity.

Just a few years after Nast's painting, in 1877, George Frederick Keller from San Francisco produced a similar cartoon with the same title, portraying a different take on international cultures existing in the United States:



(Walfred, 2017)

In this image, each participant eats a meal associated with their own culture. In the mid-right section of his illustration, a man sitting at the table has a queue and is wearing a robe, which makes him seem to be of Chinese origin. The man is shown eating a whole rat with chopsticks. As the media presented the poor sanitation of Chinese neighborhoods, people began believing that Chinese people were unsanitary, as reflected by this image since rats are associated with disease. The living conditions were a result of lack of government regulations yet, “white native activists would ascribe that uncleanness to Chinese bodies and say this was a threat to the nation” (Strochlic, 2020). This likely resulted in Keller's illustration of a Chinese man dining on a rat, as people believed Chinese immigrants to be unclean, something at the core of “Yellow Peril” as a tool of fear.

Discriminatory legislation passed in an attempt to limit Chinese immigration was not the only result of the “Yellow Peril.” Tax laws such as the Foreigner Miners’ Tax also targeted Chinese immigrants to prevent them from dominating the labor force in the mining industry (Walfred, 2019). The taxes were too much for many Chinese immigrants to pay because they worked for low wages. The reinforcement of the tax law each year, with a raise, attempted to reduce economic incentives for immigrants, mainly Chinese, to come to the United States.

As it became difficult for Chinese people to make a living through the mining industry, they took upon laundry services, which were mainly provided by American women at a higher price. As a response to Chinese men filling in the demand for cheaper laundry services, “between 1873 and 1884, San Francisco enacted 14 ordinances with a discriminatory intent to restrict the economic growth and advancement of Chinese laundries” (Quon, 2008).

Other legislation attempted to change Chinese traditions. For example, the Sidewalk Ordinance of 1870 banned the use of shoulder poles, commonly used by Chinese people to carry goods, and the Queue Ordinance, adopted in 1873 required Chinese prisoners shave their heads (Walfred, 2019). These various policies showed the early existence of racial prejudice against Chinese immigrant workers and attempts to control and limit Chinese advancement and culture in the U.S.

This early racism towards Asian Americans led to various actions taken during pandemics to target this specific group long before Covid-19. The Great Honolulu Chinatown Fire in 1900, for example, was a series of fires set in Honolulu during the third bubonic plague (Shute, 2020). According to the article, “Not Everyone Knows That the Great Chinatown Fire Of 1900 Was the Result of the Bubonic Plague in Hawaii” by Megan Shute (2020), “A total of 40 individuals died as a result of the plague, and though the fire was thought to be an accident, critics accused the government of being driven by sinophobia.” Chinese immigrants at that time lived in Chinatown under poor living conditions and dirty sewage systems. When reports claim that the plague originated in Chinatown, the Board of Health decided to incinerate buildings, leaving 7,000 Chinese immigrants homeless. As people tried to leave the zone, while buildings were incinerating, officers forced them to stay in the quarantine zone. Ultimately, many were quick to blame the immigrants of Chinatown for the plague, and their first attempt to control the plague was to burn everything down (Shute, 2020).

During this time, Chinese immigrants were not only met with unfair policies in the U.S., but they were also faced with violent attacks. Chinese immigrants were attacked and blamed for taking jobs from white immigrants. According to the article “The Rock Springs Massacre” by Tom Rea (n.d.), “There were scattered threats against and beatings of Chinese men in Cheyenne, Laramie, and Rawlins...warning the Chinese to leave Wyoming Territory or else.” The attack led by white immigrant miners killed 30 Chinese immigrants for taking their jobs. Chinese immigrants were not the only Asian American group faced with attacks invoked by the competition in the labor field. The Watsonville Riots in the 1930s targeted Filipino farmworkers who took over many jobs of Chinese immigrants as the demand for labor grew. Similarly, this attack was motivated by Asian foreigners’ takeover of the labor force in the United States (Rodney 2020).

In June 1983, two white men mistook Vincent Chin, a Chinese American, to be Japanese American, and attacked and murdered him. According to the case *United States v. Ebens Payne*, 800 F.2d 1422 (6th Cir. 1986), one of Chin’s attackers yelled, “It’s because of you little mother f*ckers that we’re out of work” (Ebens, 800 F.2d at 1427). The two white men’s retaliation against the increase of Japanese automotive imports had invoked their attack. The U.S automotive industry had laid off many white workers due to the decline in its industry. Many of these attacks orientated around this fear of Asian invasion and dominance in the U.S economy. Chin’s murder presented xenophobia towards people of Asian descent as any Asian can be attacked for anything, solely based on their race. It echoes the sentiments originating with “Yellow Peril” and shows that the concept stuck around through the decades.

As many people of Asian descent continued to face discrimination and hostility in the U.S, Executive Order 9066 demonstrated the existence of “Yellow

Peril” and was the peak of anti-Japanese sentiments. The order issued by President Franklin D. Roosevelt was a response to the attack on Pearl Harbor, where “all persons deemed a threat to national security from the West Coast to relocation centers further inland” (Executive Order 9066, 1942). The forced internment of Japanese Americans and Japanese immigrants in camps was a violation of Japanese Americans’ constitutional rights by depriving their first amendment rights, protection from unreasonable searches and seizures, and the forced removal denied their rights to a fair trial. The decision decided that all persons of Japanese descent were threats to national security and an enemy to the U.S. This Executive Order, enforced by one of the nation’s highest officials, the President, was solely race-based and showed the existence of racial prejudice against people of Asian descent (Executive Order 9066, 1942). It was also evident that the U.S was using Japanese Americans and Japanese immigrants as scapegoats for the war. The camps had poor living conditions and the traumatic event lasted in many Japanese people’s memories even decades after the case *Korematsu v. United States*, 323 U.S. 214 (1944), was overturned, ending the internment of people of Japanese ancestry (“Rebuilding a Community”, n.d.). The fact remains that the seeds of “Yellow Peril” that allowed for such events did not die.

Today, Covid-19 fuels the xenophobia against Asian Americans in the U.S and once again reminds us that “Yellow Peril” is still alive. Clearly, many blame people of Asian descent as the cause of the coronavirus and this Anti-Asian racism have spread worldwide. News reports in the article, “Japanese Man Assaulted by 8 Youths Outside NYC Subway for Being ‘Chinese,’” by Ana de Liz (2020), explains that Tadaka Unno, a Japanese musician in New York City, was mistaken to be Chinese and assaulted. Unno’s case is similar to when Chin, mistaken for a Japanese man, was murdered.

Further, according to the article, “Covid-19 Fueling Anti-Asian Racism and Xenophobia Worldwide,” by Human Rights Watch (2020), a governor in Italy stated that Italians have “culturally strong attention to hygiene, washing hands, taking showers, whereas we have all seen the Chinese eating mice alive.” This idea that people of Asian descent are unsanitary as portrayed by Keller’s cartoon continues to exist, not just in the United States and indicates that “Yellow Peril” is still alive and well, no less widespread.

Ultimately, Covid-19 simply shed light on an existing discrimination towards Asian Americans, making it clearer than ever that the sentiments of “Yellow Peril,” have long existed in the United States. A pattern of discrimination and unfair treatment towards Asian Americans in the United States’ history is not new, and it shows that the existence of xenophobia and anti-immigration sentiments towards Asian Americans is not solely related to the virus.

As a Chinese American, I worry about how the racism that has been exacerbated by Covid-19 will impact the lives of many other Asian Americans living in the United States. While many Asian Americans have been targets of racist threats or slurs related to the pandemic, others have faced racism that is not solely related to the pandemic, and I fear we will continue to. One of my friends recently told me that when her mother was parking her car, another person stole her spot, almost hitting her, and then shouted, “F*ing Chinese people always wanting to take everything from me.” The sentiment that Asian Americans are “taking” things—such as jobs or even

parking spots from other Americans—is evidence that this is not just about the virus. While Covid-19 may have cast a spotlight on the discrimination against Asian Americans and even caused it to spike, the historical roots of the “Yellow Peril” were alive and well before this virus, and I suspect they will outlive it.

REFERENCES

- Alien land laws. (n.d.). *Immigration to the United States*. Retrieved from <https://www.immigrationtounitedstates.org/334-alien-land-laws.html>
- Asian American history. (2006). *Japanese American Citizens League*. Retrieved from <https://www.jacl.org/asian-american-history/>
- Asian Immigration: The ‘Yellow peril’. (2013). Retrieved from <https://digitalgallery.bgsu.edu/student/exhibits/show/race-in-us/asian-americans/asian-immigration-and-the--yel>
- Chow, K. (2017, April 19). ‘Model minority’ myth again used as a racial wedge between Asians and blacks. Retrieved from <http://www.npr.org/sections/codeswitch/2017/04/19/524571669/model-minority-myth-again-used-as-a-racial-wedge-between-asians-and-blacks>
- Committee of 100. (2009). Committee of 100 Poll: January 2009 (Version 2) [Dataset]. Cornell University, Ithaca, NY: Roper Center for Public Opinion Research. doi:10.25940/ROPER-31111760
- Engel, C. J. (1986, September 11). *United States v. Ebens*. Retrieved from <https://casetext.com/case/united-states-v-ebens>
- Executive Order 9066. (1942, February 19). General Records of the United States Government; Record Group 11; National Archives. Retrieved from <https://www.ourdocuments.gov/doc.php?flash=false&doc=74>
- Liz, A. D. (2020, October 09). Japanese man assaulted by 8 youths outside NYC subway for being "Chinese". Retrieved from <https://www.newsweek.com/japanese-man-assaulted-8-youths-outside-nyc-subway-being-chinese-1537827>
- Merriam-Webster. (n.d.). Yellow peril. In *Merriam-Webster.com dictionary*. Retrieved from <https://www.merriam-webster.com/dictionary/yellow%20peril>
- Nast, T. (1869). *Uncle Sam's Thanksgiving dinner*. *Th. Nast*. 1869. [Photograph] Retrieved from the Library of Congress, <https://www.loc.gov/item/2002714704/>
- Rea, T. (n.d.). The Rock spring massacre. Retrieved from <http://www.tomrea.net/The%20Rock%20Springs%20Massacre.html>
- Echeverria-Estrada, C. Batalova, J. (2020, October 21). Chinese immigrants in the united states. Retrieved from <http://www.migrationpolicy.org/article/chinese-immigrants-united-states-2018>
- Kim, P.S. (1994) Myths and realities of the model minority. *The Public Manager: The New Bureaucrat*, vol. 23, no. 3, Fall 1994, p. 31+. *Gale Academic OneFile*, https://link.gale.com/apps/doc/A16473880/AONE?u=nysl_ca_nyempire&sid=AONE&xid=1a047c71
- Kochhar, R., Cilluffo, A. (2018, July 12). Income inequality in the U.S. is rising most rapidly among Asians. *Pew Research Center's Social & Demographic Trends Project*. Retrieved from www.pewsocialtrends.org/2018/07/12/income-inequality-in-the-u-s-is-rising-most-rapidly-among-asians/
- Patrick, H (2020, October 10). How Asian Americans are fighting bias and racism in 2020. *CBS News*. Retrieved from <http://www.cbsnews.com/news/asian-americans-bias-racism-2020/>
- Pew Research Center for the People & the Press. (2015). Pew Research Center: April 2015 Survey of Multiracial Americans (Version 2) [Dataset]. Cornell University, Ithaca, NY: Roper Center for Public Opinion Research. doi:10.25940/ROPER-31096288
- Pew Research Center for the People & the Press/Pew Social & Demographic Trends. (2009). Pew Research Center Poll: Pew Social Trends--October 2009-Racial Attitudes in America II (Version 2) [Dataset]. Cornell University, Ithaca, NY: Roper Center for Public Opinion Research. doi:10.25940/ROPER-31095968

- President Trump calls coronavirus 'kung flu'. (2020, June 24). *BBC News*. Retrieved from www.bbc.com/news/av/world-us-canada-53173436.
- Quon, M. D. Discrimination against Asian American business enterprises: The Continuing need for affirmative action in public contracting." *Asian American Policy Review*, vol. 17, 2008, p. 41+. *Gale Academic OneFile*. Retrieved from https://link.gale.com/apps/doc/A186951511/AONE?u=nysl_ca_nyempire&sid=AONE&xid=2995cb6f
- Jaleco, R. (2020, January 24). Watsonville Anti-Filipino riot, a reminder of bigotry gone berserk." *INQUIRER.net USA*. Retrieved from <https://usa.inquirer.net/50624/watsonville-anti-filipino-riot-a-reminder-of-bigotry-gone-berserk>
- Rebuilding a community: Japanese: immigration and relocation in U.S. history: classroom materials at the library of congress: library of congress. *The Library of Congress*. Retrieved from www.loc.gov/classroom-materials/immigration/japanese/rebuilding-a-community/
- Ruiz, N.G. Menasce, J.H. Christine T. (2020, August 20) Many blacks, Asian Americans say they have Experienced Discrimination Amid Coronavirus. *Pew Research Center's Social & Demographic Trends Project*. Retrieved from www.pewsocialtrends.org/2020/07/01/many-black-and-asian-americans-say-they-have-experienced-discrimination-amid-the-covid-19-outbreak/
- Sachs, H. J. (2020, April). 'Yellow peril' in the age of COVID-19. Retrieved from https://www.humanityinaction.org/knowledge_detail/article-usa-hannah-sachs-yellow-peril-in-the-age-of-covid-19/
- Shute, M. (2020, March 28). Not everyone knows that the great Chinatown fire of 1900 was the result of the bubonic plague in Hawaii. Retrieved from <https://www.onlyinyourstate.com/hawaii/great-chinatown-fire-of-1900-hi/>
- Strochlic, N. (2020, September 2). America's long history of scapegoating its Asian citizens." *History & Culture*. Retrieved from www.nationalgeographic.com/history/2020/09/asian-american-racism-covid/
- Walfred, M. (2019, February 11). Chinese immigrant legal history in U.S. Retrieved from <https://thomasnastcartoons.com/the-chinese-cartoons/chinese-legal-history-in-us/>
- Walfred, M. (2017, March 30). Uncle Sam's thanksgiving dinner – Two coasts, two perspectives. Retrieved from <https://thomasnastcartoons.com/selected-cartoons/uncle-sams-thanksgiving-dinner-two-coasts-two-perspectives/>
- Wu. Y. (n.d.). Chinese Exclusion Act. *Encyclopædia Britannica*, Encyclopædia Britannica, Inc. Retrieved from www.britannica.com/topic/Chinese-Exclusion-Act

♦ ANTHROPOLOGY 230

COVID-19 MASK-WEARING POLICIES AND THE THREAT TO RETAIL WORKERS

DIEGO GIL

AS RETAIL STORES BEGAN REOPENING IN NEW YORK CITY after roughly two months of lockdown because of the COVID-19 pandemic, a new trend appeared in social media. Videos and blogs featuring retail workers being harassed, and even verbally and physically assaulted for enforcing the mandating mask-wearing policies recommended by the Center for Disease Control and Prevention (CDC) have surfaced across the United States (Porterfield 2020). Often met with mockery and disdain by people on social media, this trend conceals the vulnerability of retail workers. With the politicization of mask-wearing falling along party lines encouraging defiance, retail staff now faces dual risks: exposure to the virus and a potentially violent backlash against store mask policies. This poses the question, “How does retail staff conceive of the spread of the virus through mask-wearing enforcement as both physical and psychological threats?” Using interviews conducted with eight retail workers working in three different stores, this paper explores the risks essential workers face during this pandemic.

Retail jobs are often described as “easy jobs”, sometimes considered for “lazy people”, or for “kids and students” when in reality they are demanding jobs that simply do not require specific skills and are therefore underpaid. Many young people’s first work experience is often in retail, and for those who are older and still employed in the field, retail work is their only stable source of income. Working in retail is far from

The Assignment and the Writer: In ANT 230, Culture and Crime, students learn anthropological techniques for exploring marginalized issues in order to understand “crime” outside strict legal terms defined by individual violations of the law. Instead, students think of *crime* as a cultural category determined by social values. This assignment encourages students to follow news stories over the course of the term, find underreported topics and, using concepts and skills learned in class, test the intersection of *crime* and *culture* as a matter of social justice. Diego’s paper analyzes the concept of “threat” in relation to “vulnerabilities” associated with the implementation of rules by underpaid workers. He does this to reveal the hazards besides the threat of contagion for retail employees beyond essential supermarket workers.

– Professor Melissa Zavala

easy. Shifts are often long and physically and psychologically demanding, as any retail worker will tell you. Despite this, retail staff is one of the lowest paid service sector work. With a national average wage of \$14 an hour and \$15 in New York State, retail staff falls in the lower end of the minimum wage scale (U.S. Bureau of Labor Statistics 2019). As the lockdown went into effect last Spring, many retail workers worried about their financial needs as much as their safety. The interactive nature of their job exposed them to the spread of the virus. Authorities understood this, and as a result, many restaurants and retail stores were forced to shut down to contain the spread (Sherman 2020). Many workers soon found themselves without income. While companies like Starbucks offered workers the option to stay home with pay, others like Wendy's, did not offer pay, leaving employees to choose between their income or their health. Most of the interviewed retail workers featured here chose to stay home for safety reasons, but as soon as paid leave ended, they were forced to go back, making them vulnerable to COVID-19, among other threats.

This type of catch-22 can be considered through the lens of what anthropologist Hugo de Burgos (2015) refers to as social poisoning. Burgos defines this concept as “the systematic disruption of the social conditions that allow humans to enjoy experiential health – freedom from illness and alienation, the capacity for human development, self-discovery, self-actualization and transcendence of alienating social circumstances” (Burgos 2015: 186). Retail workers suffer from something similar to social poisoning because they are underpaid, making them the working-poor who must work because they cannot afford to miss shifts and not get paid. This exposes them not just to the virus, but also to violence or potential violence from customers given the heated political national debate over masks.

Retail workers were aware of their vulnerability early on. Most of them had to choose between their physical safety or their economic safety. For some, it was an easy decision given other complications, like a worker whose mother suffers from a degenerative disease who had to quarantine herself to protect her mother. For most, it was a harder choice. Most of the workers interviewed for this project expressed similar concerns, one of them saying that she was “overcome by anxiety over the news of the COVID-19 Pandemic.” Another said that she was nervous because she could be “easily exposed at her job”. Two of the retail workers interviewed could not stay home since their bills required them to work. The rest stayed home, but soon began facing financial problems.

Those who decided to stay home during the lockdown explained that one of the main reasons—besides needing to pay bills, that is—for returning to work were newly devised mask-wearing policies. As businesses implemented policies based on the CDC's guidelines and their own needs, retail workers felt safer. For those who worked during the first wave, the mask-policies brought relief, making them, as they put it, “feel more safe”. This feeling of security would not last, however, as new struggles arose with the increasing politicization of mask mandates.

The mask-policies outlined by the CDC are mandatory, not optional (New York State 2020). And while this brought relief to retail workers, it also added a new dimension to their job: now it is their responsibility to enforce the policies, not only among peers but mainly to ensure that customers comply. As one of them simply put it: “I have to enforce it.” Most have realized that this is easier said than done. One of

them explained that “it was awkward at the beginning, I felt I was offending them [customers]”. This awkward feeling stems from the strong opinions people hold about wearing masks. Another worker agrees with her, saying: “It is difficult to enforce the policies, people have different opinions about them”. Furthermore, she expresses that “I feel anxious and protective of my team” whenever a customer refuses to follow the policies. For her, those who refuse to wear a mask pose a threat to the physical safety of her team. Furthermore, the unpredictability of customers’ reactions to being asked to wear a mask creates an uncomfortable situation not only for her but for the whole team.

One of the workers interviewed recalls an especially unsettling incident when a customer without a mask entered the store shouting on her cellphone about how her whole family had tested positive for the virus. Other customers heard her and demonstrated discomfort. The worker interviewed had to consider the situation a possible threat but was still forced to approach the patron to ask her to put a mask on or leave the store. She was simply ignored by the person who continued talking on the phone. Another customer paying attention to the situation intervened and asked the woman on the phone to leave. The customer left without further incident, but not without leaving everyone shaken. The sense of insecurity these situations create are unsettling for workers. As the interviewee put it, “There are careless people that make it an uncomfortable situation” to ensure everyone’s safety. All those interviewed expressed the same sense of insecurity in one way or another; it is not easy to enforce mask-wearing.

They all seem to agree that one of the main reasons is the politicization of the policies. They point out that most of the strong opinions about wearing masks are based in political views about personal freedom. The biggest difficulty with enforcing the mask mandate is that “people don’t accept reality” and they look to political ideologies to “support their denial”, is how one of them put it. To exemplify this, one of the workers recalls an incident. She works as a hostess in a restaurant. It is her responsibility to ensure that all diners wear masks before entering her restaurant. On one occasion, a couple defied the rules. The woman was wearing a mask while her husband was not. The worker said, “I asked him to put a mask on nicely and he started screaming at me”. Apparently, the man felt that it was his right to decide to wear a mask or not even though the restaurant requires it. His “rant”, as she puts it, escalated to insults. The restaurant manager had to intervene and ask the couple to leave. They complied after the wife convinced her husband to calm down. This incident is noteworthy because it was one of the times when a customer directly quoted political ideologies to defend himself. Not only was the incident uncomfortable for the restaurant hostess, but also for her coworkers and other customers. Furthermore, she felt threatened and anxious during the incident and afterwards. Other workers referred to similar incidents to further explain how politics seem to be a common pattern in the struggle to enforce mask-wearing.

Though retail work exposes these essential workers to the virus, their vulnerability is not simply related to the pandemic. Rather, their precarious financial status and society’s low regard for them and their labor further exploits conditions making them that much more vulnerable. Their fragile economic status and their easy exposure to the virus forced them to choose between their physical or economic safety.

Some chose the former in the wake of economic support initiatives implemented at the start of the crisis, while others were forced to continue to work because the safety net provisions were not enough. As the crisis unfolded and the CDC implemented the mask-wearing policies, many stores began to reopen and those who stayed home decided to go back. Their decision was mainly driven by their economic needs, but also because of the sense of safety they felt the new policies provided. Despite this, soon new threats appeared. With the politicization of the mask-wearing policies, retail workers now face the risk of physical and psychological violence in addition to the dangers presented by the virus itself. Workers struggle daily to enforce policies while dealing with constant anxiety over uncomfortable or potentially risky situations. Even though none reported physical violence during their interviews, the threat always looms, but they are more than willing to face it with a determination that is nothing less than admirable. Perceptions of the spread of COVID-19 held by interviewed staffers reflect heightened anxieties related to mask-wearing enforcement as uncomfortable. That safety measures would represent potential physical and psychological threats further highlights their vulnerability in a society that increasingly disregards the plight of workers in favor of political agendas.

REFERENCES

- Burgos, Hugo de. (2015) "The Site of Lead: Social Poisoning in El Salvador" in *Anthropologica*, Vol. 57, No. 1: 185-198.
- New York State. (2020). Section 66 – 3.2 – Face – Coverings. *New York Codes, Rules, and Regulations*. Retrieved from: <https://regs.health.ny.gov/volume-1a-title-10/content/section-66-32-face-coverings>
- Porterfield, Carlie. (2020). "No-Mask Attacks: Nationwide, Employees Face Violence for Enforcing Mask Mandates" in *Forbes*. Retrieved: <https://www.forbes.com/sites/carlieporterfield/2020/08/15/no-mask-attacks-nationwide-employees-face-violence-for-enforcing-mask-mandates/?sh=1f6134e060d6>
- Sheman, Natalie. (2020). "New York: The City That Never Sleeps on Lockdown" in *BBC News*. Retrieved from: <https://www.bbc.com/news/business-51880799>
- U.S. Bureau of Labor Statistics. (2019). "Occupational Employment and Wages" in *Occupational Employment Statistics*. Retrieved from: <https://www.bls.gov/oes/current/oes412031.htm>

♦ SOCIOLOGY 232

FORMATIVE MOMENTS

MANY MOROCHO

EVERY PERSON IS DEFINED BY WHAT THEY WENT THROUGH in their most formative moments. Many enjoy the privilege of being well cared for, monitored, and cultivated in order to claim their future with ease. But for many people like me, our parents simply laid the foundation for us and left us alone, leaving us to find our own way and work for our own success. Whether there truly is a clear winner in the comparison of these styles, is up to interpretation. Look no further than within yourself to understand how your childhood has created the person you are.

Annette Lareau (2011) examines the differing parenting styles of various social classes. On one hand, the middle-class practice concerted cultivation, a style of parenting where middle class parents take an active role in the lives of their children, monitoring and promoting their academic success while also enrolling them in different activities. On the other hand, working class or poor families practice the accomplishment of natural growth, taking pride in meeting their child's basic needs. This means a parent is unlikely to be active in their child's life, leaving them to their own devices. Such children often find themselves with much more free time than their middle-class counterparts and spend much of that time either alone or with other neighborhood children. Although both sides seem to have at least some merit, the preferred or recommended method of child rearing in society is concerted cultivation, as teachers favor students from such backgrounds and question parents who do not practice it. However, this style of parenting is almost solely attainable for middle class

The Assignment and the Writer: In SOC 232, Social Stratification, students analyze a personal experience with social inequality in light of theories learned in class. Many's essay provides a mature and clear-eyed view into subtle familial and social dynamics that are difficult to articulate and often overlooked consequences of unequal access to resources. His essay speaks to the resilience and fortitude so often found in John Jay students.

– Professor Robert Garot

parents due to their wealth compared to the working class. Poor families spend most of their time working to simply survive, meaning they cannot comfortably stop what they are doing to take part in their child's life. Most concerning, despite the amount of time they spend working, many poor families still feel the pangs of hunger.

Simply put, many working-class families lack the resources to enroll their children in extracurricular activities. The working class or poor do not want to spend time away from their children, but they must if they want their child to have a chance at success. Middle-class families, on the other hand, provide their children with considerable advantages for exploring opportunities to have diverse experiences. Middle class children are taught from a young age to seek out their future and to shape life the way they want it. Their parents are more likely to let their children speak up and come to conclusions on their own, as opposed to how working-class children are taught to take orders and be quiet. This development of their verbal ability provides them with incredible comfort with authority figures. In contrast, the social competence of working-class children may work to lower their chances of success when searching for a middle-class job as they've learned behaviors like avoiding eye contact, something valued in working class employees. Overall, middle class children simply have more opportunities; they grow up believing they have the right to pursue their interests and end up in the same social class as their parents. Poor children feel constrained and less confident about their opportunities and future and are thus likely to end up in the same class as their parents.

I was so poor in so many ways but I was always grateful for what I had. I always had the things I needed, which in retrospect was often the bare minimum. My childhood home was a basement that we managed to fit four people inside. My bedroom was the living room, the dining room, my brothers' room, a miniature office and the closet all at once. Beside my head each night not only laid my pillow, but the staircase. The kitchen was one person wide; on the far left was the bathroom and on the right was an open sewer hole that was quite active.

I never enjoyed the luxury of a parent's warmth. Both my parents worked from day to night and the moments they were home I was either ignored or reprimanded, sometimes even violently. There was never a hint of a father-son, mother-child relation. I would spend most of my evenings sitting quietly and alone, playing with my toys and listening to an eerie mix of public television, the crickets and the flushing of the sewer.

Each day seemed the same. I would eat one or two boiled eggs, maybe a slice of bread. I'd power through school and take myself home, crawling through the back window, stepping on the sink, climbing down and changing. I'd finish my homework on the floor, often turning on the TV, not for entertainment but for the sake of pretending someone was in my company. After finishing, the people on the screen would be my friends for the several hours I would have to endure until anyone came home.

“¿Qué vamos a comer? Vas a comer cualquier cosa que pongo en esa mesa, hasta si sea mierda.” (What are we going to eat? You're going to eat anything I put on that table, even if it's shit.) Dinner was never predictable. Some days we would eat great, a piece of chicken, some rice and beans, maybe even a salad. Other days would be far from filling. Cup of Noodles mixed with milk, broth with some vegetables, a

scrambled egg with rice. Every night I would cross my fingers and hope for the best, but it was never my place to complain.

Constantly, I would be reminded of the difference between my life and that of my then girlfriend. Her stories of childhood were much brighter than mine. She took piano lessons, she would travel, her mother loved and adored her only daughter. She lived a rich childhood and an even richer life. Her home was well worth its price. On the second floor alone, there were four rooms and two bathrooms. She had a front yard, a garage, a sunroom, a fireplace and a dining room. Her room was highly decorated as she had everything she wanted at the snap of a finger. She even started to buy things for me; the effort I faced to get the same possessions was laughable when compared to how easily she purchased them.

She often relied on her parents. One cold night, she sat up from the couch, declaring she was hungry. I shrugged it off and thought nothing of it, until I saw her calling her mother. "I'm hungry, can you make something?" My stomach churned. My mother would have killed me yet within minutes her mother entered the room, and happily delivered her meal.

When it came time for our families to meet, I thought about how everyone feels the need to impress the parents of their significant other; everyone strives to make a good impression. It was within mere minutes however, that I threw that all out the window. I never saw her initial reaction to my home, and I'm glad. By the time her grandmother was sitting down in our cramped little kitchen, her expression spoke louder than words. No amount of eloquence nor pleasantries could disguise her true feelings. Already on the wrong foot, I tried to quietly pass through the moment. But it would not stop. Through his years of labor, my father has never known a "day off" and in conversation, her mention of my father's neglect to take care of himself did not come off as caring but rather belittling. As if he was so stupid and reckless he forgot about his own health. Her ignorance shone bright as she continued, neglecting the disparity between their lives. His life was barely his own, his unending work cycle did not care about his decay and decline. She didn't understand.

For a brief moment I wished to live life so carelessly, so free. Yet I knew I wouldn't be the person I am had I lived such a privileged life. The memories of my childhood, and even that of my present life flooded my brain. Pain, sacrifice, struggle, trauma—it's nothing to envy, but it was the foundation of people like me. My blood boiled. It was not her place to judge our life. Someone who had known nothing but wealth, ease and privilege had no right to comment on what the blood, sweat and tears of another had worked for. Yet I bit my tongue. But every passing day and every passing night, I could not forget. My life, her life—the difference was much more than what we owned. We lived separate worlds, and as much as we tried, we would never truly understand each other. But one thing rang true, my family, my people, my class—we were worth more than the disgusted look on an old woman's face and I would never forget that.

My early life can easily be identified as one of a working-class child. For one, as expressed very early in the account of my life, I had very little, both in material possessions and in caring interactions. As Lareau points out, like many other working-class children I spent most of my time alone, almost trapped in the tiny basement I called home. My parents worked long hours and in the time they were not at work,

they were stressed out and on edge. What they did for me was not to push me further beyond, but to give me what can be described as a base that I could build upon on my own terms. Believing that they had given me just enough in terms of survival, they left me alone without guidance or direction in order to catch their breath. The few times my parents would interact with me would never be to spark something within my mind or to help me develop, but to give me directives. As shown by the hostility I faced when simply asking what we would eat for dinner, one can understand that children are not taught to ask questions and if they do, they are talked down upon.

My ex-girlfriend lived her early life on the opposite side of the spectrum. Not only did she have an expensive home in a great area, but by the time she was my age she had mastered three instruments, been on a sports team, was part of the student council, and was part of one of the best high school bands. As shown by her attitude towards her mother, where she demanded a meal at an unreasonable time, her comfort with authority figures surpassed mine and she was much more confident in general. She had no problem arguing and challenging authority figures while I silently took orders with little to no hesitation. She truly shaped her life the way she wanted to with little to no doubt or hesitation, as if she deserved it and there was never a minute where she ever second guessed herself about reaching for something that would be beneficial to her. That same sentiment was expressed by her parents. When her grandmother challenged my father on the basis of not taking care of himself, I suppose the idea of not taking care of oneself was foreign to her entire family. For the way they were raised, they never knew what it meant to be at the mercy of life instead of in control of it.

While the differences in my life and that of my ex-girlfriend can be interpreted in many ways. Lareau's concepts of concerted cultivation and the accomplishment of natural growth accurately describe each of our childhood experiences and our qualities as blossoming adults.

However, while our projected life and current demeanor mostly fall into line with what Lareau posits, there are exceptions. An underlying tone of Lareau's work is that concerted cultivation truly is the better method of the two in rearing children. While the positives of concerted cultivation and the negatives of the accomplishment of natural growth are discussed plenty, the negative/positive sides of each respectively, are not built upon with as many details. To elaborate, not all instances of concerted cultivation are happy positive experiences that are helpful for children, as even though someone like my ex-girlfriend carries many advantages, the helicopter parenting she was raised by also paved the way for developing mental illness and several other issues. On the other hand, since living largely independently, I have honed my abilities so much so that I do not need the help of anyone, I am my own keeper and my own motivation. This is not to say that Lareau's ideas are inaccurate but that there are many side effects to these parenting strategies that are not described in their fullest.

The way data was collected in Lareau's study was by essentially living with families and understanding them to their fullest capacity, eventually returning years later to confirm that children usually fell into the same social class as their parents. While this may seem to affirm that certain child rearing techniques affect class, there are a myriad of other factors and quite honestly, a lot of the benefits garnered by

middle class children simply come down to wealth. Therefore, if I were to gather data to further test this theory, I would not study families of different classes. Lareau's study led to the discovery of the different styles across class but there should be a study that goes beyond comparing class behavior. There is already an inherent difference in studying a family with enough money for food and piano lessons versus a family with barely enough to eat. Comparing families with similar backgrounds and their child rearing techniques would serve to see the true effects of the different styles, expanding the scope of Lareau's theory.

REFERENCE

Lareau, Annette. 2011. *Unequal Childhoods: Class, Race, and Family Life*. Berkeley: University of California Press.

♦ HONORS 201

WHEN CHOICE DOESN'T GO FAR ENOUGH: HOW GOVERNMENT ACTION CAN MITIGATE CRISES

ERIN PERRY

THE TWO MOST SERIOUS THREATS TO OUR SOCIETY at the moment are climate change and the coronavirus pandemic. One problem, the pandemic, affects the day to day in the short term, but even if we do manage to overcome the crisis, climate change looms in the background threatening to change life as we know it, one melting glacier at a time. Climate scientists sounded the warning about climate change decades ago and US leaders had ample heads up before the virus landed on our shores, yet case counts and global temperatures continue to rise. Though climate change and the pandemic are two very different science issues, the key to solving them both lies in economics. People taking personal responsibility for both issues won't go far enough for fixing the problem. Thus, it is up to governments to pull the economic punches, so to speak, to get the world back on track through empowering people financially and, in the case of climate change, holding corporations accountable.

There is a personal responsibility to be had in dealing with climate change, but it won't go far enough. People pollute the air when they take cars to work instead of public transportation. They leave lights on in rooms they aren't in and they leave devices plugged in when they shouldn't. All of this contributes, at least in part, to global warming, but only a relatively small part. In contrast, 71% of global emissions

The Assignment and the Writer: In HON201, "Intellectual Foundations I: What is the Common Good?," students consider how different disciplines frame seminal questions about the historical, religious, scientific, and philosophical contexts that have shaped and continue to shape questions of the common good. In fall 2020, the course focused entirely on the COVID-19 pandemic. Students were required to write (and revise) argument essays on a topic of their own choice. In this essay, Erin addresses a core question having to do with the American response to both the pandemic and to climate change: how do we weigh personal responsibility (to observe social distancing recommendations or to reduce one's carbon emissions) against government responsibility (to institute appropriate policies and laws)? Erin brushes aside easy answers, focusing instead on the unique power of governments alongside individuals' responsibility to hold the government accountable. — **Professor Michael Brownstein**

since 1988 can be attributed to just 100 companies. (Riley) Only 100. This is enough to make one wonder how much of global emissions can be explained by 200 companies or even expanding it out to the top 300 polluting companies? Regardless of how much is actually explained away by corporations, it's far more than what could ever be attributed to individuals. Even if all people stop their environmentally damaging behaviors, all of those corporate emissions are still unaccounted for and global temperatures will continue to rise. Thus, people accepting personal responsibility won't go far enough in solving the problem.

So then, why does it fall on governments to do something and not corporations? The easy answer to this question is because without intervention, corporations will not take any action. This has been seen before. ExxonMobil executives were warned by people within their company of their impacts on climate change in 1981, 7 years before it became a public issue. (Goldenberg) However, despite this, they spent millions over the next 27 years funding climate deniers and associated research rather than taking any responsibility and working to become greener. They're not the only company not to take responsibility either. British Petroleum (BP) is behind the popular 'carbon footprint' theory that seeks to quantify how much the individual contributes to the climate crisis. (Kaufman) This model conveniently pushes the blame onto the individual and away from a company that has dumped millions of barrels of oil into the Gulf of Mexico, an action which surely has more devastating consequences than any one person's carbon footprint. They don't take action because they don't have to. It's not hurting them to continue emitting, and they'd clearly spend millions on PR campaigns or climate denial research if it allows them to operate as normal.

Individuals could potentially hold corporations accountable, but in doing so it's how hard to know how much is genuine change and how much is just PR. Take for example, the magazine and popular YouTube channel Bon Appetit's (BA) issues with racism. In the midst of their front-facing support for BLM, the company was thrown into scandal as people began to speak up about the systemic racism issues within the company in the wake of a photo of BA's editor-in-chief, Adam Rapoport, in black-face resurfacing. (Harris, Haasch) Among the issues brought up were unacceptably low wages for POC talents, a lack of appearance fees for POC who appeared in videos on the magazine's YouTube channel while white chefs and editors were paid for appearances, and POC chefs being denied opportunities to publish more diverse recipes. Over the course of several months, contracts were renegotiated but the staff who initially brought the concerns, as well as other staff who supported them, ended up leaving citing the new contracts still having similar problems to the initial complaints.

That's the problem with having individuals be responsible for holding corporations accountable. Individuals did try to hold Bon Appetite and their parent company Conde Nast accountable, but individuals can never be and will never be privy to the inner workings of the company and can never know the extent of the change. It's far easier for companies to do the bare minimum when this is true, whether that be pushing out existing staff and hiring new ones rather than negotiate fair contracts, or to implement bare bones climate policies to reaffirm some kind of commitment to the environment. If a magazine can't even negotiate fair contracts after

community pressure, how is community pressure expected to make companies make the change radical enough to stop climate change? Organizing has power, but on an individual level it probably won't be enough to change enough. The only way it has a significant enough impact is if the government gets involved by holding hearings in which congressional committees call upon corporate leaders to testify. From there, the government can fine them or take greater action to hold corporate leaders accountable. This is the power that the government has that the individual does not. The government and the individual can work in tandem, the individual raising awareness and the government taking action, but individual action alone is not enough,

However, governments do have the power to make corporations take initiative to change their actions by hurting their bottom line through a carbon tax, for example, though of course there are non-economic means of holding them accountable. Carbon taxing isn't a new idea, 25 countries already have implemented some version of it, including Canada, and under this system, governments set a price that emitters have to pay for each ton of emissions they emit. The more companies emit, the more that companies have to pay. This of course will incentivize corporations to switch over to cleaner energy sources that don't emit as much greenhouse gasses or don't emit any at all to avoid paying the tax. This of course would have to be implemented on a larger scale than country-by-country, lest companies move operations overseas to avoid paying the tax like they already do to escape other regulations. The tax would also have to be high enough such that companies don't decide to just stomach the cost of the new tax. However, if it's successful in changing corporate behavior, then overall emissions might go down by as much as 39 to 47 percent below 2005 levels by 2030. (Larsen et. al.) This perhaps won't solve the issue entirely, but it buys governments precious time to look into and enact other policies that, in tandem with a carbon tax, can fix things.

However, carbon taxes also go further than corporations. The money garnered from instituting a carbon tax can be reinvested into communities to make them greener as well. The money can help to pay, for instance, the estimated 50 billion dollars it would take to update and fix the NYC subway system, fixing problems such as old inaccurate signaling and inaccessible subway platforms. (Gabbatt) This would encourage more people to take the subway instead of relying on taxis or their own vehicles to get around the city. The money could be used to subsidize fruits and vegetables and give grants to those who would start grocery stores in food deserts. This would impact climate change by empowering people to choose less emission-intensive fresh produce instead of processed food by fixing the problem that the latter is cheaper and can be easier to get. It could also be used to provide grants to those looking to update their old heating systems to ones that don't emit as much. With revenues of a carbon tax that range from 617 million to as much as 2.5 trillion dollars, real change can be made for individuals. (Larsen et. al.) Thus, a government instituted carbon tax hits two birds with one stone, so to speak. It incentivizes corporations to make the change that reduces a large share of global emissions and empowers people to do their part in reducing their personal emissions.

Similarly, there is a personal responsibility component to combating the spread of coronavirus that also does not go far enough. Personal choice goes a long way in mitigating the spread of coronavirus. One's choice of wearing a mask can

protect others, according to the CDC, especially if you're pre or asymptomatic and would be spreading the virus unaware. Additionally, people should be avoiding large gatherings of people as they can quickly become superspreader events that lead to the infection of many people. If those simple guidelines were followed, then the virus would be more manageable; however, they're not followed, and they can be hard to enforce. People have publicly flouted the guidelines, from anti mask protests to a Staten Island council member even posting on twitter that he will be having more than 10 people at his house on Thanksgiving, in opposition to Governor Cuomo's guidelines, and stating that his address is public record, seeming to dare police to come and arrest him. (Choi) But they won't. Some sheriff's offices, including those from Erie and Fulton counties, have made public statements stating that the guideline regarding Thanksgiving will not be enforced, and it's not hard to imagine similar feelings happening without public statements. Masks can be enforced in stores, but people not wearing them can only be told to leave. Without broad enforcement, these guidelines can only do so much. The inability of masks mandates and social distancing guidelines to fix the pandemic is quantifiable. Mask mandates were introduced in New York on April 15th, back when total cases only numbered 213 thousand. ("Amid Ongoing COVID-19 Pandemic...") Now, after 7 months of restrictions, case counts have continued to rise and the state has reported more than 573 thousand cases, with numbers continuing to rise. (The New York Times) Thus, taking personal responsibility for stopping the spread of coronavirus won't go far enough, not because it can't, but because not enough people are doing it and the people who would listen to guidelines already are.

So, if people already aren't listening to government officials and executive orders, how can the government step in to mitigate this crisis? Like with a carbon tax that empowers people to take the steps they can to mitigate the problem, the government can empower people similarly in the face of this crisis by paying people to stay home. A Biden transition official has already suggested the idea, and it would involve developing a financial package to cover the lost wages for workers, and losses to small and medium sized companies and local governments. (Liu) When the 600-dollar weekly unemployment enhancement expired in July, it was because the program was allowed to expire, not because conditions have gotten any better. Next month, more than 13 million people could lose their unemployment benefits. (Liu) The one 1,200-dollar check received from the government many months ago is not nearly enough to cover the losses garnered by these two events, and thus many people have to look for alternatives. Those alternatives? Going back to work in a situation where ideally everyone should be staying home as much as possible to reduce their exposure.

That's where the idea of paying people to stay home comes into play. Some municipalities have employed this in a limited capacity. San Francisco Bay area Alameda County introduced a 1,250-dollar stipend to self-isolate for two weeks when they test positive for COVID-19 if they don't receive unemployment benefits or paid sick leave. (Stieg) As an Alameda County administrator said, "the county understands that sheltering in place while diagnosed with Covid-19 should not be a privilege to only those who can afford it". This of course makes sense. If sick people are able to stay home without the fear of lost wages having an impact on say, their housing

situation or ability to eat, then there are less vectors of transmission out in the community. Further, if healthy people are also paid to stay home, preferably as the country goes into another lockdown, then that's less people out in the community that the disease can be transmitted to. Though the anti-lockdown and anti-restriction people are reported on the most, they also make a good story. The people who would stay home but are unable to are simply less engaging because one can't get mad at them the same way they can get mad at anti-maskers. Therefore, it's not a stretch to assume that more people would be willing to stay home and help prevent the spread of the virus if their financial needs are taken care of. By compounding the people who already were staying home before the pay and the people who would stay home if they got paid, the anti-maskers and anti-lockdown people wouldn't have as much of an impact because they would be affecting a smaller number of unwilling participants.

Though of course, there is a hurdle to overcome with implementing both a carbon tax and paying people to stay home: Politics. Carbon taxing has struggled in locations where industry leaders have too much power over politicians. To get anywhere with the idea then, corporate interests must not be allowed to have a seat at the table. This is hard, it means restructuring our entire political system to be less reliant on lobbying from special-interest groups and corporations. It also means, potentially, overturning the 2010 Supreme Court case *Citizens United vs. Federal Election Commission* and putting much harsher limits on and perhaps outright banning corporations from donating to election campaigns. There also must be more transparency in astroturfing, that is corporations funding their own fake grassroots efforts making them seem more appealing and more widespread than they are. Of course, there is some personal responsibility in this as well, as the proponents of this policy must talk it up to their friends and neighbors to help counteract negative messaging. None of this will be easy, but if solving this crisis was easy it would have been done by now.

