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

Of roughly one hundred fifty submissions of strong student writing (which professors had already distilled from their own tall stacks of work), we had the privilege of choosing the twenty-three that make up the 2023 issue of John Jay's Finest. And of these, something interesting: While we were impressed by the range of reads from many college departments, we noticed again the uptick in memoir/personal narrative among this year's submissions. Why this inclination toward telling more personal stories?

Full disclosure: We both teach creative writing and are also editors of a literary journal housed at the college that publishes creative work dealing with issues of justice. We like this stuff, and we recognize that our tastes are present in our choices. But beyond this, the work we received truly was stacked on the side of the creative. But why, again, now?

Perhaps three years of pandemic disruption and loss have pressed writers closer to their own experiences and the sense they're now making of the world. We are grateful for the candor, the courage, and the rich detail in these personal moments. And even in the more formal research projects and analyses, we hear each writer's voice. From a lab report to a court report to formal investigations into world politics and current strife to critiques of literature and film, the work in this year's volume is a true representation of our college's strengths and its commitment to probing the hard questions.

As we often say, writing is solitary work, and yet what gets to the published page is a collaborative process. The interchange in a classroom or online, culminating in an assignment, means that student and professor are working together—reading, refining, and thinking onward.

The launch day and the publication itself would not be possible without the support of many at John Jay. We thank President Mason and Provost Pease (a former editor of *John Jay's Finest*) and all in their offices for supporting the project. For the past several years the *Finest* has joined forces with Bettina Muenster at the Office for Student Research & Creativity and we are grateful for the extended reach this alliance brings to the *Finest*. For her logistical support, we thank Raeanne Raices. And once again, our thanks to Maribel Perez for always being in our corner. This year, again, we appreciate Dalyz Aguilar's creative cover design. And without the great help from "Alex" De Leon and the Print Shop, there would be no book.

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 2023

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♦ ENGLISH 133

VERNACULARS

ANNA BIRBRAYER

MY FIRST LANGUAGE caused me to speak like a pompous ass as a child. Although my second language taught me to pronounce words like chocolate and dog with an apparently funny accent, shamelessly curse like a sailor, and teeter on the edge of verbal assault when I get stuck behind a slow walker, I don't blame the English language. I blame New York City. Before fully diving into the extremely recognizable New York City dialect, I sounded like the second coming of Alexander Pushkin. The Russian language granted me no wiggle room when it came to pronunciation or shortening of words because proper grammar is sort of the only way to speak Russian. You could meet a drunkard on the streets of Russia, babbling away, and he'd still be using grammar rules. If a tourist stepped into a New York City public high school, they'd think they got on the wrong plane.

The Assignment and the Writer: This English 133 assignment asks students to "formulate an argument on your use of dialect in learning, your voice and how you want to write in school or other contexts. Consider how the following might affect your choice: context, audience, written or spoken English, the format or medium you choose to present your voice." Anna Birbayer's essay on language choice formulates a distinctive argument, but what enhances the argument is the story she tells. Her personal narrative, distinctive voice, and code-switching are engaging and skillfully built on two model readings: Norman Podhoretz's *My Love Affair with America*, and Vershawn Ashanti Young's "Should Writers Use They Own English?"   **– Professor Jay Gates**

Even as someone born in New York, walking into my freshman year at Abraham Lincoln Highschool was like learning English all over again. I'd walk into the deli to get a sandwich and I'd be met with a "YOOO ISS MAD BRICK OUT DAWG NAHHH THIS ODE." I had no clue what the hell an "ode" was, nor did I see any bricks outside. About a week later, I realized, it truly was mad brick out. I don't know who thought bricks could be logically comparable to the freezing cold, but to this day, whenever it dips past 40 degrees outside, I silently think, "Damn. It's brick out." Although I've accidentally succumbed to the extremely unique New York City dialect, I still possess the power to speak like a pompous ass, but now in TWO languages. And thank God I do.

My dialects, whether it be the one I speak because of New York City culture, Runglish, or standard American English, allow me to convey my thoughts verbally in a plethora of ways. However, my dialects usually do not prevail in writing. I adore the classic, standard English dialect when writing anything, sometimes even when texting. I enjoy formalities in writing, yet I believe it is unfair to place such a restraint on people's identities by forcing these formalities. I used to judge people who wrote essays as if they were texting their best friend, but I have recently come to realize that the *way* you write doesn't matter as much as *what* you write. Granted, I don't think asking "What's good my G" is a great way to start an email or an interview, but I could be wrong about that too. Having the idea of "proper" English drilled into my head completely blinded me to the true purpose of speaking and writing, which is communication.