Politics also makes it harder to implement a program to pay people to stay at home during the pandemic. For months, the House of Representatives and the Senate have gone head-to-head, pushing their own versions of COVID relief bills while refusing to pass the other chamber's. Any measure that would pay people to stay home would happen in one of those bills, and so the question is, how does America force congress to pass a relief bill? Given that the most public calls to pay people to stay home have come from House progressive democrats, namely Alexandria Ocasio-Cortez, the bill that fulfills these wishes will likely originate from the House. Then it's up to the public to ensure the bill gets passed through contacting their officials. If it gets passed, then it goes to the Senate where Mitch McConnell decides whether or not to allow a vote. Historically, Mitch McConnell has allowed very few votes on House bills, which may be the hiccup in all of this. (Stolberg) So then what will it take for McConnell to allow a vote? Public pressure? It's not the first time he would have come under fire for blocking votes. Party pressure? That seems unlikely. Perhaps the best chance that this bill has is for the Democrats to win both Georgia senate seats, splitting the Senate and making Kamala Harris the tie breaker. Then it reverts to an economic issue, ensuring that grassroots organizers and the democratic Senate candidates, Raphael Warnock and John Ossoff, have enough money to beat the incumbents.

Taking personal responsibility for both the climate crisis and coronavirus pandemic and taking individual actions to mitigate them will never go far enough. In the case of the climate crisis, individual actions will never come close to accounting for the nearly 70% of overall emissions that are produced by just 100 companies. In the case of coronavirus, those who would take personal responsibility already are and cases are still on the rise. This is why the government needs to step in financially in these situations. In both cases, the government can empower people to make change, but in the climate crisis, it can also hold corporations accountable for their emissions. Neither the carbon tax nor paying people to stay home are new ideas and other countries have already implemented. It's enough to wonder what could be the push the United States needs to take these steps.

REFERENCES

- "Amid Ongoing COVID-19 Pandemic, Governor Cuomo Issues Executive Order Requiring All People in New York to Wear Masks or Face Coverings in Public." Governor Andrew M. Cuomo, 15 Apr. 2020, www.governor.ny.gov/news/amid-ongoing-covid-19-pandemic-governor-cuomo-issues-executive-order-requiring-all-people-new.
- Choi, Joseph. "At Least Four New York Sheriffs Say They Won't Enforce Cuomo's Limits on Thanksgiving Gatherings." *TheHill*, The Hill, 17 Nov. 2020, thehill.com/homenews/state-watch/526367-at-least-four-new-york-sheriffs-say-they-wont-enforce-cuomos-limits-on.
- Gabbatt, Adam. "Taken for a Ride: Can New York's Decrepit Subway System Be Saved?" *The Guardian*, Guardian News and Media, 30 Dec. 2019, www.theguardian.com/us-news/2019/dec/30/new-york-subway-system-mta-metro.
- Goldenberg, Suzanne. "Exxon Knew of Climate Change in 1981, Email Says – but It Funded Deniers for 27 More Years." *The Guardian*, Guardian News and Media, 8 July 2015, www.theguardian.com/environment/2015/jul/08/exxon-climate-change-1981-climate-denier-funding.
- Harris, Margot, and Palmer Haasch. "Bon Appétit Announced 8 New Chefs after Its YouTube Channel Devolved into Chaos. Here's How the Publication Ended up in Hot Water." *Insider*, Insider, 13 Oct. 2020, www.insider.com/bon-appetit-timeline-allegations-drama-culture-race-andy-alex-sohla-2020-6.
- Kaufman, Mark. "The Devious Fossil Fuel Propaganda We All Use." *Mashable*, 13 July 2020, mashable.com/feature/carbon-footprint-pr-campaign-sham/.
- Larsen, John, et al. "SIPA Center on Global Energy Policy." Columbia, 17 July 2018, www.energypolicy.columbia.edu/research/report/energy-and-environmental-implications-carbon-tax-united-states.
- Liu, Jennifer. "More than 13 Million People Could Lose Their Unemployment Benefits at the End of December." *CNBC*, CNBC, 6 Nov. 2020, www.cnbc.com/2020/11/06/13-million-people-could-lose-unemployment-benefits-by-end-of-december.html.
- Liu, Jennifer. "Paying Workers to Stay Home 4 to 6 Weeks Could Contain Pandemic, Says Biden Coronavirus Advisor." *CNBC*, CNBC, 13 Nov. 2020, www.cnbc.com/2020/11/13/covid-19-advisor-pay-workers-to-stay-home-4-6-weeks-to-contain-virus.html.
- The New York Times. "New York Covid Map and Case Count." *The New York Times*, The New York Times, 1 Apr. 2020, www.nytimes.com/interactive/2020/us/new-york-coronavirus-cases.html.
- Riley, Tess. "Just 100 Companies Responsible for 71% of Global Emissions, Study Says." *The Guardian*, Guardian News and Media, 10 July 2017, www.theguardian.com/sustainable-business/2017/jul/10/100-fossil-fuel-companies-investors-responsible-71-global-emissions-cdp-study-climate-change.
- Stolberg, Sheryl Gay. "McConnell Promised to End Senate Gridlock. Instead, Republicans Are Stuck in Neutral." *The New York Times*, The New York Times, 3 Aug. 2019, www.nytimes.com/2019/08/03/us/politics/senate

♦ LITERATURE 233

THE FLAMES OF REVOLUTION

LAURIE BECK

SMOKE. FLAMES. FIRE. These words all invoke strong images within a reader. From the ashes of destruction, hope, like a phoenix, can rise. An unjust society, once destroyed, can be rebuilt anew. Fire is the unifying theme of three poems contained within the compilation *Unsettling America* that, taken together, provide a vision of rebellion and rebirth: “14th Street Was Guttled in 1968” (pp. 40-41) by Cheryl Clarke, “My First Riot: Bronx, NYC” (pp. 294-295) by Safiya Henderson-Holmes, and “Song: I Want a Witness” (p. 328) by Michael S. Harper. Each of these poems, written by African-American poets, depicts a different riot in a different city.

Clarke’s moving piece provides a vision of fires of destruction set during the riots in Washington, D.C. following the assassination of Martin Luther King, Jr.:

14th Street was gutted in 1968.
 Fire was started on one side of the street.
 Flames licked a trail of gasoline to the other side.
 For several blocks a gauntlet of flames.
 For several days debris smoldered with the stench
 Of buildings we had known all our lives. (p. 40, lines 1-6)

Clarke’s immediate repetition of the line, “Had known all our lives” (6-7) utilizes the Aristotelian concept of epistrophe to invoke a sense of pathos in the reader, and places emphasis on the desecration of that which the narrator held familiar. Added to this pathos is the use of graphic imagery to describe the path of the flames. The utilization

The Assignment and the Writer: In the final formal essay assignment for LIT 233 / *American Stories* (a General Education literature course) students were asked to choose three poems from *Unsettling America: An Anthology of Contemporary Multicultural Poetry* and then analyze them on the basis of a shared subject, theme, and/or image. The anthology is wide-ranging and the assignment was wide-open; students had to make some hard decisions and engage in specific strategies of literary interpretation. In addition to constructing a strong thesis statement, integrating a paraphrase of each poem, reading significant lines closely, and drawing out both the unique elements of each text as well as the common ground each poem shared with the others, they were asked to consider individual words—to dig deeply into their connotative and denotative meanings using the *Oxford English Dictionary Online*. Laurie Beck’s essay does all of these things with great sensitivity. Her consistent sense of the “argument”—Why take these poems together for analysis?—while also addressing their singular achievements is impressive.

– Professor Bettina Carbonell

of the word “gauntlet” evokes flames enveloping the buildings like a glove, the denotative meaning, but also can be interpreted connotatively as a means of challenging an opponent, in this case the white Americans. Clarke compounds a feeling of numbness at the destruction of the city she had known her whole life with the existing grief caused by the recent, untimely death of the renowned African-American singer Otis Redding: “I recalled the death of Otis Redding. / My sense of place was cauterized” (7-8). Just as a wound is “cauterized” to stop bleeding, the use of this term figuratively connotes that the fires killed her sense of home, belonging, and familiarity. The face of the city she knew would forever be changed, just as the close, tragic deaths of two influential figures of the African-American community would forever change history, forcing the hand of revolution.

Just as Clarke mentions the tragic death of soul singer Otis Redding fanning the flames of discontent in Washington, D.C., Michael S. Harper refers to the “spirituals of *Motown*” (p. 328, line 8) being sung out by Black people as smoke rises from their houses to the helicopters circling above, “their antlered arms / spinning” (3-4) and tanks and jeeps lining the “glass-studded streets” (5) below. In his contribution, “Song: I Want a Witness,” a short but poignant poem, Harper depicts a scene of unity in chaos in an unidentified town or city in the American South, indicated by his use of the word “spirituals” and his reference to “idioms these streets suckled / on a southern road” (9-10). His use of the word “idiom”, which can be translated directly as the particular grammatical form of this distinctive style of music or characterizing of the form of speech of a specific group of people, the black people in this case, lends to the visualization of their collective “Song” of redemption. The clarification that the streets “suckled” these “idioms,” shows that the people were brought up on Motown music and culture, nourished with it, and it is as much a part of their selves as their culture, lending a sense of time to the piece. This “Song” is presented by Harper as a religious testimonial of redemption:

blacks here to *testify*
and *testify*, and *testify*,
and *redeem*, and *redeem*,
in black smoke coming,
as they wave their arms
as they wave their tongues. (15-20)

Harper repeats these words “testify” and “redeem” to amplify the overall emotional impact of the piece. These aforementioned “spirituals,” or songs of religious devotion associated with black Christians of the southern United States, are used to “testify,” demanding witness to their devotion and plight, and to “redeem,” a deliberate word that can be interpreted by multiple definitions in the context of the poem: delivering a soul or person from damnation, as the people are praying to be delivered from the smoke of their situation; to make good a loss or avenge a wrong, as they wish the onlookers both above and below to bear witness to their plight and rectify the problem; or to ransom a person from slavery, captivity, or punishment or to save a person’s life by paying a ransom, as the Black people are begging for their release from the restraints binding them in an unjust society. Harper portrays the emotion of the situation:

This scene is about power,
 terror, producing
 love and pain and pathology;
 in an army of white dust (11-14)

The presence of the helicopters, tanks, and jeeps, meant to impose power and terror on the physically and spiritually trapped Black people is shown to be producing love, pain and “pathology,” or suffering and sorrow, through their unity. The “army of white dust” can be seen as referring to the ashes of an outdated White society, made to bear witness to the vociferous cries and righteous outrage of a people in pain and now unable to continue to ignore their plight.

Not a song or songwriter, but a movie matinee of Dracula is the allegory behind the flames of Safiya Henderson-Holmes' poem “My First Riot: Bronx, NYC” (pp. 294-295). Henderson-Holmes details a group of three ten-year old Black children encountering a small fire in a vacant lot on their walk home from a movie and attempting to extinguish it, until a White man threatens them, inspiring them to stoke, rather than smother, the flames out of spite. Given from the viewpoint of children, this poem lacks the sophisticated language of Clarke or Harper's narration but provides a certain depth of imagery and meaning. The fire is described in detail, as is the children's initial efforts to contain it:

we see smoke and
 flame, run into
 the heat with our mouths
 and eyes locked open
 find jarcaps and
 cardboard to scoop
 dirt and cover fire. (Henderson-Holmes, p.294, lines 6-12)

Taught well by Smokey the Bear, “good citizens, we work” (16) to extinguish the flames until:

...somewhere
 in the smoke we see
 and hear a man
 shouting, -- hey you bastards.— (17-20)

His “pale face” (21) is seen to grow in the smoke as he runs toward the children, “-- you black bastards, / with your gadamn fires, / i'm calling the cops.—” (23-25). The children, at first inclined to do what they were taught to do in such a situation, were upset by this unwarranted display of aggression and hateful language and their thoughts travel to the villain of the movie they recently departed from:

i watch him run,
 think of dracula
 entering a grave, taste
 ashes on my teeth. (26-29)

With a sentiment of “fuck him” (30), one child finds a small flame and takes it to “a pile of sticks and / paper” (p. 295, lines 33,34), staring until “our eyes / burn and the

dirt is / hot and mean again" (36-38), and finally running away "from the charred emptiness, / blood racing, vampires / not far enough away" (41-43). This small "riot" demonstrates how hate begets hate, as the assassination of Martin Luther King, Jr. sparked the riot described by Clarke. The children had good intentions, but the man only saw three Black children playing with fire and his anger coerced them to act the way he expected them to, a self-fulfilling prophesy of sorts, fanning the flames of hatred. The reoccurring themes of blood, Dracula, and vampires demonstrate how the White man's hatred can drain the vitality of the Black people and force their hand into destructive behavior. This "riot" and this fire become the children's rebellion against unwarranted discrimination. Unfortunately, this man is merely one of the "vampires" surrounding these Black children in an unjust society, waiting in the shadows to prey on their innocence and misconstrue their good deeds. This fire is, as in Harper's poem, the children's way of testifying and their song of protest and redemption.

Fire is both a force of destruction and rebirth. As these poems demonstrate, revolution can bring fire, just as fire can bring revolution. It changes the face of the known world and forces people to face their innermost fears to make amends and reclaim unity. Fire flows through the veins of those suffering wrongs at the hands of others, welling up into an unstoppable force that eventually explodes to the surface, demanding action.

REFERENCES

- "Cauterize, v." *OED Online*, Oxford University Press, September 2020, www.oed.com/view/Entry/29200. Accessed 7 December 2020.
- Clarke, Cheryl. "14th Street Was Guttled in 1968." *Unsettling America*, edited by Maria Mazziotti Gillan and Jennifer Gillan, Penguin Books, 1994, pp. 40-41.
- "Gauntlet, n.1." *OED Online*, Oxford University Press, September 2020, www.oed.com/view/Entry/77148. Accessed 7 December 2020.
- "Idiom, n." *OED Online*, Oxford University Press, September 2020, www.oed.com/view/Entry/91031. Accessed 7 December 2020.
- Harper, Michael S. "Song: I Want a Witness." *Unsettling America*, edited by Maria Mazziotti Gillan and Jennifer Gillan, Penguin Books, 1994, p. 328.
- Henderson-Holmes, Safiya. "My First Riot: Bronx, NYC." *Unsettling America*, edited by Maria Mazziotti Gillan and Jennifer Gillan, Penguin Books, 1994, pp. 294-295.
- "Pathology, n." *OED Online*, Oxford University Press, September 2020, www.oed.com/view/Entry/138805. Accessed 7 December 2020.
- "Redeem, v." *OED Online*, Oxford University Press, September 2020, www.oed.com/view/Entry/160234. Accessed 7 December 2020.
- "Spiritual, adj. and n." *OED Online*, Oxford University Press, September 2020, www.oed.com/view/Entry/186900. Accessed 7 December 2020.
- "Suckle, v." *OED Online*, Oxford University Press, September 2020, www.oed.com/view/Entry/193435. Accessed 7 December 2020.
- "Testify, v." *OED Online*, Oxford University Press, September 2020, www.oed.com/view/Entry/199741. Accessed 7 December 2020.

♦ ENGLISH 255

COME ONE, COME ALL: RELIGIOUS FREE EXERCISE ON UNIVERSITY CAMPUSES

NAOMI MILLER

IN THE FALL SEMESTER OF 2019, the University of Iowa established a non-discrimination policy, more commonly known as an “all-comers” policy, and promptly banished religious student organizations from campus. In order to protect diversity and intellectual debate, the University instituted an “all-comers” policy that required all student groups to allow any student to obtain a leadership position within any campus organization (“Religious Liberty on Campus”). Effectively, “all-comers” policies prohibit campus groups from considering factors such as race, religion, gender, sexual orientation, and disability when electing leadership (Gonzalez-Araiza). For example, a Protestant student club would be denied access to university facilities and funding if it did not allow a Jewish student to run for a club leadership position. As a result, the University of Iowa banned Christian, Sikh, Muslim, and several other

The Assignment and the Writer: Written for English 255, Argument Writing, Naomi Miller’s skillful essay examines the “all comers” policy on university campuses that allows students to join all clubs, including religious ones, in an attempt to safeguard minority students from discrimination. However, Miller argues that, even though the “all comers” policies are designed for inclusion and diversity, they ultimately result in the exclusion of some religious minority populations and that universities are actually limiting diversity. Universities must protect religious clubs’ Constitutional rights when it comes to club leaderships and must not infringe on the rights guaranteed under the Free Exercise Clause. The argument is successful because Miller takes on the opposition’s claims, refutes them, and presents a strong reason in support of the essay’s major assertion.

– Professor Livia Katz

student groups from campus for violating this anti-discrimination policy. When the students retaliated against this action, University of Iowa officials were told by a federal judge that they “may not selectively [ban] student groups based on what they think [or] advocate, whether it’s religious or otherwise” (Gonzalez-Araiza). Essentially, the judge acknowledged that although the policy was well-intentioned, the University was violating the students’ civil liberties. As a governmental institution that receives taxpayer dollars to fund its campus programming, the University of Iowa and all public universities, must abide by Constitutional provisions. The First Amendment establishes two clauses to protect religious liberty: The Establishment Clause, which prohibits government endorsement or preference of any belief system, and the Free Exercise Clause, which prohibits government restriction of any individual conviction (“Student Religious Practice”). The University of Iowa is one of many public universities that have instituted policies that are seemingly neutral towards religion but actually violate the Free Exercise Clause. Religious freedom is a Constitutional right that should be assured to campus organizations, rather than threatened, by public universities.

However, those who oppose this argument have a valid defense. They are in favor of establishing university systems that aim to safeguard minority student populations against discrimination on campus. Universities are designed to foster multicultural campus environments that are free from the structural inequalities that exist in the real world. The opposition would argue that an “all-comers” policy--which allows all students to join all clubs--is warranted in order to protect minorities from hate-speech or ostracism and to ensure that they are included by campus clubs. In the 2010 case *Christian Legal Society (CLS) v. Martinez*, the Supreme Court ruled in a 5-4 decision that a public college does not violate the First Amendment if it bans a student organization that discriminates for any reason (Scarola). This ruling is consistent with the “all-comers” policy for club membership but does not mandate an “all-comers” policy for club leadership positions. There is a distinction between a policy that allows any student to join any campus club and one that requires all clubs to allow all students to obtain a leadership position. The *CLS v. Martinez* ruling poses a problem for religious clubs because, under the Free Exercise Clause, they have the right to restrict leadership positions to people who share their religious beliefs. Backing this stance are Supreme Court rulings and other legislation that protect the Free Exercise Clause in public universities. For example, in 1995, the Court ruled that the First Amendment compelled the University of Virginia to provide the same funding to a religious student publication as all other student publications, even if the University did not agree with the publication’s values (“Religious Liberty on Campus”). Similarly, Arizona law (ARS 15-1863) states that public universities must not interfere with a student organization that makes decisions in accordance with its religious or political mission (“Know Your Rights”). These statutes preserve the First Amendment’s Free Exercise and Establishment Clauses in public universities by ensuring that religious clubs are treated with the same neutrality that all campus organizations receive. As Supreme Court Justice Alito wrote in his dissent on the *CLS v. Martinez* case, public universities have a duty to protect these statutes; otherwise they silence any free expression that “offends prevailing standards of political correctness” (“Religious Liberty on Campus”). Justice Alito states that public

universities must guarantee equal treatment to student groups, regardless of their religious or political views. By silencing these student organizations or banning them from campus, university officials demonstrate religious or political biases and, ultimately, restrict diversity on their campuses.

Evidently, although “all-comers” policies are designed in the name of diversity and inclusion, they often result in the exclusion of some minority populations on campus, especially religious ones. In her article for the *Wall Street Journal*, Professor Ruth Wisse of Harvard University writes that “universities’... commitment to so-called diversity replaces the ideal of guaranteed equal treatment of individuals with guaranteed group preferences” (Wisse). Here, Wisse echoes the discrepancy that Justice Alito writes about in his dissent: universities prioritize diversity but do not realize that they are actually limiting it with “all-comers” policies. By enacting these policies, colleges ultimately lose out on the benefits of a truly diverse campus. Student organizations allow members to explore their identities, connect with others, and contribute to the campus in many meaningful ways. In his article titled “Proponents of 'Diversity' Tried to Force My Group Off Campus,” Nii Abrahams expresses his own experience as the leader of an ostracized Christian campus group at Missouri State University. The club had always allowed any student to join, but it required that the club president be a practicing Christian. He notes that before his club was kicked off campus for requiring that their leaders share their faith, his college experience was enriched by his club’s ability to interact with other student organizations. He recounts interfaith dialogues that “fostered cultural and intellectual diversity and encouraged innovative thinking” (Abrahams). When Missouri State University enacted an “all-comers” policy, Nii Abrahams’ club was no longer able to volunteer to help the campus police during sports events, they were no longer able to fundraise on campus for non-profits that fight against human trafficking, and they were no longer able to contribute to campus in any meaningful way. Fortunately, after months of lobbying, Mr. Abrahams was able to have his club reinstated on campus so that it could continue to positively contribute to the University.

Ultimately, in order to cultivate true diversity, public universities must protect Constitutional rights guaranteed to any student group that governs itself with its religious convictions. Universities should consider the impacts of “all-comers” critically before implementing them. “All-comers” policies are important to give students the freedom to explore different cultures and religions by allowing them to attend club meetings and participate in club events. However, when “all-comers” policies extend to club leadership, they infringe on rights guaranteed under the Free Exercise Clause. For religious campus groups, it is important that the club president practices what the club preaches. As Professor Ruth Wisse at Harvard University insinuated, university officials show group preferences when religious groups are the only clubs on campus that are banned as a result of “all-comers” policies. Therefore, if religious clubs are problematic, then any club or student campus organization that is in some way exclusionary should be considered problematic. If “all-comers” policies were equally administered, then gendered sports teams, sororities, and fraternities, would be banned for being discriminatory. A public university cannot show group preferences because, under the Establishment Clause of the First Amendment, a government institution cannot be biased towards any belief system.

Moreover, as evidenced by Nii Abrahams' experience after being banned from campus, a university loses valuable contributions to its campus when religious clubs are removed. Religious clubs provide cultural diversity and promote academic and intellectual debate. Thus, universities should give clubs on campus full discretion when appointing leadership positions. Not only will doing so create a just campus, but it will also foster true academic freedom and promote overall student involvement.

REFERENCES

- Abrahams, Nii. "Proponents of 'Diversity' Tried to Force My Group Off Campus." *The Daily Signal*, 16 Feb. 2017, www.dailysignal.com/2017/02/15/proponents-of-diversity-tried-to-force-my-religious-group-off-campus/.
- Center for Arizona Policy. "Know Your Rights: Religious Freedom in Public Colleges and Universities." *Center for Arizona Policy*, 15 Sept. 2017, www.azpolicy.org/2017/09/15/know-your-rights-religious-freedom-public-colleges-universities/.
- FIRE. "Religious Liberty on Campus." *The Foundation for Individual Rights in Education*, 2017, www.thefire.org/get-involved/student-network/learn-more-about-your-rights/religious-liberty-on-campus/.
- Freedom Forum Institute. "Student Religious Practices." *Freedom Forum Institute*, 2002, www.freedomforuminstitute.org/first-amendment-center/topics/freedom-of-religion/religious-liberty-in-public-schools/student-religious-practices/.
- Gonzalez-Araiza, Gabriela. "Lessons for University Administrators: Courts Protect Religious Student Groups on Campus." *The Federalist Society*, 27 Apr. 2020, fedsoc.org/commentary/blog-posts/lessons-for-university-administrators-courts-protect-religious-student-groups-on-campus.
- Scarola, Matthew. "Christian Legal Society v. Martinez." *Supreme Court of the United States Blog*, 2010, www.scotusblog.com/case-files/cases/christian-legal-society-v-martinez/.
- Wisse, Ruth R. "The Closing of the Collegiate Mind." *The Wall Street Journal*, Dow Jones & Company, 11 May 2014, www.wsj.com/articles/ruth-wisse-the-closing-of-the-collegiate-mind-1399843068?tesla=y&ns=prod%2Faccounts-wsj.

♦ ENGLISH 201

TEARS ACROSS THE PACIFIC

EMMA NETEL

TEARS LIKE TO SNEAK UP ON PEOPLE. They push past those perfectly crafted doors you placed to keep them shut away, and with flair of salt water they burst through them, grab you by your throat, and pave roads down your cheeks. I keep that door shut tight as I look over the scattered glass buildings and mountaintops that made up my childhood.

I'm going to wake up, and the roar of this plane engine will be replaced with the sound of my cat meowing at my door, and my mother watching TV, the BBC News, whilst my brother yells at his computer screen.

I open my eyes. I'm not at home in bed, I'm sitting in a plane seat, and the engine is making a racket as we ascend. My cat is somewhere in a cargo hold. My mother is watching a screen, but it's playing a safety instruction video. My brother is not yelling at his computer screen, he's sitting next me, clutching my hand tightly. He knows I hate flying.

He looks at me, his dark blondish brown-coiled curls are a mess on his head, and he says, "It's okay, 16 hours and we'll be home."

God, how did I get here? How did an idea, a casual sentence from months ago turn to this? How is it all happening so fast?

The Assignment and the Writer: In English 201, students explore writing across academic disciplines and genres in the humanities, social sciences, and other fields. For this assignment, students were asked to write a "flash memoir," which is a short, concentrated memoir that uses scenic details in one or more episodes to allude to a larger story with deep personal significance. Emma approached this assignment with bold creativity and impressive finesse, crafting a moving and tender memoir with the wry wisdom of a writer far beyond her years.

– Professor Kim Liao

It feels almost moments ago I sat on the stones by the ferry pier looking out into the ocean that reached out towards Central. Moments ago, the sun was setting and I dared utter, "My mom thinks we might move to New York." My friends paused; Madeline stopped skipping stones across the surface of the ocean. Mila stopped bothering Claire. The world fell silent, held its breath.

"Bullshit," said Mila.

"No fucking way," declared Claire.

"When?" asked Madeline.

I shrugged, hugging my knees to my chest, my uniform stiff against my clammy skin.

"I don't know, it might not happen." I said.

And for a while, nothing held its balance. Then Mom found her getaway, she found a job, the scale tipped, and my father took away my passports. Lawyers and court soon followed. One evening I crawled into my mom's bed, the rain was falling so hard, flashes lighting so bright, and thunder so loud, I thought the Gods were battling above. Their bodies falling with each thunderous crash. My mom was crying as she pulled me against her. Her black curls tickling my face.

I didn't move just let her hold me.

She brushed the hair from out of my face, and smiled softly, her cheeks still wet.

"He won't take you guys away from me, he can't," she said. "We can escape to that American Aircraft carrier if it ever comes to that."

Escape, that's what leaving meant to her. I could see how much she wanted it. It wasn't an escape for me, for me it would be tearing myself apart from the ground that grew me. I feared she was right; that the lawyers and my social worker would see my father with his easy lies, charismatic charm, and money, and deem him our sole guardian. I feared living with him more than I ever feared leaving behind my childhood.

We never did have to run to that American Aircraft Carrier.

My father's girlfriend was pregnant, and suddenly my brother and I were irrelevant. The flat was emptied and we lived without furniture for weeks, three lives, and two childhoods all packed away into a single shipping container.

Then, like the wind on smoke, we were shoved into a taxi. When we got out, the items in our cat's cage had shifted. Needing to fix it up in a place he couldn't escape, we'd brought him into a Breastfeeding room. A row of private rooms for mothers to feed their children in peace and comfort and we'd brought our *cat*. The three of us descended into hysterics, the women with their newborn babies were less amused.

My father had come to say goodbye, had given me a soul crushing hug, and stood by as we left through security. I could've sworn his eyes were glistening with unshed tears.

I'd never seen him cry.

The plane ascended, my hand crushed my brothers, the whites of my knuckles stood out against my tanned skin. My teeth clamped down, as we rose up, up, and up. Moments later after the world had settled, I released my grip and breathed. Later, I clambered out of my seat and over my brother and mom and locked myself in the

plane bathroom. Pressing my hands against the sink I started at the girl reflected in the mirror.

This was the girl Hong Kong had made.

The girl crafted out of jade and summer humidity. The girl who'd broken skin and bled, but who read in a beam of sunlight on a hypothermic ferry.

The girl who lay in the still warm sand during Lantern festival, glow sticks wrapped around her wrists and throat as she stared up at the moon. The girl who'd clambered over the gate of her brother's playroom, baby feet on cool tile floors as she invaded, beginning the Trojan War of their childhood.

The girl who watched the dragon dancers writhe down Mainstreet to the beat of drums as she ate cha siu bao. The girl who walked across the island in the summer, breathing in the hot soup-like air, and sweated with the rest of the city.

The girl who went to the beach with her friends in the middle of a Typhoon and screamed into the sky before they ran down and swam in the furious waves in their clothes without a single care. The girl who once jumped off of the pier the day school had ended for the summer, in full uniform along with her backpack.

The girl who had heard hundreds of people sigh over New York's skyline, but knew that they'd never seen Hong Kong's skyline from Tsim Sha Tsui after night had fallen, and the wind gifted that one cool gust that was *almost* enough to make you forget the heat. The girl who had made a million versions of herself crafted in the embrace of a city that stood dreaming.

I cried for that girl, and all the girls I could've been. Cried for all the branches I'd shed. When the tears stopped falling, I dried my cheeks with the sleeves of my hoodie and let her go.

♦ ENGLISH 212

FATHERHOOD

SHAFQUAT WAHID

MY FATHER HAD THIS BROWN RAINCOAT he'd wear to work each day. He'd wake up at 5 AM and wake my mother, too. They would pray Fajr together, and then my mother would make a small breakfast for him. Sometimes the smell of eggs and buttered bread would wake me up, and I could see him: The look on his face was heartbreaking. He worked seven days a week at two different places. The first job was in Security at Montefiore Hospital from 7AM to 5PM, immediately after he rushed to his second job, a few blocks over as a cashier at a 24- hour- grocery store from 6PM to 1AM. Growing up, I never saw much of him, so I'd stay up some nights when I wanted to play on my PSP and catch a glimpse of him coming home. He'd arrive around 1:40-ish. Some nights, if the buses were late, it would be at around 2AM. He only slept for three and a half hours every night. I didn't realize that until I got much older.

The Assignment and the Writer: In our Introduction to Creative Writing class, students read and write in three genres: Poetry, Short Fiction, and Drama. When Shafquat Wahid submitted his first draft of "Fatherhood," it initiated discussion about whether non-fiction was being submitted as short fiction, or whether the boundaries between them were more fluid. (It also initiated much praise.) The compelling excellence of Shafquat's piece is in its refusal to be simplistic, in our simplistic times, using the immigrant story, culture, religion, money, rage, fear, anger, struggle, family, pride, childhood, honor, compassion, and love to create a complex portrait of a father and of fatherhood. In its specificity, it earns the description "universal."
— Professor Estha Weiner

When my oldest sister turned sixteen, it was a huge relief. She had begun working at McDonald's after school, which had taken the foot of poverty off our neck just a little bit. My father quit the second job because Montefiore gave more hours and had allowed him to take the day off on Eid. I would see more of him, and that made me happy, until I began to see his flaw: My father had a terrifying temper. His rage could consume him in the matter of milliseconds. I remember the time when I stole \$5.00 from his wallet to buy some toy I'd seen at a 99¢ store down the street. He caught me right as I was about to pocket the money. My father grabbed my hand and saw the \$5.00 and went crazy. He dragged me from the bedroom to the kitchen, my legs dangling as I cried "I'm sorry; I'm sorry."

"What happened?" my mother asked.

"Your son over here is a thief, ungrateful little shit. You gonna steal from me? Give me your hands." I was frozen in shock. I couldn't give him my hands. He turned on the stove to high heat and filled up a pot with water. Then he lifted me up and dunked both of my hands into that pot, boiling my hands along with the water. I had pissed all over him but he didn't care. I looked at my hands and I could see the skin melting off my bones. I thought: This man is horrible. My hands must have been in that water for about five minutes, but it felt like eight hours. When the eight hours ended, my mother told me, "Now go take a shower and don't put your clothes in the laundry basket, put them in the sink, and I'll wash them later." I took a shower and immediately went to bed, crying in my pillowcases. My father also took a shower, and, later, he did something that, to this day, boggles my mind. He handed me a \$20.00 bill and said, "Ask me next time." I never used that money. It felt wrong. I still don't know why he gave me that money.

As I got older, I questioned that day and many other days where my father's rage would take control. I questioned what kind of man he was. I had seen him beat my sisters and brother multiple times; I saw him push around my mother, screaming and belittling. But I also questioned other days where I looked at him and saw what I wanted to be. He had a routine of bringing sweets home after work once a week. My father knew I loved caramel, so he bought me a \$4 chocolate and caramel bar. It was more expensive than all the others he bought for my siblings. It didn't have English writing, but to this day, I look at every candy aisle in every grocery store I come across, just at the chance of buying that candy bar.

I remember when my mother had a terrible cold for weeks. He stayed beside her, washed her, clothed her, even showed old Bengali TV shows to cheer her up. That was also the first time I saw him cook anything. The chicken with noodles and lamb curry tasted horrible, but the fact he did all that meant more than the food. I saw more of his devotion to my mother later that year when she was diagnosed with Stage 2 Lymphoma.

My mother saw my father for the first time on their wedding day. Arranged marriages sound absolutely crazy to cultures who don't practice them. How can you marry someone who you don't know or have any emotional feeling towards? My father visited her every day after work. Whether it was chemotherapy or just her being in bed fighting for her life. Sometimes if she was asleep, he wouldn't wake her up. He would just sit quietly beside her and read the Quran.

When the cancer was getting worse, my father took me along with him to a Muslim gravesite in New Jersey. He had bought plots for both of them just in case the cancer would take her life and if he would soon follow.

"She's not gonna die," I said.

"We all die. Just pray; that's all we can do."

And our prayers were answered.

I recently visited that gravesite and saw the two reserved grounds my parents would be buried in. I wondered if I should buy a plot right next to them. It would be funny if I ended up here before they did.

When we moved to our third apartment in the Bronx, he asked me to help him fix the toilet pipes. I remember that day fondly: We drank guava juice together, and he told me stories of his college days in Bangladesh. My father had no pride and was modest about the fact he graduated top of his class. He went on to become a lawyer; very well-known. He moved our family to America when I was only four years old because of Bangladesh's political climate and dangerous environment. My father went from being a well-educated lawyer to a minimum wage security guard for the sake of his family. I never thanked him for that.

When all those memories of my father pile up in my head, I know that he is a good man. A troubled man, but a good man at the core of his being. He himself was haunted by the demons he left behind in Bangladesh. My father grew up in a time of war. Before it was Bangladesh, it was called East Pakistan. He'd worked on a rice field and lived in a mud house with his two brothers and sisters. Later on, when my father and I had gotten older, he told me stories about his family. How he and his brothers would go around collecting scrap metals after school, then create makeshift clocks. They would sell them at a local market, and the money they made was spent on books they'd read together at night. My father never spoke about his sister. He was only 14 when she married a London businessman and moved away forever. She never called or wrote; he felt completely abandoned by her. He is the only person remaining from his family. One of his brothers drowned in the river one day, and my father had to pull him out. His other brother died of just a common cold. His father had a heart attack three days before he started attending law school; his mother died in her sleep a week before my oldest sister was born.

I have only seen my father cry three times in my life. First was years ago when he heard the news of his sister passing away. Like her mother, she went in her sleep. I had just come home from school, when I heard quiet weeping coming from my parent's bedroom. I opened the door and I saw my father in bed crying, looking at a picture of his sister when they were kids.

"Dad, are you okay?"

"Get out." He shut the door, locking it. I have never heard my father's voice so low.

The second time I saw him crying was at my sister's wedding.

The reception was over, and on the car ride home I could see it on his face. It was similar to the look I saw on his face before work. When we got home and everyone was changing clothes, he asked me to help him take off his shoes. His old age had prevented him from bending down. As I took off his left shoe, I saw him

crying, this time louder than before. I sat beside him and said nothing as I held his wrinkled hand.

Perhaps my sisters had gotten the worst of my father's anger. He was more strict with them than with me and my brother. Me and my oldest sister formed an alliance. Every time she'd go out with her friends, I'd be her trusty look out. Telling her if the coast was clear for her to leave without her hijab or to wear the most innocent of revealing clothing. In return she would give me money. More money depending on how risky the mission was. One hot summer day, she was getting ready to go out with her college friends, wearing pink linen shorts. My mother had just entered the bathroom, and my father was in the bedroom watching something on his phone. Perfect timing, I thought.

"Okay I'll open the door. Come when I wave at you."

I waved and as soon as she reached the hallway, I saw my father in the living room.

"What the hell are you wearing; where did you get this?"

"It's 95 degrees outside, Dad."

"I am not letting you out that door dressed like a prostitute. Take it off."

"No!"

The shorts began at her waist and ended just above her knees. She looked so beautiful with her pale white blouse. After she refused to take them off, my father pushed her onto the sofa and forcefully removed them. I stood there in the hallway thinking: I wish I could do something. My father grabbed a pair of scissors and cut the shorts into pieces as my sister lay there on the floor, in her bare panties. I had failed her.

I wondered if this might be the reason why he was crying. Did the memories of his daughter and his discipline of her break his heart, or was it just the tears of a father losing his daughter, his first child.

The third time I saw him cry was a few days ago as I handed my son over to him. He looked at his grandson's face and had the biggest smile I ever saw. Tears rushed down his face as he asked, "What are you gonna name him?"

"Tahla," I said.

It's my father's middle name. I always thought it sounded so beautiful when he introduced himself with his full name.

All these thoughts of my father come to me, as I look at my two-week-old son: what kind of a man I will be and what kind of a man I will raise. I know my father deep down believes he failed as a parent, but, in truth, I don't want anyone else to be my father or the grandfather to my child. I am proud and happy for each day he's in my life. Time goes fast, and I am not unaware of him or my mother leaving me to go fill those grave plots. I think I'll give them a call tonight to see what kind of shenanigans my dad is up to. Those two old birds just love annoying each other.

♦ POLITICAL SCIENCE 387

UNIVERSAL FREEDOM & ABOLITION IN THE NAME OF GEORGE FLOYD

NATALIE MASSIMI

THOMAS JEFFERSON CLEARLY ARTICULATED A VISION FOR THE UNITED STATES where “all men are created equal”, and it was this vision of universal freedom that has historically supported the abolition of racist institutions. Although the Constitution constructed a political hierarchy which put people into racial categories that had differing claims to power and privilege, universal freedom has been effectively utilized by past abolitionists to defeat slavery, Jim Crow era laws, and segregation through constitutional amendments (Roberts, 2019). It is now the responsibility of the current generation to continue their work, in theory and in activism, in order to achieve universal freedom in the United States. Modern day abolitionists must continue fighting for people like George Floyd, a man whose murder sparked a social movement and regenerated interest for the abolition of the prison industrial complex.

The Assignment and the Writer: Based on her stand-out performance in my lecture course (POL 313/Law and Politics of Race) during our first pandemic semester Spring 2020, I invited Ms. Massimi to participate in the Faculty Mentored Research Experience in Political Science (POL 387). In this course, students indicate a research idea and faculty work with them to develop it. Early on, Ms. Massimi indicated a plan to write about the aftermath of George Floyd tied to the idea of abolitionist theory. The success of her writing project is the comprehensive, incisive, and insightful analytical rendering of this sector of America's current state of (political) affairs.

– Professor James Bowen

The current Western criminal justice system is not just the means of incarcerating people, it is a worldview. The existence of prisons and police presence have conditioned Americans to a point to which many cannot imagine life without this system of punishment. Because the existence of prisons and police are widely accepted, the white supremacy, patriarchy and denial of human dignity that has encouraged their creation is subsequently accepted. American society at large accepts that one in three black men will be subject to imprisonment due to felony conviction within their lifetimes without critically examining the capitalistic influences that have historically robbed them of their rights and continue to do so (The Sentencing Project, 2017). The #8toAbolition project (2020) explains the following:

“At its root, policing and prisons are systems designed to uphold oppression. One thousand people are killed by police every year, and Black people are murdered at three times the rate of white people. Up to fifty percent of people murdered by the police have disabilities. Up to 40% of police officers have perpetrated intimate partner violence, and sexual violence is the second most common form of police brutality, primarily targeting Black women and especially those who are sex workers and drug users. Many of these incidents of police violence are undocumented by studies and only uplifted through grassroots movements. Prisons, police, and prosecutors work closely together to sustain white supremacist, capitalist, ableist, and cisheteropatriarchal systems of extraction and death.”

There are three central, common tenets found within formulations of abolitionist theory, as proposed by Vincent Ruggiero, Professor of Sociology at Middlesex University. The first tenet is that “today’s carceral punishment system can be traced back to slavery and the racial capitalist regime it relied on and sustained” (Ruggiero, 2019). The second one, Ruggiero argues, is the expanding criminal punishment system functions to oppress black people and other socio-politically marginalized groups in order to maintain a racial capitalist regime (2019). Third, a more humane and democratic society that no longer relies on caging people to meet economic needs, but re-imagines and co-builds solutions to social problems (Ruggiero, 2019). Once one accepts these tenets, they are ready to face the realities of the Prison Industrial Complex and the necessary work to dismantle it.

The Prison Industrial Complex (PIC) is defined as the rapid expansion of the United States inmate population due to the political influence of private prison companies and businesses that supply goods and services to government prison agencies for profit (Schlosser, 1998). Angela Davis, world renown abolitionist, explains that “it is a set of symbiotic relationships among correctional communities, transnational corporations, media conglomerates, guards' unions, and legislative and court agendas” (Appell & Davis, 2011). Davis (2010) finds that “the extent to which prison building and operation began to attract vast amounts of capital—from the construction industry to food and health care provision—in a way that recalled the emergence of the military industrial complex, we began to refer to a “prison industrial complex”. The PIC is a relatively new phenomenon, beginning in the late 1970’s. However, in this short span, it has already caused immense harm to American society. Its creation can be attributed to the many failures of neoliberalism that have marked

the last half of the 20th century (Schlosser, 2006). Calls for law and order by politicians with racist motivations, an economy struggling from the outsourcing of cheap labor and an increasing amount of unsheltered, drug-addicted and unemployed Americans created an environment for the Prison Industrial Complex to flourish.

Earlier in the 20th century, American workers organized against the corporate use of convict leasing that was depreciating the value of their labor (Thompson, 2012). It must be briefly noted that convict leasing has historic ties in the aftermath of slavery (Handa, 2020). Many of the first convicts to be leased were newly-freed black people who were guilty of breaking laws, Black Codes; which were designed to be broken in order to regain the loss of slave labor in the South. In Alabama, for example, 99% of the prisoners were white before the shifts caused by the Black Codes created an overwhelming black majority of prisoners within months (Curtin, 2000). This was a direct result of slavery's abolition creating a demand for cheap, black labor (which was replaced by convict leasing. It is with examples like these where one understands how intertwined capitalism is within American systems of oppression. The demand for cheap labor, fulfilled once by slavery and again by convict leasing, was directly influenced by capitalism's mandate for profit above all else. Over and over, capitalism's unending need to profit directly violates the rights of non-white, especially Black, people.

However, as a result of the Labor movement, FDR passed New Deal legislation "such as the Hawes-Cooper Act, the Ashurst-Sumners Act, and the Walsh-Healey Act—which prohibited the sale of prison labor goods to any entity other than state-owned institutions and outlawed the sale of such goods across state lines" in order to avoid competition (Thompson, 2012). There had been attempts by Senator Barry Goldwater and Richard Nixon to utilize the racist fears held by middle-class white voters, but their cries for law and order were outliers (Schlosser, 2006). Instead, the country was moving away from a hyper focus on incarceration as will be described further below.

Congress voted decisively in 1970 to eliminate almost all federal mandatory-minimum sentences for drug offenders. Leading members of both political parties applauded the move. Mainstream opinion considered drug addiction to be largely a public-health problem, not an issue for the criminal courts. The Federal Bureau of Prisons was preparing to close large penitentiaries in Georgia, Kansas, and Washington. From 1963 to 1972 the number of inmates in California had declined by more than a fourth, despite the state's growing population. The number of inmates in New York had fallen to its lowest level since at least 1950. Prisons were widely viewed as a barbaric and ineffective means of controlling deviant behavior (Schlosser, 2006).