I could walk into a pizzeria tomorrow and order a 'pop', or a soda, or I could even say, "I want a fizzy," and even though any of these three would make sense, 'soda' would be the only use of the word which wouldn't illicit an eyebrow raise. It really shouldn't matter though, because the overall point I am communicating is that I want a soda. If I'm communicating what I feel I need to and the person I'm communicating with understands me, why should it matter how I say it? If I greet my best friend with a "Howdy" or go the full mile and say, "Good afternoon, Miss", she'll give me a weird look, but ultimately, she'll understand what I mean. I've been taught and told to fix my Russian accent numerous times, for the sole purpose of satisfying the formality within the American standard English dialect. I've never had a problem with my accent being so thick to the point where people can't understand me, yet for some reason, my accent in only a handful of words has led people to assume that I am not fully fluent in English.

There is a sense of superiority within people who only abide by the rules of grammar, and I believe for some, this sense of superiority stems from fear of sounding 'ghetto' or 'uneducated.' I have a relative who has corrected my cousin and me for saying 'bro' because we're supposed to be "ladies," and told us that using slang makes us sound "stupid and low-class." My favorite

comment of all time from this wonderful lady is as follows (Keep in mind that she is a Slavic immigrant who thinks she has no accent but does) "Anya, you need to stop rolling your R's. It makes you sound like an immigrant, and anybody will be able to tell. If you want to be a lawyer, you must speak good English too." She pronounces 'sheet' as 'shit', and she's telling me to speak good English. I quickly understood these comments stemmed from stubborn racist ideologies as well as stereotypes, and this recent experience confirmed Young's article for me. Within the teachings of 'proper' dialect, many people are forced to push aside their dialects, which pushes away a piece of identity.

There will always be a time and place for high diction, jargon, and the use of the American standard English dialect, but my views of dialect have changed. I use my dialects to express myself, showcase my background, communicate comfortably, prove my knowledge and etiquette, and piss people like my relatives off. My dialects are a part of me, and even though I may not always speak as a lady should, I know how to get my point across damn well. I am able to maneuver through life efficiently, code-switching when needed. One minute, I sound like a typical New Yorker, the next, a proficient writer, and then a mix of all. Whether I end this essay with "Deuces!" or "I hope you liked it, dasvidaniya," or "I bid you adieu," my dialects do not affect the communication of a conclusion.

◆ ANTHROPOLOGY 101

AT THE INTERSECTION OF RACE, RELIGION, AND MEDICINE: UNDERSTANDING VACCINE RELUCTANCE AMONG BLACK AMERICANS

KAREEM JOHNSON

DESPITE ADVANCEMENTS IN THE MEDICAL FIELD and available treatments, Black people remain distrustful and fearful of the medical community, its methods, and practices. A history of mistreatment, discrimination, and exploitation at the hands of researchers, nurses, and physicians have fostered distrust. Throughout my local community, which is predominantly Black, I

The Assignment and the Writer: This class explores human diversity cross-culturally, emphasizing practical research skills and professional development. Focused on observations, students raise questions about their world to analyze social challenges and raise public awareness. Students locate a field site and refine their topics through observations and in conversation with people at their sites. Finally, they find a public angle for their work. Kareem Johnson incorporated his profound questions about faith and healing into an exploration of the pandemic's effects on Black congregants. He discovered a new angle on social distrust towards the state: a spiritual explanation for vaccine reluctance and suspicion. His clear and thoughtful writing provides both historical context and a sensitive argument for understanding the weakening of public trust rooted in religion.

– Professor Melissa Zavala

have noticed dissatisfaction with medical advice and opinions offered by medical professionals. The start of the COVID-19 pandemic worsened a growing reluctance and hesitancy to trust medical professional opinions about different matters concerning public health, leading to an increase in reliance and faith in alternative medicine and prayer calling on divine healing, particularly in Black churches. The beliefs held by Black people in my community have contributed to anti-vaccination narratives, ignorance about mask mandates, and other health measures being willingly ignored. Religion, too, has played a role. Based on interviews and observations at a local city church, this essay analyzes the role played by religion in underlining skepticism towards vaccines resulting in depressed vaccination rates among Black New Yorkers.

RELIGION, RELIGIOUS MORALITY, AND MEDICINE

Whether used in good faith or mixing with harmful ideas, participation in a system of beliefs, faith, and worship—in short, religion—and particularly Christianity, has long played a key role in Black American life. As of 2021, surveys show that over two-thirds of Black Americans are associated with some form of religion or faith, with an astounding sixty-six percent being Protestant Christians (Pew Research Center, 2021). From the establishment of Black churches during the period of slavery in the late eighteenth century, to the acceptance and popularity of worshipping in Black-owned mosques during the Segregation Era in the twentieth century, religion has become embedded in Black culture. Places of worship became spaces where people could find solace and fellowship with others who resembled them. Black churches and mosques offer safe havens to Black people where they can feel—even if only temporarily—secure and protected. These places allow them to partake in what they see as their religious duties, in part providing them a sense of hope. As religion gains a more critical and consistent role in their lives, worshippers come to struggle with determinations over what is right or wrong using religious frameworks. This style of thought is what I am referring to as religious morality.

Speaking with Pastor DOE of the Church of Rehabilitation, a Black Christian church, he defined religious morality as determining what decisions, actions, and even thoughts are right or wrong, good, or bad, and virtuous or evil, based on God's will. As the head of this church, I consider his interpretation of religious morality as the general standard held up for all church members. Despite this, I also collected interpretations of these standards from other congregants to see if their thoughts aligned with his. I visited the church on the days when attendance is at its highest to get the best representation of members' opinions and see them during times of worship when they felt most open. Church attendance regularly consisted of nearly two

hundred members every Sunday, Tuesday, and Friday. These are the most highly regarded days at this church. Sundays are for worshipping God, Tuesdays are days to ask for help and healing, and Fridays are the times for feeling God's deliverance through His word. For six weeks, I visited the church on these three days and spoke with 30 Black members about why they attended church services. The majority of responses revolved around medical reasons. Of the 30 members interviewed, 26 attended church to pray for healing their own or relatives' bodies, to rid them of ailments, sickness, and other medical issues.

In contrast, the remaining four interviewees attended for financial reasons. All 26 members visited doctors and medical professionals to get diagnoses for their or their relative's conditions before coming to church. However, only five members held the medical officials' opinions in high regard. Those five members work in the medical field themselves. The other 21 members spoke about how the "words of man" cannot determine what happens in their lives, only God's will can. The phrase "words of man" in Christianity refers to the idea that no one can make predictions, prophecies, or determine the fate of others as humans are not all-knowing, all-seeing, or all-powerful; God alone is. Using this ideology as a reason to delve into their religious morality, I asked the 21 members interviewed questions about several medical and health issues, including the recent COVID-19 pandemic. Although all 21 were vaccinated, only three received the vaccine without internal and moral resistance. The other 17 alluded to being pressured or bullied (the remaining single member was vaccinated because her children received the vaccine without telling her). To better understand their stance on vaccination, I decided to speak with and ask questions to three types of members in this group: a member who got vaccinated without internal resistance (John DOE), a member who got vaccinated because she felt pressure (Jane DOE), and a member who got vaccinated because her children did (DOE Jones).

When asked how they felt about the COVID-19 vaccine, this is how all three responded:

John DOE: "The vaccine is safe and has kept me healthy and safe from COVID."

Jane DOE: "I still don't trust the companies making the vaccines, especially after all the blood clot stuff came out."

DOE Jones: "I was skeptical of getting it because it was created at a concerning speed."

Asked why they received the COVID-19 vaccine, they said the following:

John DOE: "I work with multiple people in an office and felt it was my duty to protect myself and my colleagues."

Jane DOE: "I felt as if people in my life, as well as places I went to regularly, were pressuring me to get vaccinated or I wouldn't be able to visit them anymore."

DOE Jones: "Despite being skeptical of the vaccines and how fast they were created when I saw my children get vaccinated without hesitation, I got vaccinated to show them I trust their decisions."

About the mask mandates, they said:

John DOE: "I don't think they were as effective as people said because the cases kept rising despite the mandates. I wore one, but I prayed for God's forgiveness every night after wearing one because the Bible says not to wear masks."