It was New York Governor Nelson Rockefeller who incited politicians of all parties to crack down on "crime", a social construct that describes deviant behavior from hetero, white norms that dominate the mainstream, and specifically targets people of color and those who suffer from homelessness, unemployment, drug addiction, mental illness, and illiteracy (Davis, 2015). It was his Draconian laws and his violent crushing of the Attica prison riots that influenced this change in American policy (Schlosser, 2006). The shared idea of inherent black criminality amongst the Democratic and

Republican parties led to an increase of mass incarceration and the power of the police, two decades prior to Reagan's War on Drugs in the 1980s (Roberts, 2019). All presidents since then have had an instrumental role in increasing the size of the prison industrial complex, including Barack Obama (Fleming, 2018).

To accept the need for prison abolition over reform, one must understand the inherently anti-democratic framework that these systems were built upon. The historic ties the prison and police complex have in systems of suppression cannot be ignored nor reformed. An enlightened comprehension of the history of the police shows someone the intertwined functioning of white supremacy, capitalism and the denial of human rights. Many abolition theorists, including Davis and Professor Ruth Wilson Gilmore, argue that creating a society which does not react in punishment in response to human needs would require radically overhauling the U.S. capitalist economy and replacing it with a socialist or communist system (Roberts, 2019). One example of recent police misconduct wonderfully demonstrates the toxic culture within policing communities is beyond reform, along with the relevance and urgency of police abolition. Kyle Rittenhouse is a 17-year-old self-proclaimed militia member and high school dropout who shot and killed two protestors of Jacob Blake's murder by police. He was one of many of the armed, white men who were in the streets of Kenosha, emboldened by Republican rhetoric and ready to protect businesses. Fifteen minutes before he would go on to murder two people, the police passed him water bottles and told his group "we appreciate you guys, we really do" (Litke, 2020).

Too often, when a black person is murdered by police, their name detaches from their personal identity and becomes a hashtag, a headline. From a viral video that circulated millions of times on social media, to a 24-hour news cycle throwing around a name with little regard to personhood, this year the world saw a man killed by a police officer's knee on his neck, turned into an international hashtag. George Floyd was a 46-year-old father who was seeking a fresh start in Minnesota, after growing up in Houston, Texas. He was once a star football and basketball player in high school. He was the first of his siblings to go to college, South Florida Community College, doing so on an athletic scholarship. A pastor from his church said that George was a father figure for younger community residents (Fernandez & Audra, 2020). Before losing his job from COVID-19 stay-at-home orders, he was a beloved security guard at a Latin restaurant. Facebook posts from his regulars described him as a "gentle giant", as he was a 6'6 man who loved greeting returning guests with a nice hug. Conga nightclub customer Jessi Zendejas said in a Facebook post, "[He] would be mad if you didn't stop to greet him because he honestly loved seeing everyone and watching everyone have fun" (White, 2020). This was a man who had a tattoo of his mother's name on his stomach, the same woman he called for as Derek Chauvin knelt on his neck. He was one of the thousands of Americans who contracted the coronavirus and spent the last few weeks of his life recovering and spending time with his girlfriend. On the last day of 11th grade, he told a friend he "wanted to touch the world" (Fernandez & Audra, 2020). The aftermath of his death clearly shows the systems of state-sanctioned violence that cause and lead to social distrust rather than social cohesion. Every abolitionist must collaborate to rid the world of the institutions responsible for his death.

On Memorial Day in 2020, George Floyd died while in police custody after being murdered by Derek Chauvin. A highly disturbing cellphone video posted to Facebook shows the officer pinning Floyd to the ground with his knee on Floyd's neck while a handcuffed Floyd repeats "I can't breathe" (Deliso, 2020). The video went viral and his words were immortalized. The virality of this video, especially within white American spaces, already indicates how deeply embedded racism is within Western culture. Americans have historically consumed black pain, dating back to a time when they would publicly advertise lynching events in the newspaper so white families could picnic and observe black people being hung and burned shortly after (Preston, 2020). Ashlee Marie Preston (2020) argues, "viral videos depicting black people being murdered, trauma porn, is a modern-day form of lynching. It has been noted that "unlike Black victims, white people are afforded dignity in death—most of the videos or images of death we see in the media or on social media are typically of Black and Brown people "(Preston, 2020). Anti-racist advocates encourage social media users to stop sharing these videos of Black death that can be extremely triggering for Black viewers, as it lends toward the normalization of dead, Black bodies. Instead, people are encouraged to donate to memorial funds, call elected officials to drive accountability, check in on their Black friends and intervene on social media when they see Black death being shared (Preston, 2020). Nevertheless, what happened after the video's virality was unprecedented: protests across the country and the world thousands of protesters across the country and globe gathered together despite the state of the coronavirus pandemic. Never before in this generation has a single death brought such a global reaction, with protests erupting from Syria to New Zealand, Kenya to the Netherlands. "The power and impact of George Floyd will save my people and my grandchildren", said a Black protester in New Zealand to NPR (Warner, Kakissis, Antoloni, 2020).

Largely in response to Floyd's death, nearly two dozen police reform measures across the nation have been enacted (Duret & Priest, 2020). 8 Can't Wait, a campaign to bring immediate change to police departments, was founded in the wake of mass protest in his name. Many of their recommendations were based in reforms that would leave the system in whole intact, causing 8 To Abolition to launch their platform. The urgency for abolition, over calls for reform, cannot be understated. Many people are highly satisfied with the numerous reforms gaining traction following his death. While there are necessary reforms in order to improve quality of life for prisoners today, such as guaranteeing their right to vote, reinstating educational programs and demanding a livable wage for them, abolitionists must encourage these people to not settle for yet another reform that fails to address the white supremacist, capitalist roots of the criminal justice system (Davis, 2010). Reform cannot be enough during a time when Coronavirus has revealed the ugliest parts of the PIC and the United States as a whole.

Thousands of Americans watched in horror beginning in March and throughout the summer of 2020 as the United States government's use of tear gas on protestors against white supremacy, during a global pandemic which attacks the respiratory system. Nikole Hanna Jones, an esteemed staff writer for the NYT, noted how many "saw the police beating up white women, pushing down an elderly white man and throwing tear gas and shooting rubber bullets at demonstrators exercising

their democratic right to peacefully protest” (2020). Never before in American history has the struggle for justice been so intergenerational and multicultural. For many, coronavirus was a wakeup call to those who now understand the United States is not built to take care of its most vulnerable. With millions of people out of work, out of money, and seeing past the illusion of capitalism’s functionality, abolitionists must take advantage of this window of opportunity to enact major social change.

Gary Solomons from Community Action on Prison Expansion spoke powerfully that “the coronavirus pandemic has thrown the inhumane nature of the prison system into sharp relief and makes prison abolition ever more urgent” (Corporate Watch, 2020). The context of coronavirus takes on new importance with many people across the world completely sheltered in place during the early months of the pandemic. Some countries in Europe and China, had stricter restrictions than other countries like the United States (Wamsley, 2020). That being said, during the peak of the pandemic, “42 states were under stay-at-home orders — a total of 308 million people, or 94% of the US population” (Secon, 2020). By the winter of 2020, the majority of American citizens have experienced being indoors without freedom to leave unless they were an essential worker. The words ‘lockdown’ or ‘house arrest’ have been frequently used to describe the conditions Americans exist under (Gresko & Press, 2020). Gladys Larson, the president of the New York State Probation Officers Association, stated Americans under stay-at-home orders may experience some of the same emotional challenges as people under house arrest (Gresko & Press, 2020). There is an unprecedented number of Americans who can now sympathize on a certain level, as many could still go outside to perform essential tasks, what it feels like to have their movement restricted by the government. The responsibility of abolitionists is to use this window of opportunity and encourage Americans to also extend their empathy to all prisoners who live “an isolated existence marked by authoritarian regimes, violence, disease, and technologies of seclusion that produce severe mental instability” (Washington, 2020).

After the death of George Floyd and the events that took place after, Americans are acutely aware of how much violence against innocent protestors, prisoners and unarmed black people alike the police are capable of. There is even more evidence of how white supremacy operates within our institutions, reflected by the disproportionate amount of Black and Brown victims to COVID-19. All of these culminating and compounding factors must be considered when discussing how this unprecedented historical event can lead to momentum around abolishing the PIC to enact true transformative approaches to societal problems, instead of encouraging the use of body cameras, which doesn’t change the abusive existence of police, instead of total abolition of the prison industrial complex.

Abolition reinforces many movements seeking to improve quality of life and guarantee basic human rights. Fights for anti-racist, quality, free education supports abolition the same way calls for Medicare for All do. Angela Davis explained beautifully that until American educational policy is designed to foster a love of learning, instead of encouraging obedience, schools will continue to be pipelines to prison (2010). The school-to-prison pipeline will end once young people are no longer criminalized in their schools, and the Prison Industrial Complex stops creating the incentive to criminalize them (Vitale, 2018). Similar reforms must be enacted to the

American healthcare system that is currently motivated by profit, instead of the incentive to save human lives and promote wellness. More people with mental health issues and psychiatric disabilities are in American prisons than mental health institutions (Davis, 2010). The abolition movement has vested interest in healthcare policy which reflects a need to improve the quality of life for these people, who are especially vulnerable to violence from the police, instead of their criminalization. All platforms that advocate for the advancement of Black lives, whether it be in the form of reparations or more equitable education, have a central place in the prison abolition movement (Coates, 2020, Black Youth Project, Hannah-jones, 2020). This reasoning is, as explained by Angela Davis, “in order to achieve the comprehensive abolition of slavery — after the institution was rendered illegal and black people were released from their chains — new institutions should have been created to incorporate black people into the social order” (Roberts, 2019). Because the prison industrial complex is so entrenched within the arenas of daily life, abolition must be a multifaceted approach that starts with the self and then expands to the collective. For many Americans have spent years being influenced to believe that criminals are evildoers, that prisons and police exist to protect them and the law can be used to measure morality. In reality, prisons and police exist to maintain social (white supremacist/colonialist/capitalist) order by any means necessary and the laws that uphold them are created by human beings who were socialized to uphold the aforementioned social order. As a result, an abolitionist’s first priority must be to get rid of the cops that live inside of their heads (Kombo Ervin, 1996).

Crystal Marie Fleming (2018) suggests the use of critical thinking skills, the ability to challenge one’s understanding of common sense, when it comes to unlearning racist socialization. One method she encourages to raise awareness of one’s thoughts and feelings is compassionate mindfulness, a practice that brings attention to the current moment while simultaneously lovingly confronting the unpleasant feelings that will inevitably come up when power relations, injustice and domination are discussed. Compassionate mindfulness, intended to connect to the “higher life sustaining energies of love and community”, can also be applied when unlearning the myths surrounding prisons and police (Fleming, 2018). In order to accept that the police must be abolished, one first must understand that the police are not here to protect them (Vitale, 2018). In spite of the reality that “the police exist primarily as a system for managing and even producing inequality by suppressing social movements and tightly managing the behaviors of poor and nonwhite people”, many people in Western society truly believe their existence is solely for security (Vitale, 2018). It will take time and unlearning to accept that the label ‘crime’ is incorrectly attached to all kinds of different systemic problems, which should instead be tackled by a variety of preventive measures upstream (Thompson, 2012). The collective must gain a conscious understanding of how the state socializes them to see crime as a moral evil, instead of a tort. Society has to become aware of its own thinking when it comes to criminals and begin an unlearning process to see them as human beings who are capable of making good decisions. Again, abolition is a movement that demands an intersectional change in worldview and mentality. Abolitionists must change their personal understandings of highly criminalized people such as the mentally ill, neurodivergent people, developmentally disabled people, or people who

are deaf, sex workers, undocumented immigrants, and Black and Brown people before encouraging the community around them to do the same. As Emma Goldman, prominent anarchist, said, “nothing short of a complete reconstruction of society will deliver mankind from the cancer of crime” (PRISONS).

Before exploring the alternatives to the current criminal justice system, many abolitionists must be echoed in saying a system where crime was never addressed or mitigated would be better than the system that exists now. There can be no confusion about the greater harm the institutions of police and prisons have caused to the collective. Ruggiero (2011) stresses that “what we face now, in most societies, is a state-run organization possessing the monopoly to define criminal behaviour, to prosecute that behaviour and to keep chosen individuals in confinement”. All people should be concerned about the fact the state has the authority to define criminality, apply it to marginalized people in society and then profit from their imprisonment. It is within the collective’s interest to orient itself in a direction where the justice system addresses the root of the problem, instead of stressing punitive action to solve symptoms. Attempts to reform the prison industrial complex by keeping the system intact fails to address the inherent problem of the current system: “incapacitation, not rehabilitation, is the goal of imprisonment” (Davis, 2010).

One framework advocated for is restorative justice. Restorative justice is defined as “a process where all the stakeholders affected by an injustice have an opportunity to discuss how they have been affected by the injustice and to decide what should be done to repair the harm” (Braithwaite, 2004). Restorative justice supports the idea that because crime hurts, justice should heal. (Braithwaite, 2004). It follows an ideology that justice should provide healing to victims, who empirically are more concerned about emotional than material reparation (Strang, 2003). Restorative justice focused on community development, instead, ‘is less concerned with meeting the needs of institutions than it is with meeting the needs of the people involved in, and affected by, conflicts (Ruggerio, 2011). Ruggiero (2011) states that in this exercise of justice there are no winning or losing contestants, as all are involved in a healing process aimed at satisfying the basic requirement for collective wellbeing and safety.

Many critics of abolition want to know what will be done with lawbreakers. First, they should ask themselves if the concept of “punishing lawbreakers”, which police spend very little of their time doing, is justification enough for a system that destroys the life path of millions of Americans, their families and their communities (Vitale, 2018). Abolitionists recommend taking a preventive and compassionate approach to those who commit “crime”, something many have done without receiving any punishment from the state. Once the collective understands how those who commit “crime” are usually driven by a lack of resources, lack of quality education, lack of stable housing and work, and a lack of access to wellness services, then the obvious solution appears to be to provide these necessities which are also basic human rights. The problem is that under capitalism, corporate profit does not increase when vulnerable members of the world are having their needs met. Capitalists profit from the chaos experienced by the working class, Blacks, Indigenous, and people of color, as well as incarceration, the privatization of healthcare, education and social services. The abolition of the prison industrial complex is impossible under a system that

continually mandates profits over everything, including a healthy democracy, respect for the climate and respect for human life.

Abolition is so much more than the removal of harmful institutions, “abolition is a form of consciousness, a theory of change, a long-term political vision, and a spiritual journey” (Roberts, 2019). Another argument for abolition of the prison industrial complex is to heal collective moral injuries that have occurred from years of violence and terror experienced by “those on the losing end of economic and political arrangements” (Vitale, 2018). It helps to think of a collective moral injury “as lasting emotional and spiritual impacts on a community when authorities commit actions that violate core moral values and expectations of righteous behavior” (Barbot, 2020). It is a deep soul wound that violates a person's identity, their sense of morality, and their relationship to society, and it is experienced every time a black person is murdered by a system that thrives from and mandates their dead bodies. There are current attempts from politicians to heal these injuries while failing to address the cause of them. For example, Joe Biden won on a campaign to save “the soul of our nation” from Donald Trump yet had an instrumental role in the creation of the PIC and echoed liberal talking points when speaking about protests of Walter Wallace’s murder. Clearly, “what is missing from this liberal approach is any critical assessment of what problems the state is asking the police to solve and whether the police are really the best suited to solve them” (Vitale, 2018). Liberals cannot continue verbally aligning themselves with #BlackLivesMatter while continuing to normalize a white supremacist system that continues to destabilize black communities.

One must ask themselves, has universal freedom been achieved through a system where race and class are primary determinants of crime, where punishment is a source of corporate profit and a central concern in the making of justice? (Davis, 2010). Overall, the collective must remain optimistic. White supremacy thrives off of the idea it cannot be defeated. Dr. Martin Luther King, Jr. famously said that the arch of history is long but it bends towards justice. This is historically accurate. The origins of the retributive justice system can be traced back to the infamously cruel Hammurabi codes. Since then, Western culture has slowly but surely oriented towards a justice that recognizes and respects human dignity. The death of George Floyd during a global pandemic started cultural shifts that could lead to the abolition of obsolete institutions if abolitionists continue to do the work of challenging social norms and encouraging people to imagine alternatives to the current systems.

REFERENCES

- “Agenda to Build Black Futures,” Black Youth Project 100, agendatobuildblackfutures.org Annette Ruth Appell and Adrienne D. Davis, Introduction: Mass Incarceration and Masculinity Through a Black Feminist Lens, 37 WASH. U. J. L. & POL’Y 1 (2011), https://openscholarship.wustl.edu/law_journal_law_policy/vol37/iss1/2
- Barbot O. (2020). George Floyd and Our Collective Moral Injury. *American journal of public health*, 110(9), 1253. <https://doi.org/10.2105/AJPH.2020.305850>
- Braithwaite, John (2004-01-01). "Restorative Justice and De-Professionalization". *The Good Society*. 13 (1): 28–31. doi:10.1353/gso.2004.0023. ISSN 1538-9731.
- Coates, S. (2020, June 16). The Case for Reparations. Retrieved September 23, 2020, from <https://www.theatlantic.com/magazine/archive/2014/06/the-case-for-reparations/361631/>
- Davis, A. Y. (2010). *Are Prisons Obsolete?: An Open Media Book*. Xxx, NY: ReadHowYouWant.

- Davis, A. (2015, April 18). Masked Racism: Reflections on the Prison Industrial Complex. Retrieved October 21, 2020, from <https://www.colorlines.com/articles/masked-racism-reflections-prison-industrial-complex>
- Deliso, M. (2020). Timeline: The impact of George Floyd's death in Minneapolis and beyond. Retrieved November 06, 2020, from <https://abcnews.go.com/US/timeline-impact-george-floyds-death-minneapolis/story?id=70999322>
- Fernandez, M., & Audra. (2020, June 09). George Floyd, From 'I Want to Touch the World' to 'I Can't Breathe'. Retrieved November 06, 2020, from <https://www.nytimes.com/article/george-floyd-who-is.html>
- FLEMING, C. M. (2018). HOW TO BE LESS STUPID ABOUT RACE: The essential guide to confronting white supremacy. Place of publication not identified: BEACON.
- Gresko, J., & Press, A. (2020, May 06). Are 'stay at home' orders really like house arrest without an ankle bracelet? Retrieved October 27, 2020, from <https://www.startribune.com/hard-to-be-home-real-house-arrest-veterans-mull-isolation/570232402/>
- Handa, L. (2020, August 12). Racism, Police Violence and Mass Incarceration: The legacies of slavery and segregation in the United States. Retrieved September 27, 2020, from <https://blogs.lse.ac.uk/humanrights/2020/08/12/racism-police-violence-and-mass-incarceration-the-legacies-of-slavery-and-segregation-in-the-united-states/>
- Hannah-jones, N. (2020, June 24). From the Magazine: 'It Is Time for Reparations'. Retrieved September 23, 2020, from <https://www.nytimes.com/interactive/2020/06/24/magazine/reparations-slavery.html>
- Keba, M., & Ritchie, A. (2020, July 16). We Want More Justice For Breonna Taylor Than The System That Killed Her Can Deliver. Retrieved September 24, 2020, from <https://www.essence.com/feature/breonna-taylor-justice-abolition/>
- Kombo Ervin, L. (1996, April). Authoritarian Leftists: Kill the Cop in Your Head. Retrieved November 06, 2020, from <https://archive.iwww.org/history/library/Ervin/copinyourhead/>
- Lawrence, R. (2020). To Protect and to Serve: Global Lessons in Police Reform The Global Reckoning with Race. *Foreign Affairs*, 196-205.
- Litke, E. (2020, August 28). PolitiFact - Yes, police gave Kyle Rittenhouse water and thanked his armed group before Kenosha shooting. Retrieved November 05, 2020, from <https://www.politifact.com/factchecks/2020/aug/28/facebook-posts/yes-police-gave-kyle-rittenhouse-water-and-thanked/>
- Mary Ann Curtin, *Black Prisoners and Their World, Alabama, 1865-1900* (Charlottesville and London: University Press of Virginia, 2000), 6.
- McDowell, M., & Fernandez, L. (2018). "Disband, Disempower, and Disarm": Amplifying the Theory and Practice of Police Abolition. *Critical Criminology* (Richmond, B.C.), 26(3), 373-391. <https://doi.org/10.1007/s10612-018-9400-4>
- "Platform," The Movement for Black Lives, policy.m461.org.
- Preston, A. (2020, June 09). Sorry, Consuming Trauma Porn Is Not Allyship. Retrieved September 27, 2020, from <https://www.marieclaire.com/politics/a32802688/stop-sharing-trauma-porn-black-deaths/>
- PRISONS: A SOCIAL CRIME AND FAILURE. (n.d.). Retrieved October 27, 2020, from http://dwardmac.pitzer.edu/Anarchist_Archives/goldman/aando/prisons.html
- Race & Justice News: One-Third of Black Men Have Felony Convictions. (2017, October 10). Retrieved November 01, 2020, from <https://www.sentencingproject.org/news/5593/>
- Roberts, D. (2019). ABOLITION CONSTITUTIONALISM. *Harvard Law Review*, 133(1), 1-.
- Ruggiero, V. (2011). An abolitionist view of restorative justice. *International Journal of Law, Crime and Justice*, 39(2), 100-110. <https://doi.org/10.1016/j.ijlcj.2011.03.001>
- Schlosser, E. (2006). The prison--industrial complex. Retrieved October 20, 2020, from https://www.brown.edu/Departments/Economics/Faculty/Glenn_Loury/louryhomepage/teaching/Ec%20222/The%20Prison-Industrial%20Complex.pdf
- Secon, H. (2020, June 03). An interactive map of the US cities and states still under lockdown - and those that are reopening. Retrieved October 27, 2020, from <https://www.businessinsider.com/us-map-stay-at-home-orders-lockdowns-2020-3>
- Strang, H., & Sherman, L. W. (2003). Repairing the harm: Victims and restorative justice. *Utah Law Review*, 2003(1), 15-42. Chicago 7th ed.

- Thompson, Heather Ann. "The Prison Industrial Complex: A Growth Industry in a Shrinking Economy." *New Labor Forum* 21.3 (2012): 39–47. Web.
- Vitale, A. S. (2018). *The end of policing*. London: Verso.
- Wamsley, L. (2020, March 10). Life During Coronavirus: What Different Countries Are Doing To Stop The Spread. Retrieved November 06, 2020, from <https://www.npr.org/sections/goatsandsoda/2020/03/10/813794446/life-during-coronavirus-what-different-countries-are-doing-to-stop-the-spread>
- Warner, G., Kakissis, J., Antolini, T., & Olkowski, L. (2020, June 10). The Global Legacy of George Floyd. Retrieved September 23, 2020, from
- Washington, J. (2018, August 01). What Is Prison Abolition? Retrieved October 27, 2020, from <https://www.thenation.com/article/archive/what-is-prison-abolition/>
- Watch, C. (2020, April 3). #CORONACAPITALISM: RIOTS, RESISTANCE AND RELEASES – THE CORONAVIRUS AND THE PRISON INDUSTRIAL COMPLEX. Retrieved October 27, 2020, from <https://corporatwatch.org/coronacapitalismprison/>
- White, D. (2020, September 03). Who is George Floyd and why was he arrested in Minneapolis? Retrieved November 06, 2020, from <https://www.thesun.co.uk/news/11717522/george-floyd-who-why-arrested-minneapolis>
- Williamson, M. (2019). *A politics of love: A handbook for a new American revolution*. New York, NY: HarperOne, an imprint of HarperCollins.

♦ Security Management 320

PRIVATE SECURITY AND THE GLOBAL WAR ON TERROR

WOORYOUNG CHOI

THE UTILIZATION OF PRIVATE ENTITIES BY GOVERNMENTS for security and protection is not a new concept. There are many recorded examples of the use of privatized arms from times of antiquity all the way to the present. As the United States is beginning to enter the second decade of the ongoing Global War on Terror, we can see how this primeval industry has been able to adapt with the times and fill the needs of the US government as well as other entities, both private and public. The rise of the Military Industrial Complex and Private Military Corporations will have a great impact on the private security industry as well as the rest of the global market.

The Military Industrial Complex (MIC) can be defined as an informal partnership between a nation, that nation's bureaucracy, and the private corporations that supply their military (Merriam Webster). The term was first popularized after President Dwight D. Eisenhower's farewell address where he said "Our military organization today bears little relation to that known by any of my predecessors in peacetime... We annually spend on military security more than the net income of all United States corporations... In the councils of government, we must guard against the

The Assignment and the Writer: SEC 320, Private Security: Trends and Movements, is an area continually expanding and not fully defined. Assigned to select a private security topic, discuss its current situation and likely future direction, Wooyoung choose Global War on Terrorism and the growth of private military companies. Building on the military industrial complex concept, Wooyoung shows how private security has become an integral part of US Foreign Policy. This has resulted in a steady supply of conflict, resources, and experienced security professionals (often with special forces background), a pattern expected to continue as it more easily enables "a shadow war." In this essay, Wooyoung explores his keen interest in the subject with skill and precision. – **Professor Jeremy Larsen**

acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex" (Eisenhower. Dwight, 1960). The relationships between these entities have had large impacts on foreign policy and the industries that are adjacent to these organizations, notably the private security industry. Companies that profit off armed conflict and security services can be referred to as Private Military Corporations (PMC).

The end of World War II led to one of the largest power shifts in world powers that human history has ever seen. While most of the western world was rebuilding, the United States found itself virtually unscathed, with a booming economy, and one of the best fighting forces with bases and influence scattered all over the world. All the while the Soviet Union was amassing power as well, absorbing neighboring countries and finding ways to protect their own interests. These grabs for territory and influence would lead to the foundation of proxy wars that would allow the global powers to fight without risking conflict on home soil.

The world has already seen what happens when global powers don't hold back on one another. Mutually assured destruction was not in anybody's best interest. However, as the newly established superpowers were scrambling for influence for the rest of the Third World, tensions would steadily rise. Arms manufacturing, military technology, and paranoia would lodge itself into the forefront of the minds of leaders on both sides. The world would plunge itself into an arms race that will supply a never-ending stream of conflict. All the while President Eisenhower's farewell address would fade into the annals of history.

Governments, much like any other business or private entity have interests that they must protect. Traditionally they will utilize "in-house" methods such as a public funded military and police force. However, there are a multitude of factors that would sway a government to utilize private means. In 12th century France, there were many accounts of the usage of free companies. The individuals that made up these companies were seasoned veterans of previous conflicts, were highly organized, and motivated by profit. They could be quickly gathered and deployed to bolster units and renounced just as quickly. These companies were named due to the fact they were protection and arms for hire and had no formal allegiance to a government.

Many of the individuals that would make up a free company came to the line of work during the Hundred Years War. During this period France and England were engaged in a prolonged period of conflict, which waxed and waned over the course of its history. The sustained period of conflict between the two nations would outlive many leaders on both sides and provide a steady revenue stream of work for individuals in soldiery and protection services generationally (Contamine, Philippe). Looking at it in this aspect there could be many similarities made to the modern-day Global War on Terror. The conflict has changed hands through many administrations and provided a seemingly never-ending supply of need for growing defense budgets and international conflict.

At many points throughout the Hundred Years War, soldiers were often hired rapidly and then laid off once the fighting died down. Without many other civilian skills to offer, many seasoned veterans went into the private sector to offer up their arms. This narrative is analogous to what US/NATO veterans encountered during the wars in Iraq and Afghanistan that has led to the rise of private security companies in

today's world. During these conflicts there were many points when US forces specifically needed to enlist more troops and quickly shrink down again, leaving behind generations of former service members with government training and few places to use it.

One example of a private security company that mirrors the free companies of old would be Academi. The company is better known by its former name Blackwater, and is just one of the many examples of private security companies that are actively taking part in the Military Industrial Complex and taking advantage of the need that the Global War on Terror provides. Blackwater was founded in 1997 by Erik Prince, who was a former Navy SEAL Officer. Prince is a perfect example of how the gears of the MIC keep turning. During his time working in Special Operations Command, Prince would deploy to the Middle East, Haiti, Nicaragua, as well as the Balkans. He would say later in his autobiography that during his time around the world he saw a need for private training facilities for special operations (Prince, 2014). In a world where there is no shortage of conflicts, Prince was able to use the experience that he accumulated over years and market it in the private sector and fill a need that the US government had. Initially by training US troops, and eventually moving on to supply private troops of his own. Similar stories like this can be seen over and over again with many individuals who find themselves in the private security world, from CEO's all the way down to the individual security contractors.

Companies like Blackwater would go on to be contracted by the US government, other NATO nations, and private companies throughout numerous conflicts. The contracts they would be hired for would include VIP escorts, training, embassy security, as well as maritime security. As far as private security companies go, they are the tip of the spear. Hiring almost exclusively from former US Special Operations and other combat arms military occupational specialties, they were able to offer more financial gain to those who started out working for the government. The future of the private security industry is very likely going to continue down the path that free companies and companies like Blackwater have gone down.

PMCs, coupled with other multi-billion dollar military technology industries have a genuine investment in making sure there is a perpetual state of conflict. The influence that these companies have on public policy ensures that there will always be not only a need for elite private security, but a steady stream of experienced government trained employees to source from and equip with the latest R&D equipment from a plethora of military technology companies (Butler, Smedley D.). The MIC guarantees a perpetual cycle of funding, experienced individuals, and advances in arms technology that allows war to be a lucrative business, with both public and private entities having vested interests in its continuity (Singer, P W. 2002).

Although these top tier private security companies are hardly known by the general public, the perception they emit of elite private security operators are certainly impacting the rest of the industry, as well as how the public sees private security. Popular media ranging from movies to video games often depict private military contractors. Most of the time as generic adversaries working for a faceless global conglomerate. Other times such as in the movie *13 Hours: The Secret Soldiers of Benghazi*. The film depicts private military contractors as heroic protagonists who selflessly go down defending a U.S. embassy (Bay, Michael 2016). Popular media like

the examples above paint a picture for the public and sub-consciously tells people about what the private security industry does and what to expect out of them.

There are many ways media like this has impacted the image and the trends of the private security industry even back home within the borders of the United States. The old “mall cop” aesthetic that most people may think of when hearing private security guards is slowly changing to emulate a more “high speed, low drag” representation. Allied Universal is a good example of this trend. On their website page, there is an advertisement that takes up a majority of the desktop screen that puts on display that they are the future of private security (Allied Universal Security Services, Systems and Solutions). The video loop shows the use of high-tech drones, sleek and shiny patrol cars, and security professionals in button down suits. The polished ad spares no expense at showing off the complete arsenal of what the company is capable of. It is without a doubt that a company like Allied Universal isn't as specialized as a company such as Academi, the two companies are very different in who they are tailored to. But it is clear who is trying to emulate who. This example clearly shows that whatever happens at the top trickles down and becomes emulated by the rest of the industry.

The Global War on Terror has guaranteed a platform for the United States and other allies to justify conflict almost anywhere on the globe. Wherever there are western interests being threatened, whether it is in Somalia, the Philippines, South China Sea, or Latin America. There is a plethora of allies to the US who are currently engaged with known terrorist cells or enemy governments. There is a constantly circulating stream of experienced military members going around the world, training other militaries and keeping up to date with the latest threats that the world faces. For members of the military returning home to the private sector, there are plenty of domestic private security companies with a wide range of necessities.

With the way that these industries have established themselves, there is likely going to be no shortage of a need for private security companies or PMCs. Unless certain legislation is passed to deliberately dismantle the corporations and formally end the GWOT, there is no reason for anything to slow down as there will always be a need for protection somewhere in the globe and the means to secure it.

REFERENCES

- Dwight D. Eisenhower, Public Papers of the Presidents, p. 1035- 1040, 1960.
- Bay, Michael, director. *13 Hours: The Secret Soldiers of Benghazi*. Paramount Home Entertainment, 2016.
- Allied Universal Security Services, Systems and Solutions*, www.aus.com/.
- Prince, Erik. *Civilian Warriors: the inside Story of Blackwater and the Unsung Heroes of the War on Terror*. Penguin Books, 2014.
- Contamine, Philippe *War in the Middle Ages*, part I, sect. 4 "Free Companies, Gunpowder and Permanent Armies" 1984.
- Butler, Smedley D. *WAR IS A RACKET: Original Edition*. DAUPHIN PUBLICATIONS, 2018.
- Singer, P W. "Corporate Warriors: The Rise of the Privatized Military Industry and Its Ramifications for International Security." *The MIT Press*. 2002.
- "Military-Industrial Complex." *Merriam-Webster*, Merriam-Webster,

♦ LITERATURE 374

GREAT EXPECTATIONS AND LADY AUDLEY'S SECRET: THE SHAME OF HOMOSOCIALITY

KATHRYN ISAAC

IN A VICTORIAN NOVEL, you may find enough secrecy and scandal that is titillating enough to keep turning the page, but it is the author's commentary on society that belies these factors and makes the characters in the stories relatable to a modern reader. Part of what makes certain Victorian novels 'sensational' is the presence of societal taboos relating to sexuality, but even some subjects were too forbidden to be discussed overtly. In Mary Elizabeth Braddon's *Lady Audley's Secret* and Charles Dickens' *Great Expectations*, both male protagonists unknowingly conceal their sexuality through heteronormativity, causing them to feel inner shame. This essay seeks to prove that the female 'love interests' of Robert Audley and Pip in both novels are just placeholders that enable the suppression of their true, and 'shameful' homosocial desires.

Although I will discuss both Robert Audley from *Lady Audley's Secret* and Pip from *Great Expectations*, this is not an attempt to compare the two men to each other. They differ in terms of life experience, social class, and ambitions. Nor does this paper plan to claim that Robert and Pip are gay. Rather, it is their desire for male

The Assignment and the Writer: My 19th century literary class read a set of Victorian novels about secrets and secrecy. They then wrote culminating original research papers on topics of their own choosing, having done extensive preliminary work, such as forming research questions, producing annotated bibliographies, and presenting drafts of their projects to their peers. In other words, they were asked to do the real work of literary criticism. Kathryn Isaac's "*Great Expectations and Lady Audley's Secret: The Shame of Homosociality*," immediately stood out for the way in which it announces at the start what it is not. It does not reduce homosociality to homosexuality but rather embraces the subtleties and ambiguities of male companionship and sublimated desire in the Victorian novel.

– Professor Helen Kapstein

companionship, shame and ambiguity in their feelings towards women that link the two and will serve as the basis of this paper. To narrow the scope of this essay, I will mainly focus on Robert Audley's relationships with George Talboys and Clara Talboys in *Lady Audley's Secret* and Pip's relationships with Herbert Pocket and Estella Havisham in *Great Expectations*. To prove my thesis, I will first discuss male companionship as it relates to heteronormativity. Because Robert and Pip are unable or unwilling to accept the feelings that come from their desires of male companionship, feelings of shame begin to manifest. Lastly, I will explore the roles that Estella Havisham and Clara Talboys play as it relates to the shame and homosocial desires of both male protagonists.

PART I: MALE COMPANIONSHIP AND SHAME

A commonality between Robert and Pip lies within their desire for and appreciation of male companionship. Although there are definitions of 'companion' that relate to romantic relationships, the definition listed in the Oxford English Dictionary is most relevant to this research: "n.1. A person who often spends time with another; a person one chooses to associate with, a friend" (OED). Though the commonality is in their desire male companionship, the two men differ in their specificities in who they desire to be their companion. For Robert Audley, it is clearly George Talboys. In his article, Richard Nemesvari points out that even "from [Robert Audley's] first introduction into the text, Braddon subtly implies that her hero's most intense bonds will be between himself and other men, something which the novel's events bear out" (Nemesvari 520). Jennifer Kushnier echoes this in her research, arguing that George (before his disappearance) believes that his friend Robert would not "desire his own female companion" or at least "assumes there is no female object of Robert's desire" (Kushnier 63). Both Nemesvari and Kushnier are correct in their assertions. After George disappears, Robert appears to become depressed and seemingly has "lost all taste for companionship, all sympathy with the pleasures and occupations of his class, since the disappearance of George Talboys" (Braddon 211). This implies the specificity in Robert's interest in companionship--he is only interested in being companions with George.

In regard to Pip's desire for male companionship in *Great Expectations*, it is less specific in *who* he desires at first. After Pip leaves the Satis House and finds himself "loitering along High Street," he encounters Pumblechook who beckons him to go to the "Pumblechookian parlour." In his narrative reflection, Pip agrees to join Pumblechook: "As I knew it would be miserable at home, and the nights were dark and the way was dreary, and almost any companionship on the road was better than none, I made no great resistance" (Dickens 117). By Pip expressing that "almost any companionship on the road was better than none" shows that he desperately values companionship.

Not only do both men share similarities in their want for male companionship, but they both express an inability to understand these strong feelings for their friends. This leads to denial and shame. After George goes missing, the intensity of Roberts feelings become even stronger:

“If anyone had ventured to tell Mr. Robert Audley that he could possibly feel a strong attachment to any creature breathing, that cynical gentleman would have elevated his eyebrows in supreme contempt at the preposterous notion. Yet here was, flurried and anxious, bewildering his brain by all manner of conjectures about his missing friend, and, false to every attribute of his nature, walking fast” (Braddon 84).

Here, the reader is meant to see that this is out of character for Robert Audley. Nemesvari contends that in this “intensity of this response, and his perplexity about both why he acting this way suggests that on some level he does not *want* to analyze too closely the motives which are driving him” (Nemesvari 521). The motive here would be that his feelings for George are stronger than friendship.

With Pip, his appreciate for Herbert Pocket is still confusing to him, but he seemingly does not realize or possibly care about the homosocial overtones that his feelings entail:

“Herbert Pocket had a frank and easy way with him that was very taking. I had never seen any one then, and I have never seen any one since, who more strongly expressed to me, in every look and tone, a natural incapacity to do anything secret and mean. There was something wonderfully hopeful about his general air, and something that at the same time whispered to me he would never be very successful or rich. I don’t know how this was. I became imbued with the notion on that first occasion before we sat down to dinner, but I cannot define by what means” (Dickens 177).

He continues to describe Herbert on the following page, saying that Herbert “had not a handsome face, but it was better than handsome” (Dickens 178). Pip’s sentiments about Herbert show the same type of ‘confusion’ as to why he is feeling this way, just as Robert does about George. However, as Robert continues his investigation of George’s disappearance, Nemesvari notes that “he becomes increasingly panicked about what he may uncover.” Nemesvari concludes that “Braddon’s text therefore reveals the way in which a growing awareness of the homosocial may incite homophobia, as Robert desperately, and at times angrily, struggles to deny the significance of his reactions” (Nemesvari 523).

Unlike Robert Audley, the shame Pip feels is entrenched in social class as well as masculinity. Sell’s article mentions different ‘types’ of shame Pip feels including his shame about his social class, but more importantly how his failure to “establish a heteronormative union” with a marriage to Estella produces shame (Sell 211). Pip begins to distance himself from Joe and focus on Estella, not because he is sexually attracted to her, but because she represents something he wants—social status. Sell also argues that “Pip’s relationships [with men] at various points are “intense” and that “the increasing discomfort of such close male contact” is “both a source of shame in the novel” and “a reason for the narrative’s elevation of Pip’s undying, Byronic desire for Estella” (Sell 212). Subsequently, because they are forced by a heteronormative Victorian ideal to subvert their homosocial desires, both men

begin to manifest feelings of shame. However, the dynamics of how shame appears differs between the men. Despite their different class distinctions, both men are crippled with an inability to comprehend their feelings and homosocial desires. This, then, begins the discussion of Clara Talboys and Estella Havisham.

PART II: THE ROLES OF CLARA TALBOYS AND ESTELLA HAVISHAM

In analyzing *Lady Audley's Secret* and *Great Expectations* outside of a heteronormative lens, it is necessary to analyze the roles that Clara Talboys and Estella Havisham play in both novels as they relate to the male protagonists. Both women serve the purpose of disguising Robert and Pip's homosocial feelings in a way that is 'acceptable' not only to Robert and Pip themselves, but also to the Victorian audience.

In *Lady Audley's Secret*, as Robert Audley continues his investigation into the disappearance of his friend George, he becomes increasingly panicked about the fate of George as well as his own inner turmoil on his homosocial feelings towards George and what they may mean. This subconscious denial of his sexual feelings towards George lead Robert to find answers by questioning George's family, hoping they will provide some type of resolution. After interviewing George's father and sister, Robert concludes that their obvious indifference is a signal that he can stop his detective work. Robert believes that now that the investigation is over, he will no longer "bring disgrace upon those [he] love[s]" and that he now feels "an unutterable relief." He can stop being "the collector of damning facts that led on to horrible deductions" (Braddon 197). Nemesvari argues that Robert's reaction to the possibility "suggests that the 'disgrace' he has been saved from deducing is more personal than he might like to admit," alluding to the potential homoerotic feelings Robert may have.

Despite Robert's relief, the investigation into George's disappearance does not end, and his sense of relief is only but fleeting. As he is leaving Harcourt Manor, Clara Talboys comes chasing after him, telling him that she believes something has happened to George. Robert now convinces himself that because of Clara, the investigation into what happened to George must continue. However, it is not Clara's blessing that Robert feels permits him to carry on the investigation into George, but how he can interact with George through Clara. When Robert first meets Clara, he sees that "she was young, and that she was like George Talboys" (Braddon 189). When Robert sees her face clearly after she chases after him as he leaves Harcourt Manor, he "saw that she was very handsome" and that she had "brown eyes, like George's" (Braddon 198).

Eventually, they marry, but not because they are in love. Robert sees George in Clara—and as an acceptable way to marry George. Nemesvari contends that "Clara provides Robert with the perfect object of transference and offers him the opportunity to turn his illicit homosocial desire for George in a socially acceptable direction" (Nemesvari 524). Kushnier, in her research, echoes this idea but expands further. She argues that after meeting Clara, Robert "has come to the realization that his homoerotic bachelorhood—'the unnatural business'—must come to an end." Robert "makes the transition into a heterosexual lifestyle" by marrying Clara, who is "merely a feminized version of George" (Kushier 68-69). Obviously, sexual identity is not a

choice, so this “transition into heterosexuality” is merely a ruse, or a way to make Robert feel better about himself and to lead a ‘normal’ life.

The role that Estella Havisham in *Great Expectations* in regard to homosocial relationships is much more complex. Unlike Clara Talboys who is the female version of George Talboys that Robert marries, Estella serves a different purpose—to expose the shame that Pip feels throughout the narrative. Sell argues that “Estella’s central relation to Pip’s story illustrates most clearly the interconnections between sexual and class conflict—the narrative of class ambition, of heterosexual desire and the relations of both to the narrator’s shame” (Sell 219).

The first time we meet Herbert is in the garden of the Satis House. Pip and Herbert begin to tussle, and Estella watches unknowingly. Though the fight between Pip and Herbert is harmless, we begin to see how Estella utilizes her emotional power over Pip:

“Come here! You may kiss me, if you like.”
I kissed her cheek as she turned it to me. I think I would have gone through a great deal to kiss her cheek. But I felt that the kiss was given to the coarse common boy as a piece of money might have been, and that it was worth nothing. (Dickens 92-93)

The fact that Estella “eroticizes this violence” and rewards Pip with a kiss is not only telling of her character, but a signal to Pip that fighting will prove his manhood, and eventually lead to them being together. Pip feels as though this kiss did not evoke the feelings that he would have hoped. Sell, contends that “these battles” (such as the one between Herbert and Pip mentioned above) constitute the reason the narrator’s desire for Estella is so important and that Pip’s uncomfortable contact with other men are the symptoms of the narrative’s uneasiness over Pip’s inability to clearly delimit his relationships with men or take make them safe.” However, it is a hypothetical marriage to Estella that “he would rule out the potentially shameful quality of his close relationships with men and ameliorate his need to compete and labor” (Sell 220).

It is the failure to complete this marriage, though, that invokes shame. Unlike Robert, who found a semblance of happiness in his marriage to Clara Talboys, Pip’s failure to marry Estella is thus a failure to fulfill his expectations. Sell states that “in Victorian ideology, the key for grounding this identity [of being a gentleman] is based on the creation of a heterosexual dyad, which Pip fails to do.” The only way Pip achieves this Victorian domestication is through “his attachment to Herbert and Clara [Pocket]” (212).

In the way that Clara Talboys is a way for Robert Audley to marry his friend George in *Lady Audley’s Secret*, it is not so clear cut in *Great Expectations*. Herbert is not a masculine version of Estella, and even so, Pip does not marry Estella anyway. However, Pip does feel safe in his presence, even if he has to share it with Herbert’s wife. The differences between Robert Audley and Pip are stark, but the commonality between them as it relates to homosocial relationships, male companionship, and complicated heteronormative romance binds the two protagonists together.