Jane DOE: "I did not wear a mask during the lockdowns and still do not wear one because I don't think they work, and the Bible says wearing them is wrong."

DOE Jones: "I wore a mask to protect my family from the spread of COVID-19 as my family has a history of heart conditions."

John DOE's responses regarding the COVID-19 vaccines were more compassionate towards others' wellbeing rather than first thinking about himself. Jane DOE's answers were laced with more skepticism, representing what I am calling a more self-centered analysis of why she had to vaccinate. In contrast to both, the answers offered by DOE Jones were neither selfless nor selfish, reasonably skeptical, yet open-minded. However, John DOE and Jane DOE were equally suspicious of the mask mandates, their effectiveness, and how the Bible interprets mask-wearing.

Their comments underscore their religious morality, declaring masks, wearing them, and mask mandates in general, to be wrong in God's eyes in relation to several Bible verses. One verse used to justify their anti-mask stance is found in Colossians 2:8 "See to it that no one takes you captive by philosophy and empty deceit, according to human tradition, according to the elemental spirits of the world, and not according to Christ" (English Standard Version of the Bible). Another oft cited one is 2 Timothy 2:15 "Do your best

to present yourself to God as one approved, a worker who has no need to be ashamed, rightly handling the word of truth" (English Standard Version of the Bible). These two verses are interpreted as standing in one's truth and adhering to the word of God. Both seem to vaguely hint that wearing masks makes wearers shameful when presenting themselves before God, at least using John Doe's and Jane Doe's interpretations of the verses. However, after speaking with Pastor Doe about these two verses, he suggested they should be interpreted not as referring to health issues, but rather as rejections of hypocrisy. The pastor explained that the word "deceit" and the phrase about there being "no need to be ashamed" do not refer to actual masks. They are instead general words about hypocrites who wear figurative masks to deceive and pretend to be something they are not. Jane Doe's and John Doe's religious morality caused them to interpret the verses differently and shape them to fit their narratives about personal protective equipment like masks because they did not trust the opinions of health officials.

Religious values, practices, and interpretations of verses and how they apply to situations can clash with medical opinions, mandates, practices, and values. Reflecting on my own experience, earlier this year I was diagnosed with congestive heart failure and had to remain in the hospital for weeks. While I am not religious, my family is, and they spent several weeks praying over my body so that God would heal me. Although my doctors worked nonstop to help me using their medical expertise, my family felt their work praying and using religious methods were helping me recover faster than the medical interventions employed by my physicians. My family placed anointed oil on my chest and had me drink it with my water, which I am sure did nothing to help me. However, this belief and hope they had that it helped are why religious people continue to pray during difficult times. Prayer is a way to call upon God(s) and worship. It can be a way to say thanks and glorify the God(s). It can also be a coping mechanism for religious people to ignore the negative or less-than-ideal opinions, decrees, and words of those whom they distrust, and instead rely on a higher power, placing their fate in god's hands. My family used prayer as a way to cope with my medical condition while at the same time rejecting the diagnosis given by the medical officials because it was not the will of God, at least in their minds.

BLACK PEOPLE'S MEDICAL DISTRUST IN PERSPECTIVE

The Black American and medical communities have had a difficult relationship dating back to the period of slavery in the United States. Doe Jones' hesitancy to trust a vaccine created so quickly in some ways reflects this type of distrust between the Black and medical communities. Under slavery, Black people were less than human in the eyes of White people and, as such, were seen as potential specimens for facilitating progress in understanding

human anatomy and medical sciences. The acceptance of the slave trade in the United States led White physicians like Charlestonian Elias S. Bennett, an enslaver himself, to conduct experiments on enslaved people. He turned slaves into test subjects without repercussions from his violations to their human rights. No regulations guarded slaves since they were not human before the law. Bennett conducted research and published notes regarding his experimentations on an enslaved Black woman who had a tumor. Bennett's testing on an enslaved person who did not and could not offer consent, resulted in her tumor furthering his research, even while this work was conducted inhumanely and in incredibly foolish ways. A post-mortem analysis of her body indicated that he had caused an extreme inflammatory reaction to her tumor.