REFERENCES

- "companion, n.1." *OED Online*. Oxford University Press, December 2020. Web. 10 December 2020.
- Braddon, Mary Elizabeth. *Lady Audley's Secret*. London: Penguin Books, 1998. Print.
- Dickens, Charles. *Great Expectations*. London: Penguin Books, 2003. Print.
- Kushnier, Jennifer S. "Educating Boys to Be Queer: Braddon's 'Lady Audley's Secret.'" *Victorian Literature and Culture*, vol. 30, no. 1, 2002, pp. 61–75. *JSTOR*, www.jstor.org/stable/25058576. Accessed 3 Dec. 2020.
- Nemesvari, Richard. "Robert Audley's Secret: Male Homosocial Desire in 'Lady Audley's Secret.'" *Studies in the Novel*, vol. 27, no. 4, 1995, pp. 515–528. *JSTOR*, www.jstor.org/stable/29533089. Accessed 2 Dec. 2020.
- Sell, Kathleen. "The Narrator's Shame: Masculine Identity in 'Great Expectations.'" *Dickens Studies Annual*, vol. 26, 1998, pp. 203–226. *JSTOR*, www.jstor.org/stable/44372508. Accessed 3 Dec. 2020.

♦ LITERATURE 374

PREEMPTIVE TRAUMA IN *GREAT EXPECTATIONS*: HOW LITERATURE CAN NARRATIVELY CONTEXTUALIZE AND MAP MENTAL DIVERGENCES

RODRIGO ITO

CHARLES DICKENS' SERIAL-TURNED-NOVEL, *GREAT EXPECTATIONS*, was published in 1860—a full one hundred and forty years before the 20th century came and expanded the fields of psychoanalysis and mental health. Abnormalities, neurodivergences, and disabilities that today are recognized and categorized in the Royal College of Psychiatrists existed prior to it. In the absence of modern findings of psychoanalytic trials and methodologies that are at present still being tried and developed, literature can serve as a pre-emptive graphing of the human condition; at least before the medical field expands upon these graphings and brings more context to them. It is with this spirit that this paper intends to draw attention to *Great Expectations* as a text that describes first and second-generation trauma, and disability.

The Assignment and the Writer: My 19th century literary class read a set of Victorian novels about secrets and secrecy. They then wrote culminating original research papers on topics of their own choosing, having done extensive preliminary work, such as forming research questions, producing annotated bibliographies, and presenting drafts of their projects to their peers. In other words, they were asked to do the real work of literary criticism. Rodrigo Ito's paper, "Preemptive Trauma in *Great Expectations*: How Literature can Narratively Contextualize and Map Mental Divergences," boldly asserts that "literature can serve as a pre-emptive graphing of the human condition," and uses Dickens' novel to prove that literature can describe disability and trauma before science does. This is not to say that Ito merely marks where Dickens diagnoses his characters but rather that he shows us the therapeutic value of narrative.

— Professor Helen Kapstein

Clardy and Eblovi have already shown the viability of this in their article “Charles Dickens and *Barnaby Rudge*: The First Description of Williams Syndrome?”. As the title alludes, Dickens’ novel, *Barnaby Rudge*, follows a main character who is accurately described to have many of the features of Williams’ Syndrome--both mental and physical: “an ‘elfin’ face, decreased cognitive ability and dependence on a caretaker, strong language skills with emphatic and perseverative speech, anxiety, and an empathetic, overly trusting personality” (e67). Dickens’s *Barnaby Rudge* was published 120 years before J.C.P. Williams would publish his work diagnosing patients with the self-named neuro-divergence. Clardy and Eblovi propose that in the ever-developing understanding of the human genome, keen-eyed fiction can serve as a descriptor of subtle behaviors that preempt formal diagnoses (e69). This paper follows Clardy and Eblovi in noting how *Great Expectations* contains a preemptive mapping of trauma and disability.

The characters of Miss Havisham and Abel Magwitch represent first generation trauma and disability in *GE*. Their traumas and disabilities are manifested and reflective of the way that they’ve been traumatized.

Magwitch was a victim of the English penitentiary system and the traumas of that system are present in his body and mannerisms. Pip notes that Magwitch, “dragged one of his legs as if there were still a weight of iron on it” (337). He has also lost teeth and therefore has to focus on chewing with the ones that remain (330-331). Magwitch’s body-trauma created a disability that afflicted through space and time. Going to Australia and spending years being a sheep-farmer had not healed his trauma.

Unresolved trauma is also shown through mannerisms that Magwitch acquired whilst imprisoned:

All his ways of sitting and standing, and eating and drinking,—of brooding about in a high-shouldered reluctant style,—of taking out his great horn-handled jackknife and wiping it on his legs and cutting his food,—of lifting light glasses and cups to his lips, as if they were clumsy pannikins,—of chopping a wedge off his bread, and soaking up with it the last fragments of gravy round and round his plate, as if to make the most of an allowance, and then drying his finger-ends on it, and then swallowing it,—in these ways and a thousand other small nameless instances arising every minute in the day, there was Prisoner, Felon, Bondsman, plain as plain could be (337-338).

His mannerism’s follow what Allan Young’s definition of Post-Traumatic Stress Disorder (PTSD) in his book “*The Harmony of Illusions: Inventing Post-Traumatic Stress Disorder*”: PTSD is a disease of time. The disorder’s distinctive pathology is that it permits the past (memory) to relive itself in the present, in the form of intrusive images and thoughts and in the patient’s compulsion to replay old events (7). Allison Crawford describes Young’s definition in her article “If ‘The Body Keeps the Score’: Mapping the Dissociated Body in Trauma Narrative, Intervention, and Theory.” Crawford re-expresses Young, saying PTSD is “the subjective experience is one of the past invading the present” (705). In this way, Magwitch’s past as a prisoner invades his present self in the guise of mannerisms and a limp. Magwitch’s reluctance to talk about his past is also a symptom of his PTSD.

The DSM-5 describes one of the four categories of PTSD as "Avoidance" where "People may try to avoid remembering or thinking about the traumatic event." Pip tries to question Magwitch twice on what led him to end up in prison. Magwitch twice deflects Pip's questions, saying his actions have been "worked out and paid for" (330, 345). This trauma that runs through Magwitch also afflicts Pip.

Inherited trauma reaches Pip through the indirect manner in which it reached Magwitch. Being a victim of the penitentiary system all his life, Magwitch's rearing of Pip reflects his own upbringing. Magwitch describes no common parent, actor or personal entity to take the role of care-giver, defining his past solely by his interactions with prisons. The impersonal miscarriage of justice that was imposed on Magwitch would then afflict Pip.

For the majority of the novel, Pip doesn't know who his benefactor is. He made it up in his mind that Miss Havisham was his patron, in some scheme to groom him until suitable for marriage to Estella. Upon learning that his patron was, in fact, Magwitch, Pip goes through despair: "The impulse was powerful on me to start up and fly from him. Every hour so increased my abhorrence of him, that I even think I might have yielded to this impulse in the first agonies of being so haunted" (338). Dickens' use of "haunted" when faced with trauma is near prescient.

In their article "Ghosts in the Nursery," Fraiberg et. all express "While no one has issued an invitation, the ghosts take up residence and conduct the rehearsal of the family tragedy from a tattered script" (388). This "tattered script," is Magwitch's life being penalized by an unknown entity; the "rehearsal," is Pip being patronized by an unknown entity.

Much like how Magwitch's time in prison is reflected in his mannerisms, so too is Pip's encounter with Magwitch reflected in his:

In every rage of wind and rush of rain, I heard pursuers. Twice, I could have sworn there was a knocking and whispering at the outer door ... I began either to imagine or recall that I had had mysterious warnings of this man's approach ... I had passed faces in the streets which I had thought like his (324).

Applying Crawford's thesis to Dickens would imply that Pip and Magwitch's bodies are "keeping score." Again, a PTSD "haunting" is occurring. Crawford concurs with Fraiberg et. all, noting that "people feel haunted by something out of their control or comprehension ... the person can be mentally 'pulled back' into the physical and sensory dimensions of the traumatic event" (707). This "pulling back" that permeates throughout Pip and Magwitch stem from the latter's trauma in the penitentiary system. And this "pulling back" is also the main trauma present in the mother-daughter duo of Miss Havisham and Estella. Pip notes that Miss Havisham's trauma manifests outwardly:

Everything in the room had stopped, like the watch and the clock, a long time ago. I noticed that Miss Havisham put down the jewel exactly on the spot from which she had taken it up ... the dressing-table again, and saw that the shoe upon it, once white, now yellow, had never been worn. I glanced down at the foot from which the shoe was absent, and saw that the silk stocking on it, once white, now yellow, had been trodden ragged. Without this arrest of everything, this standing still of all the pale decayed objects, not even the

withered bridal dress on the collapsed form could have looked so like grave-clothes, or the long veil so like a shroud (60).

Her desertion at the altar has created a trauma that Pip describes as being “transfixed” (61). The repeated actions coupled with the unwillingness to change would most likely at present be seen as a form of PTSD and self-harm. Pip describes Miss Havisham as having “a mind mortally hurt and diseased” (302). This suggests that Dickens had knowledge of mental illness being products of trauma--things that their “disease” comes from being “mortally hurt.”

Miss Havisham’s source of trauma--desertion at the altar--is deeply personal and creates not a physical illness (like Magwitch’s limp), but a mental one. She’s perfectly physically healthy. So healthy in fact that even though, per Herbert, twenty-five years away from the day she was deserted, she “has never since looked upon the light of day” (182), she hasn’t developed a Vitamin D deficiency.

The trauma suffered by Miss Havisham also creates a nursery ghost for Estella. Like how Magwitch’s trauma was marked by impersonal prisons and that led him to rear Pip impersonally; Miss Havisham’s trauma was extremely personal, and so her rearing of Estella followed in the same fashion. In Estella’s own words to Miss Havisham, “I am what you have made me. Take all the praise, take all the blame; take all the success, take all the failure; in short, take me” (304). Estella’s coldness and lack of love originate from her rearing of Miss Havisham, whose trauma stemmed from a lover’s desertion.

Having Miss Havisham always tell her to “Break their hearts my pride and hope, break their hearts and have no mercy” (95), Estella didn’t develop emotionally and was stunted by trauma. After being confessed to by Pip, Estella confirms her emotional stuntedness, “sentiments, fancies,—I don’t know how to call them,—which I am not able to comprehend. When you say you love me, I know what you mean, as a form of words; but nothing more” (362). Through Estella, Dickens again imparts knowledge that matters of emotional matters are of human making: “‘It is in my nature,’ she returned. And then she added, with a stress upon the words, ‘It is in the nature formed within me’” (362). Estella’s inherited trauma, her nursery ghost, haunts her into cold-heartedness and an unhappy marriage with Drummle.

Dickens’ preemptive mapping of first- and second-generation trauma precedes all of this paper’s references by at least one hundred years. What is even more prescient though, is Dickens’ preemptive mapping of a treatment for trauma. Narrative can be used as a form of treatment, as Crawford explains,

Narrative has continued to be a cornerstone of psychological intervention in people with PTSD, perhaps because, in contrast to traumatic memory, narrative ordinarily necessitates a temporal sequencing and order. It is also, of course, interpersonal, through the act of telling the story to another. In order to communicate one’s experiences, and thereby gain the support of another, one has to make those experiences intelligible to the self (708-709).

And what is Pip doing in *Great Expectations* if not telling his narrative? Pip’s narration of his own story can be read as his attempt at treatment. He is, after all, the only one of the four characters of this paper who opens up and confides in others about his troubles. Pip telling his narrative to Wemmick and Herbert bears fruit in the many

times they help him throughout the story. Of course, Dickens' approach to trauma and treatment is not fully realized. The first generation of trauma victims, Magwitch and Miss Havisham, receive death as their prescription. And Estella spends years in an unhappy marriage against Drummle and only after that hardship does she appreciate the feelings Pip carried for her. At present, no credible institution recommends putting a traumatized person through an unhappy marriage as a form of treatment. However, mapping the human condition through literature still offers a more narratively contextualized understanding of abnormalities, neuro-divergences and disabilities. This field of literature as preemptive mapping is a new front for literary theory, even though the practice of it is old. It's therefore quaint that literature take the developing psychoanalytic understanding's hand and walk, together, towards great expectations.

REFERENCES

- Crawford, Allison. "If 'The Body Keeps the Score': Mapping the Dissociated Body in Trauma Narrative, Intervention, and Theory." *University of Toronto Quarterly*, vol. 79, no. 2, University of Toronto Press, Apr. 2010, pp. 702–19, doi:10.3138/utq.79.2.702.
- Dickens, Charles. *Great Expectations*. London: Penguin Books, 2003. Print.
- Eblovi, Clardy. "Charles Dickens and Barnaby Rudge: The First Description of Williams Syndrome?" *Pediatric Annals*, vol. 45, no. 2, SLACK INCORPORATED, Feb. 2016, pp. e67–e69, doi:10.3928/00904481-20160113-03.
- Fraiberg, S., et al. "Ghosts in the Nursery." *Journal of the American Academy of Child Psychiatry.*, vol. 14, American Academy of Child Psychiatry, 1975, pp. 387-421, doi:10.1016/S0002-7138(09)61442-4.
- Young, Allan. *The Harmony of Illusions: Inventing Post-Traumatic Stress Disorder*. Princeton: Princeton University Press, 1997. Print.

♦ AFRICANA STUDIES 325

HAIR DISCRIMINATION, COLORISM, AND PROFESSIONALISM

ALTHEA LAWRENCE

INTRODUCTION

HAIR AND COLOR-BASED DISCRIMINATION have been societal issues in America for centuries, since the start of chattel slavery. Hair and color-based discrimination have been seen in the professional realm for years and efforts have been made to resolve them. My research that I propose will seek to explain how an individual's skin complexion and choice of hairstyle affect their chances of obtaining and retaining a job. I hypothesize that Afrocentric hairstyles will not be accepted in the workplace because of America's racial history and the value of Eurocentric beauty. Growing up, Black people are taught to internalize hatred for their coarse hair texture; meanwhile, racist ideologies are embedded into the minds of White people. I also hypothesize that people of a darker skin complexion encounter more color-based discrimination than people of a light skin complexion because individuals with lighter skin color resemble Eurocentric features more. Hair and color-based discrimination are important to Africana studies because it limits Black peoples' social and economic

The Assignment and the Writer: AFR 325 is the research methods course for the Human Services and Community Justice Major. The students learn how to conduct research on human subjects ethically and focus on qualitative analysis and participatory action research. Most of the course focuses on leading the students step by step to write a literature review based on a research question they design. In the end they put the literature review together with a discussion of how they propose to conduct a study of their own to collect original data and what methodology they would use. That research proposal is their final assignment. Althea's research topic is extremely timely, "Hair Discrimination, Colorism, and Professionalism." In a well written research paper, she covers hair and skin-color discrimination through history, internalized oppression as well as Afrocentric resistance, overt discrimination in the workplace, and the social and economic consequences. We shortened her extensive literature review to fit in this journal. Her proposed research methodology is to create a survey and collect narratives about various hair discrimination experiences with a unique focus on the discriminators.

– Professor Jessica Gordon-Nembhard

mobility. African studies is about the thought, practices, history, and hardships of people of African descent within the African Diaspora. Hair discrimination and colorism within the workplace are two hardships Black people face in America, that impedes their socioeconomic status. Even though Black women are wearing Afrocentric hairstyles at work, a majority of Black women prefer Eurocentric hairstyles; that way they do not stand out from their colleagues (Dawson, Karl, and Peluchette, 2019). This research proposal consists of a literature review that is separated into three sections—hair discrimination, legal attempts to rectify hair discrimination, and colorism—a methodology section, and lastly a conclusion.

LITERATURE REVIEW

For centuries America has been enabling discriminatory practices in the workforce. Black people have been discriminated against by their skin complexion, physical features, hair textures, and other attributes that distinguish them from White people. While Title VII of the Civil Rights Act of 1964 prohibits discrimination against race, ethnicity, color, nationality, religion, gender identity, and sexual orientation, there have been questions about whether or not it protects against hair discrimination (McCray, 2018). Studies and rulings in court cases have shown that the courts usually rule in favor of employers when it pertains to hair discrimination against Black people, especially Black women (Donahoo and Smith, 2019). These rulings indirectly discriminate and place hair control over Black women forcing them to change their appearance, their hair texture. As a result, Eurocentric preferences have a great impact on Black women's choice of hairstyles in the workplace in corporate America. Black women have been embracing their natural hair over the last few years, yet they still feel forced to conform to Eurocentric beauty standards and wear Eurocentric hairstyles in the workplace due to the negative stigma attached to Black hair (Dawson, Karl, and Peluchette, 2019). In the workplace, Black women who chose to wear Afrocentric hairstyles are deemed as dominant and lacking professionalism (Opie and Phillips, 2015). Not only do hair texture and hairstyles affect people at the workplace, but skin complexion is another factor. Colorism, discrimination based on skin complexion, affect people in an intimate and public setting. This paper will explore how an individual's skin complexion and choice of hairstyle affect their chances of obtaining and retaining a job. The author reviewed existing literature on hair discrimination, and colorism.

Hair discrimination is a social injustice that insults and discriminates against people based on the texture of their hair (Mbilishaka, Clemons, Hudlin, Warner, and Jones, 2020). For centuries Black hair has been perceived as unkempt, messy, unprofessional, and unacceptable (Dawson, Karl, and Peluchette, 2019) by White people. America's beauty standards are Eurocentric features, which include long straight hair. Due to this negative stigma attached to Black hair, Black people have internalized the ideology that Black hair is only beautiful if it is altered (Dawson et al., 2019). Within the social science community, the phenomenon of hair discrimination has been studied in the following ways according to Mbilishaka et al. (2020, p. 594): Hair penalties, aesthetic trauma, curlism, hair shaming, hair bias, hair harassment, and hair stress. In addition, Black women have been subjected to hair discrimination for centuries. In the past few decades, Black women have attempted to

prove that hair discrimination is a form of racial discrimination in court against their place of employment. A few hair discrimination cases brought to the courts were *Rogers v. American Airlines* (1981), *Jefferson v. Securitas Sec. Servs* (2009), *Equal Employment Opportunity Commission v. Catastrophe Management Solutions* (2016). In these attempts, the court ruled in favor of the company because hair is a mutable feature that can be changed unlike an individual's race (Donahoo and Smith, 2019).

Colorism is also an issue. For centuries, racism has plagued America and birthed the societal ill of colorism. In some instances, people use the term "race" and "color" interchangeably. However, race is the root word of racism and color is the root word of colorism and are two different concepts. Racism is discrimination against a race, an ethnic group, whereas colorism is discrimination based on the complexion of an individual's skin (McCray, 2012). Colorism is relevant to my research because colorism can affect an employer's treatment of employees (Data, 2019)

Opie and Phillips (2015) conducted a study that proved race did not have a factor in evaluators' rate of professionalism, dominance, and success, only hairstyles had a significant difference. On the contrary, Matthew Harrison, in 2009, introduced a study involving color-based discrimination in the workplace. This study revealed that skin complexion is more important than an educational background in the workforce (McCray, 2018). For example, a Black male with a dark skin complexion, high education level, and work experience, is preferred less than a Black fair-skinned male with less education and work experience. This study highlights colorism being a problem for job seekers, which supports McCray's argument that colorism is a different form of discrimination compared to racism. McCray (2018) is separated into five parts: historical framework of colorism in America, how the federal government deals with color-based discrimination under Title VII, the treatment of colorism claims in court, realities of colorism in the workplace, and new standards for courts to address colorism claims. For my research, I will mainly focus on Title VII guidelines and the realities of colorism in the workplace. Title VII of the Civil Rights Act of 1964 bans discrimination in the workplace based on race, color, sex, religion, and national origin (McCray, 2018). In this act, Congress did not define the terms "race" and "color", which creates confusion for what is considered color-based discrimination in the workplace. Due to this confusion and Congress not providing standards on how courts should handle colorism claims, leads to various interpretations of the term "color" and Title VII clause (McCray, 2018). The EEOC was created to enforce laws under Title VII and examine workplace discrimination allegations. The E-RACE was invented to eliminate race and color discrimination claims (McCray, 2018).

The realities of colorism in the workplace are: people develop a color bias at a young age; colorism and racism are different in a work setting; colorism is not solely done by people of the same race; and people lack knowledge about colorism (McCray, 2018). Colorism causes internal conflict and friction between fractions within a racial group. In a workplace, this internal friction will stem from preferential treatment of one group which will in return cause jealousy and resentment amongst their colleagues. The lack of awareness is partly due to the legal system not giving attention to colorism claims and that the legal discourse and scholars do not discuss or examine the complexity of colorism (McCray, 2018).

DISCUSSION

Hair discrimination and colorism affect equality within the workplace. It affects how employees are treated in the workplace and can prevent them from being employed due to negative stigmas that are attached to Black hair and Black skin. Hair discrimination mainly affects Black women who prefer to wear Afrocentric hairstyles that suit the texture of their hair. Black women have a choice to either conform to Eurocentric beauty standards at the workplace to not confirm negative stereotypes. However, conforming means concealing their Black identity. Hair discrimination is not blatant racism, it is symbolic racism because Black hair is a semiotic marker (Ainsworth, 2013) for Black culture, which the court and legal system failed to see in the past. The court also failed to see that color-based and race-based claims are two different claims that should have separate standards for trying in court. What is unclear is how colorism in the workplace affects people psychologically and why it occurs within the workplace.

In studying this topic, we find that most articles used a theoretical framework and case studies to analyze colorism and hair discrimination in the workplace. Researchers who conducted a study on hair discrimination used surveys and online comments to analyze the effects of hair discrimination and the stigma attached to Black hair. Analyzing comments to gather data like how Mbilishaka et al. (2020) and Dawson et al. (2019) had done, is an intriguing methodology to analyze hair discrimination and colorism because it is qualitative and more descriptive than a survey. This methodology would allow any researcher to shed light on an issue and its effects. For my research, I would do a mixed methodology study where I will conduct a survey on a large sample population and create a discussion forum for a smaller sample size of people. For the survey and discussion forum, I would ask participants demographic questions—race/ethnicity, age range, and gender. Then I will ask questions about hair discrimination and color-based discrimination in the workplace. The survey will be a mixture of Likert scale, close, and open-ended questions to give participants a chance to thoroughly describe their experience and measure their beliefs and opinions regarding hair and color-based discrimination. My targeted participants for my study would be Black women and men because they are most affected by hair discrimination and colorism. My data collection should focus not only on experience at the workplace but also on how to have these participants internalize these work-related experiences. I would also hope to get insight from people who discriminate. This new insight would enhance how people view hair discrimination and color-based discrimination. People would understand the perspectives of the discriminator, understand what causes and triggers people to discriminate against hair and color at the workplace. I think surveying discriminators will provide insight into their logic that is needed to resolve hair and color-based discrimination. One limitation of my study would be my sample size and not being able to follow up with participants for clarification. Everything will be up to my interpretation. Analyzing hair and color-based discrimination in the workplace is important because it affects people's social and economic mobility.

METHODOLOGY

For my research, I plan to explore how an individual's skin complexion and choice of hairstyle affect their chances of obtaining and retaining a job. To explore these topics, I used an online library search that directed me to different databases to see what studies have been conducted. From my research, I have learned that hair discrimination is prevalent in Black women and even though Black women individually failed to connect hair discrimination to racism and discrimination against the Black culture in court, the New York City Human Rights Law (NYCHRL) and the Create a Respectful and Open World for Natural Hair Act (CROWN Act) have been implemented in 2019 to eradicate hair discrimination in the workplace and school setting. Colorism in the workplace is an ambiguous topic because there is no definition for color-based discrimination cases in the court system and there are no standards for trying color-based discrimination cases that violate Title VII. Based on my research there have not been many studies on colorism in the workplace.

For this research, I am trying to understand the effects of hair discrimination and colorism in the workplace. I want to understand why people or policies discriminate against others based on hairstyles and the color of their skin and what is the logic of those who discriminate. The studies and research I've come across are based on the views of the individual or minority being discriminated against. For my study I would like to view these topics from both sides—the discriminated and the discriminator. Since there are laws that are implemented to alleviate hair discrimination, my research would test the effectiveness of these laws. To explore these topics, I would need to collect quantitative and qualitative data. To do this, I will conduct a survey and create two discussion forums for participants; one will be for hair discrimination stories and the other will be for color-based discrimination stories in the workplace.

For the survey, I will begin with basic demographic questions—race/ethnicity, age, and gender. For the survey, I will define the terms of hair discrimination and colorism, that way the participants know what is meant by these terms. Some survey questions I will ask are:

1. Have you ever experienced hair discrimination at any of your jobs?
 - a. If yes, when and describe your experience (please provide a year)?
2. Have you ever discriminated against someone based on their hair texture or hairstyles in the workplace?
 - a. If yes, explain what happened in the situation. What caused you to discriminate against someone's hair (provide a year)?
3. Have you ever experienced color-based discrimination at any of your jobs?
 - a. If yes, how did you feel and what was the outcome?
4. Have you ever discriminated against someone based on the complexion of their skin?
 - a. If yes, how come? Describe the experience.

Before conducting a survey and creating a discussion forum for participants to share their hair discrimination narrative, I would have to give participants an informed consent form. An informed consent form tells prospective participants about the research they are asked to participate in. Participants learn about the purpose of

the research, any potential risks from the research, a detailed description of the methodology and procedure of the research, and any additional information that may influence participants' decision to participate in a study (Monette, Sullivan, Dejong, and Hilton, 2014).

Opie and Phillips (2015) conducted an online survey to assess Black and White evaluators' opinions on the dominance and professionalism of women who wear Afrocentric hairstyles. From the survey Opie and Phillips conducted, their sample size was 200 participants in study 1, 510 participants in study 2, and study 3 had 291 participants. The sample size of all three surveys was relatively large which would allow for more accurate results for any research. Response rates in surveys are higher than in interviews and Opie and Phillips' (2015) study demonstrate that.

The discussion forum is similar to what Mbilishaka et al. (2020) and Dawson et al. (2019) had done. The researchers in Mbilishaka et al. (2020) collected 90 narratives and analyzed them and found common themes in the narratives. This research methodology was the strength of the article because the participants' responses demonstrated the prevalence of hair discrimination and how it affects people. In Dawson et al. (2019), the researchers collected and analyzed 274 comments from five websites' online discussion forums. While the methodology of using comments about Black hair gave the researchers a better understanding of how Black hair is looked upon, the comments came from five different websites instead of a central platform that asks specifically for hair discrimination. My study would rectify this weakness in Dawson et al. (2019) study.

In my study, I will collect narratives based on participants' hair and color-based discrimination experiences at their workplace. To collect these narratives, I can create a blog with a comment section to allow people to share their hair or colored based discrimination in the workplace. People can share their views and opinions on the topic. The stories shared on the blog would be the narrative used for my study after participants sign the informed consent form permitting me to use their story as data for research.

I will find subjects for this study by using the snowball sampling technique. I will network to find participants and ask the participants to find people who are employed, have been employed, or are employers to take my survey and if they have a story to tell, tell the story in the discussion forum. I think snowball sampling is the best way of getting participants for my study because it will help increase my sample size as well as diversify my sample population - participants from different age groups and a variety of occupational backgrounds.

I picked these methods because I think they are the safest methods. After all, participants' identities would be anonymous. I will have a quicker response rate and more responses if I use a survey in my research and I will have more qualitative data if I use the discussion forum to collect additional information. The weakness of both methodologies is that I will be unable to ask clarifying questions to the participants. I would have to interpret their responses the best way I can, which can lead to misinterpretation and inaccuracy.

CONCLUSION

From my research, I learned that hair discrimination affects Black women's perception of themselves. Due to the negative stigma attached to Black hair, some Black women feel the need to wear Eurocentric hairstyles to fit into the culture of their workplace. People, regardless of race, view Black hair as asserting dominance and lacking professionalism. People associated Black hair with messy, unkempt, assertive, aggressive, and so many other stereotypes and it is evident in the studies: Opie and Phillips (2015), Dawson et al. (2019), and Mbilishaka et al. (2020). A majority of my research focused on the perception of the individual(s) discriminated against and the perception people have on hair and color-based discrimination. None of the perspectives came from those who were the discriminator. The strengths of the literature I included in my proposal were the methodologies researchers used. For my hair discrimination literature, Dawson et al. (2019) and Mbilishaka et al. (2020) analyzed comments and narratives of hair discrimination to better understand the perspective of those who have been discriminated against by their hair. However, Opie and Phillips (2015) used a survey to assess Black and White evaluators' perceptions of Black hair in the workplace by rating its dominance and professionalism. During my research, I learned there have been efforts to resolve hair discrimination in the workplace by the recent implementation of the NYCHRL and CROWN Act. These were implemented after Black women individually tried to prove the injustice of hair discrimination. In my research, there were not many articles involving color-based discrimination in the workplace. However, from what I was able to find, color-based discrimination does occur, but it's hard to try in court due to the vague description of the term "color" in the Title VII article. To combat this issue, E-RACE was invented to handle and eradicate color-based discrimination in the workforce.

For my proposed study, I would like to view hair and color-based discrimination from the perspectives of the discriminated and the discriminator. Research in this field lacks the perspective of the discriminator. The discriminator perspective is important in rectifying the situation. To solve a social issue, the social issue must be looked at and studied from all perspectives to find an effective solution. Understanding the perspective of the discriminator can help eliminate hair and color-based discrimination in the workplace. The new insight my research will bring will potentially encourage Black women not to conceal their Black hair or their Black identity. It will ensure that Black women have a voice and can assert their rights and identities in their workplace if they feel they have to conform to Eurocentric beauty standards in order to keep their jobs. Based on my research, Afrocentric hairstyles and the color of an individual's skin affected how people maintained long term employment at their workplaces. However, America currently has laws and programs in place to eradicate hair and color-based discrimination, so hair and color based discrimination are not as prevalent today as they were a decade ago.

REFERENCES

- Ainsworth, J. (2013). What's wrong with pink pearls and cornrow braids? Employee dress codes and the semiotic performance of race and gender in the workplace. *In Law, Culture and Visual Studies*, 241–260. https://doi.org/10.1007/978-90-481-9322-6_12

- Data, S. (2019). Coloring in the gaps of Title VI: Clarifying the protections against the skin-color caste system. *The Georgetown Law Journal*, 107(5), 1393–1422.
- Dawson, G. & Karl, K. (2018). I am not my hair, or am I? Examining hair choices of black female executives. *Journal of Business Diversity*, 18(2), 46–56. <https://doi.org/10.33423/jbd.v18i2.524>
- Dawson, G., Karl, K., & Peluchette, J. (2019). Hair matters: toward understanding natural black hair bias in the workplace. *Journal of Leadership & Organizational Studies*, 26(3), 389–401. <https://doi.org/10.1177/1548051819848998>
- Donahoo, S. & Smith, A. (2019). Controlling the crown: legal efforts to professionalize black hair. *Race and Justice*. <https://doi.org/10.1177/2153368719888264>
- Keith, V. & Monroe, C. (2016). Histories of colorism and implications for education. *Theory Into Practice*, 55(1), 4–10. <https://doi.org/10.1080/00405841.2016.1116847>
- Mbilishaka, A., Clemons, K., Hudlin, M., Warner, C., & Jones, D. (2020). Don't get it twisted: Untangling the psychology of hair discrimination within Black communities. *American Journal of Orthopsychiatry*, 90(5), 590–599. <https://doi.org/10.1037/ort0000468>
- McCray, T. (2012). Coloring inside the lines: Finding a solution for workplace colorism claims. *Law & Inequality: A Journal of Theory and Practice*, 30(1), 149–177. <http://scholarship.law.umn.edu/lawineq/vol30/iss1/6>
- Monette, D., Sullivan, T., Dejon, C., & Hilton, T. (2014). *Ethical issues in social research. In applied social research: A tool for the human services* (9th ed., pp. 49-75). Brooks/Cole.
- Opie, T. R. & Phillips, K. W. (2015). Hair penalties: The negative influence of Afrocentric hair on ratings of Black women's dominance and professionalism. *Frontiers in Psychology*, 6(1311), 1-14 https://link.gale.com/apps/doc/A448774626/AONE?u=cuny_johnjay&sid=AONE&xid=692b15ae
- Powell, C. (2018). Bias, employment discrimination, and Black women's hair: Another way forward. *Brigham Young University Law Review*, 2018(4), 933–968
- Rosette, A. S. & Dumas, T. L. (2007) The hair dilemma: Conform to mainstream expectations or emphasize racial identity. *Duke Journal of Gender Law & Policy*, 407-422.
- Wilder, J. (2018). African Americans: Colorism in *Morrow v. IRS* Litigation. *The American Behavioral Scientist*, 62(14), 1978–1987. <https://doi.org/10.1177/0002764218810756>

◆ HUMANITIES AND JUSTICE STUDIES 310

SEARCHING FOR THE ULTIMATE IDEAL: AMALGAMATION OF CONFUCIAN AND LEGALIST APPROACHES TO GOVERNING

MOHAMMAD RAHMAN

BETWEEN THE “SPRING AND AUTUMN PERIOD” (770 – 481 BCE) and the era of the Han Dynasty (206 BCE – 220 CE), Ancient China mainly experienced two styles of government and political teaching: Confucianism and Legalism. Both Confucianism and Legalism in their respective styles of governing aimed at achieving social good and order within society by formulating practices and ideals that were positively revolutionary, but the respective systems also had their inherent problems. The two practices had similar points of view in many areas but were fundamentally different in essence. Whether the views of Confucianism or of Legalism were more justified, at the time, is debatable; further analysis and history itself shows that Confucianism’s ideal of morality may have been more substantial than Legalism’s practical emphasis.

The Assignment and the Writer: In HJS 310, Comparative Perspectives on Justice, students study justice in the non-Western world as it is variously represented in historical, literary and philosophical texts. This assignment called upon students to read and analyze several ancient Chinese primary texts (in English translation) that were explicitly written as histories, philosophies, and literature, to examine how the two different philosophical traditions in ancient China, Confucianism and Legalism, proposed and affected ideals, practices, or the struggles for good government, or the social good. Mohammad does a phenomenal job understanding a complicated historical context and a challenging conceptual topic. He argues that the flaws of Legalism, advocating excessive use of laws and force, can be balanced with the strengths of Confucianism, emphasizing morality, to help a society flourish.

– Professor Hyunhee Park

Nonetheless, what was perhaps really needed was an amalgamation of both approaches to governing as the ultimate ideal. To confirm these views, it is imperative that Confucianism and Legalism be understood individually as they appear in various sources, and in terms of the history of Ancient China.

Confucianism, as presented in *The Analects*, incorporates the teachings of the Chinese Philosopher Confucius (551 – 479 BCE) (Confucius, 1997). Confucius's teachings focus mainly on being humanistic and virtuous. Confucian presentations are in the form of “discussions and conversations,” or “arranged discourses” between him and his disciples (Hansen, 2000, p.68). A study of *The Analects* shows that the various principles of Confucian justice enunciated there could be implemented to reform society and create a well-functioning government.

Some of the principles enunciated involving social awareness are in the form of statements made by Confucius. Thus, Confucius said, “Demand much from yourself, little from others, then you will prevent discontent” (Confucius, 1997, p.76). Confucius urged people to work the most on themselves to attain happiness. Confucius also focused on the concept of “reciprocity,” involving mutual benefit between individuals. He stated, “What you do not wish for yourself, do not do to others” (Confucius, 1997, p.77). Meaning, a person should not treat another in a way that that person would not wish to be treated in turn. He also encouraged people to be compassionate and emphatic.

However, criticisms offered by Mozi (470 – 391 BCE), another Chinese Philosopher, show that Confucianism has many flaws. One flaw Mozi points out is the fact that Confucius is excessively focused on bonds with family and acquaintances. To clarify his criticism, Mozi offers the example of thieves who “steal from other families in order to benefit their own” (Hansen, 2000, p.81). Followers of Confucianism may thus accomplish their assigned task of taking care of their families, but at cost to others.

Another flaw Mozi saw in the conduct of rituals. Mozi explained that a Confucian society would frequently incur large expenses through hosting elaborate funerals and maintaining long mourning periods. He criticizes that Confucians would depend too much on the income Confucians would earn from conducting its long funerals, to the point that Confucians would actually express joy over a person's death as it would benefit them financially (Hansen, 2000, p.82). To address these flaws, Mozi introduced the concept of *Jian Ai*, or “Impartial Caring.” *Jian Ai* directs individuals to consider not just how their actions would affect the people that they know personally, but also everyone else in society.

Nonetheless, later, during the era of the Qin Dynasty (221 – 206 BCE), the first empire in China, Legalism was adopted by the First Emperor who succeed in unifying China. Legalism, as found in *The Writings of Master Han Fei*, when compared to Confucianism, is far more pragmatic and stricter, with its emphasis on law as the focus of power within government. Master Han Fei (280-233 BCE), a prince of Han, who defected to Qin, produced essays on how to construct a stable and peaceful state through law by means of Legalism. The radical re-engineering of society which is considered so modern and rational was also a feature of Legalism.

Han Fei first emphasized the value of law in relation to the country as a whole. He stated: “If conformers to law are strong, the country is strong; if conformers to law

are weak, the country is weak” (Han Fei, 1994, p.100). Han Fei explains that rulers who can overcome their own dishonesty or dishonest actions, and uphold or act based on public law, will find their people safe, their armies strong, and their states in order. Han Fei explained the power of laws and penalties:

If penalty is severe, the noble cannot discriminate against the humble. If law is definite, the superiors are esteemed and not violated. If the superiors are not violated, the sovereign will become strong and able to maintain the proper course of government (Han Fei, 1994, p.101).

This means that discrimination, distinctions, and the social gap between the rich and poor or nobles and non-nobles will be reduced as the same laws apply to all. He also stated the intelligent rulers should have two handles, Chastisement and Commendation, one to inflict punishment and the other, respectively, to bestow rewards.

Later, Sima Qian (145 – 89 BCE), Chinese Grand Historian who served the Emperor Wu during the Han Dynasty (206 BCE – 220 CE), managed to record all of Chinese history, from the beginning to the last years of his life, in his work, *Shi Ji (Records of the Grand Historian)*. *Shi Ji* included criticisms of Legalism and the Emperors of the Qin Dynasty by a Han Confucian scholar, Jia Yi (Sima Qian, 1993).

Jia Yi, as critic, explains that the emperors of the Qin Dynasty never fixed their mistakes, despite their possessing all the riches of the empire. He states that the First and Second Emperor never consulted others, spreading misery through violence and cruelty (Sima Qian, 1993, p.76). Although potential advisors were nearby, none offered wisdom and good counsel due to fear of punishments and executions. Jia Yi also notes other flaws, stating that the First Emperor burned books of philosophy, destroyed the walls of great cities, melted weapons, and outlawed written works to make “black-headed people” (citizens of the empire) weak and ignorant. But, despite committing all sorts of atrocities using fear disguised as punishment availing of the power of laws, the Qin Dynasty failed in the end because it did not rule with “humanity and righteousness.” The Qin Dynasty would have flourished if the Emperors had reduced penalties, disbursed funds, and allowed people to offer their self-integrity and show good conduct (Sima Qian, 1993, p.82).

To address the criticisms of Jia Yi, *Shi Ji*, presents the First Emperor’s reasons. In his defense of destroying weapons, the First Emperor explains:

It was because of the marquises and kings that the world suffered so long from unending strife and warfare. Now thanks to the aid of the ancestral spirits, the world has at last been pacified. If the feudal states are re-established, this will encourage the use of arms (Sima Qian, 1993, p.44).

The First Emperor’s accomplishments were inscribed upon stone markers, showing how he adjusted laws, regulations, and punished disorder, so that the people of his empire would be at peace. Also, the First Emperor improved agriculture and constantly traveled back to the land to clarify his citizens’ concerns, and to ensure that they remained safe and rich (Sima Qian, 1993, p.47-48). But the reality of the matter was that, ultimately, the Qin Dynasty failed and its rule was transient compared to other dynasties, due to excessive use of legalism and force.

Thus, in conclusion, it can be inferred that if the flaws of Legalism could be balanced with strengths of Confucianism, a dynasty might last for a long time. How this combination was, in fact, put to work can be observed later in the highly successful Tang Dynasty (617 – 907), whose emperors established a sophisticated penal code combining Legalist and Confucian interpretations of law, *The Tang Code*. It laid down the foundations for later dynastic codes, and also influenced those in Korea and Japan. One of the principals of the Tang Code was that “Morality and law are the two principal supports of society – morality first, but if it fails then punishment is the answer...” (Johnson, 1979, p.10). As the Tang Dynasty lasted nearly 300 years, we can assume that the combination of the two philosophies established good government and achieved social good.

REFERENCES

- Confucius (1997). *The Analects* (Simon Leys, Trans.). New York, NY: W. W. Norton & Company.
- Hansen, V. (2000). *Open Empire: A History of China to 1600*. New York: Norton.
- Han Fei (1994). *The Writings of Han Fei* (c. 230 B.C.E.). In Alfred J. Andrea and James H. Overfield (Eds.), *The Human Record: Sources of Global History* (2nd ed., Vol.1, pp. 95-97). Boston: Houghton Mifflin.
- Sima Qian (1993). *Records of the Grand Historian: Qin Dynasty* (Burton Watson, Trans.). New York, NY: Columbia University Press.
- Johnson, Wallace, trans. (1979), *The Tang Code: Volume One: General Principles*. Princeton: Princeton University Press.

♦ HUMANITIES AND JUSTICE STUDIES 310

THE POSITION OF WOMEN UNDER QING LAW IN CHINA, WHEN MEN DO NOT OBSERVE CONFUCIAN VALUES

APRIL BUSCH

THE QING PERIOD OF CHINA occurred from 1644 to 1911. The family was central and crucial to society. It was more than a socioeconomic unit. It was morally elevated by Confucian values. Filial piety was extremely important, as was respect for elders. The family was a patriarchal hierarchy. Senior members had domination over the youth, and males over females. Women went from the homes of their fathers to the homes of their husbands, and if the husbands died, then to the homes of their son (Ng 1994, 2). The female virtue of chastity was also a very important Confucian value, and we will look into how those expectations affected women in regard to the law. Women in Qing China were often treated like property, and they had very few rights, while at the same time there were extremely high expectations for their behavior. In this paper, I will look at the position of a woman in relation to the law when her husband or senior family member is not acting with Confucian values. Confucian ideologies were the underlying logic of Qing law (Marsh 295). High value is placed

The Assignment and the Writer: April Busch's research paper for HJS 310 (Comparative Perspectives on Justice) reflects many of the primary sources that we examined, and she queries the moral premises of law and justice in Qing China (1644-1911). Based on her independent reading of Qing legal cases and the Qing Code, Ms. Busch highlights a critical weakness in Qing justice, which is guided by the five relations of Confucian ethics. In these binary relations, the superior relation has more privilege than the inferior, but also more moral responsibility. In examining the "father-child" and "husband-wife" relations, with respect to daughters, daughters-in-law and wives, she argues that women have hardly any legal recourse when their superior male relations violate Confucian norms. Ms. Busch's paper adds original observations to a scholarly conversation that needs more attention, and she illuminates the legal quandary of Qing women with sources drawn from history, philosophy, and literature—the three disciplines that define the HJS major.

— Professor Toy-Fung Tung

on the patrilineal kin group, as well as social hierarchy. However, the success of this system depended entirely on the virtue of the dominant person in the five-relations schema: emperor-subject, father-son, husband-wife, elder-younger sibling, friend-friend (Dawson 11).

I will look at four cases from Bodde & Morris's collection, *Law in Imperial China*. The first is Case 167.5, "Husband beating to death a culpable wife or concubine." This case dealt with two husbands, who both killed their wives in anger. The statute in this case says that if a wife or concubine hits or speaks poorly of her in-laws, and the husband then kills her, he will be penalized with 100 blows of heavy bamboo, with the contingency that the husband's parents have previously made a complaint against her in the yamen or court, otherwise he would be tried under a different statute, whereby he would get strangulation after the assizes. The judges in this case point out that a husband may allege the abuse of his parents to justify the killing of his wife and to cover up other issues that may have existed in their marriage. Furthermore, judges must be aware that the husband's parents may be going along with this falsification because they have spoiled their son.

The two cases here concern Su Jung-kuei and Hsu Hsien, who both killed their wives. Su was angry that his wife contradicted his mother and he stabbed her, and Hsu did the same after his wife spoke nastily to his mother and pushed her to the ground. Neither of the mothers had reported the behavior of her son's wife before the son killed her. After the killing, Su's mother told the local constable about her daughter-in-law's behavior, and Hsu's neighbor was a witness to the interaction between Hsu's wife and Hsu's mother. The governor of Kuangtung found that the evidence in the two cases was sufficient for the husbands to be sentenced under the exculpating statute to 100 blows of the bamboo, rather than to be sentenced under the statute for wantonly killing one's wife. According to Qing law, a husband escapes murder charges and the sentence of strangulation after the assizes, *only if* his parent or parents had *previously* filed a complaint against his wife at the district yamen or court. That condition was not fulfilled in the case of the two husbands here. Su's mother complained to the constable (policeman) and not the magistrate, and she did so after the killing. Hsu's mother never complained, so even though the abuse was supposedly witnessed by a neighbor, that was also insufficient proof under the statute. When the case went to the Appeals Board, the Board disagreed with the governor's verdict and sent the case back to the governor, so that he could reevaluate his judgment in line with the harsher punishment in the code. Because the mothers did not go to the yamen to report the behavior of their daughters-in-law, the sons could have killed their wives for other reasons, and they should be punished accordingly. The editors, Bodde and Morris highlight that, "the strong implication is that he should sentence the husbands, under the above-mentioned Boulais 1403, to strangulation after the assizes for wanton wife killing" (Bodde and Morris, 345).

Case 167.11 falls under the same category of "Husband beating to death a culpable wife or concubine." In this case, Chang K'ai-p'eng's concubine was having a tantrum, and his response was to beat her and then tie her up in her room. While she was in her room, he heard her speaking ill of his parents. He got so mad that he did not give her any food or water, and she subsequently died from a pre-existing medical condition. Regarding his punishment, the governor-general of Szechuan said that he

could not be punished for beating to death his concubine—the punishment for which would be a maximum of three years penal servitude—because the proximate cause of her death was her prior illness. Chang was punished by analogy to the statute regarding a husband who kills his wife or concubine because she has reviled his parents, and he was given a punishment of 100 blows of heavy bamboo. Bodde and Morris mentioned that the ruling in this case should have been applied analogously according to yet another statute, “which provides strangulation after the assizes for anyone guilty of having deprived someone of food, thereby causing his death.” However, this harsher penalty likely was not applied, because the family relationship takes precedence—the victim was a concubine and not a stranger. In Qing law, a father who kills his own son gets a lesser penalty than if he kills someone else’s son (Bodde and Morris, 317-19). So, by analogy, the concubine belonged to the husband, and he received a lesser penalty than if he had done what he did to a stranger.

In comparing this case with the cases of the two husbands in case 167.5, we see that those two husbands were likely punished with strangulation after the assizes for committing “wanton” murder in anger, whereas in this second case, Chang just received blows of the bamboo, even though he beat his concubine, and then starved her. This suggests that a wife had more status than a concubine, because the “penalty . . . for wantonly killing a wife is strangulation after the assizes, whereas for doing the same to a concubine it is only three years penal servitude” (Bodde and Morris, 346). The two husbands in case 167.5 were thought to be guilty of lying about their mothers’ mistreatment, and that is why they were sentenced to death, while in case 167.11, the husband was believed about his concubine’s cursing of his parents, so his punishment was less severe than if had wantonly killed her. This second case also involved a concubine, who was considered one degree less close to the husband than the first wife of in a household. Thus, punishments for crimes against a concubine were often one degree less than the same crime committed against the first wife, because the first wife was seen as a senior family member in relation to the concubine. In both these cases, we see how filial piety is one of the most important Confucian values, and that the rights of woman were very limited in the patrilineal family that she joined. Even if the mothers-in-law treated wives or concubines badly—this may one of the few instances when women get to be dominant—the daughters-in-law were supposed to take the abuse and still show respect to them, even when their superiors may not be acting with Confucian values. The female marital hierarchy is: mothers-in-law, wives, and then concubines in the order in which they entered the household.

Cases 223.2 and 223.3 from Bodde and Morris’s collection are both regarding “Toleration by a spouse of a wife’s or concubine’s infidelity (428).” In case 223.2, a man named Wang Hei-kou sold his wife to Li Ts’un-ching so she could become his wife. By statute, the punishment should have been 100 blows of heavy bamboo for all three of them. The Board, however, ruled that Wang’s wife could stay with Li Tsun-ching and that Wang would not have to give back the marriage money, which normally would have been forfeited to the state, because he was living in poverty and with illness, and he had little choice but to sell his wife for the money. The Board deemed that his actions were not without “due cause.” The Board also considered that his wife had no birth family to be returned to and, by Confucian feminine morality, a

divorced woman could not be left living on her own (Bodde and Morris, 429). In the eighteenth century, the buying and selling of wives became so prevalent, that often the outcomes of trials showed acceptance and toleration of it even though it was prohibited by law. The Board of Punishments found that if wives were sold because of the poverty of the husband, he would not be punished (Huang, P., 6). In this way, magistrates were acting with a humanitarian purpose and showing the Confucian value of humaneness. One of the main reasons for a woman's position under Qing Chinese law was that she was entirely dependent upon her male relations for her physical support. Although it was not mentioned in the Qing Code, the Board of Punishments acknowledged and tolerated that a family could sell their daughter to the family that she would be intended to marry into once she was of age. Along the lines of a husband being allowed to sell his wife if he were living in poverty, the selling of the daughter was tolerated if the family could no longer provide and care for her. It was a crime, what these husbands were doing, but they were shown sympathy and not punished (Huang, P., 9).

In case 223.3 in Bodde and Morris, Ch'u Ta seized and had sex with the wife of Ch'en Wu. He was sentenced to life exile for the forcible seizure of a woman or what we would call rape. The punishment should have been strangulation after the assizes, but he was punished according to a statute which said that if the woman was found before being violated, the punishment would be one degree less, although that was not true in this case. The reviewing magistrate noted that Ch'en Wu had tolerated the adultery of his wife because of his physical fear of Ch'u Ta. For this reason, under Qing law, the marriage of Ch'en Wu and his wife should have been dissolved, and she should have been returned to her natal home. However, she was allowed to return to the marital home and the marriage was left intact, because without her, Ch'en Wu would not have been able to care properly for their children (Bodde and Morris, 430). In this case and in case 223.2, we see how both Confucian morality and law were modulated by the reality of dire economic circumstances, especially when the husbands were economically unable to fulfill their roles as the dominant relation and provider.

Now we shall examine some other examples of how women were treated under the law in Qing China. Article 366 of the Qing Code treats of the crime of fornication. Article 366.8 says that "if the adulterous wife becomes pregnant (*then although there is proof as to the woman, there is no proof as to the man*), the punishment is inflicted on the woman alone" (Jones, 348). Here, the woman's chastity has been ruined, but the man is not punished, because they were not actually caught in the act. Even though the man is equally to blame, he gets no punishment at all. Article 367 in the Qing Code discusses the punishments for facilitating and tolerating the wife's or concubine's fornication. Article 367.1 states that:

In the case of anyone who facilitates and tolerates his wife or concubine engaging in fornication with another, the husband, the adulterous lover, and the adulterous wife will each receive 90 strokes of the heavy bamboo. If someone forces his wife, concubine, or adopted daughter to engage in fornication with another, the husband or adoptive father will each receive 100 strokes of the heavy bamboo. The male fornicator will receive 80 strokes of

the heavy bamboo. The wife or daughter will not be punished. Moreover, her relationship [with the husband or father] is terminated. She is returned to her clan. (Jones, 348).

The punishment for pimping out one's own wife is 100 strokes of heavy bamboo, and the person who essentially "raped" her gets 80 strokes of bamboo, while the woman is sent back to her natal family. This is just another situation where women are at a severe disadvantage, if their husbands and fathers, the superior relations, are not acting as Confucian gentlemen should.

To examine some other ramifications for women that arise within the scope of adultery, we can look at Magistrate Huang's *A Complete Book Concerning Happiness and Benevolence: A Manual for Local Magistrates in Seventeenth-Century China*, where he says that, "if a woman commits adultery by consent with a person and is discovered by another who then uses force to have illicit intercourse with her, the crime cannot be considered rape, since she is a dissolute woman in the first place" (434). The second crime would not be considered a rape because the women had already fornicated and thus lost her chastity, so the second man would get away with a criminal act, for which the punishment is usually strangulation after the assizes (Jones, 347). Huang's Manual also states:

Under the statute, a rape which is not resisted to the end should not be considered a rape and the offender should not be subject to strangulation... [I]f a woman who is forced to perform a sexual act by an intruder protests with a loud noise, but after the act is successfully consummated changes her mind and acquiesces to the violence, it means that the woman has given her tacit consent to the rapist, and the case must be considered as adultery by consent rather than rape. (Huang, 442).

Adultery by consent would be adjudged against the woman in a rape case, if she did not scream and try to fight back against her attacker the entire time. This seems like a slap in the face to a woman's dignity. Even if a woman were fighting hard, she might have been physically overpowered or grew weak and became unable to defend herself. Unless a woman died or practically died fighting off a rapist, the assumption under Qing law is that she acquiesced, and therefore, she was a fornicator (Ng 1987, 63). Article 366.2 of the Qing Code states:

If there was fornication with force, the punishment is strangulation (*with delay*). If it is not consummated, the punishment is 100 strokes of the heavy bamboo and exile to 3000 li. (*For a finding of forcible fornication, it is necessary that there be such force that the woman could not break away, also that others have known [of the act] or heard [a cry], or that there be injuries to the skin or the body, or tearing of the clothes. Only then can [the man] be sentenced to strangulation*). (Jones, 347).

The victim needed to provide evidence of rape, which could include witnesses—either eyewitnesses or someone who heard the victim's cries, or who saw the bruises or lacerations of the body and torn clothing. Since it was so difficult to prove that rape

occurred, many women probably did not report a rape, because of the difficulty of producing sufficient evidence (Ng 1987, 58). One critic of the Qing laws was a late nineteenth-century legal scholar named Xue Yunsheng. “He was especially critical of the notion that sexual assault could begin with force and end with mutual consent. He recognized that such a mistaken notion would only force victims of rape to commit suicide in order to prove their chastity” (Ng 1987, 63).

In addition to these laws that did not favor women, we have Article 369 of the Qing Code, “Falsely Accusing the Father-in-Law of Fornication,” which stated:

Every wife of a son who falsely accuses her father-in-law of fornication, or a younger brother's wife who falsely accuses the husband's elder brother of fornication by deceit, will be beheaded (*with delay*). In a case where one forcibly fornicates with the wife of his son and the act is not consummated, and the wife commits suicide, then the fornicator will be sentenced according to the sub-statute of forcibly engaging in fornication with a family member when it is not consummated. (Jones 350).

The sub-statute referred to above might be Article 366.02, which states that when there is fornication with force but without consummation, the punishment is 100 strokes of heavy bamboo and exile to 3000 li (Jones 347). Significantly, the father-in-law would *not* be charged with Article 299.3 of the Qing Code, which states that: “If, because of ([a desire to] commit) fornication, or (*in connection with*) a theft, someone puts pressure on another, and causes the person to die, he will be beheaded (*with delay*). (*As to fornication, it does not matter whether it is consummated or not; as to theft it does not matter whether [the offender] has obtained property or not*)” (Jones, 282-83). The father-in-law, being the senior family member, is punished less severely than a stranger would be, and this just shows the very precarious situation of a daughter-in-law, when her father-in-law, now standing in the place of her birth father, does not act within Confucian norms.

By contrast, the punishment for women who violate their filial duties to father-in-law and husband can be severe. Article 285.2 of the Qing Code stipulates that: “If the wife or concubine, because of adultery, plots to kill her own husband [and the death takes place], she will be condemned to death by slicing. The adulterous lover will be condemned to beheading (*with delay*). If the adulterous lover himself kills the husband, the adulterous wife, even if she did not know the circumstances will be strangled (*with delay*)” (Jones, 271). In this instance, the wife would be executed even if she did not play any role in the murdering of her husband. If she is not an accomplice to the murder, why should she be punished for that when her only crime was adultery, the punishment for which is just bambooing? Death by slicing or dismemberment was an extreme death, not even listed among the five kinds of Qing Code punishments.

Finally, we will look at the issue of divorce. Men could divorce their wives for seven reasons: barrenness, wanton conduct, neglect of his parents, loquacity, theft, jealousy, and chronic illness (Huang, P, 12). These reasons highlight the Confucian values of filial piety, but they also highlight the importance of patriarchal lineage. In patrimonial Qing China, a wife was expected to produce a son so that someone would be able to carry on the family's line. In cases of barrenness or chronic illness, divorce was allowed, but men in the gentry class usually just took a concubine or second wife.

This is why jealousy is listed among the allowable reasons for divorce. But the fact that loquacity is included shows how little respect was given to women in Qing China. Loquacity could be seen as not obeying, and jealousy could be displayed by interfering with the husband's decision to bring a fertile concubine into the home to produce an heir. The wife's only protection against these claims to divorce were what were called the three limitations: the wife was considered fully entered into the marital family after she completed her three-year mourning for her in-laws; if she had gone through adversity with him; or if she had no natal home to return to after the divorce (Huang, P., 13). An unhappy, mistreated, or abused wife, on the other hand, did not really have the option of divorce, so she would have to resort to running away, which was a criminal offense. Article 116 states that a woman found guilty of "[running] away in desertion of the husband," could be sentenced to 100 blows with the heavy bamboo" (Huang, P., 10). A woman could obtain a dissolution of her marriage if her husband had been gone for three years or more, or if he injured her badly, forced her into illicit sex, or tried to sell her (Huang, P., 13). These stipulations for a woman seeking a divorce are a lot more serious and consequential than those required of a man seeking to divorce his wife.

Chinese society was patrilineal, and this obviously worked to the detriment of women. In Qing China, women were supposed to be subordinate to the men in their lives. The father is in charge, then the husband, and if left a widow, then either the father-in-law or sons (depending on a woman's age), would be in charge. In her memoir, *Bound Feet and Western Dress*, Yu-I Chang recalls her father-in-law's being smart with his money, so instead of keeping a concubine whom he would be financially responsible for, he just kept girlfriends in town at different teahouses (88). He would be out late at night with these women, and Yu-I, the dutiful daughter-in-law, was required to wait up for him to make sure she said good night (89). The father-in-law's "adulterous" behavior was acceptable and tolerated. Men were held to a different standard; they had other options if they were not happy in their marriage. Impropriety in a sexual behavior weighed more heavily on women. The oppression that women could face was enormous, from child marriage, to being bought and sold as a wife, to being pimped out by her husband or raped by her father-in-law. Qing law was not designed to protect the woman from mistreatment. Instead, it was written under the assumption of the Confucian morals of the superior relative, the father or husband or son. Even when the men were acting without morals and not behaving as Confucian gentlemen, the law still favored men and left little recourse to women.

REFERENCES

- Bodde, Derk, and Clarence Morris, editors and translators. *Law in Imperial China, Exemplified by 190 Ch'ing Dynastic Cases (Translated from the Hsing-an Hui-lan) with Historical, Social, and Juridical Commentaries*. Philadelphia: University of Pennsylvania Press, 1973.
- Chang, Pang-Mei Natasha. *Bound Feet & Western Dress: A Memoir*. United Kingdom, Knopf Doubleday Publishing Group, 2011.
- Dawson, Raymond. *Confucius*. United Kingdom, Oxford University Press, 1981.
- Huang, Liu-hung. *A Complete Book Concerning Happiness and Benevolence : A Manual for Local Magistrates in Seventeenth-Century China*. Translated by Zhang, Chu. University of Arizona Press, 1984.

- Huang, Philip C.C. "Women's Choices under the Law: Marriage, Divorce, and Illicit Sex in the Qing and the Republic." *Modern China*, vol. 27, no. 1, 2001, pp. 3–58. *JSTOR*, www.jstor.org/stable/3181363. Accessed 21 May 2020.
- Jones, William, translator. *The Great Qing Code*. Oxford University Press: New York, 1994.
- Marsh, Robert M. "Weber's Misunderstanding of Traditional Chinese Law." *American Journal of Sociology*, vol. 106, no. 2, 2000, pp. 281–302. *JSTOR*, www.jstor.org/stable/0.10.86/316966. Accessed 23 Jan. 2021.
- Ng, Vivien. "Ideology and Sexuality: Rape Laws in Qing China." *The Journal of Asian Studies*, vol. 46, no. 1, 1987, pp. 57–70. *JSTOR*, www.jstor.org/stable/2056666. Accessed 22 May 2020.
- Ng, Vivien. "Sexual Abuse of Daughters-in-Law in Qing China: Cases from the 'Xing'an Huilan.'" *Feminist Studies*, vol. 20, no. 2, 1994, pp. 373–391. *JSTOR*, www.jstor.org/stable/3178158. Accessed 22 May 2020.

♦ LITERATURE 374

WHEATLEY AND PRINCE ON CHILD ABDUCTION IN 18TH- CENTURY MASSACHUSETTS

SABRINA YAGUAL

IN PHILLIS WHEATLEY'S "On Being Brought from Africa to America" (1773), the speaker reflects on Africa as a problematic land that she could have only been saved from through her abduction as a child, through the reality of "being brought" to America. The speaker examines Africa from a religious angle that allows her to separate herself from the childhood trauma of being taken away from her homeland. Through accepting Christianity, the speaker also shifts her perspective toward "pagan" Africa as an undesirable place to return to; her return to Africa is impossible as a slave, and her conversion to Christianity helps her cope with her enslaved life in America. In another of Wheatley's poems, "To the Right Honorable William, Earl of Dartmouth, His Majesty's Principal Secretary of State for North America, &c." (1772), the speaker addresses her concerns about the oppression of Africans in New England. Where "On Being Brought" may imply that child abduction and enslavement

The Assignment and the Writer: In one unit in LIT 373, Topics in 17th- and 18th-century Literature, we discussed works frequently left out of the canon: the verse of the first three African-American poets. The prompt asked students to compare and contrast the ways the two women writers in this cohort treat the abduction of children that was prelude to the Middle Passage. In this journal entry, Sabrina Yagual acknowledges the artistry of both poets in seizing control of the moment when they themselves felt most powerless. In viewing Phillis Wheatley and Lucy Terry Prince as lacing their biography with abolitionism by appealing to an audience's sensitivity to the separation of parents and children, Sabrina isolates religion as a major difference in their approaches. As she points out in this condensed piece, Wheatley's Christian evangelism and Prince's secularism provide early examples of the diverse avenues for attaining freedom and racial justice.

– Professor Ann Huse

themselves are what brought the speaker to salvation rather than Christianity, “To the Right Honorable William, Earl of Dartmouth” dispels those implications though its focus on the effects of child abduction and slavery on African families. Comparatively, Lucy Terry Prince, another African enslaved in the Massachusetts Bay Colony, also approaches slavery in a controversial way, in “Bars Fight” (1746). Rather than an African child being abducted, it is an English boy. This twist sets the Mohawk Indians ambushing the colonists in the poem as an evil group of people. Unlike Wheatley, Prince is not concerned about religion, nor is she attempting to garner pity for a kidnapped English boy. The outrage toward the Indian warriors perceived as “awful,” and the pitying of the English boy, is misdirected emotions. Prince flips the narrative to expose the reactions of her British audience and to demonstrate how the audience are unsympathetic unless the “right” race is assigned the victim role. Though their poems have seemingly controversial messages that at first glance seem to reduce the gravity of child abduction and slavery, Wheatley and Prince present different perspectives that still support the end of child abduction and slavery.

Wheatley focuses on an interestingly positive aspect of the speaker’s life in “On Being Brought from Africa to America.” The speaker is saved from Africa’s supposed non-Christian “pagan land” (1) through a religious awakening in Christianity. The Bible discusses salvation for humans, which gives the speaker hope in that “there’s a God” and “a Saviour too” (3) to cope with the fact that she had been abducted from her home. Christianity also gives her faith that her hardships as a slave will reward her with happiness in the next life. To separate religious salvation from the slave trade, though, Wheatley writes “To the Right Honorable William, Earl of Dartmouth” and provides an emotional section about what the abductions have done to families in Africa:

I, young in life, by seeming cruel fate
Was snatched from Afric’s fancied happy seat:
What pangs excruciating must molest,
What sorrows labour in my parent’s breast!
Steeled was that soul and by no misery moved,
That from a father seized his babe below’d (24-29)

The unspecified “parent’s breast” (27), assumed to be the mother’s, signifies the excruciating pangs that violate both parents’ hearts for the loss of their child. To experience Christianity, the speaker in “On Being Brought” had to be abducted and taken away from Africa. However, Wheatley is not condoning the abductions and, instead, expresses the immense aid that religion, specifically Christianity, provides for people ripped away from their parents to be slaves in a completely foreign place without any way to return.

This way of sympathizing with the abducted children is illustrated in a different light in Prince’s poem. As opposed to the notion that Wheatley believes child abduction and enslavement is a form of salvation, many believe Prince minimizes the severity of child abduction by the English in writing a narrative that villainizes Indians and pities English colonists and slaveholders. In “Bars Fight,” Indians attack a group of English settlers in a meadow and abduct a boy named Samuel Allen. The

exclamation, “Oh lack-a-day!” because Samuel Allen “[w]as taken and carried to Canada” (26-27) at the end of the poem leaves a resounding sigh of pity for the English boy, which is not favorable to an abolitionist perspective since the English have to be the evil ones. However, Prince flipping the roles forces the English abductors to walk in the shoes of their abductee’s parents to understand the sorrow of losing a child. The anger toward the Indians being the enemies and the sorrow for Samuel Allen opens a dialogue suggesting that, regardless of race, there is an issue about abducting children. Oppression and dehumanization based on race is, of course, important to discuss, but the obsession with race allows actions like the English settlers, who abducted Wheatley and Prince for slavery, to use the outrage toward the “awful creatures” to keep the focus off their own participation in abductions and slavery.

Phillis Wheatley and Lucy Terry Prince provide seemingly controversial views of child abduction. However, upon closer inspection of their works, Wheatley and Prince introduce new perspectives that bring sympathy for the children and parents who are forcefully separated from each other. Wheatley observes religion as a coping mechanism to have faith that there will be salvation in the evil that is slavery. Prince switches the typical narrative so abductors can learn an ounce of what the Africans losing their families feel when English slaveholders take the initiative to enslave children because of their skin color.

REFERENCES

- Prince, Lucy Terry. “Bars Fight.” <https://www.pbs.org/wgbh/aia/part2/2h1592t.html>. PBS: Africans in America. Web. 16 May 2020.
- Wheatley, Phillis. “On Being Brought from Africa to America.” Ed. Vincent Carretta. *Complete Poems*. Penguin Classics: New York, 2001. 13. Print.
- . “To the Right Honorable William, Earl of Dartmouth, His Majesty’s Principal Secretary of State for North America, &c.” Ed. Vincent Carretta. *Complete Poems*. Penguin Classics: New York, 2001. 39-40. Print.

♦ LITERATURE 374

MY DEAR FRIEND: LETTERS FROM WHITMAN TO DICKINSON

BARBARA MCCARTHY

Walt Whitman
431 Stevens Street
Camden, New Jersey
October 30, 1876

My Dear Friend,

THIS AFTERNOON, AS I SIT IN MY PARLOR, a windswept staccato rain beats against my windowpane. However, the inclemency can not dampen my high spirits. A few nights ago, I attended a concert at The Academy of Music in Manhattan's Union Square. Accompanying me, my two women friends, Mrs. Victoria Woodhull and her sister Tennessee Calfin—two genius women who not only know how to light up a room but set the newspapers ablaze! The Academy is a grand hall with extraordinary acoustics despite being infested with the upper tens. A few years back, Mrs. Woodhull and Miss Calfin noted in their weekly that "the boxes of the Academy of Music were used for the purpose of debauching debauched women." Needless to say, we chose the cheaper and safer seats in the lower mezzanine!

The Assignment and the Writer: In LIT 374, Topics in Nineteenth Century Literature, students engage with Nineteenth Century texts, considering the historical, aesthetic, and social realities that may have informed and inspired them. In this particular class, we read, analyzed, and wrote about Whitman's *Song of Myself* and many, many, many Emily Dickinson poems, along with some essays by Emerson. Barbara's essay—epistolary in form & spirit—assumes Whitman's persona across a series of historically and factually based letters that are nevertheless fictionalized & invigorated by Barbara's capacious imagination & boundless affection for these poets & their poems. As the assignment requires & encourages, Barbara's essay demonstrates a thorough understanding of the poems as the foundation from which her imagination and intellect breathe new life into these two American poetic giants.

– Professor Alexander Long

Mr. Beethoven took up most of the program that night. His septette was sublime. Never did music more sink into and soothe and fill me—never so prove its soul-rousing power, its impossibility of statement.” The finale was his Egmont Overture, a work previously unknown to me—I predict the voices of the bassoons and horns and timpani in this piece will one day inspire the men and women of this world to revolt and demand their freedoms!*

As you can see, friend, I am quite giddy to-day, but I will now, with seriousness, direct my attention to your songs. I have finished reading your poems—almost a score of them! I have many queries, plaudits, and vexations concerning them but will only tackle them one or two at a time in each letter to you—however, to-day, just one. To ease your mind and not hold you in a negative mental state, my vexations do not concern your talent, as you are a fine and thoughtful and perceptive poet with an ability that goes far beyond most men and women. Your words bring to mind the full scope of human emotions. There were moments when I felt enchanted, burdened with grief—both yours and mine, lifted up with joy, and charmed by your feelings of devotion and admiration for our natural world. While we have only known each other for less than a year, and that only by pen and paper, you have bravely allowed me to enter your soul and mind. Your trust humbles me.

Concerning your poem with the first line: *A death blow is a life blow to some:* I will be blunt. I must ask you— why is death so often your Northstar? Why do you insist on living the life of the dusty moth— the little creature who is captivated by the glow of the flame in an attempt to seek safety and comfort only to be burned or devoured by its predators? It is true, you can not experience life without death, and death would not exist without a life preceding it, but from what I have seen of your work, so far, you seem so haunted with death that you may have forgotten to live!

Now, this may be a contradictory thought on my part, but I so admire this short work. You have not cluttered up this poem with flowery allusions about death; you face it head-on and stare at it with unblinking eyes with direct pronouncements, like this: *A Death blow - is a Life blow - to Some/ Who, till they died/ Did not alive - become /.*

I interpret from this poem that you believe in an afterlife, and once you are there, you will be safe and content. I see we have different ideologies, for I believe once we die, we return, in a form I do not yet know. Possibly I will return in human form—or a pokey moving snail, or a pompous peacock (some say, I am that already!) or a rundown, pot-bellied mare, or a maybe even a skittish sparrow. In *Leaves of Grass*, I wrote: *And as to you Life I reckon you are the leavings of many deaths, (No doubt I have died myself ten thousand times before.)* I do not mind that our ideologies differ. But when I look at this poem and measure them to the others that are so absorbed with death, a heavy ache permeates me.

It is your last line of this poem that makes me fear for you—*They died, Vitality begun* - my dear woman, your vitality began, the moment you entered this world whether it was with a mighty red-faced squalling, or a blue-lipped, gasping breath. Ah, yes—that was your very first poem! Translated, your poem read, "I am here—I exist—gaze long at my perfection!"

My dear friend, I hope you do not take offense at my honesty. I do not claim my thoughts or opinions as sermons on the mount. Nonetheless, I shall ask you one

last question to-day. Do you recognize yourself in these words?

*Solitary the thrush,
The hermit withdrawn to himself, avoiding the settlements,
Sings by himself a song.*

Ever your friend,
Walt Whitman

Walt Whitman
431 Stevens Street
Camden, New Jersey
November 3, 1876

My Dear Friend,

It has been three days since all the Halloween going-ons here in Camden, but you can still smell the bonfires' bitter-sweet scent. The children, with their choruses of happy shrieks of laughter, were undoubtedly too merry to provoke any fear. The young girls dressed as witches in pointy black hats could only cast the spell of charming young womanhood. The boys, dressed to look like ferocious lions and slinking black cats, had more meow than roar in them. My dear English friend Mrs. Anne Gilchrist and her most marvelous daughter Beatrice and I went outside to admire the costumes, distribute sweets, and ooh and ahh the well-crafted Jack-O-Lanterns that lit up Stevens Street. Mrs. Gilchrist started to recite Robert Burns's poem "Halloween," and I joined in with what I remembered:

*With merry songs and friendly tales,
I know they didn't weary;
And many tales, and funny jokes,
Their sports were cheap and cheery—*

Burns had a fine reputation as a poet and a man—he was known as the people's poet! "Probably no man that ever lived—a friend has made the statement—was so fondly loved, both by men and women, as Robert Burns. The reason is not hard to find: he had a real heart of flesh and blood beating in his bosom; you could almost hear it throb."

My dear friend, I want to hear *your many tales and funny jokes*; I know you have them, where do they hide, and why do you hide them?

In reading your poem with the first line, "*I felt a Funeral in my Brain*," I recognized your torment because the torment of melancholia has invaded my being as well. This was especially true as I worked diligently to recover from paralysis these last few years. My emotions resembled a stew pot of ingredients! I was angry that my body failed me, though sometimes I believed that I failed my body. I shook my fists at Fate, though due to my paralysis, I could only shake the fist on my right side; the left fist lay limpid and useless. Yes, there was a funeral marching in my brain as well-

-a slog of old, cranky, and aimless men who could only beat their drums arrhythmically. You must not give in to the darkness or follow their beat or play their chords of disquiet!

That said, this poem does something of great importance that perhaps you do not realize. When a person experiences melancholia, a black bile invades every pore of his being, and we believe no one has ever experienced the same. We cannot imagine another human having the same dark, Godless, and hopeless thoughts we have running through our brains like lightning bolts. Looking back, I realize how my black bile thoughts made me think I was somehow unusual or different, even somehow superior? When, in fact, I was just a common man suffering a common ailment that does not care about the brilliance of your mind or thickness of your wallet. The thoughts are so dark; we refuse to share them. In that darkness, they thrive and increase our shame. Your poem puts a light on the darkness, which is why it must be published.

Nonetheless, my friend Emily, in your poem, you remain adrift. Why do you close your eyes— choosing dark over light? Why do you dwell, or I might say wallow in your misery! Remove those boots of lead! Repair that plank! Stop imagining a “box” to hide in! You must find the beauty and knowledge in your broken soul and write about it; it will serve up a groaning board of lessons.

During the war, while seeing and listening to the horrors of war from our young men, I realized that when horrors are shared, they have the power to heal the teller and the listener's soul. In *My Poems of Joy*, I wrote: *Yet O my soul supreme!/ Know'st thou the joys of pensive thought?/ Joys of the free and lonesome heart, the tender, gloomy heart?*

By all means, embrace your sadness—but never, never, never, let it embrace you.

Ever your friend,
Walt Whitman

Walt Whitman
431 Stevens Street
Camden, New Jersey
November 5, 1876

My Dear Friend,

I read your poem *My Portion is Defeat*, a few weeks ago with awe and admiration. I am not too much a man to admit—I wept. I held off writing to you about it as I did and still do not believe my words can give it the justice it deserves. Imagine a writer admitting he is lost for words!

As you know, I have written much about our horrible war years and my experiences as a nurse. I saw first hand the horrors that you describe. Still, my reverence and wonderment for this poem stem from your ability to illuminate the horror, having never come near a battlefield or a hospital ward that carries the stench

of rot and houses soldier's souls carved empty from what they witnessed. What is even more admirable, my friend is how you captured the thoughts of a man fighting in the Gray uniform, not the Blue. Not many Northerners would be so generous of heart.

One of my biggest fears since the war ended, is that as the years creep and speed by, the struggle will be forgotten or remembered in a way that misinterprets the reasons for the war. It has been eleven years since the last cannonball flew, which means there are children alive that will only rely on the politics and boasting of their Daddies to learn of the war. I want those children to read and understand: *The Drums don't follow Me - with tunes*. Tunes only carry victory and leave out songs of loss. Then you captured death on the page with: Tis populous with Bone and stain/And Men too straight to stoop again/And Piles of solid Moan/ And Chips of Blank - in Boyish Eyes.

My dear friend, I know and want to honor your shyness when it comes to letting the world read your words- but these words *belong* to the world, not a dark corner of your closet.

I will write soon—please weigh my words.

Ever your friend,

Walt Whitman
431 Stevens Street
Camden, New Jersey
November 8, 1876

My Dear Emily,

“The forenoon leaden and cloudy, not cold or wet, but indicating both. As I hobble down here and sit by the silent pond, how different from the excitement amid which, in the cities, millions of people are now waiting news of yesterday's Presidential election, or receiving and discussing the result—in this secluded place uncared-for, unknown.” To keep my mind off the strife of politics, I sit here in the quiet, watching “a gray squirrel, exploring, runs up and down, flirts his tail, leaps to the ground, sits on his haunches upright as he sees me, (a Darwinian hint?) and then races up the tree again.” My friend, I am jealous of that squirrel!

To-day, I write to you from Timber Creek, my sanctuary. Timber Creek is a bucolic place that became both my nurse and lover during the darkest days of my battling paralysis. It is not far from my little home in Camden, but it is so different—in the same way, Mars and Jupiter are neighbors but nothing alike.

I chose my sanctuary to-day with purpose because I wanted to respond to your hauntingly lovely bird poem: “A Bird Came down the Walk ” in an apropos setting. I can see by these poems that you cherish and are smitten with these little creatures, as much as I am. You have told me of your love of the study of science, and I can imagine you peering into a microscope with an achromatic lens. Perhaps you are studying a fallen feather from a sparrow, or a dove, or fragments from a robin's egg. However, it is your heart and hand that outpowers the strongest microscope when

you remind us how brave the little bird is, hiding his fear in order to survive, not just the day, but the hour, minute, and second when you wrote: *He glanced with rapid eyes/That hurried all around/They looked like frightened beads/I thought/He stirred his velvet head/ Like one in danger, cautious.* My dear, when I read those lines, I found myself holding my breath with suspense, truly understanding the danger our birds face just to survive, how their tiny hearts must wildly beat in search of an angle-worm or a crumb of bread. Indeed, it would be so much easier to not ever leave the nest. Of course, the poor things would starve and die, the end of an already short lifespan. And if they did not eat, they would have not the energy to fly—a vision you painted so wonderfully here: *I offered him a crumb/And he unrolled his feathers/And rowed him softer home/Than oars divide the ocean/ Too silver for a seam/Or butterflies, off banks of noon/ Leap, splashless as they swim.*

My dear friend, you have confessed so much to me and not just through your poems. You have told me how you love your home in Amherst but rarely leave it. Why this self-imposed confinement? Are you the bird you write about? Or Is this the bird, the bird you dream of being but have found her wings broken or clipped? I believe you yearn to be Bird, the explorer, Bird, the huntress, Bird, the songstress, and Bird, that soars over the ocean. You can still learn to fly, Bird Emily. I nominate myself as your Mama bird, and we will navigate the skies together. My hands are cupped—hop in!

Ever your feathered friend,
Walt Whitman

Walt Whitman
431 Stevens Street
Camden, New Jersey
February 24, 1876

My Dear Friend,

It has been a few months since our last communication, and I must send you my deepest apologies. You wrote to me near Christmas of the year last and mentioned how perhaps we could finally meet and talk about publishing your work in Spring. I responded with the unbridled excitement of a schoolboy who cleverly got away unpunished for a day of playing hooky! I'm afraid my enthusiasm, with detailed plans and proposed itinerary, put you off, and like a turtle, you frightened and sought the succor of your shell. My greatest asset and failing is letting my emotions spill over with thoughts unchecked. That is an fine for a writer when he errs, as he only needs a caoutchouc to wipe away his mistakes, but one can not wipe away words spoken to a sensitive friend who has been quite explicit in her need for privacy and slow pace. Please forgive me, dear Emily, you hold the baton, not I, and I will honor that. Tell me, friend, what do you see as your greatest asset and failing?

Now perhaps you will think I am off my chump when I describe some recent happenings. In early February, friends and I gathered for an ice-sail on the Delaware.

“For over two hours, we bump'd and beat about, the invisible ebb, sluggish but irresistible, often carrying us long distances against our will. In the first tinge of dusk, as I look'd around, I thought there could not be presented a more chilling, arctic, grim-extended, depressing scene. Everything was yet plainly visible; for miles north and south, ice, ice, ice, mostly broken, but some big cakes, and no clear water in sight. The shores, piers, surfaces, roofs, shipping, mantled with snow.” It was Emily, an invigorating excursion but I caught myself a terrific bronchial catarrh. Chills, coughs, and fever for a good week, and I believe the fumes from the camphor and mustard plasters put me in a delirious state at times.

One night, the phlegms and coughing spells were so bad they rendered me unable to sleep, and when I finally fell off, I had what the psychical types call a hypnogogic hallucination. I've experienced these hallucinations on and off over the years and have discovered they are quite a normal occurrence when one feels melancholy and ill. Trust me, Emily, I am not mad. I saw madness first hand with my dear brother Jesse and in the hospital wards during the war. However, here is where you might find me off my chump—I was visited by William Blake. We had a long and lucid conversation about life and, of course, poetry. I will not detail my conversation with William here; I will save that when we finally meet—but again on your terms, my dear madam! I will reveal one thing (I am such a temptress!). At one point, William directed my gaze upward. Still, instead of seeing the dull ceiling of my chamber, I saw a rainbow— “it the fairest, grandest, most wondrous rainbow I ever saw, all complete, very vivid at its earth-ends, spreading vast effusions of illuminated haze, violet, yellow, drab-green, in all directions overhead, through which the sun beam'd—an indescribable utterance of color and light, so gorgeous yet so soft, such as I had never witness'd before. Then its continuance: a full hour pass'd before the last of those earth-ends disappear'd. The sky behind was all spread in translucent blue, with many little white clouds and edges.”

When morning came, I woke free of fever; my coughing reduced to a throat tickle. My appetite returned—like a bear's after a winter's hibernation. I wrote down the details of Blake's visit, so I would not forget them. While rethinking my rainbow vision, and please know that I am not happy with that word because it was real, I thought of one of your poems:

The rainbow never tells me
That gust and storm are by -
Yet is she more convincing
Than Philosophy
My flowers turn from Forums -
Yet eloquent declare
What Cato could'nt prove me
Except the birds were here!

What you say in this short song is enlightening. Man spends a lifetime buried in books, seeking truth and meaning. We attempt to decipher the philosophies of great men and women to find reasons for our existence, our troubles, vexations, anxieties, and our confusions. That is well and good. However, with our noses buried deep in books, emersed in studies, we often neglect, ignore, and repudiate the natural world

that speaks a universal language. The buzz, the chirp, the howl, the whistle of the wind, the bark, the quack, the crunch of an autumn leaf, the roar of an angry ocean are all the lessons we need. Nature always humbles us. Myself, Mr. Blake, and you, my dear friend, share a love of watching the tiniest of things evolve and transform. We like to listen to the silent things—for me, it might be a blade of grass, for you and William a caterpillar—the things that need not address its presence with sound. You write:

How soft a Caterpillar steps -
I find one on my Hand
From such a Velvet world it comes -
Such plushes at command
It's soundless travels just arrest
my slow - terrestrial eye -
Intent upon it's own career -
What use has it for me—

William Blake wrote:

The Caterpillar on the leaf
Repeats to thee thy Mother's grief.

Oh, my dear friend, I hope Mr. Blake will one day find you as well!

With great fondness,
Walt

My Dearest Emily,

I write to you from Eternity. Not the Eternity we have been taught in the church, or the one the masses envision with pearly gates that shine brighter than Alpha Centauri, but the eternity surrounding us at all times. The everlasting world that many, if not most of us, are blind to. Though my physical body died in 1827, I live on. Like our mutual friend, Mr. Whitman, I do not accept the notion of a body separate from the soul but see the body as a continuance and equal to the soul.

Look at that bit of dust gathered atop your wardrobe—*that* is eternity. Yet, most of us, when we spot the dust, brush it away without a thought. Or, we might admonish the housekeeper, whose thoughts always seem to be elsewhere, to do the job she is paid well for. Of course, she is not paid well, as her brood's rumbling bellies always remind her of her poverty.

Withal, there are many types of poverty. The lack of a home or hot meal is the one poverty we can see, but what of the poverties we cannot see? The poverty I see in you, Miss Dickinson, is the impoverishment you have chained yourself to—here on Earth—your constant yearning for an afterlife, a hereafter, a heaven. When I read your poems, and yes, I read them *all* as you compose them—my heart sings and

sometimes cries simultaneously. Often I am perched cross-legged on your shoulder, or sprawled out on your desk blotter, or sometimes I sit atop your dusty wardrobe. My legs dangle like a young lad, my body swaying to our favored hymn meter. Madam, your eternity is here; it is now— it is the moment past and the moment future!

I do not write to you today to lecture or admonish you. I want to comfort you, but I am not happy with that word. Comfort is what you do to a crying babe, and you are not a child. Sometimes when we comfort another soul who has suffered a loss, we caress their hand, pat their back, or hand them a linen handkerchief to mop their copious tears. Though we are well-meaning in those actions, what are we really saying? Isn't a part of us saying, please be calm yourself, your tears distress me— please stop. So today, I will not offer comfort, only love—for, “If a thing loves, it is infinite.”

You must write. Your writing needs no guidance from me, but I would like to guide your spirit. We will meet again. Stay close with your friend Mr. Whitman.

“The bird a nest, the spider a web, man friendship.”

Ever thine. Ever mine. Ever ours—

William Blake

REFERENCES

- Blake, William, et al. *The Complete Poetry and Prose of William Blake*. New York: Anchor Books, 1988.
- Burns, Robert. vSdhighlandgames.org. 2020. “Halloween” *By Robert Burns (English Translation) – San Diego Scottish Highland Games*. [online] Available at: <https://sdhighlandgames.org/halloween-by-robert-burns-english-translation/>
- Burrows, E., and Wallace, M., 1999. *Gotham*. New York; Oxford: Oxford University Press.
- Dickinson, Emily. *Emily Dickinson Archive*, 30 Oct. 2020, www.edickinson.org/.
 F966B- A Death blow is a life blow (1865)
 F340A- I felt a funeral in my brain (1862)
 F704A- My portion is defeat today (1863)
 F359A-A bird came down the walk (1862)
 F1523A- How soft a caterpillar steps (1880)
 F76A- The rainbow never tells me (1859)
- Evanston Symphony Orchestra. 2020. *Egmont's Story Inspires Overture*. [online] Available at: <<http://evanstonsymphony.org/content/egmonts-story-inspires-overture>> [Accessed 30 October 2020].
- Whitman, Walt. *Song of Myself*. University of Iowa Press. [online] Available at: <<https://www.uiopress.uiowa.edu/books/9781609384654/song-of-myself>> [Accessed 30 October 2020].
- . *Complete Prose Works, By Walt Whitman*. [online] Available at: <<https://www.gutenberg.org/files/8813/8813-h/8813-h.htm>> [Accessed 30 October 2020].

♦ HISTORY 320

HOW DID WATERGATE CHANGE AMERICA?

ANTONIA-SOPHIA SCHOLZ

INTRODUCTION

Watergate, “the mother of all modern political scandals,” was one of the most distinguished events in the history of political crimes in the United States. American society, already concerned and upset about America’s involvement in the Vietnam war, was stunned when it was discovered that the break-in into the headquarters of the Democratic National Committee at the Watergate Hotel on June 17th, 1972, could be traced back to the White House, precisely to the president himself. Richard Nixon, fearful not to win the re-election, was involved in sending a team of “burglars” to the Watergate Hotel in order to install listening devices in the phone lines of the Democratic party. The goal here was to spy on the Democrats and find out about their election campaign strategies, particularly on strategies that would focus on getting Nixon out of office. When the Watergate break-in and its connection to the White House was exposed by two reporters of the *Washington Post*, law enforcement officials started an investigation which led to the resignations of various people involved in the scandal, a televised court trial (United States v. Nixon), impeachment hearings of President Nixon, and his eventual resignation on August 8th, 1974. The Watergate Scandal was one of a kind and changed America in significant ways. Two aspects that seem to be especially relevant here are 1) the effects on American government in general and the image of the American president in particular and 2) the effects on the institution of journalism in regard to its influence on and involvement in American politics.

The Assignment and the Writer: In History 320, The History of Crime and Punishment in the United States, students study the evolution of ideas on the course theme from colonial times to the present. This assignment called on students to identify a research topic within our subject, provide a proposal and annotated bibliography, and craft a 3,000-word paper. In forceful prose, Antonia writes about one of the most infamous crimes of modern times, Watergate. She argues convincingly for—and traces—the impact of Watergate on politics and perceptions of the president and on the profession of journalism, especially as it covers politics. Her praise of President Gerald Ford’s handling of the aftermath is particularly apt.