Other inhumane examples of experimentation on enslaved people abound, one of them being the lack of pain relief administered by researchers to Black patients. Anesthesia had not become standard practice in the medical field until the late 1800s, and Black people were thought to have higher pain thresholds. Some physicians still believe this. Infamously, and more recently, the Tuskegee Syphilis Study was another program conducted which caused distrust between the Black and medical communities. In 1932, the United States Public Health Service Commissioned Corps and the Tuskegee Institute conducted a study to observe the symptoms of syphilis using 600 Black men as research subjects. Convinced to participate with promises of food, housing, and clothing, subjects were used in the study where 201 participants did not have the disease and 399 were infected (CDC, 2022). Researchers did not inform the subjects, nor did they seek consent from them. Instead, men were told they were being treated for "bad blood", a term used to describe several other health issues, including syphilis.

After this research led doctors to find a widely recognized treatment in the 1940s, study participants were nevertheless denied it despite 30 years of continuous research being conducted on them. An estimated 100 men, who participated in the study died from untreated late-stage syphilis. If not for the USPHS whistleblower, Peter Buxtun, who uncovered the unethical and inhumane study, this program would have continued, and the victims and their families would have never received either treatment or compensation for their pain and suffering. The Tuskegee Syphilis case highlights how White supremacy and racism prevail over the Black experience, leading the medical literature to dismiss the insights of Black patients and professionals alike. Medical practicians continue to dismiss Black people in pain today.

Another reason for Black distrust of the medical sector is the lack of Black representation in medical fields. Among all the active physicians in the United States, only five percent are Black or of African descent, while fifty-six percent are White (AAMC, 2018). Additionally, a study conducted in 2016

found that nearly half of White medical trainees believed racial biases and myths about Black people, such as Black people having thicker skin and less sensitive nerves, making it so that they feel less pain than Whites and others (Hoffman, 2016). Another study in 2019 found that providers were able to identify pain on White patients' faces more consistently than on Black patients' faces (Mende-Siedlecki, 2019). Biases in the medical community against Black people, whether subconscious or purposeful, are severe and pervasive and not at all a thing of the past.

As a result, those marginalized are reluctant to seek medical help to address health issues because they do not expect their pain, issues, and concerns to be taken seriously and anticipate their opinions will likely be rejected. Medical biases and structural inequalities impact the decisions made by Black Americans. This mistrust can be seen in the lower number of vaccinations received by Black Americans. A survey using thirty-six states with reported vaccination data arranged by race found that only fifty-nine percent of the Black population was vaccinated, significantly less than other racial groups (Ndugga, 2022).

CONCLUSION

Predominantly Black communities like mine suffer from widespread skepticism, sometimes also leading to hysteria and fear, when it comes to medical opinions and diagnoses given the persistent biases held by the medical community. This leads people to opt to take alternative medicines and seek out religious healing instead. However, the fear of these opinions and diagnoses is not without merit, as historically Black people have been mistreated, discriminated against, and made uncomfortable while seeking advice from medical professionals, as this essay shows. Addressing the importance of vaccinations using religious organizations as a place for building trust would benefit all New Yorkers by improving our collective immunity levels while addressing the trust gap between medical professionals and Black patients.

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♦ INTERDISCIPLINARY STUDIES PROGRAM 140

COLUMBINE: DIAGNOSTIC AND PROGNOSTIC FRAMES SURROUNDING AMERICA'S MOST NOTORIOUS SCHOOL SHOOTING

SOPHIA MANNING

INTRODUCTION

MURDER HAS CONSISTENTLY FASCINATED SOCIETY. Violence has shocked humanity since the beginning of time, and yet we can't seem to get enough of it. From Greek tragedies such as the Oresteia, to Cain murdering Abel in the Bible, all the way up to the modern day, murder is a topic that captures the mind and focus of people everywhere. Contemporarily, there has been a surge in true crime media – *Investigation Discovery* is a cable channel that plays true crime content 24/7. In 2018, CBS indicated that true crime podcasts consistently rank in the top 50 most consumed, and on iTunes they consistently rank in the top 10 (Sarteschi, 2020). And yet, with all the sensationalized violence being consumed, it can be difficult to ascribe meaning to these events as they happen. However, there are cases that have notably left their mark on

the world; cases that have changed society in terms of policy and culture. One such case is the Columbine High School shooting, a murder that has defined the 21st century. It's ramifications on society and policy are distinctly viewable; it is a case that was a watershed moment of modern history and has directly affected particularly American culture in regard to school security, gun regulation laws, and influencing crimes of a similar caliber.

April 16th, 1999, was a Friday morning. High school principal Frank DeAngelis stood before his school during a pep rally and told his students he loved them. The upcoming weekend was prom, and he was intent on ensuring that each and every one of his students returned safely to school the following Monday. Drinking and driving during the weekend was no joke, he warned them, and he hoped that they would be careful and smart. Prom weekend safely passed, and school resumed Monday with no hiccups. But Tuesday the 20th would turn into not only the schools, but one of the country's, darkest days in history.

On April 20th, 1999, two students entered Columbine High School in Littleton, Colorado, and shot twelve students and one faculty member to death. The attack had been meticulously planned for months leading up to it by students Eric Harris and Dylan Klebold.

THE ATTACK: THE WHO, WHAT, WHERE, AND WHEN

Harris and Klebold intended their attack to be a bombing, not a shooting. For months prior Harris had been learning to build as well as detonating homemade bombs and hoped that the attack would surpass the Oklahoma City bombing, which claimed 168 lives and injured 800 more four years prior. The two arrived at the school on the morning of the attack shortly before 11 am. They had spent the morning assembling their arsenal, which included two large duffel bags containing propane explosives, pipe bombs, gunpowder-filled carbon dioxide cartridges called "crickets", as well as four firearms, two for each shooter. Their plan was to plant two bombs in the high school's cafeteria shortly before the A lunch block. Harris had spent time observing the number of students that would be in the lunchroom during this time and determined that setting off a bomb at 11:17 am would provide the most fatalities. The boys arrived at the school at approximately 11:10 am, running shortly behind schedule. Earlier in the morning they had left another bomb at a park three miles away, which they hoped would be a diversionary tactic to ensure that police and emergency response services would be drawn away for the school once their attack began. This bomb was timed to go off at 11:14 am. The two drove separate cars to the school and parked their cars on opposite sides of the parking lot, both facing the exit door from the cafeteria. After the bomb went off, they planned to use their firearms to shoot at the students trying to flee the cafeteria. Shortly after 11:14 am, the two entered the

school and stashed the bombs in the common area before heading back to the parking lot. This was the bomb that was wired to set off at 11:17 am.

Both cars were packed with explosives and were positioned in a way so that both shooters could interlock their fire at the fleeing students without ever being in each other's line of fire. By 11:18, the bomb had not detonated. Within two minutes, Harris realized it wasn't going to. It is unsure of how the shooters came together to enter the school or whether they used hand signals, but Harris exited his car to go to Dylan's location. The two then advanced on the school. They were first observed on the steps to a west entrance outside at 11:19 am, where they began to shoot.

At the top of the stairs, Klebold threw a pipe bomb towards the parking lot, which partially detonated, giving off smoke. The two then opened fire. Harris shot anyone he could see, while Klebold mostly cheered him on. Harris hit a couple of the students outside along the tree line, none critically. The first fatality was Rachel Scott, who had been eating lunch in the grass with her friend Richard Castaldo. Rachel died instantly after suffering four shots from Harris, one to the left temple. Richard was shot eight times collectively by both shooters and fell unconscious but was not killed.

Three students then directly approached the gunmen – they were sure the guns were paintball guns, and that this was an elaborate senior prank. In the lead of the trio was Danny Rohrbough, who was shot three times and killed with the second shot. Lance Kirkland tried to catch Danny as he went down but was shot numerous times. He blacked out but was not killed. The third student, Sean Graves, was grazed by a bullet to the neck. He took off running before blacking out. Harris then turned to shoot at a group of five students on the school's lawn, managing to shoot students Michael Johnson and Mark Taylor, but killed neither of them. Klebold then turned and walked down the steps towards the cafeteria, presumably to check on the bombs inside. Lance had come to, and weakly begged Klebold for help. Klebold is quoted by Lance as saying, "Sure, I'll help you," before shooting him in the face. Although critically injured, Lance survived this shot as well.