- Professor Jonathan Epstein

WATERGATE EFFECTS ON AMERICAN GOVERNMENT

FORGIVE BUT NOT FORGET

As Michael Schudson points out, Richard Nixon wasn't the first American president who exploited and misused political power, yet there was something about his involvement in planning and covering up the Watergate affair that seemed unusual and particularly appalling. The fact that the President of the United States had been awkwardly trying to cover up a political crime that had been caused by pure egotism and paranoia in the first place wasn't received well by the public. According to the "Gallup" Poll, Richard Nixon had a mere approval rate of 24% before he resigned, compared to 68% after the Vietnam Peace settlement in 1973. Public support for impeachment was at 65% in the August of 1974. Americans were clearly irritated and disappointed about the Watergate affair and the betrayal of their trust. Moreover, after Nixon turned over the "tapes," recorded White House conversations proving his involvement in Watergate, it became obvious that the president was faulty in many other ways: The tapes revealed that Nixon privately used "foul language and ethnic slurs," and was prone to manipulative behavior that later on earned him the nickname "Tricky Dick." The damage was done and the reputation of the executive branch of government heavily impaired.

After Watergate, Nixon spent the rest of his life trying to recover from the scandal and repair his image. He put effort into demonstrating his expertise and skillset in foreign policy, traveled to Europe and China, and gave public speeches in the role of the experienced "elder statesman." He also wrote several books on foreign policy as well as an autobiography. Nixon furthermore aspired to improve the relationship with the East Block, met with several leaders and reportedly "paved the way for later meetings" between Mikhail Gorbachev and Ronald Reagan. He also served as a political aide to the latter as well as Presidents Bush and Clinton. Richard Nixon's attempts to prove his good qualities despite Watergate suggest that he counted on "America's great capacity for forgiveness and short memory." In fact, his rehabilitation was somewhat successful: Nixon's expertise in foreign policy was acknowledged and he was described as "one of the most important figures of the twentieth century" by the *New York Times* and the *Washington Post* in the 1990s. He was also granted a "Nixon library," "a museum featuring (...) his accomplishments," that received a lot of public attention and publicity. Nixon's accomplishments during his presidency, such as the creation of the Environmental Protection Agency (EPA) and the desegregation of schools, were acknowledged retrospectively. His apparent goal to change public opinion and completely "bury memories of Watergate" was not accomplished, however. Historians show that, in the end, the American people did not forgive Richard Nixon for his betrayal: The "details of Watergate may have faded in the public's mind, attitudes about Nixon's guilt have not." As Thomas Johnson points out, the Watergate scandal might have been so "traumatic and (...) ingrained in the public consciousness" that it was impossible to erase those memories from the American mind. The American people tend to be extraordinarily kind, optimistic, and forgiving, but the aftermath of Watergate shows that they don't appreciate manipulation and deceit any more than any other nation. Before Watergate, they might have been able to fully endorse and trust both presidential candidates and presidents

who claimed to care for the country. After Watergate, the enthusiasm for political figures was clearly diminished and replaced with “institutionalized” distrust and cynicism.

RESCUING THE SYSTEM: GERALD FORD

Despite of the damaging effects of Watergate on both the political system and public trust, it has been shown that the American constitution, including its system of checks-and-balances, withstood the pressure. Vice President Gerald Ford, sworn in as the 38th President of the United States after the resignation of Richard Nixon, showed great competence in picking up the pieces and initiating the rehabilitation of the constitutional system. Often described as a decent, humble, and virtuous, man, Gerald Ford defied the image of the corrupt and egotistic politician that Richard Nixon and the Watergate affair had left behind. He aimed for stability and continuity and, in order to avoid major interruptions in administrative matters, decided against dismissing some Nixon-administration officials. This was controversial at the time but, in retrospect, turned out to be the right choice. Ford's decision to make use of executive clemency and fully pardon Richard Nixon for Watergate was not received well by many and might have cost him his own election in 1976, but it might have also been necessary in order to disentangle the new administration from the scandal. Gerald Ford's commitment, stability, and kindness, helped to rehabilitate if not “rescue the American presidency.” It also showed that, despite the collective trauma and disappointment of the people, the American Constitution was stable and able to “survive Watergate.”

PRESIDENTS AFTER NIXON

Just and Crigler suggest that “a president's image is built on the history of other presidents.” They show that Watergate, resulting in major distrust and skepticism towards the executive office, heavily influenced the reputation of post-Nixon presidents. They in a way inherited the image of the corrupt and dishonest politician and had to work against chronic cynicism and suspicion from both the press and the people. Presidential crimes and misdemeanors after Watergate, such as the Monica Lewinsky affair (Clinton) and Iran-Contra (Reagan), were automatically compared to and evaluated in the light of Watergate and Nixon's wrongdoings. In the case of Bill Clinton's scandal, also termed “Monicagate,” it might have been possible that the impeachment hearings were motivated by “vengeance” on the Republican side. It is not unlikely that the attempt to prove the immorality of a Democratic president was at least partially motivated by the hope to achieve some “balance” and thereby repair the reputation of Republican presidents stained by Nixon's legacy. It seems as if Richard Nixon not only damaged himself and the image of the Republican party with his involvement in Watergate, but also obstructed the path of all future American presidents who, in some way, continue to pay for Nixon's moral failure.

WATERGATE EFFECTS ON THE MEDIA INVESTIGATIVE JOURNALISM

The media, especially the press, played a crucial role in the Watergate affair. Since two reporters from the *Washington Post*, Bob Woodward and Carl Bernstein, were the ones who worked meticulously to uncover and publish details about the Watergate scandal, it is not surprising that the event has been called “journalism’s finest hour.” Woodward and Bernstein were reportedly the first journalists who saw the link between the Watergate “burglary” and the White House, who found out that the break-in was funded by re-election campaign money, and who uncovered the involvement of Nixon’s attorney general and White House chief of staff in the affair. In that way, the two reporters forced law enforcement officials to prosecute the people responsible and eventually exposed a large network of corruption and deceit. As historian Mark Feldstein shows, this “Heroic Narrative” of two ordinary journalists bringing down the highest political institution of the country was enthusiastically celebrated, turned into Hollywood movies such as *All the President’s Men*, and ultimately changed the role of journalism in the United States. The Watergate affair not only helped to improve the image of *The Washington Post* and made it a worthy competitor with *The New York Times*, it also established the role of the press as a representative of American democracy. The success of uncovering Watergate furthermore gave way to a journalistic technique that has been termed “investigative journalism.” Throughout and after the scandal, the press took on the role of a public overseer, carefully examining the actions of the government, holding government officials accountable for their decisions, and thereby fighting corruption at large.

JOURNALISTIC SCANDAL

The downside of *The Washington Post*’s success in exposing the Watergate affair was the fact that some journalistic institutions indulged too much in journalistic self-esteem and started to engage in what has been called “scandal mongering.” The press became obsessed with identifying and uncovering political scandals, even though some of those scandals did not come close to the level of wickedness and deceit characteristic of Watergate. The competitive and ambitious need of post-Watergate reporters to expose injustice, regardless of whether injustice was actually happening or not, changed the reputation of the press for the worse. The public started to complain about notorious “finger-pointing journalism” and expressed concern about the fact that journalism was interfering too much with political affairs. The fact that journalists, in their quest to expose a scandal by any means, started using “oblique methods,” such as citing “anonymous sources” and possibly getting involved in corruption themselves, clearly tainted the reputation of journalistic institutions. The press is also, at least in part, responsible for the fact that presidents after Nixon had to pay for the latter’s misconduct: The expressions “Monicagate” (Clinton) “White-watergate” (Clinton), “Nanny-Gate” (Zoe Baird, Clinton administration), and “Contragate” (Reagan) were created by smart journalists in order to establish a linguistic link between old and new crimes and misdemeanors, creating the illusion that the new “scandals” were really versions or continuations of Watergate.

NIXON AND THE MEDIA

Richard Nixon had a lifelong love-hate relationship with the media that started long before Watergate, had its peak and deteriorated during Watergate, and once again improved after Watergate. Richard Nixon reportedly believed that his strenuous relationship with the press originated in the Alger Hiss affair, precisely the fact that Richard Nixon, member of the House Un-American Activities committee (HUAC), pointed to Alger Hiss's Communist ties early on and was proven right, while the press was convinced of Hiss's innocence, and proven wrong. Nixon, however, learned how to use the press for his purposes, avoiding them when necessary. Early on in his political career he developed the habit of "bypass[ing] the press and send[ing] (...) unfiltered message[s] to the American public" on television. After Watergate, the same media who had initiated the destruction of Nixon's political career played a crucial part in rehabilitating his image. The media gave Nixon an outlet to present his books on foreign affairs, for example, by featuring him on *NBC's* "Meet the Press." His original enemy, *The Washington Post*, mentioned Nixon's "comeback" in response to his attendance at Egyptian president Anwar Sadat's funeral. *Time* magazine called him "the world's most unique and ubiquitous elder statesman without portfolio." *The New York Times* as well as *Newsweek* wrote favorable articles about Nixon, celebrating his accomplishments as foreign affairs advisor. Even though critics remarked that Nixon's improved relationship with the media after Watergate was solely based on his skillful manipulation strategies, it is remarkable that he was able to "gain (...) acceptance and restore (...) esteem" among members of the press. It shows that, despite Watergate and the newfound interest in scandal, the press in many ways remained an institution that is capable of dialogue that is flexible and may not be as prejudiced and cynical as originally suggested. In post-Watergate America, political figures were no longer automatically granted respect and trust but had to work for it. Even though the press gained power and influence through Watergate and did not always use it in admirable ways, it seems as if they are, in the same way as the American people, able to forgive, to reconsider, and to reevaluate situations and individuals.

CONCLUSION

As historians have pointed out, "[a]fter Watergate, the rules changed": "Nothing's been the same since." The Watergate scandal, particularly the way in which public trust was betrayed, disillusioned Americans. Many lost trust in and respect for the federal government. Even though Richard Nixon managed to recover somewhat from the scandal and to improve his public image, Americans will always associate him with Watergate. Gerald Ford's excellent handling of the post-Watergate crisis was crucial and showed that not all politicians were born to be egotistic and manipulative scoundrels. The American constitution defied Watergate and proved to be strong and solid, showing that political scandals, even the most vicious and deceitful ones, may bring about a disruption, but not necessarily a destruction, of American society. The role and power of the press changed dramatically throughout Watergate. The journalistic institution took on the role of a detective, supervisor, lawyer, and custodian, defending and protecting the public from political manipulation and deceit. Post-Watergate presidents would have to learn that nothing

goes unnoticed by the press, and that a positive relationship with journalists would be essential for political success and popularity. Despite the fact that Watergate caused disappointment, disillusionment, and distress among the Americans, it might have also paved the way for a stronger democracy: Ever since Watergate, the press, in its role as “public watchdog,” has made sure to defend the rights and fight for the interests of the American people.

REFERENCES

- Dell’Orto, Giovanna. “Synthesis Essay: Journalism’s Crusading 1970s.” *Journalism and Mass Communication Quarterly* 89, no. 2 (2012): 319 – 22. DOI: 10.1177/1077699012445344.
- Feldstein, Mark. “Wallowing in Watergate: Historiography, Methodology, and Mythology in Journalism’s Celebrated Moment.” *American Journalism* 31, no. 4 (2014): 550-570. DOI: 10.1080/08821127.2014.968946.
- Hindman, Alex E. “Donald Rumsfeld, When the Center Held: Gerald Ford and the Rescue of the American Presidency.” *Society* 56 (2018): 182-184. doi: 10.1007/s12115-019-00349-6.
- Johnson, Thomas J. "The Rehabilitation of Richard Nixon." In *Watergate and the Resignation of Richard Nixon: Impact of a Constitutional Crisis*, edited by Harry P. Jeffrey and Thomas Maxwell-Long, 139-153. Washington, DC: CQ Press, 2004. *Gale eBooks*. Accessed April 18th, 2020. https://link-gale-com.ez.lib.jjay.cuny.edu/apps/doc/CX2590500020/GVRL?u=cuny_johnjay&sid=GVRL&xid=e281ae71.
- Just, Marion, and Ann Crigler. “Leadership Image-Building: After Clinton and Watergate.” *Political Psychology* 21, no. 1 (2000): 179-98.
- Oliver, Willard M. and James F. Hilgenberg, Jr. *A History of Crime and Criminal Justice in America*. 3rd ed. Durham: Carolina Academic Press, 2018.
- Schudson, Michael. “Notes on Scandal and the Watergate Legacy.” *American Behavioral Scientist* 47, no. 9 (2004): 1231-1238. DOI: 10.1177/0002764203262345.
- “Watergate: A Relentless Investigation Pays Off, and the Most Famous Journalistic Feat of Its Time Brings down a President.” *Columbia Journalism Review* 40, no. 4 (2001): 74-75.
- Witcher, Russ. "The Media." In *Watergate and the Resignation of Richard Nixon: Impact of a Constitutional Crisis*, edited by Harry P. Jeffrey and Thomas Maxwell-Long, 113-124. Washington, DC: CQ Press, 2004. Accessed April 18th, 2020. https://link-gale-com.ez.lib.jjay.cuny.edu/apps/doc/CX2590500018/GVRL?u=cuny_johnjay&sid=GVRL&xid=a2a5b56f.

♦ HONORS 380

MY BURIED IDENTITY: A NONWHITE IDENTITY IN AMERICA

MARIA SALGADO

I WAS TWO YEARS OLD when I arrived in this country on an airplane, which is not how one would typically expect an undocumented person to arrive in the United States. Although I do not remember how it all happened, there is one thing that I am sure of: I did not have to fear dying of dehydration or being left behind to die because I could not keep up with the rest when crossing the border by foot like other undocumented people had to. My parents came to this country to give their family a better future, a better future they believed that could only be acquired in America.

After sixteen years of living in this country and being taught the history of this country, it would not take a genius to conclude that this country is constructed on racism and continuous oppression. Whites created the belief, which still remains present today, and is planted on the minds of all the individuals that step foot in America, that they are the superior race and that they have the right to dominate all other races. This belief is known as white supremacy. Through the years, the enforcement of white supremacy has encouraged the oppression of minorities, and from that belief stems the creation of the white gaze, “a perspective that carries the weight of white racist history and everyday encounters of spoken and unspoken anti-Black racism” (Yancy 5). Although Yancy’s definition specifically refers to Black individuals, I would argue that, based on my experiences, as a young undocumented Mexican DACA recipient, and the experiences of others, Yancy’s definition can be extended to all Nonwhites. The white gaze has made it possible for the oppressors to

The Assignment and the Writer: In HON 380, Language, Identity, and Justice, students explore how language builds and communicates who we are and how we are in the world, by critically approaching argumentative essays, films, and canonical novels. Students analyze texts to recognize and critique how seemingly transparent but loaded categories—such as gender, race, and class—are used and why. This final assignment required students to produce their own argumentative piece on a topic selected by them. Maria took this as an opportunity to examine her identity and revisit a part that she unconsciously tried hiding at times. The resulting piece is Maria’s brave exploration of a socially difficult topic in a well-crafted, sharply observed, sensitive personal narrative.

— Professor Maria Rossi

perpetuate oppression on minorities to the point where the oppressed have internalized the oppressors' ideology, leading the oppressed to see themselves as inferior. In her famous Ted Talk "The Danger of a Single Story," the Nigerian writer Chimamanda Ngozi Adichie states, "The consequence of the single story is this: it robs people of dignity" (13:42). It is completely valid for a person to feel like their dignity has been stolen due to a single story, in this case the white gaze. However, I would not like to think that we as Nonwhites are robbed of our dignity, but rather, we have been unconsciously forced to bury our dignity so that we portray the white norm and lose the ability to recognize the white gaze in that way. Our dignity has always been there. We need to confront the white gaze/white norm by making it clear that we will not try to bury our identities as nonwhite to gain acceptance of the white gaze anymore. With that being said, even though we only recognized this aspect in retrospect, I assert that we must learn from such experiences that we need to look within ourselves to reject the white gaze and embrace our buried identity. To show how insidious and prevalent the American white norm still is, I will present two moments from my life and one from my sister's when she and I have portrayed this internalized oppressor ideology.

One is not born with the mentality that they are less of a human than others, incapable of reaching their desired goals, unequal to others or that they do not matter. Rather, those in power oppress individuals to the point where this mentality becomes the norm and later their reality. When one lives in an environment where they are constantly being oppressed and dehumanized, it is illogical to think that they will not start to embrace the characteristics and identities that come with those actions. This supposed reality that marks them as inferior comes to overpower the fact that the oppressed can fight back.

We live in a society where we are constantly reminded that in order to be accepted into the society of the United States, we need to resemble the only identity society favors, the white person's identity, though even conforming only accomplishes an incomplete, semi-acceptance. Internalizing oppression leads to unconscious battles within minorities, while at the same time keeping the dominant race, Whites, in power. These battles consist of reaching for the white norm or otherwise being as successful as the white man, causing Nonwhites to question their identities. As the writer Donna K. Bivens states, "internalized racism often manifests in different cultural and ethnic groups being pitted against each other for the scarce resources that racism leaves for people who do not have white privilege" (43). We, Nonwhites, fight one another to see who can achieve the acceptance of Whites first to the extent where we find ourselves hiding our nonwhite identity in order to fit into the white norm easier.

As a Nonwhite, I have unconsciously engaged in the maintenance of white supremacy by trying to closely resemble the white norm whenever I enter environments that I believe are out of my reach, especially when the environment consists of predominantly white people and the view of Nonwhites is non-existent. When I am at home, at family gatherings or at the Immigrant Student Success center at John Jay, I feel safe. My personality is free to explore and engage with others in a natural and comfortable way. When I enter a restaurant in the city that never sleeps to celebrate a graduation, birthday, or anniversary, my personality is immediately entrapped in a bubble, and my body feels it. My body movements tense up, and I sit

up straighter than usual, walk straighter than usual and talk in a lower voice than usual. I am restricted and must act in a way that does not call for attention or disturb those around me. How am I supposed to embrace my identity freely in this setting when my body no longer feels like it's mine? I am mentally and physically separated from my body when I am forced to neglect my true identity.

When I was transitioning from high school to college, I was awarded a scholarship to attend a private college in New York City. I later found out that the college would be hosting an award ceremony and dinner to which I would be invited. When the day arrived, I made sure to look my best to leave a good impression to the faculty of the school. When I arrived at the event, I couldn't help but realize that there was a predominantly white population in the room with a few exceptions. The tables were set up to resemble a fancy dinner table with forks, spoons, knives and glasses that were said to have different purposes, but which looked all the same to me. At the time that the dinner was served, I looked around to study the behavior of those around me, a predominantly white population, in order to figure out the "correct way to eat" at a dinner table. As I looked around, I made eye contact with a white woman three tables across, and it seemed like she had been observing my analysis of the room for a while. She gave me a face of disgust, which sent feelings of inferiority down my spine. Without saying a word and being a few feet away, she was able to make me feel uncomfortable and made me feel like I did not belong in a world that was not going to accept me. I ended up rejecting the scholarship to avoid feeling inferior again, without even knowing what the woman meant or if that face of disgust was actually for me.

Reflecting on the situation, I find it foolish that I wasted time trying to figure out the "correct way to eat" when I knew exactly how to eat in the first place. I realized that I was unconsciously observing the behavior of the Whites around me because I saw them as more sophisticated and civilized beings than people who looked like me. I had this perception because throughout the sixteen years of my education, I was taught that the reason why Whites had to take over Nonwhites was because Nonwhites were uncivilized and needed to be guided and saved. If Whites are known to be civilized, then they ought to be the only ones to know the correct way to eat, right? Wrong. I am Nonwhite, and I know the correct way to eat. There should have been no natural reason for me to feel as if I did not. As a result of internalizing the stare of the woman as a sign that I was not worthy to be eating in the same room as her, I felt like I did not belong in that school. In rejecting the scholarship and acceptance to the college, I was giving in to the idea that Whites are better than me. I gave up the various opportunities and doors that would have opened up for me if I had attended the school. Instead of having the mindset that I was going to be part of change and be one of the first of many Nonwhites to fill up the room, I decided not to interfere with the status quo and backed out. I fell into the idea that I was inferior, and instead of embracing my identity and seeing it as an empowering quality, I saw it as a flaw. Now though, I am a John Jay Honors student who was awarded a scholarship that has paid and continues to pay my college tuition. I came to prove to myself that I am able to reach academic success no matter how inferior I felt sitting in the predominantly white population room. I was in the room because I deserved to be there. I worked hard to

be given opportunities such as award dinners and scholarships and nothing should have interfered with that fact, nor will it ever, from here on out.

When speaking about internalized racism with one of my sisters, I was surprised to learn that she, even as a U.S. Citizen, had experienced internalized racism first-hand when she was a child in 2nd grade. Although I was not born here, I do not remember experiencing internalized racism until I was sixteen. Before my parents decided to move our family to the United States permanently, my sister had been living and studying in Mexico for three years. Her inability to speak English and the country's racist mindset toward Mexicans was not a great combination for a six-year-old. Due to racist jokes that were being made, questioning and making fun of whether her parents had green-cards or not, my sister recalled not wanting to be Mexican. She did not want to identify with the country that was being looked down upon and being made fun of by her classmates. She further recalled that once when her teacher was going over how to read a map and asked the question, "What countries surround the United States of America?" without thinking twice he called on her to answer. As a result of negatively internalizing being called on to answer the question due to colorism, the color of her skin being darker than most of her classmates and resembling that of a "Mexican," she did not want to say Mexico and instead answered Canada. Her exposure to racism at such a young age and her citizenship status emphasizes the fact that internalized racism is not only limited to those who are undocumented but also extends to Nonwhites who are Americans. Despite having legal citizenship status, many Nonwhites are still oppressed by the white gaze. Being American by law causes them to believe that they are included in the acceptance of society but are not actually. However, this belief helps maintain the existence of white supremacy because if nonwhite Americans believe they are accepted in society, then they will not challenge the white gaze because they will learn to draw the connection of inferiority to undocumented Nonwhites only.

My personal "not wanting to be Mexican" experience occurred when I was a sixteen-year old junior in high school, when I began learning the violin. A few months later, a few of my friends, family members and I decided to create our own Mariachi band. I was very open to being part of a Mariachi because it was a way to connect with my roots, and I would post on my social media any events and pictures we would take. One day, this guy from my class that recently started following me began making fun of the fact that I was in a Mariachi by making comments here and there and pretending to play the maracas. It got to the point where all the comments and gestures built up and managed to make me feel embarrassed of being part of a Mariachi. I did not want to challenge his perspective towards the stereotypes that people have of Mariachis because I fed into this idea that in the white norm, other cultures do not exist. I did not bother to prove him wrong or teach him the significance and beautiful side of Mariachi because I felt it was irrelevant to the white norm. Fortunately, the feeling did not last long because I reminded myself that the joy of being in a Mariachi was bigger than the shame of being insulted by the individual. The embracement of my culture is not and should not be an embarrassing part of my identity. Although I left Mariachi for some time, not due to the comments of the person but for other reasons, I have once again decided to take part in being in a Mariachi, and although I may not be able to express the loyalty which the song "Mexico Lindo y Querido"

describes to Mexico, in stating, “Mexico lindo y querido, Si muero lejos de ti, Que digan que estoy dormido, Y que me traigan aquí,” it is undeniably a part of my being.

Knowing now what coming to this country at two years old would do to my identity, if I had a chance to go back in time before my parents brought me here, and if I was older than just two years old, I would say the following: you are taking me away from my roots to bring me to a country that does not want me. I am Mexican by the law, but I will not be able to express the loyalty that the song “Mexico lindo y querido” portrays to the country. I will be robbed of an identity that I am just starting to explore in Mexico to fight my way to create a new one out of survival in America. I know that at the age of two I have no say in this, and you are making a sacrifice in bringing me to America and will be doing it for my own good because America is filled with opportunities. That’s what you are thinking now and telling me, but once I grow up, I will find out the truth. America does not provide opportunities. It picks and chooses who gets what, and if someone is willing to bury their roots enough to resemble the white norm, then they might have a slight chance in being given an opportunity.

Internalized racism causes us to hide our roots and backgrounds because we want to reach the acceptance of the white gaze, whether it is at the age of 18 at an award dinner or as a 2nd grader in class or as an individual who expresses their culture freely. In wanting the acceptance of the white gaze, we are unconsciously helping maintain the status quo of white supremacy, which is why we are trapped in an ongoing cycle where Nonwhites are the oppressed and come to accept it after it is imposed on them by Whites who are the oppressor. One may argue that not all who can benefit from the white gaze actually do or that not all Whites intend to use the white gaze to oppress others. However, although not all Whites engage in the white gaze that does not take away from the fact that they still benefit from it. Charles Mills explains this idea when he explains the Racial contract in the Social contract, “All whites are beneficiaries of the contract, though some Whites are not signatories to it” (11). A group of Whites who may resonate with this can be poor and uneducated Whites who are not considered part of the white norm. However, although they might not engage in the white gaze themselves, they are better off than a nonwhite person because they are included in the oppressor group due to the color of their skin.

When we are children, everyone says we can reach for the stars without mentioning that in order to obtain a star we will need to reach farther than others even when we are said to be equals. As a white or a nonwhite child, you have been told at least once in your life that you are capable of doing anything and everything you set your mind to. You have been told that no one but you and only you is in control of your life. You have been told that if you want to make a difference in the world, then you can, and you will. At least once in your life you have been told one of these things. These affirmations create “the assumption that people have options, that we live in a ‘free’ society and have infinite alternatives from which to choose,” but this does not exist for Nonwhites (Lopez 304). However, this assumption is only relevant to one group, Whites. When the oppressed individual, nonwhite, honestly believes that they have infinite options to choose from and therefore are in the economic, mental and physical state they are in because of the decisions they have made throughout their

life, we realize how our own perception of ourselves has been blinded by the illusion that we live in a free society.

Do not get me wrong. I am aware that bringing me to America has indeed given me opportunities that would have been unimaginable in Mexico. However, the fact that this country has given me opportunities does not mean that I do not receive the unpleasant experiences such as internalized racism, lack of acceptance and feelings of inferiority. And although I must admit it has not been easy to resist oppression, I—and in reality, I mean we, nonwhites—are smart enough to recognize it and challenge the white norm.

REFERENCES

- Adichie, Chimamanda Ngozi. "The Danger of a Single Story." *TED*, July 2009, www.ted.com/talks/chimamanda_ngozi_adichie_the_danger_of_a_single_story.
- Bivens, Donna K. *Flipping the Script: White Privilege and Community Building*. CAPD & MP Associates, 2005.
- Lopez, I. "Agency And Constraint: Sterilization And Reproductive Freedom Among Puerto Rican Women In New York City" *Urban Anthropology and Studies of Cultural Systems and World Economic Development*, vol. 22, no. 3/4, 1993, pp. 304.
- Mills, C. *The Racial Contract*. Cornell University Press, 1997.
- Monge, C. "Mexico Lindo y Querido." *Asi Se Quiere en Jalisco*, performed by Jorge Negrete, Vintage Music, 1957.
- Yancy, G. *Black Bodies, White Gazes: The Continuing Significance of Race*. Rowman & Littlefield Publishers, Inc. 2008.

♦ ENGLISH 320

BRONX LEBANON

JERRALD KELTY

“YOU’RE LATE,” she says. She pulls the sunglasses from her face, shoves them into my hands, gives me the once over with angry, hazel eyes.

“Have you been waiting long?” I ask. I reach over, take the strap of the heavy bag from her shoulder and throw it onto mine.

“Only an hour,” she says, pulling away from me so that my lips graze her retreating cheek.

She’s lying, but I don’t call her a liar.

I saw when she walked out of her building, pushing the sunglasses up the bridge of her nose. I watched from across the street as she pulled a wedgie from her too short pum pums in front of the jackals lurking there beneath the hot sun. I laughed when not one head so much as twitched in her direction as she strolled past. And I followed her, ten lanes of the Grand Concourse between us, as she headed towards our favorite benches, pushing a purple carriage with my newborn son wrapped up inside.

The Assignment and the Writer: Critics have said the autobiographical self is a fiction, and maybe that’s so, in the shaping or forming sense. Within the genre people often spin it another way: what happens matters less than what the self-life-writer brings to the page. That takes courage and the will to appraise. In this piece, his last for ENG 320, Workshop in Autobiography, Jerrald Kelty examines an hour in his own life with the headlamp of a miner moving alertly among the words. What really happens here: he meets his newborn son for the first time. And despite the stupefying magic of the moment, he observes, he records, he retrieves, and he brings readers achingly close to a man we don’t know and yet do.

– Professor Jeffrey Heiman

"Right," I say. She pushes back the sun visor and leans into the stroller. "You made me wait a week and I was five minutes late. I can see how when you put it that way, you're the asshole."

"Well, my mother thinks you're the asshole, so if you were there, she wouldn't be."

"She wasn't there when we were—"

"Don't be vulgar."

I hate the way she commands. But I hate the way she says, *my mother* more. Like I couldn't possibly understand her devotion to the woman because I don't have one of my own. But I did once, and if the stories my uncles tell are true, I'm the bastard child of star-crossed lovers, and I am my mama's son.

"He's our son, Tabitha."

She ignores this, busying herself with straps inside the carriage. I watch her, not realizing I've begun bouncing on the balls of my feet. I'm starting to believe she's taking this long to pull him from the carriage on purpose, but there is one final click, one last shuffling of swaddles, and he is in her arms. I wait with mine outstretched.

"Ew," Tabby says in mock disgust, but she is at her most beautiful, smiling with all her teeth. And my heart's beating a stampede in my ears, so I can't hear Tabby, but her lips ask, you hyped?

I am.

And finally, after nine months of baking and three days of waiting, my son is in my arms.

I cradle him, and with my free hand caress his face, the best parts of all my favorite people. A who's who of family celebrity—my mother's cheekbones, and her father's chin, and my father's ears. He has Tabby's eyes, but they dart like mine.

"You know," I say, staring into his collage of a face, "as far as first encounters go, I think ours is pretty legendary." I wait for him to interrupt, but thankfully he doesn't have his grandmother's manners, so I continue, "First you sleep through a goat causing chaos with car alarms, then you meet me. Look at us, two sons of the South Bronx, born in Bronx Lebanon, with cheekbones that'd make a nun blush? They can't beat us, kid. Of course, we gotta get you some sun, ya look like Smeagle, but I think today's a perfect day for it. Sidebar, much respect on chasing the jackals away. For the record, Telemachus was a close second for name choices, so it's nice to see I can depend on you."

"Are you done?" Tabby asks, but I don't think she wants me to be.

"I want to kiss him," I say, "can I kiss him?"

She smiles that smile again, "He's your kid, doofus. Kiss him if you want."

And I do, and my heartbeat disappears as my lips touch his forehead. I place my hand on his chest and catch the rhythm of his tiny heartbeat with my fingers.

A stampede pounding.

Like mine.

"You know that joke about the Buddhist monk and the hot dog stand?" I ask, looking up from the marquise framed eyes of my son into his mother's matching set.

"I do," she replies confused.

"That's how I feel right now."

To her credit, she lets me gush over the scamp for a solid fifteen minutes

before reminding me that he has a checkup across the street we're responsible for getting him to. Me. Responsible. The logic in that is terrifying. Not because I don't feel up to the challenge, but because I've known the kid all of twenty minutes and the list of things I wouldn't do for him has dwindled to nothing. I say a silent prayer that the world treats him kind, make a solemn vow to decimate anyone who doesn't, put him back into his stroller, and we three make our way across the street to Bronx Lebanon.

My Nana never liked this hospital, so I haven't been in the building since I was carried out myself as a newborn, making my second time here my son's as well. The thought makes me happy, but then Tabby's mom is in my head, and for the first time in ten-lanes, I am not smiling.

It's cold in here. I reach into the chariot to make sure he's bundled up, but Tabby slaps my hands away with a look that says he's fine.

She's already had enough time to be over the little worries. Must be nice.

"You're late," the receptionist says, glancing from the monitor to us and back again after finding our names in her system.

"Yeah, sorry," I say jerking my head over my shoulder, "it's crazy out there."

"Really?" The receptionist asks, craning her neck to see past me as if the crazy I mentioned is right outside the front door, "what's happening?"

"People telling me the obvious thing instead of what I need to know," I say, making sure my smile doesn't extend to my eyes.

Tabby pushes me to the side, says words like sorry, stupid, immature, and within seconds has figured out the examination room we should be in. She says thank you with a smile, and grabs me by the shirt, pulling me away from the reception desk.

Moments later we are waiting in front of the elevator. She fires off a series of messages on her phone while I pretend not to notice, until I cannot pretend not to notice.

"Who you talking to?" I ask trying not to admire the constellation of beauty marks just beneath her left eye.

"Nunya," she says, and I hate that I taught her such a pithy response.

"Right. Some fuckin' loser, I bet."

"How many losers do you think I know?" She asks, looking up at me without raising her head, and I'm not sure, but I feel like I should be insulted. She continues before I can respond, "You don't have to be a dick to everybody."

"You say that, but it kind of always feels like I have to."

"Why?"

"You don't get it."

A small ding announces the arrival of the elevator. I wait for her to enter before following.

"What would you ever do if you caught your tail?" She asks, not bothering to look up from her cell phone.

"I don't know," I say, fighting the urge to smack it from her hands, "eat it, I guess."

"You have to know that's not a reward."

"Yeah, well, better than crow."

"Hm," she replies, sliding her phone into her pocket. There are thin slits where her eyes are supposed to be when she looks up at me. "This is a good doctor," and I hate the warning in her voice, "behave."

Our son coos from inside his chariot and I understand him perfectly.

"I agree, kid. She doesn't get it. You let the world choose how it treats ya, and it'll bend ya over a barrel every time. Pretty girl syndrome? Her?" I give Tabby the once over, allowing my eyes to linger on my favorite parts of her. "I mean, I guess that's a thing, you're not wrong, but you could be biased. I be telling her she's oblivious to how the world sees me, but you know, she doesn't get it. I agree, it is much more of a guy thing. Right. She won't ever understand. Still, we gotta play nice once we meet this *good* Doctor, all right? So I'm gonna need you to be on your best behavior. *Who?* No, I don't think that's his name. *We good?* Ok, break!" I clap my hands together in time with the ding of the elevator and hold my arm in front of the door sensor waiting for her to exit.

"Is this going to be a thing?" She asks.

"Only until he talks back."

We stroll down the bleached white hallways and turn into our waiting room. I dump the diaper bag into a chair, and within seconds my kid is back in my arms. He's fussing now. I watch him take three deep breaths before he lets out a wail that makes goosebumps run up my neck. I'm guessing he's not a fan of the chill in the air either, but Tabby says something about feeding, so I hand him back to her, and watch as she nurses our child. I want to make a joke about her boobies being my favorite part of the circle of life, but now her breasts seem off-limits to me being crass.

"You know," She says looking down on him with pride in her smile, "everybody was saying that he wouldn't latch right away, but he never has any problems."

I want to say like father, like son, but a ray of sunlight has snuck in through the window curtains to shine on them. Something like 'sacred' floats around in my head, and for the first time in my life there is no space in a room I'm in for immaturity.

The *good* doctor enters the room with his lab coat and prerequisite smile. There's a warmness exuding from him that I appreciate in the chill of the sterile hospital room.

"Hello," he says, and I'm impressed at the way his eyes don't lock onto Tabby's boobies as she finishes feeding our son, "good day for a physical, what's the little guy's name?"

"Achilles," we say together proudly.

He says, "Oh, like the foot?" I lock eyes with Tabby and beg her silently for permission to correct this affront. I love that her eyes are asking mine the same.

"No," She says with a smile, "Achilles like the Greek Demi-God."

"Like the Fearless Lion." I add.

"Like the Great Runner."

"Like Athena's favorite."

"No. That was Diomedes."

And my eyes ask hers whose side she's on.

The 'good' doctor, probably sensing he's seconds away from a full-on reenactment of the Trojan War, backs toward the door slowly, says something about

having the wrong chart and ducks out of the room without shutting the door as we continue to pepper the wall behind where he stood with aliases.

"You see what I be saying?" I ask once we're alone, "kid's a week old and already the world's trying to relegate him to a life underfoot."

The hazel in her eyes disappears and I'm convinced she's just rolled them a full 360 degrees, "It's not that serious."

"That's what you say," I say, "but you're not the one who's going to have to walk around being called 'bottom foot.'"

"Nobody's going to call him that."

And I hate the certainty in her voice.

"You don't know that," I say, "you should've listened to me. We said it'd be his middle name."

"Listened to you? You wanted to give him *your* name."

Forcing my back straight, I say, "yes."

She scoffs. "His initials would literally spell out *your* nickname."

"Well, not literally, but I thought it would be cool," I say, and I feel a smile sneak onto my face.

"But he's not you," she says, shifting Achilles to her shoulder. She bounces with him and pats his tiny back with short quick taps, turning away from me.

"He's my s—,"

"He's *our* son," she interrupts.

Achilles burps. Milk dribbles out of his lips onto her neck. I want to laugh, but the way she mutters 'great,' and the cleanup that follows, tells me this isn't one of those quirky moments mothers learn to enjoy.

"Anyway," she says, turning to me after Achilles is back in his chariot, "my mom thought that idea was stupid."

She shrugs in the same way her mother does when making a point concerning me. Barely a motion. Like what I want is important enough to merit a twitch of the shoulders, nothing more.

"Fuck. Your. Mother."

There is the clatter of a clipboard against the floor. A tan hand, followed by the nurse it belongs to, comes into view outside of the doorframe behind Tabby. She scrambles to pick up the clipboard as Tabby smiles politely at her. The nurse gives me a look of reproach, a reminder that *this is a hospital*, hangs the clipboard on our door, and swings it closed with a snap. When Tabby turns back to look at me, her head slightly cocked to the side, she's still wearing the smile, but she pulls her shoulders back, and inhales slow like she can breathe fire.

"What did you say?"

"It was a week, Tabby."

She repeats her question. I repeat my answer. She is no longer smiling.

"You know what your problem is?" but before I can respond, she tells me, "You think the world has to wait for you. When you want to get the apartment. When you want to get the ac. When you say it's okay, then I can be comfortable. I have to be cramped, hot, and miserable because you live cramped, hot, and miserable?"

"We were in it together," I try.

"I was pregnant. Alone!"

But I had to work the hours. I was having a son. She was having my son. Our son. We were in it together. She's got it wrong. I try to say this, but she's found her rhythm and refuses to let me get a word in, speaking instead in the mocking tone she reserves for me.

"Name him after me," she grunts before dropping 'my' accent and continuing, "how much of your ego do you want him trapped in?"

"It's what we agreed on," I say through gritted teeth, "you and me. Together. Not you and your mother. *Then* you tell me a day after he's born, and *then* make me wait a week."

"And you were still late!" She screams.

I know she won't believe that I wasn't. I hate that I didn't cross the street sooner. Why didn't I cross the street sooner?

"I didn't want him to have your name," she says, "not my mother. Me. If I wanted him to walk around with a chip on his shoulder the size of yours, I had better choices who didn't leave me alone. I gave you *Achilles*. Be happy with that."

The room is quiet. I want to fill the silence with, I want you, too! I want to scream, I love you! Too. But I left her alone, and now, the space between us is a concourse, or a canyon, or a mother, I can't tell, but I know the words won't reach her on the other side. I am afraid.

There are three soft raps on the door. Tabby turns, reaching for the knob.

I say, "I should've been there. That's all I'm saying."

"Yeah," she says. When she looks back at me, she is wearing the smile she reserves for receptionists, tan-handed nurses, and *good* doctors.

"Right," she says, "my mother was, though. Every day." She swings the door open. The noise of the outside world rushes back into the room and my world smiles at me like a stranger.

◆ RONALD E. MCNAIR

POST-BACCALAUREATE ACHIEVEMENT PROGRAM

EXPANDING AMERICAN NARRATIVES: THE NOVELTY OF *CRAZY RICH ASIANS*

RACHEL ROSADO

INTRODUCTION

IN 2018 WARNER BROS. released the highly anticipated *Crazy Rich Asians*, featuring an all-Asian cast. Showing Asian and Asian-American characters as affluent, *CRA* exceeded expectations for Asian representation in popular culture, historically marked by overt racism. This paper examines how the popularity of *CRA* relates to the novelty of its effort to address the complexity of Asian and Asian-American experience, and how the film reflects on what it means in the early twenty-first century for someone or something to “be Asian.” *CRA* presents a new example of popular culture that offers a uniquely broad platform on which large American audiences can better understand the operations of racial stereotyping, and challenge and correct stereotypes, through their consumption and enjoyment of popular culture.

The Assignment and the Writer: Rachel Rosado was a McNair scholar and an English major who started drafting this essay in preparation for writing a senior research project. The project is exceptional in that it is grounded in Rosado's authentic intellectual and personal interests in popular culture, film, and US racial politics, and builds its argument and its tone from the writing of many fields that concern themselves with these crucial social and political questions. The thesis uses research methods and arguments used in literary interpretation (the kind Rachel would have learned in class), as well as a range of approaches and materials used in other disciplines in the humanities and social sciences. Rachel learned through a series of revisions how to write about materials that often get uneven treatment—from history of migration to Hollywood film—in a way that demonstrates that academic reading and popular culture deserve equally serious treatment. She uses academic knowledge to make apparent the power of “entertainment” to shape our identities, beliefs, and relationships to others.

– Professor Olivera Jokic

Popular film not only reflects but significantly shapes popular culture (Erigha 78), and, in the US, operates as a major institution that maintains a racial order (Desai 92). Representations on film, even if they are presented as fiction, can influence social behavior towards members of marginalized groups and impact public perceptions (Weaver; Power, Murphy, & Coover 37). This is why the content of racial and ethnic stereotypes in the US popular culture remains an imperative focus of reading of the representations of people from marginalized groups in mass media. Although Asian people have been in the U.S. for centuries, mainstream film productions rarely cast Asian and Asian-American actors as protagonists. Instead, their roles continue to emphasize or foreground their characters' Asian background. This limitation perpetuates stereotypical portrayal of Asians and Asian-Americans, and these stereotypes are often gendered: male characters have often been limited to kung fu masters, computer geeks, gangsters, and foreign businessmen; female characters were often hypersexualized and cast as tiger moms, kung fu roles, and submissive wives (Lee 179; Rajgopal 149).

Crazy Rich Asians was an unprecedented commercial success, and The Internet Movie Database (IMDB) provides remarkable figures: the film grossed \$238,532,921 worldwide, making it the most financially successful romance-comedy of the decade. The popularity and profitability of *CRA* is related to its unprecedented appeal to the general (predominantly White) audience, despite its apparent concern with the life of "Asians."

CRA's plot centers on Rachel Chu, a Chinese American adolescent, who is a successful economics professor at New York University and is dating Nicholas "Nick" Young. When Rachel and Nick travel to Asia for the wedding of Colin, Nick's friend, she discovers that Nick's family is one of the wealthiest in Singapore, and he is heir to the family company. The luxury and extravagance that surrounds the Youngs shocks Rachel whose cultural and economic background does not impress Nick's protective mom Eleanor. Throughout their trip, Rachel and Nick's relationship is challenged by characters whose (Chinese-Singaporean) cultural beliefs and values are at odds with their relationship. The film represents encounters between Asians and Asian-Americans as culture clashes, a rare occasion in mass media. As refreshing as this film is in terms of representation of finer details of Asian and Asian-American identification, its narrative arc is relatively safe—a fairy tale ending for a heterosexual Asian couple that is "crazy rich." This narrative closure is one of the limitations of this Hollywood film's political impact. This essay examines what kind of novelty this film represents as a commercial success that challenges and affirms a range of cultural and racial norms.

SCHOLARSHIP ON *CRA* AND HOLLYWOOD FILM'S INFLUENCE ON POPULAR CULTURE

Scholars such as Yikun Zhao, Alexandria Hatchett, and Devi Vijay have argued that *CRA* fails to account for the entire Asian population, contrary to the film title's promises. Zhao states that representation in *CRA* is controversial because it claims to represent Asian people as a whole when that is clearly inaccurate. For

example, power associated with wealth is reserved for the Chinese-Singaporean characters, yet the film takes place in Singapore, a land that is historically Malay, thus erasing another group of people who are also Asian. Hatchett claims that the plot and characters provide a nuanced understanding of race in the US by centering the perspectives of individuals within the Asian diaspora. Both scholars agree that *CRA* used “sociocultural waves” (Zhao 4; Hatchett 23) to launch its popularity, which explains why the film is celebrated and its flaws are initially overlooked. Additionally, the film uses these “sociocultural waves” in order to also celebrate strong entrepreneurial women, however it does so at the cost of erasing inequalities that are inconvenient to portray in mainstream media, such as the Singaporean working class (Vijay 2). According to Wanwarang Maisuwong, film is used as a propaganda tool, and Hollywood films in particular promote American culture to other countries (India, Thailand, Korea, and Hong Kong) in several aspects (politics, military, economics, and entertainment) and should therefore be treated as a form of cultural imperialism (3), demonstrating how influential Hollywood films are on popular culture. I argue that, although deeply flawed, the film provides an unprecedented opportunity to discuss who does and does not have a seat at the table of “US culture” and how popular culture shapes the politics of diversity in the United States.

ASIAN-AMERICAN HISTORY AS US HISTORY

The historical significance of *CRA* may be as a representation of Asian and Asian-American actors that rejects many racial stereotypes that have defined its medium, the mainstream film. Because Chinese settlers were the first Asian immigrants, the identity of other Asian immigrants who followed was commonly generalized under the category “Chinese,” despite the cultural differences among the various immigrant groups from Asia (Robinson 84). Under the influence of these stereotyping generalizations, the general understanding of who and what was considered “Asian” became significantly limited or oversimplified in US popular and public culture. The process of generalizing the identities of great numbers of people under a single category has cultivated the status of Asian Americans in popular culture as the racialized Other.

Academic critique has since improved our understanding of stereotypes, but the same does not apply to public understanding, partially because of the public education system. The field of Asian-American history is poorly covered in the public primary and secondary education system, a broader public understanding of the origins of Asian stereotypes remains limited (An 268; Rajgopal 147). When Asian-American history is present in the curriculum, it is limited to recurring themes, largely painting Chinese and Japanese people as foreigners and victims (An 261), still limiting a deeper understanding of who is considered “Asian.” The absence of Asian-Americans’ perspectives from the U.S. history curriculum suggests that their stories are not valuable enough and it impacts the society’s view of itself. Education sources portray Asian-Americans as static in history and continue to present a limiting picture to new generations of students attending schools in the US. The lack of understanding the complexity of “Asian” people in the context of U.S. history contributes to the continuation and popularity (i.e., profitability) of negative stereotypes.

RACIST STEREOTYPES IN PRACTICE: “YELLOW PERIL” AND THE “MODEL MINORITY”

The “model minority” stereotype emerged in the 1980s, implying praise for Asian-Americans on account of their allegedly universally close family ties, strong education values, and law-abiding character (Kawai 113). Repetition of these stereotypes and praise of immigrants’ adherence to them suggests these characteristics are more appealing than those stereotypically associated with other ethnic groups in the US, such as African Americans and Latinxs, whose social and economic mobility may not be as “progressive” because of structural and institutional obstacles (Paek & Shah 226). The stereotype holds that Asian-Americans have been able to become financially successful despite facing systemic disadvantages, and that by resorting to their “innate talents” they proved such obstacles to be non-existent or irrelevant. Denial surrounding institutional racism helps to maintain the image of the U.S. as an unproblematic destination for any immigrant, where marginalized groups such as immigrants, racialized people, and those economically disadvantaged enjoy economic and social mobility and can move up the social ladder (Kawai 114).

Paek and Shah remind us that although many Asian-Americans have had economic success, many remain impoverished as well. As of 2003, the poverty rate of Asian-American families was three times that of White families (238). Additionally, the median incomes of Japanese and South Asian families are almost triple those of Hmong and Cambodian families (Paek and Shah 238). This demonstrates how the model minority myth only accounts for a handful of Asian-Americans. This false narrative persists because it seems to provide positive representation for a broadly conceived ethnic group and diminish the importance of structural obstacles to equality and historical and cultural details that differentiate among the millions of the members of this group. Excluding such complex narratives only serves to maintain this ideology that is meant to keep the idea of “Asian-Americans” as the designated unchanging Others.

The second racial stereotype, “yellow peril,” traces back to the nineteenth century, when the U.S. public discourse became saturated with the fear that Asian people, the “yellow race,” would come to dominate White Americans (Kawai 112). The “yellow peril” placed a strong emphasis on the physicality of race by depicting Asian characters visually, often with tall and slim figures, slanted eyes and dripping fangs (Rajgopal 144; Hirsch, 465). The definition of “yellow peril” fluctuated, however, so its effect was inconsistent. Subsequently, its definition could be extended to any Asian group that was deemed a threat by non-Asians, for the purpose of excluding them from the idea of American citizenship. These two stereotypes are at odds with each other as they simultaneously portray Asian-Americans as upstanding citizens and as foreigners regardless of their place of origin. The narratives work together to isolate Asian-Americans from other marginalized groups, as well as to present them in opposition to Anglo-Americans. “Yellow peril” ensures that Asian-Americans will always be foreigners, contrasting their representation on film to the representation of White Americans, whose ancestry can be traced back to “foreign” countries, but their assimilation is always underway and seamlessly so because they somehow “always belonged” in the US.

Research in psychology has found that the stereotypes prevailing in popular culture have affected Asian-Americans' self-perception. Asian-American college students perceived themselves to be academically superior to other marginalized groups (Wong 103), despite not exceeding them. Furthermore, roles that emphasize actors' race continue to sustain the "model minority" myth and "yellow peril" stereotypes (Kawai 110). Therefore, many Asian-American actors were conflicted about the significance of their race in relation to their occupation, some sensing that their race promoted success in the industry, because they could then land race specific roles. While others believed it was a hindrance because they were perceived as foreigners and were offered limiting roles of highly racialized characters (Lee 177-81). Such doubts and uncertainty among Asian-American actors are related to the history of their positions in American society as citizens who do not belong. Several actors felt that public perception might shift from negative to a more positive one if Asians appeared more frequently on screen (Lee 182).

CRA rejects some stereotypes to an extent, but also operates on Eurocentric ideas of what does or does not make Asian people attractive using forms of cultural capital including education, property, and green cards (Hatchett 43). The Chinese-Singaporean characters, namely the Young family, deem Rachel to be foreign or non-Asian, highlighting the cultural difference between East Asians and East Asian Americans. This is a common dilemma for Asian Americans, and *CRA*'s decision to address it creates a contrast against the prior racist portrayals and suggesting possibilities of change in the representation of experiences in Hollywood films. Rachel, rather than Oliver, Nick's gay cousin, is the story's protagonist. She is a modern take on the American Dream that reminds us that the U.S. allows and thrives on socioeconomic mobility, and that the protagonist of such a narrative can be a minority woman, albeit a straight one.

Although this film provides Asian-American representation on a substantial platform, it does so at the cost of the limiting narrative generalizes to stereotypes, extrapolates from the "crazy rich" to all "Asians" (including Asian Americans), and encourages audiences to enjoy "identification" with a clearly improbable plot line. Such limitations are intentional as the film never questions Eurocentric ideals of gender, race, and class which imagine power in the hands of heterosexual, white, legally free men with income (Harris 138), and render minority bodies marginal and undesirable. The film demonstrates how Chinese American and Chinese-Singaporean cultures have adopted this definition of power. The Youngs represent the ideal of wealthy and heterosexual characters with power (Harris 104). This is why the attention given to the character of Oliver T'sien, who is Asian and gay, is very limited.

Although the film features an openly gay character, Oliver's sexuality is not accepted by his family, and the only way for him to avoid being cast out of all family activities is by executing frivolous errands. When Oliver makes a brief appearance, he is typically ordered around by the family elders, the treatment equivalent to the treatment of family servants. Even though Oliver describes himself as "one of the poorer relations," he is still associated with the Youngs, a powerful family, yet that power is not accessible to him on account of his sexuality. *CRA* misses the opportunity to undermine heteronormative standards of mainstream film by failing to give Oliver sufficient screen time and explore his character beyond the role of the conventional

family's "rainbow sheep." As progressive and unprecedented as the film's casting is, the plot ultimately and conveniently sidelines Oliver as a marginal character whose only purpose is to affirm the importance of the main heterosexual family and the plot its maintenance generates.

Keeping in mind the complicated relationship between popular culture and political engagement, the packaging of *CRA* under Warner Bros., a major Hollywood studio, must be considered as part of the larger political context in which the film has operated. For Hollywood films, the general objective is to appeal to as large an audience as possible by meeting the audience's expectations about the medium and the genre. Whereas for independent or "indie" films, the primary goal may not be to entertain the audience but rather to challenge the viewer with a difficult subject (Ortner 2). *CRA*'s financial success aligns with the objectives of Hollywood films, even while it pushes the boundaries with its casting choices. Notably, however, its understanding of "Asia" is quite limited: out of 48 countries *CRA* only acknowledges three, Singapore, China, and Hong Kong, all of them in East Asia. Although the film is praised for featuring an all-Asian cast, the cast members reflect the lack of diversity represented within Asia. Although it would be difficult to acknowledge the entirety of Asia in a single movie, the film does feature a title that generalizes from the three to all of Asia. This is how the film profits from persistent stereotypes that now survive in the political idea that "Asia" consists of a few countries with high international reputation. *CRA* therefore shows how popular culture works as a vehicle of particular ideologies that are deeply problematic even if (or because) they are highly profitable and make the film "successful."

CONCLUSION/DISCUSSION

Through this capstone I have examined *CRA* and its cultural and political effects in reference to Asian American history and representation of Asian migration in the US. The commercial discussion in a popular film of this common experience amongst Asian-Americans is significant because this understanding of cultural experience better helps to understand cultural and social history of the US more broadly, validating and bringing awareness to perspectives, experiences and hardships previously unrecognized. The production choices begin to answer an increase in demands from American audiences for narratives that imagine "American" stories more widely. Although the public discourse surrounding inclusivity in casting has changed, it would not have happened had there been no demand for it in the first place.

Despite its popular appeal and financial success, the film does not attest to the experiences of all Asian and Asian-Americans. This research follows the warnings by Paek and Shah, who point out that the "model minority" stereotypes favor East Asian cultures, so that excluding other Asian groups from the possibility of being "Asian" only perpetuates the false implications that Asian people hail from a handful of indistinguishable countries. It inevitably diminishes the visibility and inclusion of other Asian groups. Storylines geared towards the Asian population, or any other ethnic group of people, will never accurately or respectfully reflect that population so long as White voices remain the only ones in the writers' room.

Even if the film changed some viewers' perspectives positively, I suspect the change was limited and momentary. The outbreak of COVID-19 in the US was a

reminder that the racist ideas circulating in US culture did not abate as a result of the film's popularity. Discourse surrounding the pandemic has allowed to reemerge the racist stereotypes that were previously circulating primarily in "popular entertainment" (such as Hollywood film) and there treated as innocuous or laughable. It is worth noting how the media has administered the public discourse surrounding the outbreak of the virus. President Trump has publicly (in Twitter and in an official White House press conference) referred to coronavirus as the "Chinese virus" or "China virus" (Gover 653). Such irresponsible language promotes and justifies xenophobic behavior that only aids in the fear of the spread of the pandemic and scapegoats' Asian people as the "source." Although the president rescinded his poor choice of words (Gover 655), their effects have been profound on American public discourse and public perception of and feelings about Asian people. The fear surrounding the spread of the virus operated similarly to that of "yellow peril," foregrounding Asian Americans' physicality and designating them as targets of racist attacks fueled by fear or even hate of Asian people the individuals deemed "Asian looking." The movie's success should therefore not be expected to produce changed or more positive attitudes towards Asian Americans as a consequence of its viewing.

REFERENCES

- An, Sohyun. "Asian Americans in American History: An AsianCrit Perspective on Asian American Inclusion in State U.S. History Curriculum Standards, Theory & Research in Social Education", 2016, 44:2, 244-276, DOI: 10.1080/00933104.2016.1170646
- Cloonan Street, Martin, John. "Rock the vote: popular culture and politics." *Politics* 18.1 (1998): 33-38.
- "Crazy Rich Asians." *Box Office Mojo*, www.boxofficemojo.com/releasegroup/gr3492762117/?Data.census.gov, data.census.gov/cedsci/table?q=2018%2Bpopulation&hidePreview=false&tid=ACSDP1Y2018.DP05&y=2018&vintage=2018&t=Populations%2Band%2Bpeople.
- Desai, Jigna. "Film." *Keywords for Asian American Studies*, edited by Cathy J. Schlund-Vials et al., NYU Press, 2015, pp. 92–94, www.jstor.org/stable/j.ctt15r3zv2.28.
- Erigha, Maryann. "Race, Gender, Hollywood: Representation in Cultural Production and Digital Media's Potential for Change." *Sociology Compass*, vol. 9, no. 1, 2015, pp. 78-89. <http://onlinelibrary.wiley.com/doi/abs/10.1111/soc4.12237>
- Gover, A.R., Harper, S.B. & Langton, L. Anti-Asian Hate Crime During the COVID-19 Pandemic: Exploring the Reproduction of Inequality. *Am J Crim Just* 45, 647–667 (2020). <https://doi.org/10.1007/s12103-020-09545-1>
- Harris, Latashia. "Body Control: The Neocolonial Displacement of the Multiple Minority Queer Body in Urban Space." *Humanity & Society*, vol. 40, no. 2, May 2016, pp. 133–154, doi:10.1177/0160597616643877.
- Hatchett, Alexandria. "Diversifying Representation in Film: An Examination of Racial and Ethnic Inclusivity in Black Panther and Crazy Rich Asians" (2020). *West Chester University Master's Theses*. 137.
- Hirsch, Paul. "'This Is Our Enemy': The Writers' War Board and Representations of Race in Comic Books, 1942–1945." *Pacific Historical Review*, vol. 83, no. 3, 2014, pp. 448–486. www.jstor.org/stable/10.1525/phr.2014.83.3.448.
- Inthorn, Sanna, John Street, and Martin Scott. "Popular culture as a resource for political engagement." *Cultural Sociology* 7.3 (2013): 336-351.
- Johnson, Rachel M. "Top Ten Highest-Grossing Romantic Comedies of All Time." *ReelRundown*, ReelRundown, 20 Dec. 2019. <https://reelrundown.com/movies/Top-Ten-Highest-Grossing-Romantic-Comedies-of-All-Time>

- Kawai, Yuko. "Stereotyping Asian Americans: The Dialectic of the Model Minority and the Yellow Peril." *Howard Journal of Communications*, vol. 16, no. 2, Apr. 2005, pp. 109–130. *EBSCOhost*, doi:10.1080/10646170590948974.
- Lee, Christina. "'It's not a movie, it's a movement': Crazy Rich Asians takes on Hollywood." *The Guardian*, 11 August 2018, <https://www.theguardian.com/film/2018/aug/11/crazy-rich-asians-movie-kevin-kwan-jon-m-chu-constance-wu>
- Lee, Joann. "Asian American Actors in Film, Television and Theater, An Ethnographic Case Study." *Race, Gender & Class*, vol. 8, no. 4, 2001, pp. 176–184., www.jstor.org/stable/41675001.
- Leff, Benjamin J. J. "Popular Culture as Historical Text: Using Mass Media to Teach American History." *The History Teacher*, vol. 50, no. 2, 2017, pp. 227–254. *JSTOR*, www.jstor.org/stable/44504480.
- Maisuwong, Wanwarang. "The Promotion of American Culture through Hollywood films to the World." *International Journal of Engineering Research & Technology*, Vol. 1, Issue 4, June 2012.
- Ortner, Sherry B. "Against Hollywood: American independent film as a critical cultural movement." *HAU: Journal of Ethnographic Theory* 2.2 (2012): 1-21.
- Paek, Hye Jin, and Hemant Shah. "Racial Ideology, Model Minorities, and the 'Not-So-Silent Partner': Stereotyping of Asian Americans in U.S. Magazine Advertising." *Howard Journal of Communications*, vol. 14, no. 4, Oct. 2003, pp. 225–243. *EBSCOhost*, doi:10.1080/716100430.
- Power, J. G., Murphy, S.T., & Coover, G. (1996). "Priming prejudice: How stereotypes and counter-stereotypes influence attribution of responsibility and credibility among ingroups and outgroups." *Human Communication Research*, 23, 36-58.
- Purvis, Tony. "Audiences in Media and Cultural Studies." *Get Set for Media and Cultural Studies*. University Press, Edinburgh, 2006, pp. 69–78. *JSTOR*, www.jstor.org/stable/10.3366/j.ctt1g0b7bm.9.
- Rajgopal, Shoba Sharad. "'The Daughter of Fu Manchu': The Pedagogy of Deconstructing the Representation of Asian Women in Film and Fiction." *Meridians*, vol. 10, no. 2, 2010, pp. 141–162. *JSTOR*, www.jstor.org/stable/10.2979/meridians.2010.10.2.141.
- Robinson, Greg. "Exclusion." Keywords for Asian American Studies, edited by Cathy J. Schlund-Vials et al., NYU Press, 2015, pp. 82–87. *JSTOR*, www.jstor.org/stable/j.ctt15r3zv2.26. Accessed 19 Apr. 2020.
- Vijay, Devi. "Crazy Rich Asians: Exploring Discourses of Orientalism, Neoliberal Feminism, Privilege and Inequality." *Markets, Globalization & Development Review* 4.3 (2020).
- Weaver, Andrew J. "The Role of Actors' Race in White Audiences' Selective Exposure to Movies", *Journal of Communication*, Volume 61, Issue 2, April 2011, Pages 369–38, <https://doi.org/10.1111/j.1460-2466.2011.01544.x>
- Wong, Paul, et al. "Asian Americans as a Model Minority: Self-Perceptions and Perceptions by Other Racial Groups." *Sociological Perspectives*, vol. 41, no. 1, 1998, pp. 95–118. *JSTOR*, www.jstor.org/stable/1389355. Accessed 25 Feb. 2020.
- Zhao, Yikun. "Crazy Rich Asians: When Representation Becomes Controversial." *Markets, Globalization & Development Review* 4.3 (2020).

♦ Political Science 409

HAS BLACK LIVES MATTERED?

SANTO GONZALEZ

INTRODUCTION

THERE IS A CHALLENGE TO BEING BLACK IN AMERICA. The black identity is not wholly shaped by the perceptions that African Americans have of themselves. Part of the black identity is shaped by how the media portrays African Americans and how “white” society looks upon African Americans as individuals and as a community. For many African American communities, the most visible symbol of white society is the police. Historically, the relationship between African American communities and law enforcement has been one of great complexity and turmoil. Incidents of police violence against African Americans has been met with a strong social justice response that has echoed across the United States. However, the relationship between law enforcement and African American social justice movements has mostly only been looked at through a nationwide lens. This research paper therefore aims to address the topic of how social justice movements influence local law enforcement. There is little research on how specific cases of social protest have shaped law enforcement on a local scale. This creates a gap in our understanding of how effective social justice movements are in achieving concrete change.

This study focuses on how the Black Lives Matter movement has influenced local law enforcement in Ferguson, Missouri after the shooting of Michael Brown. I ask the question: to what extent has the Black Lives Matter movement impacted police practices in Ferguson, Missouri? The answer I ultimately came up with is that the Black Lives Matter movement's most significant impact was in being the catalyst for changing the composition of law enforcement personnel and introducing new equipment and training in the Ferguson Police Department. This study starts with an

The Assignment and the Writer: In POL 409, the Colloquium for Research on Government and Politics, students develop and complete a major research paper. Santo examines how the Black Lives Matter (BLM) movement influenced local law enforcement practices, specifically those in Ferguson, MO, following the police shooting of Michael Brown. Situating his research within the historical literature on the relationship between law enforcement and African American communities, Santo collected and analyzed documents from the Ferguson Police Department, the Department of Justice, and BLM. In this compelling paper, Santo argues that while BLM catalyzed various changes in the Department's personnel, equipment, and training practices, their impact was ultimately limited. The changes sparked and invigorated opposition from police officers, and police violence against African Americans has continued at similar levels.

– Professor Samantha Majic

analysis of the current literature on the historic relationship between law enforcement and the African American community. Concentrating on how law enforcement practices have shaped African American communities and the black identity. I go on to cover the research methods and procedures I utilized to most effectively answer my research question. This is followed by my findings, which were separated into 3 parts: police practices before 2014, the goals of the Black Lives Matter movement, and statistical evidence for changes in police practices. Last, I discuss my findings and introduce any potential criticism, which is then followed by my conclusion.

LITERATURE REVIEW

Ever since the emancipation of slaves, social justice movements for African Americans have been met with a systemic response. After the Civil War came Jim Crow. After the Civil Rights movement came the “war on drugs” and mass incarceration. Now with the Black Lives Matter movement we are seeing the excessive use of military style tactics in local law enforcement. Since the Civil Rights movement we have seen police dehumanize African Americans with water hoses, attack dogs, blunt instruments, and shootings (Litwack, 2009). The Civil Rights movement had succeeded in bringing attention to an ever-evolving racial caste system that has been perpetuated for more than four centuries (Litwack, 2009). The movement worked to attain educational opportunities for African Americans so they would attain higher skilled jobs and professions. Along with affirmative action, the Civil Rights movement led to the expansion of the African American middle class. The rise of this class led to an increase in African American political representation. However, these positive results did not apply to all African Americans. The goals of the Civil Rights movement did not coincide with the structural changes and systemic reconstruction needed to make African Americans truly socio-economically equal to white Americans. As Litwack (2009) explained “the ending of social segregation did not mean an end to economic and territorial segregation.” What Litwack was alluding to were the consequences of the “white flight” that occurred in the 1950s and 1960s, which left many urban cities mostly populated by impoverished minorities. The dereliction and destitution in these cities create an atmosphere of lawlessness, which future chief executives declared a threat to the very fabric of society.

During the 1970s, the Nixon administration focused on building a society around law and order. Many conservative politicians in the 1960s and 70s believed that there was a direct link between the accomplishments of the Civil Rights movement and an increase in crime rates (Alexander, 2010). The increase in the crime rate and counterculture movements became the justification for enacting policies that increased law enforcement spending. Granting law enforcement greater means to assault urban cities that mainly consisted of minority groups, who were seen as vagrant and disorderly members of society. J. Edgar Hoover was the FBI director under Nixon, as well as during the Civil Rights movement. Under his leadership the FBI saw African American leaders as the paramount threat to national security. The FBI constantly harassed, wiretapped, and blackmailed African American civil rights leaders. It also regularly persecuted and demonized African American community leaders and activists (Litwack, 2009).

In the 1980s Ronald Reagan's "war on drugs" became the successor to Nixon's "war on crime." The crack epidemic, which should have been viewed as a public health crisis, was instead seen as a criminal justice issue. The penalties for users of crack cocaine were harsher than those who used powdered cocaine since crack cocaine was associated with African Americans. In contrast, powdered cocaine was associated with white users. The "war on drugs" ultimately resulted in the mass incarceration of African American men, and an expansion in law enforcement authority (Oliver, 2003). Future administrations would go onto further expanded police capacity.

The Clinton's administration's 1994 federal crime bill upgraded law enforcement capabilities. This resulted in the expansion of prisons and it incentivized law enforcement to increase the rate of arrests and incarcerations. Laws like California's three strike law and mandatory sentencing led to many African American men spending the rest of their lives in prison for nonviolent crimes. In the 1990s, the media's over representation of black men as criminals, mainly through shows like *Cops*, created the myth of the African American man as a "super predator" (Oliver, 2003). As Alexander (2010) explains, "American popular culture had made the mere presence of an African American man fear inducing." It is this fear that has been used by law enforcement as justification for the use of excessive force. Many police officers in their court testimonies claimed they feared for their lives when confronting their African American victims. However, the use of excessive force by police officers has become the impetus for outrage within the African American community.

Though not the first riots fueled by police brutality (The Watts riots of 1965 predated it), the riots that followed the Rodney King trial in 1992 became the most destructive moment of civil unrest in American history (Boyles, 2019). The Los Angeles riots, like the Ferguson riots, demonstrate to us an overall pattern of how police brutality not being properly adjudicated has been consistently met with riots and outrage by African American communities. But simply rioting does not lead to systemic change, as the LA riots taught us. It is activism that plays a key role in turning the raw energy of rioting into a concentrated social justice movement.

The recent death of Trayvon Martin, and the subsequent acquittal of his killer George Zimmerman, was the catalyst that created the Black Lives Matter movement. The essence of the Black Lives Matter movement is to advocate that African Americans should matter in the eyes of the US justice system. As co-founder of the Black Lives Matter movement, Opal Tometi stated "for us (African Americans) justice is truly blind because we are not being seen." Black lives have been shown not to matter in instances like the death of Eric Garner in New York City by a police officer administering a choke hold, the death of Laquan McDonald when a Chicago police officer shot him 16 times, and the death of Michael Brown in Ferguson, Missouri.

On Aug 09, 2014, 18-year-old Michael Brown was unarmed when he was gunned down by a 26-year-old police officer named Darren Wilson (Gilham, 2018). After Darren Wilson was not indicted by the St. Louis county court, protest erupted across Ferguson. Protesters and activists who called out for social justice collided with a militarized police force. Military style tactics and equipment were used to bring order to a turbulent suburb. Ferguson was put under a quasi-martial law as law

enforcement officials enforced curfews and limits on movement (Gillham, 2018). For the African Americans in Ferguson, this experience was nothing new. African American communities have been under perpetual surveillance and control since the Civil Rights movement. Thus, African American communities, like the one in Ferguson, do not see law enforcement as friendly protectors but rather as dangerous oppressors (United States, 2015).

As I have demonstrated, a lot of the literature about police practices in regard to African Americans focuses on the history of police brutality against African Americans and approaches the issue as a cultural problem. Studies mainly focus on the systemic racism that for many African Americans is built into American culture. Specific incidents are looked upon merely as examples of the perpetuation of police injustice, rarely are they studied as specific case studies in and of themselves. Current research mostly fixates on past injustices and what needs to be done in order to remedy the issue, but there is little literature on what has been effectively done and on what has happened locally after these incidents of police brutality occur.

My research aims to bring to light the connections between social justice movements, like Black Lives Matter, and local law enforcement, specifically how the former group influences the latter group. I believe this topic of research is vital because as we saw with the Civil Rights movement, social movements have been the catalyst for change in African American communities and have been integral in shaping their relationship with local law enforcement.

Due to the time frame I had to conduct my research, and the complexity of the relationship between African Americans and law enforcement, I chose to focus on one specific time and location; Ferguson, Missouri post the death of Michael Brown. This research paper aims to answer the question: to what extent has the Black Lives Matter movement impacted police practices in Ferguson, Missouri? Ferguson is but a singular example of how African Americans have dealt with police brutality, thus this paper will merely serve as a starting point and/or an inspiration for future researchers to participate in comprehensive analysis of all incidences of police injustice that have been met with a social justice response. My research will not only demonstrate how effective social justice movements can be/have been in enacting concrete change in law enforcement, but it will also show whether social justice movements are indeed viable instruments of change and if they are, what actions have they taken that have proven to be effective.

RESEARCH & METHODS

In order to see how the Black Lives Matter movement affected police practices in Ferguson, Missouri, I had to break my research into three separate parts. The first part consisted of identifying the setting. For this I had to figure out what were the conditions in Ferguson prior to the arrival of the Black Lives Matter movement. Specifically, what were the police practices before the protests? In order to do this, I focused on what was the relationship like between the Ferguson police department and the African American community. For this part of my research, I did a content analysis of the Department of Justice's Report on the Ferguson Police Department. I also did an analysis of The Ferguson Commission's report that was ordained by the Obama administration. Last, I looked into brochures and reports from the Ferguson

Review Board looking for any information on policy changes and initiatives.

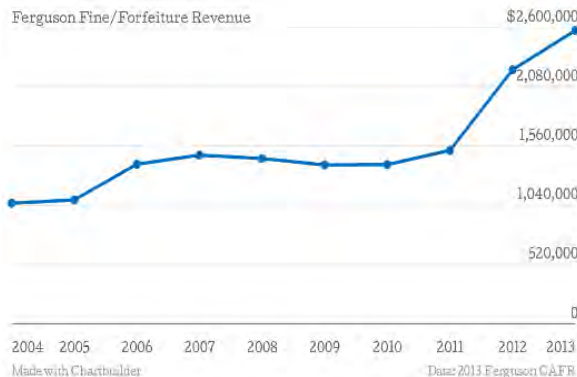
The second part consisted of identifying the goals the Black Lives Matter movement had while in Ferguson, Missouri. Specifically, which of these goals were designed purposely to change police practices directly or indirectly? I used a qualitative method to analyze press conferences, mission statements, and interviews given by Black Lives Matter's "leadership." I also examined information presented on their main website: blacklivesmatter.com.

The third part consisted of obtaining quantitative data (statistics) that demonstrated changes within the Ferguson Police Department. I focused on data from 2014-2018 that demonstrated a change in personnel, fiscal spending and incidents of fatal shootings by police officers. I also obtained the Ferguson Police Department's annual operating budget reports for each year mentioned above. I searched databases from the *Bureau of Justice Statistics and the FBI's Uniform Crime Reporting Program*. As well as databases from nonprofit watchdog groups e.g., *Mapping Police Violence, City-Data.com, and Fatal Encounters*.

My methods were limited by my inability to travel to Ferguson, Missouri and attain a firsthand account of the current police practices being used. I was also unable to communicate with anyone from the Ferguson Police Department. I must also note that the data I collected from government watchdog groups are from nonprofit organizations that mainly depend on volunteers and activists to obtain accurate information.

FINDINGS & DISCUSSION

In my research I found that police practices prior to the Black Lives Matter movement consisted of excessive fines, discrimination, unnecessary use of force, and conflict escalation all aimed at the African American community. The US department of Justice found that the Ferguson Police Department engaged in practices of conduct that violated the first, fourth, and fourteenth amendment of the constitution. The Ferguson Police department's excessive searches, arrests, use of force, and discriminatory behavior were all an attempt to generate more revenue from the African American populace at the expense of public safety (DOJ, 2015). The graph below shows the amount of fine and forfeiture revenue the Ferguson Police Department generated between 2004-2013.



From 2012-2014, the population in Ferguson was roughly 21,000 residents. African Americans comprised 67% of the population of Ferguson, Missouri. 16,000 people in Ferguson had arrest warrants, and 96% of them were African Americans. African Americans also composed 85% of people subject to vehicle stops, 93% of arrest, and 90% of the people who received citations. Of all minor crimes, e.g., jay walking and failure to comply, 94.5% were filed against African Americans (U.S Congress, 2015). African American would routinely spend days behind bars for minor offenses.

As the statistics have shown, the Ferguson Police department had disproportionately harmed African Americans. The Department of Justice found that this was due to intentional discrimination by law enforcement personnel. The FBI found evidence of racial bias and stereotyping of African Americans by the Ferguson Police Department. This included internal emails and documents, video footage, and testimonials depicting personnel using discriminatory language and engaging in mocking behavior towards African Americans.

Police would routinely escalate tense situations with African Americans rather than de-escalate them (DOJ, 2015). The Ferguson Police department would stop and arrest African Americans without probable cause, and they would use unreasonable force against African Americans during these stops. In one of their reports, the Police Executive Research Forum found that Ferguson Police Officers were trained to react instantly to perceived threats, i.e., they were on guard all the time. They were required to complete more hours in weapon training (129 hours) than in de-escalation training (8hrs) (Wexler, 2015). Police would respond to protesters using military style tactics designed to increase tension, thus instilling fear and animosity from protesters while simultaneously violating their right to freely assemble. Black Lives Matter activists believe that policing is central to maintaining the sexist, racist, and unequal status quo (BLM, 2019). It was these beliefs that shaped the movement's goals in Ferguson, Missouri.

After the shooting of Michael Brown by police officer Darren Wilson, the Black Lives Matter movement started protesting in Ferguson, Missouri. In Ferguson, The Black Lives Matter movement has the aim of seeing an increase in police sensitivity towards the African American community via procedural manners. Black Lives Matter co-founder Alicia Garza stated, "we seek comprehensive reform in the law enforcement and criminal justice systems." The focus is on human and civil rights by treating African Americans with dignity, respect, fairness, and neutrality (BLM, 2019).

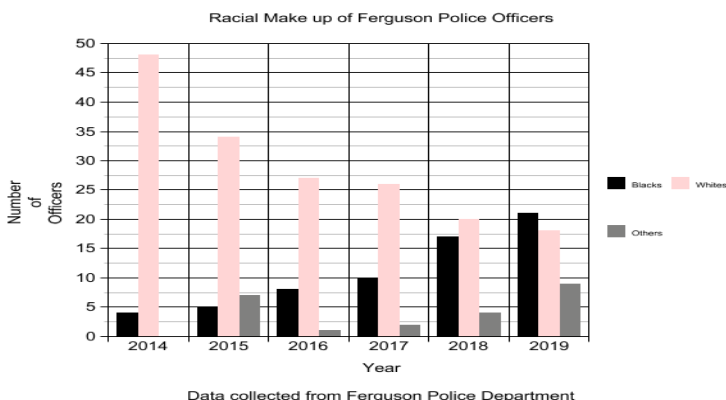
The Black Lives Matter movement believes that police officers should be held accountable for their actions. For them, police officers are held to a different judicial standard than United States citizens. For instance, the officers are rarely punished for their excessive use of force and when they are punished, it is not severe enough. The Black Lives Matter movement seeks to make officers more accountable by removing bad officers and replacing them with law enforcement personnel that are more representative of the African American Communities they have sworn to protect. Lastly, the Black Lives Matter movement aims to reduce the incidents of police violence and brutality via protesting and lobbying for an increase in police sensitivity training and the introduction of body cameras to law enforcement equipment.

Black Lives Matter co-founder Patrisse Cullors calls for a defunding of local law enforcement in order to utilize those funds to improve the socio-economic status of the impoverished Ferguson community. Moving economic resources from the police department towards community development also serves as reparations for the egregious fines the African American community has had to pay over the years.

The Black Lives Matter movement attempts to bring awareness to social injustices mainly through political activism and protest (Winter, 2016). In my research I found that the greatest contribution the Black Lives Matter movement achieved was bringing awareness of the conditions in Ferguson to federal agencies via protesting and activism. It was the actions of the Black Lives Matter movement in Ferguson that gave the African American community a voice that was loud enough that the United States Department of Justice started an investigation into the Ferguson Police Department, and the Obama administration created a commission with the singular purpose of identifying the principal issues in Ferguson and suggest long term solution.

The Ferguson Commission (created by an executive order by former President Obama) along with the report from the Department of Justice were the two pillars that were central to police reform in Ferguson. The commission itself implemented its findings through the Forward Through Ferguson initiative, whose chosen members were activists closely tied to the Black Lives Matter movement (US Congress, 2015). The commission recommended civilian oversight of police policy, thus making the Ferguson police force more accountable to its citizenry.

From 2014-2017 There was a drastic change in personnel in the law enforcement community. Multiple top officials, including court clerks, council members, the chief prosecutor for St. Louis, the city manager, and the municipal judge were terminated/resigned and replaced mainly by African Americans. The graph below demonstrates the change in the racial composition of the Ferguson Police force from 2014-2019.



In 2014 the total number of Police officers was 52 for Ferguson’s 21,000 residents. By 2019 that number would decrease to 48 officers. In 2014, out of the 52 officers 4 were African American and 48 were white. By 2015 the number of African Americans had increased to 5 with 34 white officers. However, in that year the total number of officers had decreased to 46. 2016 and 2017 saw a rapid decline in law enforcement personnel as the total number of police officers had reached its lowest point of 38 officers. By 2019, the police force consists of a total of 48 Officers: 21

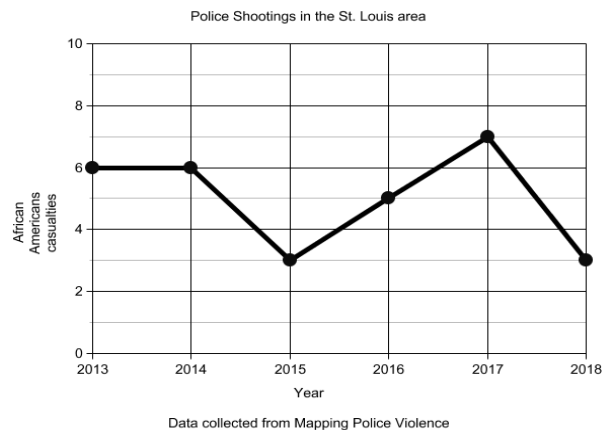
African American, 18 white, and 9 others.

Officials at the top of Ferguson's law enforcement community were also pressured by Black Lives Matter activists and protesters. In the wake of the 2014 Black Lives Matter protest and the subsequent Department of Justice investigation, 5 law enforcement employees (including 2 police officers) were terminated or forced to resign due to charges of racial discrimination. Police Chief Thomas Jackson resigned and was replaced by Delrish Moss (2016-2018) and then by Jason Armstrong (2019), both of whom are African Americans. Wesley Bell, who became councilman with the full endorsement of Black Lives Matter activists, went on to defeat former county prosecutor Robert McCulloch in the 2018 Democratic primaries. McCulloch was the prosecutor who refused to indict Officer Darren Wilson in the death of Michael Brown. Bell's platform is heavily supported by the Black Lives Matter movement for its emphasis on police accountability and community-based policing (BLM, 2019). Officer Darren Wilson would go on to resign from his position in the Ferguson police force. Like him, some officers chose to resign and leave Ferguson. They used their years of law enforcement experience to obtain employment in other nearby counties. In 2014, Ferguson's mayor James Knowles stated that the decree from the Department of Justice and the Ferguson Commission has led to cuts and vacancies in city jobs. Law enforcement specifically saw an increase in vacancies. Many positions have not yet been filled by what the mayor has stated as a "lack of qualified candidates." By 2017, the city council in Ferguson had three African Americans serving, up from one in 2014. The city council also voted to oust city manager John Shaw after the Department of Justice's report accused his office of systemic racial bias.

Apart from achieving drastic personnel change, the Black Lives Matter movement has achieved their goal of enacting policy change that made it mandatory for police officers to wear body cameras. Fitting officers with body cameras has increased transparency and has lowered the number of complaints filed against police officers (Gillham, 2018). Though the introduction of new equipment and the training required to use said equipment has introduced new costs.

In order to enact policy changes advocated by the Black Lives Matter movement, e.g., sensitivity training, and comply with the reforms required by federal decree, the Ferguson Police Department has seen an increase in its budget. Since 2014, police spending has increased by 12% due to a change in recruitment policy, the addition of body cameras, and the building of a new police academy. In 2015 Federal grants and donations of more than one million dollars were given to the Ferguson Department of Public Safety to deal with the aftermath of the protests.

However, the personnel change and the increase in spending has not had any impact on police violence. In my research I found no statistical evidence or research material that indicated that police shootings of African Americans are on the rise or declining. From 2013-2018, police shootings in the St. Louis area (includes Ferguson) have remained consistent. Within those years, the total number of African Americans killed by the police department was 30 out of a total of 33 people. Though within Ferguson, the shooting of Michael Brown was the only reported police shooting in the last 7 years. The graph below shows the number of African Americans killed in the greater St. Louis area by police shootings.



However, the St. Louis Metropolitan Police currently have the highest average annual police homicide rate in the United States at 17.2.

DISCUSSION

As my findings have shown, the Black Lives Matter movement has had a significant impact in changing law enforcement personnel and introducing policies that changed police equipment and training. But there was no impact on the rates of police violence and resource allocation as police shooting rates on average have remained the same. Also, it is seen that rather than a defunding of the Ferguson Police Department there was an increase in funding to cover the cost of enacting the policy changes advocated by the Black Lives Matter movement.

Other researchers could argue that the significant impacts the Black Lives Matter movement had in changing police practices in Ferguson were short term gains that came with long term repercussions that extend beyond Ferguson, Missouri. The so-called “Ferguson Effect” is the belief that due to the heavy police scrutiny in Ferguson, police officers across the country were hesitant in fulfilling their duties. This hesitation led to lack of intensity in law enforcement which correlated to an increase in crime in major cities across the United States (Gillham, 2018). I have found no objective evidence that supports that the “Ferguson Effect” actually exists.

On the contrary, once they were no longer under scrutiny from federal authorities, the law enforcement community started resisting the Black Lives Matter movement. The protest had exacerbated the antagonistic relationship between activist groups and Ferguson police (Boyles, 2019). Critics of the Black Lives Matter movement blame them for creating an atmosphere that endangers police officers. Police unions, conservative supporters of law enforcement, and the #Bluelivesmatter counter movement depicted police officers as the victims. Police officers feel that a small minority of bad officers are a misrepresentation of their police department (Winter, 2016). Though my research clearly shows this not to be the case in Ferguson. Where the whole police department was charged with systemic racial bias by the Department of Justice. To the effect that, by the end of 2016 the police force had lost 27% of its personnel.

Police unions are also some of the most powerful unions within Ferguson and across the United States. Their use of collective bargaining agreements to limit police

discipline and inquiries into police misconduct provide more than adequate protection for police officers. They achieved this through provisions and stipulations in contract negotiations (Wexler, 2015).

While Unions safeguard officers on a local level, the offices of the chief-executive safeguards them on a federal level. On a national scale, the Black Lives Matter movement has been increasingly clashing with the new Trump administration and its conservative policies. Under former Attorney General Jeff Sessions, the Trump administration has limited oversight of local and federal law enforcement. This has made it more difficult for federal authorities to hold police officers accountable and for activists and researchers to obtain information on police misconduct (Boyles, 2019).

Moreover, Republicans in the House and Senate have also introduced new legislation that gives local law enforcement greater protection. The Protect and Serve Act is a 2018 bill sponsored by Republican John Rutherford. It aims to amend the federal criminal code to make it a crime to knowingly assault a law enforcement officer causing serious bodily injury. It gives police officers greater protection, and it intends to make violence against police a federal hate crime; criminals could serve up to 10 years in prison.

CONCLUSION

Therefore, my research demonstrated that the Black Lives Matter movement achieved significant impact in effecting police practices mainly through being the catalyst that changed the composition of the Ferguson Police Department and introducing policies that advocated for better sensitivity training and new equipment. They did not achieve any change in reducing the rate of police violence or redistributing resources from the police department to the local African American community. Critics would argue that the Black Lives Matter movement had unintended consequences that in the long-term worsened relations with local law enforcement.

Also, my research and results significantly demonstrated how difficult it is for even a prominent social justice movement to enact stable systematic change in local law enforcement. My research can serve as a frame of reference for social justice movements on the pragmatic effects and effectiveness of tactics used against local law enforcement institutions. Future researchers can look into other variables that impact police practices such as local economics, government bureaucracies, and the role of social and mainstream media. The Black Lives Matter movement is heavily dependent on social media and how mainstream media portrays them. Future researchers can also compare and contrast how the Black Lives Matter movement impacted law enforcement practices in two different cities *e.g.*, Ferguson after Michael Brown vs. New York City after Eric Garner.

The biggest challenge that future researchers will face is in retrieving data from government institutions due to a rigid bureaucracy and a lack of transparency. Future researchers will have to visit Ferguson, Missouri to paint a better picture of how social activism shapes local law enforcement. By visiting Ferguson, they could have one-on-one interviews and surveys with local residents to see how they feel the

Black Lives Matter movement impacted police practices for better or worse. They could also follow up on the long term (decades) viability on how the changes to personnel, equipment and training had an impact on increasing transparency and police accountability, while reducing incidents of police violence.

REFERENCES

- Alexander, M. (2012). *The new Jim Crow: Mass incarceration in the age of colorblindness*. Revised edition. New York: New Press.
- Black Lives Matter (2019). *What we believe*. <https://blacklivesmatter.com/what-we-believe/> Boyles, A. (2019). *You can't stop the revolution: Community disorder and social ties in Post-Ferguson America*. Oakland, California: University of California Press. Retrieved from <http://www.jstor.org/stable/j.ctvpb3zf0>
- Gillham, P & Marx, G. (2018). *Changes in the policing of civil disorders since the kerner report: The police response to Ferguson*, August 2014, and some implications for the twenty-first century. *RSF: The Russell Sage Foundation Journal of the Social Sciences*, 4(6), 122-143. doi:10.7758/rsf.2018.4.6.06
- Litwack, L. (2009). "Fight the power!" *The legacy of the Civil Rights movement*. *The Journal of Southern History*, 75(1), 3-28. doi:10.2307/27650400
- Oliver, M. B. (2003). *African American men as "criminal and dangerous": Implications of media portrayals of crime on the "criminalization" of African American men*. *Journal of African American Studies*, 7, 3-18. <http://dx.doi.org/10.1007/s12111-003-1006-5>
- President's task force on 21st century policing. (2015). *Interim report of the president's task force on 21st Century policing*. Washington, DC: Office of Community Oriented Policing Services.
- US Department of Justice. (2017). *Federal reports on police killings: Ferguson, Cleveland, Baltimore, and Chicago*. Melville House, June 2017
- US Congress. (2015), "*Forward through Ferguson: a Path toward racial equity: a printed companion to forwardthroughFerguson.org*." Ferguson Commission, 2015.
- Shaw, T. M., & United States. (2015). *The Ferguson report: Department of Justice investigation of the Ferguson Police Department*. Dept. of Justice Civil Rights Division. New York : The New Press, 2015
- Welch, K. (2007). *Black criminal stereotypes and racial profiling*. *Journal of Contemporary Criminal Justice*, 23, 276-288. <http://dx.doi.org/10.1177/1043986207306870>
- Wexler, C (2015). "Subject to debate: PERF members leading the way in defining "post-Ferguson" policing. Subject to Debate: A Newsletter of the Police Executive Research Forum. Vol.29, No.3 June/July/August 2015
- Winter, R & Vallano, J. (2016) *Black Lives Matter: Psychological research findings offers ways to foster justice*. *Monitor on Psychology*. February 2016 Vol 47, No.2. *Judicial Notebook*. American Psychological Association.

♦ POLICE STUDIES 415

WHITE NATIONALIST TERROR AND THE AMERICAN IDENTITY

ELIANA HOFFMAN

PROLOGUE

MISSISSIPPI, 1955. Cicadas buzz in the muggy August night. Gravel crunches under the slow-moving wheels of a pickup truck. Roy Bryant and J.W. Milam park in front of the house of Mose Wright, a local preacher whose great-nephew, Emmett Till, is asleep in bed. The men ask to see “the n****r who did the talking.”

“How old are you, preacher?” Milam asks Wright.

Sixty-four, Wright responds.

“Tell anyone about this and you won’t see sixty-five.”

The intruders kidnap Till from his bed, tie him up in the back of their truck, and drive him to a barn where they pistol-whip him until he is unconscious. Later, neighbors report hearing cries and seeing blood on Bryant’s truck. As the sun rises, Bryant and Milam shoot Emmett Till in the head, tie a heavy fan to his neck with barbed wire, and throw him over a bridge into the Tallahatchie River. Mose Wright is still awake; he has been searching for his nephew all night.

Emmett Till is discovered three days later by two boys fishing in the river. His body is bloated and mutilated. An eye is dislodged from its socket. A face, unrecognizable from the beating, bears a bullet hole above the right ear. Till has been stripped naked, and later can be identified only by a silver ring on his finger. Only fourteen years old, Till becomes the face of the anti-lynching movement in the United States.

~

Charleston. Christchurch. El Paso. When we talk about white nationalist terrorist attacks, there’s an attractiveness to viewing them as isolated incidents. Crazy people, we say. Doing crazy things. By insulating ourselves and our identity from the racist actions of a Dylann Roof or a Patrick Crucius, we can continue to go about our

days, secure in the knowledge that we live in an equal, progressive country, marred only by the uncommon racist attack-- by the outlier.

"History," wrote Maya Angelou, "despite its wrenching pain, cannot be unlived, but if faced with courage, need not be lived again." It is vitally important, therefore, not only for our safety but also for our truth and for our identity, to place contemporary white nationalist terror on a continuum, its roots buried deep in our country's history. Not only are its causes as old as America itself, white nationalist terror is not even the first terror to manifest from American racism. Lynching, viewed honestly, was the first wave of white nationalist terrorism in the United States.

The stereotype of black men as dangerous and criminal traces back to the first European colonizers of Africa. Called the "Dark Continent," Africa was seen as an unknown, bestial place defined by its savagery. The "White Man's Burden," a term coined by Rudyard Kipling, was to bring light, civility, and Christianity to the "primitive" people of Africa. When the slave trade began, traders used this stereotype to dehumanize Africans and justify kidnapping and selling more than twelve million people. Once in America, the slave trade was once again justified using dehumanization. In the Three-Fifths Compromise, passed in 1787, the American government stated that each African American was to be counted only as three fifths of a person.

Following the Emancipation Proclamation in 1863, Southern plantation owners, angry at the financial loss of freeing their slaves and drawing from the dark continent stereotype, labeled black men as dangerous and savage, and used this to begin incarcerating freed slaves en masse. Using the Thirteenth Amendment loophole, Southerners were able to restore their economy using the forced, unpaid labor of African Americans.

Now subject to segregation enforced by Jim Crow laws, African Americans living in the South were met with rage and indignation when they committed any minor perceived social transgression. Dehumanization combined with the stereotype of the black savage culminated in frequent white-on-black violence, very often in the form of lynching. African Americans, usually men, were accused of serious crimes like rape and murder (confessions were often obtained using violence), and the white public, entrenched in years of racist stereotypes, demanded violent vigilante justice. Mobs would gather to watch black men hung from trees and bridges.

Oftentimes, the bodies were hung so high that the families of the victims could not reach them, and instead had to look at their murdered kin for days or weeks. The message to African Americans intended by these lynchings was clear: stay in your place, or you'll be next.

Lynching was so widespread that it became a part of American culture. The 1915 film *Birth of a Nation* exemplifies the pervasiveness of the racist narrative of lynching from the Southern white perspective. In the film, a violent black man, Gus, (portrayed in blackface) chases a white woman through the forest where she eventually jumps over a cliff to avoid being assaulted by him. The film ends with the Ku Klux Klan riding in to save the day, and lynching Gus. At the time, *Birth of a Nation* was the highest-grossing film ever made and was shown in the White House by President Woodrow Wilson. As a result of lynching, six million black Americans moved out of the South between Reconstruction and World War II.

Southern trees bear a strange fruit
 Blood on the leaves and blood at the root
 Black bodies swinging in the southern breeze
 Strange fruit hanging from the poplar trees.

-Billie Holiday

The decline of lynching was made possible by the increased use of capital punishment in the South. Black men were still seen as dangerous criminals, and minor social transgressions were still met with calls for execution, only now, it was left to the courts.

Expedited trials and judges' orders, followed by public executions, mollified the same mobs that once gathered to watch lynchings; still, the stereotype of black men as dangerous and criminal persevered.

In the 1970s, the number of incarcerated black men soared as President Nixon's War on Drugs increased sentencing minimums for drugs like heroin and crack cocaine. Again, the dangerous-black-man stereotype was utilized to disenfranchise the black population, again on a federal level. Nixon's advisor, John Erlichman, is quoted as saying, "We knew we couldn't make it illegal to be either against the war or black, but by getting the public to associate the hippies with marijuana and blacks with heroin, and then criminalizing both heavily, we could disrupt those communities." That the stereotype of black men as criminal was reinforced by federal policy not only broadcast that black people were predisposed to crime but also permanently disenfranchised thousands upon thousands of black men in America.

Now, we see the dangerous-black-man stereotype in instances of police brutality and violence towards unarmed men of color across the country. Repeatedly, black men walking in their own neighborhoods are beaten, shot, and killed. The perpetrators of these crimes often say that they felt that they were in danger. Whether they're lying or telling the truth, they are relying on the fact that the public and courts will sympathize-- that enough of us believe the stereotype. Many times, to many people, they're right. And to those of us who know our history, it comes as no surprise.

So when we see instances of white nationalist terror, when we see gunmen open fire on people of color, what we are really witnessing is a continuation of our nation's history. Since the colonization of Africa, we have stereotyped black men as savages, justifying our own hate with dehumanization and blame. To see that this rhetoric fuels white nationalist terrorists, we need look no further than their manifestos.

Dylann Roof, who shot up a black church in Charleston, South Carolina, wrote that "segregation ... was a defensive measure" that "existed to protect us from them." He described black people as "brute animals" with innate tendencies for "violent behavior." He views himself as a vigilante, saving white women and taking a stand against white people "being murdered in the streets."

Brenton Tarrant, who opened fire on two mosques in Christchurch, New Zealand, wrote a seventy-six-page manifesto in which he called people of color "non-white scum." He carried out his attack "[t]o create an atmosphere of fear and change in which drastic, powerful, and revolutionary action can occur." Tarrant praised President Trump as a "symbol of renewed white identity and common purpose."

And Patrick Crucius, who shot and killed twenty-three people in a Walmart in El Paso, Texas, sought to “divide America into a confederacy of territories with at least one territory for each race,” saying that immigrants would “destroy [Crucius’] country.”

By no means is this attitude limited to white nationalist terrorists. New life is being breathed into message boards on the dark web, rife with racism and supremacist rhetoric. On sites where the referenced manifestos are posted, there are dozens of comments left in support of the attacks and of the attackers. “This is no crazed rant. Just a white kid who sees what happens to our people on a daily basis,” said one commenter in response to Dylan Roof. “We need to reinstate segregation,” said another. And it isn’t just in the shadows of the dark web that this narrative lurks. The president himself described Mexican immigrants as “rapists and murderers” while discussing his plan to “make America great again,” when the ironic truth is that this very attitude has historically made greatness impossible for many people of color in this country.

White nationalist terrorism is not a new practice. Emmett Till and more than four thousand black Americans died in racial terror lynchings. The narrative that they were criminals has not gone away. It incentivizes terrorists like Roof, Tarrant, and Crucius to this day, and shapes life for people of color across the country.

“I tremble with horror for the future of our nation when I think what must be the inevitable result if mob violence is not stamped out of existence and law once permitted to reign supreme,” said Representative George Henry White, the only black member of Congress in 1918. White’s proposed antilynching bill did not pass. Nor did nearly two hundred others, proposed between 1882 and 1986. Today, we witness the inevitable result.

A NOTE

A bill to make lynching a federal hate crime has passed through the House and currently awaits President Trump’s signature. Backed by Senators Kamala Harris and Cory Booker, the bill is titled the Emmett Till Antilynching Act.

REFERENCES

- Age of Treason website. (message board on Roof’s manifesto) <http://age-of-treason.com/2017/01/09/dylann-roofs-jail-journal/>
- Angelou, M. 1993. On the pulse of morning. Random House. Baum, D. 1994. Legalize it all. Harper’s Magazine.
- Clarke, J. H. 1992. Christopher Columbus and the Afrikan holocaust. A & B Books. Crucius, P. 2019. The inconvenient truth.
- Holliday, B. 1937. “Strange Fruit.” Strange Fruit Records.
- H.R. 35. 116th Congress. 2019-2020. Emmett Till Antilynching Act.
- H.R. 11279. 65th Congress. 1918. Dyer Antilynching Bill.
- Innocence Project. 2018. African American wrongful convictions throughout history. Retrieved from <https://www.innocenceproject.org/african-american-wrongful-convictions-throughout-history/>
- Roof, D. 2015. Untitled manifesto.
- Stevenson, B. 2017. Lynching in America report. Retrieved from <https://lynchinginamerica.eji.org/report/>
- Tarrant, B. 2019. The great replacement. United States Federal Bureau of Investigation. 2006. Prosecutive report of investigation concerning J.W. Milam, et. al. Retrieved from <https://vault.fbi.gov/Emmett%20Till%20Emmett%20Till%20Part%20of%2002/view>

♦ INTERNATIONAL CRIMINAL JUSTICE 401

INTERNATIONAL LAW, POLITICS, AND POWER: GENOCIDE ACCOUNTABILITY IN LIGHT OF EAST TURKESTAN

MOSAAB SADEIA

ABSTRACT

YET AGAIN, THE INTERNATIONAL COMMUNITY finds itself witnessing horrific atrocities being perpetrated against Uyghur and other Turkic ethnic minorities in Occupied East Turkestan—known to the world by its Chinese moniker Xinjiang. The state of China's Turkic minorities is relevant to the larger international criminal law discourse: the challenges faced in prevention and the role it plays in accountability. The inability of the international community to present any tangible mediation or de-escalation of government repression is great cause for concern, and indicative of the necessity to critically analyze the theoretical paradigms international criminal law is upheld to fulfill. Chinese authorities have blatantly instituted policies—such as mass internment and forced sterilization—that at the very least legitimately raise the need for an independent investigation headed by the international community. International law is subject to the political reality it exists in, and the Uyghur situation sheds light on the existing power dynamic. Unfortunately and accordingly, the Uyghur issue has become highly politicized; each state siding with its greater ally, enabling overall negligence and inaction towards the plight of China's Turkic minorities.

The Assignment and the Writer: In ICJ 401, the capstone seminar for International Criminal Justice majors, students write a mini-thesis according to a standard format, building on the skills and knowledge learned in previous major coursework. It is a guided literature review which examines an international justice issue. Mosaab Sadeia chose to examine the persecution of Turkic minorities in China, a timely and deeply disturbing issue. His analysis and discussion of the issues are superb, and his sophisticated writing skills bode well for his academic future. — Professor Rosemary Barberet

INTRODUCTION

In a modern entanglement between accountability and power, the international community finds itself paralyzed in action regarding Occupied East Turkestan in China and the upwards trend of Chinese government securitization, surveillance, and internment. Occupied East Turkestan—now known as Xinjiang by the Chinese government—is home to several ethnically Turkic Muslim minorities in China such as the Uyghurs, Kazaks, Tatars, and others (Klimes, 2015). In a long history of East Turkestan independence, it retained an ancient Islamic Turkic identity that clashed with their Han Chinese neighbors on several occasions (Klimes, 2015). Ever since East Turkestan was formally annexed and added to the People's Republic of China in 1949, tensions between Turkic minorities and the Han Chinese majority population have boiled into xenophobia, racism, and Islamophobia (Kaltman, 2007). Most recently, this situation has erupted into one of the largest detention and surveillance campaigns of this century: millions of Uyghurs are said to be imprisoned in detention facilities (Sudworth, 2018). Reports of forced sterilization and forcibly moving populations have also been revealed, targeting Turkic Muslim minorities indigenous to East Turkestan (Associated Press, 2020). In a very quickly escalating situation, it is essential to view the events of East Turkestan in light of genocide accountability and their relationship with politics and power. This paper will outline the situation of the Turkic minorities of East Turkestan—who are they and how did the hostilities reach this point—as well as cover the challenges genocide accountability face in today's world. Ultimately, this paper aims to paint a picture of the state of genocide accountability today through the framing of the East Turkestan conflict.

One of the most crucial points of international law is defining crimes that put the entirety of humanity at risk by their sheer overwhelming magnitude of damage. Genocide, a crime explored and defined by international law recently but that existed before its definition, is one such crime that threatens all of humanity. Indeed, genocide is a unique and distinguishable crime, whose presence necessitates action and intervention from the international community. There are four elements of genocide, as per the definition codified in the Convention on the Prevention and Punishment of the Crime of Genocide (United Nations 1948, pp. 1). Firstly, “intent to destroy” must be established (United Nations 1948, pp. 1). Secondly, the intent must be extended to a specific amount—“in whole or in part” (United Nations 1948, pp.1). Thirdly, the Convention defines protected groups—“national, ethnical, racial, or religious group”—whom the intent must be built upon in the sense that the crime of genocide is predicated on the intent to destroy in part or in whole the protected group based on their identity (United Nations 1948, pp. 1). Finally, the actions that constitute genocide are listed in the Convention—“(a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) Imposing measures intended to prevent births within the group; (e) Forcibly transferring children of the group to another group”—contingent on establishing the aforementioned intent (United Nations 1948, pp. 1).

The convention that defines genocide also legislates the incumbency of preventing, adjudicating, and ultimately punishing those who commit the crime of genocide. Unfortunately, examples of genocide are plentiful in human history. With

the rise of international law and the ratification of the Genocide Convention, genocide accountability became more engrained in international relations and coexistence. As such, there have been examples of genocide accountability more recently, most notably Nuremburg, the International Criminal Tribunal for the Former Yugoslavia, and the International Criminal Tribunal for Rwanda, which were the first international criminal tribunals established to punish international crimes ad hoc (Sarkin, 2008). Each of these tribunals was a pivotal point in the development of international criminal justice as a phenomenon, discipline, and practice. The push for genocide accountability, as well as for other international crimes, resulted in the establishment of different permanent international courts, such as the International Criminal Court and the International Court of Justice, to name a few. However, it should still be noted that genocide accountability is a fickle thing; it is reliant on politics and the power of claimant states (Sarkin, 2008).

In this literature review, I will provide an overview of the trends present in Occupied East Turkestan and the magnitude of the observed issues. In that section I will give a brief historical and demographic background on the Uyghurs, East Turkestan, and China's relationship with them. Qualitative and quantitative data will then be presented to depict an image of the escalations from 2013 until now. I will attempt to explain the events in East Turkestan and their geopolitical and international legal relevance within the framings of *justice civilisatrice*—international law as a civilizing mission—and Sinicization of religion. The purpose is to develop a concise analytical framework that will shed light on why Uyghur and other Turkic ethnic minorities face Chinese state repression and why international law has struggled to hold them to account. After that, I will present preventative practices and suggestions on how the international community can seek accountability. Finally, I will provide my appraisal and discuss the ramifications of the literature review; has a genocide been committed based on the present information and what does the East Turkestan situation mean for the future of genocide prevention and accountability?

METHODS

This study is a study of the Uyghurs and other ethnic Turkic minorities in East Turkestan from 2013 until now, tracing the magnitude of the aggression positioned towards them. To retrieve literature to review I utilized the following databases: SAGE Journals, Columbia International Affairs Online, Ethnic NewsWatch, Worldwide Political Science Abstracts, and the International Security & Counter Terrorism Reference Center. In each of these databases I searched for literature containing any of the following keywords: Uyghurs/Uighurs, East Turkestan, Xinjiang, Turkic minorities in China, Uyghur history, security, China counterterrorism, Muslims in China, genocide accountability/ politics of genocide accountability, and genocide prevention. Books, dissertations, and academic journal articles were accepted for this literature review. In terms of Uyghur specific literature, perspectives ranged depending on discipline, where the counterterrorism database took on a more Chinese security centric narrative and the sociological databases provided a more Uyghur focused narrative. Furthermore, I was able to consult Darren Byler, a University of Colorado professor and researcher on East Turkestan and the Uyghurs, on how to best analyze and interpret the data and perspectives found. Upon

doing this, I had the chance to also include his dissertation into this study, and he directed me to the statistical research Adrian Zenz has compiled on Uyghur demographic statistics since 2013, presented by Jamestown Institute and later cited in this study. Finally, I utilized the Gale General OneFile Current Events database to find relevant news articles for the most up to date information on East Turkestan.

A primary limitation that affected the data collected was the politicization of information regarding East Turkestan. In essence, the competing narratives of the Chinese government and the affected populations have faced intense politicization on all sides. For example, the Chinese government has called internment facilities in East Turkestan “vocational training and re-education facilities” while civil society and several Western governments have called them “concentration camps”. This disparity in narrative causes a problem in authenticating information and corroborating reports. Another limitation to data collection were the heavy restrictions on information coming outside of East Turkestan. The Chinese government is known for its internet and media restrictions, and access to government documents is minimal, save a few translated internal memos. Finally, the language barrier proved a severe limitation on the information collected. Since Chinese and Uyghur are not languages I am proficient in, I had to rely strictly on English language publications, although many are translated into English by Chinese speakers.

TRENDS AND MAGNITUDE

In general, Uyghur population rates in Occupied East Turkestan have dropped over the past six years, with natural population growth rates dropping drastically since 2015 (Zenz, 2020, p. 8). An intense campaign of birth control of Uyghur women has also led to a dramatic drop of 60% in birth rates in the Occupied East Turkestan region (named Xinjiang in the study) as a whole, as well as in the key cities of Kashgar and Hotan (Associated Press, 2020). In Occupied East Turkestan, the Chinese government increased sterilization budgets by tens of millions of dollars in 2016, with sterilization procedures increasing seven-fold the previous amount, totaling over 60,000 sterilization procedures in the region—which breaks away from the national general trend of increasing birth rates and lowering birth control rates (Associated Press, 2020). The sterilization procedures are by no measure consensual for minorities: women who refuse to sterilize face harsh detention sentences where they are also forced to undergo sterilization procedures (Zenz, 2020, p. 2). In 2019, internal government documents revealed that these forced sterilization campaigns targeted 14% and 34% of all married childbearing women in two Uyghur counties in Occupied East Turkestan (Zenz, 2020, p. 2). To take it further, the Xinjiang government planned to subject 80% of childbearing women in four southern rural minority prefectures to “birth control measures with long-term effectiveness”, which was monitored by quarterly IUD checks, monthly family visits, and bi-monthly pregnancy visits—with “focus persons” being checked more (Zenz, 2020, p. 12).

Hui and Han resettlement programs into Occupied East Turkestan have cut Uyghur predominance in their indigenous region, making them now 45% of the population of the region (Lum and Weber, 2020, p. 1). In 2018, the Occupied East Turkestan “permanent resident population”—which refers to persons who migrate to another province in China before December 31 of that year and have resided there for

at least six months—was greater than the “household registered population”—which refers to the persons formally registered to a household in Xinjiang—by 2.03 million (Zenz, 2020, pp. 5-6). Furthermore, the population count in Occupied East Turkestan is not reflective of the detained population, meaning that detention does not necessarily trigger a change in household count (Zenz, 2020, p. 6).

One of the most grim figures in the Uyghur issue is the number of detained Uyghur and other Turkic minority individuals in internment camps that the Chinese government asserts are “vocational training and re-education facilities” (deHahn, 2019). In separate reports, the United Nations estimated between 1 and 2 million detained individuals, while the United States State Department officially estimated “up to 3 million” imprisoned Uyghurs (deHahn, 2019). As a response, the Chinese government released a “white paper” (government internal policy memo) that reported on average 1.3 million “workers” being placed in “vocational training facilities” each year from 2014 to 2019 (Lau & Lew, 2020). In this white paper, the government asserted that the facilities—that rights organizations and other governments accuse of being internment camps—are components of an initiative to combat poverty and stimulate economic growth in Occupied East Turkestan against “extremist thoughts” (named Xinjiang in the white paper) (Lau & Lew, 2020).

What is clear from the information above is a rising trend of securitization in Occupied East Turkestan by the Chinese government to control Uyghur and other Muslim Turkic minorities. Since the 2009 Urumqi riots, deployment of public security personnel has increased in Occupied East Turkestan (Finley, 2019). Law enforcement recruitment in Occupied East Turkestan increased past the quota limits by expanding informal assistant police recruitment, which offers short term employment contracts with more flexibility for financial arrangements (Zenz & Leibold, 2020). Occupied East Turkestan police force figures are more than double that of the entire country per one hundred thousand people (Zenz & Leibold, 2020). Between 2016 and 2017, 93% of police positions advertised in Occupied East Turkestan were informal contracts, and due to demand their salaries became competitive with—and sometimes even higher than—formal government job salaries (Zenz & Leibold, 2020). The increased security presence was justified by what the Chinese government deems terrorism and “extremist thought” (Finley, 2019). In reality, identifiers of poverty, youth, and basic Islamic religiosity—such as praying or possessing the Muslim holy book—are reasons to be detained in Occupied East Turkestan (Finley, 2019).

APPLICABLE THEORIES: *JUSTICE CIVILISATRICE* AND RELIGIOUS SINICIZATION

As previously mentioned, human history unfortunately has its fair share of genocides—many of which have gone without accountability. More specifically, the question of genocide and other international crime is inherently subject to and asserting an otherwise solely legalistic framework for genocide accountability is negligent of the realities and history of international crime accountability (Lu, 2011). This literature review is framed in the words of the late Judith Shklar: “law is a form of political action...which occasionally is applicable and effective and often is not” regarding the question of genocide accountability (Shklar, 1964, as cited in Lu, 2011).

This politic also wrestles between the unseemingly—yet often occurring—binaries of justice and law, whereas adjudicating the law can also mean defense of the perpetrator from facing adequate consequences in the victim's perception (Clarke, 2015 p. 274). Even though both law and justice can be intended to reach reconciliation, in reality reconciliation is subject to the victim's perception, role in the judicial process, and the outcome of the entire ordeal. Fundamentally, contemporary international crime accountability is built on a humanitarian ethos centered on adjudication developed to protect institutions, property, and foreign investments (Clarke, 2015, p. 275). This is especially relevant in the determination and execution of international criminal justice, and the following discussion will interrogate the legitimacy of protecting victims and pursuing justice in international crimes.

International criminal justice often finds itself struggling between two seemingly binary paradigms, juridified diplomacy—the use of international criminal legal systems to achieve global political objectives—and transitional justice—the means of international criminal justice to achieve legal resolutions with the objective of transition into peace (Koller, 2015 p. 85). This paradigmatic struggle is caused entirely by the history and realities of politics in international relations and their effect on international justice. International courts and tribunals (ICTs) exist solely through these frameworks. Foundationally, international criminal justice is predicated on the node of juridified diplomacy, although it has taken characteristics of transitional justice, causing a deep schism in its implementation (Koller, 2015 p. 86). Transitional justice aims to “localize” the judicial process to the population in transition from conflict to peace, while juridified diplomacy tends to shift justice away from the afflicted population to a more global scope, with hopes of averting crises in progress (Koller, 2015 pp. 87-88). At first glance, these stark differences seem to divide international criminal justice irreconcilably, however, law and justice are just as interdependent on each other as they are conflicting to each other (Koller, 2015 p. 90). The true struggle lies in achieving the balance between the two; taking a dominant approach with either one decisively means the failure to bring justice to the victimized or peace to the global community.

Since its inception, the shadow of colonialism and imperialism hung hauntingly over international criminal justice, cementing its role as an alternative means to achieving international political objectives at the dominant end of a global power dynamic. Take the International Criminal Court (ICC) for example, which struggles with several post-colonial dilemmas in terms of protected parties' agency and localization of the victim-based justice. While the ICC is an independent entity, seemingly free of the post-colonial global power dynamics of global players, it is at the center of the accountability question—whether by the recommendation of the United Nations Security Council, activist pressure, or smaller state determination to legal success (Stahn, 2015, p. 60). The independence of the ICC is important to note; since it formally does not rest on the periphery vs. primary spectrum presented in post-colonial thought, the ICC is assumed to be the ideal adjudicator in international criminal cases since it is politically “distanced” from the matter (Stahn, 2015, p. 60). Consequently, the adverse is also true; the independence of the ICC also means that the agency of the local is questioned, and by design the Rome Statute criminalizes atrocities after the fact (Stahn, 2015, p. 61). A dangerous double standard is then

institutionalized: by design the offences are less likely to happen in stabilized societies free of conflict, and those committing atrocities with the power to disguise them—under the pretense of national security or foreign policy—are at an advantage by default (Stahn, 2015, p. 61).

Furthermore, the investigational and judicial consistency in engaging locals (individual nationals) and states in justice is question. The parameters by which claims are evaluated—territoriality and nationality—are directly tied to the state, distanced from the individual (Stahn, 2015, p. 62). Even though individuals can challenge case admissibility in the ICC along with states, their claims are subsumed under national processes—meaning they are diverted to the will of the individual's state (Stahn, 2015, p. 62). Ironically, investigations of claims and adjudication in the ICC shifts completely to the individual; international criminal law in the ICC is applied on individual perpetrators and international crimes are offences committed by individuals as per the Rome Statute (Stahn, 2015, pp. 62-63). Finally, centralizing international criminal law as a method of international crime prevention relies on the legitimacy of international judicial institutions, which struggle with creating long term sustainable prevention of genocide because of the aforementioned struggles. Peace and justice do not always agree, and legal criminal accountability is not a sole solution in preventing future international crimes on its own (Lu, 2011).

International law as a civilizing mission—*justice civilisatrice* as some legal scholars have come to call it—theoretically intersects with another useful framework of analysis in understanding Chinese frontier expansion: Sinicization. This analysis—often attached to historical events—has helped illuminate sociology in China and East Asia, especially in understanding Chinese political movements. It is especially relevant when discussing ethnic religious minorities in China, especially one as nuanced as the Uyghurs. A foundational point of the Uyghur ethnic identity is Islam; it serves as a building block of who they are (Klimes, 2015). This is contrary to the ideological objectives of China's ruling party and the state constitution, which have sought to control religious groups and beliefs for the benefit of China (Vermander, 2019). Religions in China are also important; historically, religion in China could generally be categorized into two categories: communal cults—communities that followed rituals and belief systems tied to an individual leader—and state enforced ritual orthopraxis—worship that was state enforced in the sense that it was internalized by the government and religion only affected individual worships that were monitored and corrected by the government (Vermander, 2019). It is important to note that the government played a role in purveying sacredness; religiosity that was sanctioned by the government was tied to the sanctity and legitimacy of the dynasty (Vermander, 2019). In more modern times, religion in China shifted the government's role in religion from purveyor to regulator of religion, with the hopes of creating a larger religious playing field that would give religious minorities just enough leeway to practice their religions within strict parameters of conduct (Vermander, 2019).

As Xi Jinping rose to power in China, the Chinese government adopted a Sinicization policy towards religion, which was codified in the State and CCP Constitutions respectively (Vermander, 2019). Implementation of “more Chinese religious symbols”, adherence of religion to “more Chinese values”, and broadly upholding a policy of Sinicizing religions accordingly with *zhongguohua*—Chinese

orientation—characterized Jinping’s government’s approach towards religion (Vermander, 2019). Intellectually, religious Sinicization also aims to open new metaphysical spaces by which religions are restricted to operate (Vermander, 2019). While the Sinicization of religion is generally applied towards all religions in China, Sinicization of Islam holds its own unique characteristics in Chinese policy. Although this version of Sinicization is present in East Turkestan, it extends to other districts in China (Vermander, 2019). For example, Islamic places of worship, mosques were altered or demolished in Ningxia in 2018, and Islamic symbols—including even the Arabic word “Halal” which indicates Islamically permissible food—were ordered to be taken down in Beijing (Gan, 2018; Wu, 2019). Applying this framing of religious Sinicization to East Turkestan, it is clear how Chinese policy towards Uyghurs holds a deeply anti-Islam sentiment that is prevalent in other areas of the country. Recognizing this sentiment and the geopolitical importance of East Turkestan, it then makes most sense why the Uyghurs and other Turkic ethnic minorities have borne the brunt of Chinese “counterterrorism” policy.

PREVENTATIVE PRACTICES

Leading the way in accountability against China has been the United States; the United States Congress has passed and enacted two bills regarding the Uyghurs and is currently in the process of passing a third bill in the Senate. The first bill—UGHUR Act of 2019—designated Chinese policy in East Turkestan as contravening to the Convention against Torture, the Universal Declaration of Human Rights, and the International Covenant on Civil and Political Rights (UGHUR Act, S. 178, 116th Congress). It also called for the first round of Magnitsky sanctions on senior Chinese officials who are “responsible for mass incarceration, political indoctrination, or reeducation efforts targeting Uighurs and other predominantly Muslim ethnic minorities” (UGHUR Act, S. 178, 116th Congress). The second act, the Uyghur Human Rights Policy Act, instituted visa rejections and broader terms for Magnitsky sanctions to be enacted against companies that provide surveillance and other support to the Xinjiang Production and Construction Corps—the primary security provider in East Turkestan on behalf of the Chinese government (Uyghur Human Rights Policy Act, S. 3744, 116th Congress). Currently, the Uyghur Forced Labor Prevention Act, which would expand sanctions even further to companies using Uyghur forced labor and prohibit products entering the United States from East Turkestan, has passed the House but faces opposition in the Senate from corporate lobbyists (Uyghur Forced Labor Prevention Act, H.R. 6210, 116th Congress) (Albergotti, 2020).

It is evident that the international community has not taken enough action to prevent the repression in East Turkestan, hence the Chinese government’s campaign against the Uyghurs perpetuates. The plight of the Uyghurs should be a primary cause of concern for the entire international community, not just U.S.- aligned states. What is needed is a broad coalition of international actors, from states to non-governmental organizations, to push for independent investigations with completely free access to East Turkestan. In the past, UN visits to East Turkestan have been strictly politicized, hosting UN officials who hail from Chinese allied states and restricting independent access to UN investigators (Reuters, 2019). Visits to detention facilities by media were strictly supervised and suspected to be staged due to the erratic behavior exhibited by

many of the interviewees (BBC, 2019). The international community should pressure China effectively to gain unrestricted access into East Turkestan by elevating Uyghur civil society globally.

As for international law, legal accountability of China faces the quagmire of fulfilling the purpose of these laws between achieving peace and executing justice. Although this circumstance of a powerful state breaking international law is not new, achieving accountability would be. Hence it is important for international legal bodies to pursue international crime charges against the Chinese government, and the language of that matters. Currently, two Uyghur organizations have filed a complaint for charges of genocide and crimes against humanity with the Office of the Prosecutor at the ICC against the Chinese government (East Turkistan Government in Exile, 2020). However, this complaint has not been endorsed by any state, mostly because the political consequences would be far too heavy for that state's economics. Jurisdiction is also an interesting question; although the Chinese government is not a signatory to the Rome Statute, it can still be pursued on international crime charges by the ICC through a legal technicality that arose in the Rohingya situation in 2018 (Lockwood, 2020). International crimes that extend past the border of the non-signatory state are subject to the jurisdiction of the ICC if that extension occurs into the borders of a Rome Statute signatory state. In the case of the Uyghurs, neighboring Tajikistan and Cambodia have both been extensions to aggressions committed against Uyghurs, where they were deported to China from these borders and faced detention, torture, and other egregious offenses (Lockwood, 2020). With state support of these charges, as well as other international judicial bodies, legal accountability will at least serve as a more effective pressure point against China to leverage truth finding.

DISCUSSION

Evidence is established in court independent of the claimants who bring it forward, and in this study, I have relied on using nongovernmental sources and analyzing them devoid of contextual politicization. Decreasing Uyghur birth rates are especially alarming to the international community considering the explicit factors influencing them. A seven-fold increase in sterilization budgets in East Turkestan, in comparison to the rest of the country, is no small offense, and the numbers show a direct correlation between the dropping Uyghur birth rates and the rising forced, targeted sterilization. The targeting is also important; childbearing, married women are designated because of their ability to rear children—effectively inhibiting and preventing Uyghur births. *Mala in se* informs the criminal designation of genocide actions as well. International criminal law designates specific offenses as criminal because their moral, ethical, and human consequences are far too great to leave unaddressed which means, to a certain point, proving the systematic existence of the offenses and aggressions establishes the foundations for the criminal intent. The increase in state security presence in East Turkestan further substantiates state responsibility of these atrocities. Accordingly, then, the only conclusion that groups the birth rate decrease, the increase in forced sterilization, the rapid securitization, and the mass detention campaigns together is genocide. Internal Chinese government documents do not uncouple these policies neither, nor do they make any denial towards intent-based claims. Failure to recognize and investigate the aggressions in

East Turkestan as genocide is an indictment of international law's efficacy in preventing genocide and holding perpetrators accountable.

There is enough evidence to establish legitimate grounds to allege crimes against humanity and genocide being perpetrated by the Chinese government against the Uyghur and other ethnically Turkic people of East Turkestan. Based on the facts present to the world, the Uyghur crisis is no longer a humanitarian one; it is the stage of explicit international criminal violations committed by a world power against indigenous people. Numerous offenses that are explicitly mentioned in the Genocide Convention have been committed by the Chinese government. In particular restricting Uyghur births and the forced resettlement policies are in direct contradiction with Second Article of the Convention. It is concerning that the Chinese government has not officially denied the most abhorrent offences committed; rather, they dispute them largely on semantics and terms. The government's insistence on the "re-education camps" narrative" is an excellent example, instead of denying the existence of the camps or the treatment of Uyghur detainees they doubled down on the terminology. Furthermore, internal documents and governmental policies can make a case for "intent to destroy", where cultural practices and markers inherent to the Uyghur religious and ethnic identity are criminalized. Regarding the purpose of the criminalization and sterilization Chinese government officials in East Turkestan are instructed to "break their lineage, break their roots, break their connections, break their origins" (Dooley, 2019).

As for the re-education camps and increased securitization, the Chinese government maintains their policies' validity on the basis of counter-terrorism. Criminalizing Uyghur identity on the basis of "counterterrorism" is dangerous, especially in a situation where no significant terrorist threat has appeared—causing even the United States to remove the East Turkestan Islamic Movement (ETIM) from its list of terrorist organizations (Roberts, 2020). In light of this, the Chinese official narrative falls apart, leaving the conclusion of genocide blaring in the face of the international community

It is important to recognize the political challenges Uyghur justice will face. China's place in the global economic order and the international community's dependence on their manufacturing and technological industries will make actions of accountability impossible to unilaterally achieve. The international community's many mechanisms to combat genocide—from treaties to intragovernmental organs—have historically failed in preventing genocide and in the case of the Uyghurs they will fail yet again should the status quo continue. A critical analysis into genocide prevention towards a strong state perpetrator is an important yet unpopular discourse international legal players need to have. To hold China accountable—in its status and power—means to open the door of accountability on war crimes committed in the War on Terror. In fact, recognizing the legacy of the War on Terror on influencing Chinese counterterrorism policy is paramount to achieving justice for the Uyghurs. In 2005, Deputy Secretary of State Robert Zoellick called on China to be a "responsible stakeholder" in the War on Terror (Kan, 2007). While the counterterrorism relationship between the US and China was limited, they cooperated bilaterally on identifying "terrorist" Uyghur elements, which bolstered China's campaign against the Uyghurs in its early days (Kan, 2007). For the United States to now reverse its

policy by removing the ETIM from its list of terrorist organizations and championing accountability for China without recognizing its role is inconsistent. Unfortunately, the prospects of this are not too bright, and it will make the initiations of international coalitions that much harder in holding China accountable. Currently, the United States and the European Union are not moving forward in lockstep towards the Chinese government on this issue—largely because of the Trump presidency's toll on American-European relations. This spells a future of uncertain means for protecting Uyghur life, as unilateral critique towards China further politicizes the conflict. The international community will be the greatest victim of this competitive politicking. As the Uyghur issue is caught between a China - U.S. rivalry, the risk of escalation of more aggressive global economic circumstances and bordering back into Cold War Era international affairs between the two is closer than ever. On a larger legacy level, genocide prevention and accountability will suffer as a result of the international community's negligence and inability to pressure China into ending its crimes against the Uyghurs.

CONCLUSION

The Turkic Muslim minorities of China are suffering from very serious policies that will result in their erasure if not stopped. It is my assertion that enough evidence exists to designate the situation as an international crime, specifically genocide and/or crimes against humanity. Forced sterilization, mass internment, and resettlement of Turkic Muslim minorities in China fall within the actions identified in the Genocide Convention. Internal documents have revealed the government's intent, with orders such as “break their lineage” referring to forced sterilization operations (Dooley, 2019). The international community must step in to prevent a global economic gridlock—or worse, military escalation—between China and Western world powers. Turkic Muslim minority voices must be the center of victim involved transitional justice to adequately address the crimes being committed.

REFERENCES

- Albergotti, R. (2020, November 21). Apple is lobbying against a bill aimed at stopping forced labor in China. Retrieved December 16, 2020, from <https://www.washingtonpost.com/technology/2020/11/20/apple-uighur/?wpmk=1>
- BBC. (2019, June 17). Inside China's 'thought transformation' camps. Retrieved December 16, 2020, from <https://www.bbc.com/news/av/world-asia-china-48667221>
- Clarke, K. (2015). ‘We ask for justice, you give us law’: The rule of law, economic markets and the reconfiguration of victimhood. In C. De Vos, S. Kendall, & C. Stahn (Eds.), *Contested Justice: The Politics and Practice of International Criminal Court Interventions* (pp. 272-301). Cambridge: Cambridge University Press. doi:10.1017/CBO9781139924528.014
- DeHahn, P. (2019, July 4). How did we get to the number of 1.5 million Muslims imprisoned in China? *Quartz*. Retrieved November 07, 2020, from <https://qz.com/1599393/how-researchers-estimate-1-million-uyghurs-are-detained-in-xinjiang/>
- Dooley, B. (2019, January 30). Inside China's internment camps: Tear gas, Tasers and textbooks. Retrieved December 16, 2020, from <https://www.afp.com/en/inside-chinas-internment-camps-tear-gas-tasers-and-textbooks>

- ETGE. (2020, July 06). PRESS RELEASE: Uyghur Genocide and Crimes Against Humanity: Credible Evidence submitted to ICC for the first time asking for investigation of Chinese officials. Retrieved December 16, 2020, from <https://east-turkistan.net/press-release-uyghur-genocide-and-crimes-against-humanity-credible-evidence-submitted-to-icc-for-the-first-time-asking-for-investigation-of-chinese-officials/>
- Gan, N. (2018, August 14). Hui mosque protest ends after official vows to consult community. Retrieved December 16, 2020, from <https://www.scmp.com/news/china/policies-politics/article/2159722/chinese-hui-mosque-protest-ends-after-authorities>
- Kaltman, Blaine. *Under the Heel of the Dragon: Islam, Racism, Crime, and the Uighur in China*, Ohio University Press, 2007. ProQuest Ebook Central, <https://ebookcentral.proquest.com/lib/johnjay-ebooks/detail.action?docID=1756226>.
- Kan, S. A. (2007). U.S.-China Counterterrorism Cooperation: Issues for U.S. Policy: RL33001. *Congressional Research Service: Report*, 1.
- Klimes, O. (2015). *Struggle by the pen: The uyghur discourse of nation and national interest, c. 1900-1949*. ProQuest Ebook Central <https://ebookcentral.proquest.com>
- Koller, D. (2015). The global as local: The limits and possibilities of integrating international and transitional justice. In C. De Vos, S. Kendall, & C. Stahn (Eds.), *Contested Justice: The Politics and Practice of International Criminal Court Interventions* (pp. 85-105). Cambridge: Cambridge University Press. doi:10.1017/CBO9781139924528.006
- Lau, M., & Lew, L. (2020, September 18). China defends its 'vocational training centres' in Xinjiang white paper. *South China Morning Post*. Retrieved November 07, 2020, from <https://www.scmp.com/news/china/politics/article/3101986/china-claims-vocational-training-given-nearly-13-million-people>
- Lockwood, A. (2020, July 09). Uighur activists file ICC complaint against China for genocide, crimes against humanity. Retrieved December 16, 2020, from <https://www.jurist.org/news/2020/07/uighur-activists-file-icc-complaint-against-china-for-genocide-crimes-against-humanity/>
- Lu C. (2011) The Politics of Legal Accountability and Genocide Prevention. In: Provost R., Akhavan P. (eds) *Confronting Genocide. Ius Gentium: Comparative Perspectives on Law and Justice*, vol 7. Springer, Dordrecht. https://doi-org.ez.lib.jjay.cuny.edu/10.1007/978-90-481-9840-5_18
- Lum, T. & Weber, M. A. (October 2020) Uyghurs in China. *Congressional Research Service*.
- Roberts, S. (2020, November 10). Why Did the United States Take China's Word on Supposed Uighur Terrorists? Retrieved December 16, 2020, from <https://foreignpolicy.com/2020/11/10/why-did-the-united-states-take-chinas-word-on-supposed-uighur-terrorists/>
- Sarkin, J. (2008). Atrocity, punishment, and international law. *Human Rights Quarterly*, 30(4), 1028-1042. doi:http://dx.doi.org.ez.lib.jjay.cuny.edu/10.1353/hrq.0.0048
- Smith Finley, J. (2019). Securitization, insecurity and conflict in contemporary Xinjiang: has PRC counter-terrorism evolved into state terror? *Central Asian Survey*, 38(1), 1–26. <https://doi.org/10.1080/02634937.2019.1586348>
- Stahn, C. (2015). Justice civilisatrice?: The ICC, post-colonial theory, and faces of 'the local'. In C. De Vos, S. Kendall, & C. Stahn (Eds.), *Contested Justice: The Politics and Practice of International Criminal Court Interventions* (pp. 46-84). Cambridge: Cambridge University Press. doi:10.1017/CBO9781139924528.005
- Sudworth, J. (2018, October 24). China's hidden camps. Retrieved December 16, 2020, from https://www.bbc.co.uk/news/resources/idt-sh/China_hidden_camps
- The Associated Press. (2020, June 29). China cuts Uighur births with IUDs, abortion, sterilization. *The Associated Press*. Retrieved November 07, 2020, from <https://apnews.com/article/269b3de1af34e17c1941a514f78d764c>
- UIGHUR Act, S. 178, 116th Congress. <https://www.congress.gov/bill/116th-congress/senate-bill/178/text>
- UN General Assembly, *Convention on the Prevention and Punishment of the Crime of Genocide*, 9 December 1948, United Nations, Treaty Series, vol. 78, p. 277, available at: <https://www.refworld.org/docid/3ae6b3ac0.html> [accessed 16 December 2020]
- Uyghur Forced Labor Prevention Act, H.R. 6210, 116th Congress. <https://www.congress.gov/bill/116th-congress/house-bill/6210>
- Uyghur Human Rights Policy Act, S. 3744, 116th Congress. <https://www.congress.gov/bill/116th-congress/senate-bill/3744>

- Vermander, B. (2019). Sinicizing Religions, Sinicizing Religious Studies. *Religions (Basel, Switzerland)*, 10(2), 137–. <https://doi.org/10.3390/rel10020137>
- Wu, H. (2019, July 31). Sign of the times: China's capital orders Arabic, Muslim symbols taken down. Retrieved December 16, 2020, from <https://www.reuters.com/article/us-china-religion-islam/sign-of-the-times-chinas-capital-orders-arabic-muslim-symbols-taken-down-idUSKCN1UQ0JF>
- Zenz, A. (2020). *Sterilizations, IUDs, and Mandatory Birth Control: The CCP's Campaign to Suppress Uyghur Birthrates in Xinjiang*. Washington, D.C: Jamestown.
- Zenz, A., & Leibold, J. (2020). Securitizing Xinjiang: Police Recruitment, Informal Policing and Ethnic Minority Co-optation. *The China Quarterly*, 242, 324-348. doi:10.1017/S0305741019000778