Inside the cafeteria, chaos was ensuing. The students inside were now aware of the gunmen and were panicking. Faculty member Dave Sanders helped direct the students up a staircase leading out of the cafeteria, where most of them escaped as Klebold entered the building. While Klebold had the opportunity to open fire on the crowd, he did not. He also didn't go to check on the bombs. The purpose of his excursion into the cafeteria is unclear – if not to try to detonate the explosives, it may have been to rack up the body count as encouraged by his partner. Outside, Harris was still at the top of the stairs, shooting and setting off explosives. He shot student Anne Marie Hochhalter twice. Harris then opened fire on a group of students running across the field. Klebold joined him, firing his weapon once. The time was 11:23 am.

Still on the steps, Harris turned around towards the school and fired through the door's glass panes at an approaching teacher. Four minutes into the attack, most of the school did not realize they were in danger. In some classrooms, no one had heard any shots, and for some that had, they too assumed it was a senior prank. Part-time teacher Pattie Nielson had approached the window after hearing shots that she assumed were from a prop gun, intending to tell the student wielding it to knock it off. After Harris shot through the window, she was injured by shrapnel and retreated, realizing it was not a prop. She set off to the library in search of a phone. Inside the library were dozens of students, whom she ordered to get down and take cover, as she thought the gunmen were still on her heels.

While this occurred, the first 911 call came through to the Jefferson County Police Department (Jeffco for short). Deputy Niel Gardner was the first officer on the scene, who arrived at the school as Klebold rejoined Harris on the steps. After shooting into the school, Harris engaged Gardner in fire, shooting ten rounds at him but missing all. Gardner got off four shots at Harris, which he also missed. The gunmen fled into the school. It was 11:24 am. Harris had fired his weapon 47 times, while Klebold had only made 5 shots. At 11:26, Harris returned to the west entrance and exchanged more gunfire with more officers that had arrived. Once again, no shots landed on either side, and Harris retreated back into the school. This is the last time law enforcement would fire on the shooters or enter the school until shortly after noon.

After directing students up the stairs, Dave Sanders gestured to the students in the library to stay put and stay down. By now Klebold and Harris had entered the building and ascended the stairs that Dave had previously directed students up. Dave was still at the end of the hallway, opposite where the shooters had entered it from the stairs. He and another student turn to run as the two opened fire, with Harris hitting Dave twice in the back and neck but missing the student. Dave collapsed as the student ran into a science room. Dave was later retrieved by another teacher. While he was not killed on impact, nor lost consciousness, he would bleed out ours later before receiving medical help.

The gunmen next entered the library at 11:29 am. Harris first fires his weapon at a desk under which a student is hiding, but the student is not hit and suffers only from the splintering of the table caused by the shot. The two continue into the library, where Klebold shoots at student Kyle Velasquez who was sitting at a row of computers. Kyle was killed instantly by a shot to the head and shoulders.

During their rampage in the library, Harris and Klebold are reported to have laughed at and taunted the students hiding there, ordering them to get up and threatening to kill any jocks in the room. The two continued, shooting out the library windows in the direction of the police outside. After they retreated

from the windows, Klebold shot at nearby table, injuring students Patrick Ireland, Daniel Steepleton, and Makai Hall. Harris returned to the two rows of computers where Klebold had killed Kyle, who was shot at the upper row of computers, and got on one knee to shoot Steven Curnow, who was hiding under the lower row of computers. Steven suffered a mortal wound to the neck and died where he hid. Harris moved to a nearby desk, where he shot Kacy Ruegsegger in the shoulder, injuring but not killing her. As she gasped in pain, he told her to "Quit your bitching," but did not shoot her again. He then walked to a table south of the computer desk, slapping the top of the table twice as he knelt and said "Peek-a-boo!" before shooting Cassie Bernall in the face, killing her instantly. Upon doing so, his shotgun recoiled into his face, breaking his nose. He shouted to his partner that he'd injured his nose, with Klebold simply responding "Why'd you do that?"

Harris turned next to a nearby table where Bree Pasquale was next to but not under – there was no more space due to other students hiding under it. Harris asked Bree if she wanted to die; she responded that she didn't. Harris laughed, responding that "Everyone's gonna die," but declined to shoot her after Klebold told him to, saying, "We're gonna blow up the school anyways."

Klebold noticed the previously injured Patrick attempting to aid Makai, who had been shot under the same table as him. As Patrick's head peeked above the table, Klebold shot him again, hitting him in the head and foot. Patrick fell unconscious but would ultimately live. Klebold approached another table, under which Isaiah Shoels, Matthew Kechter, and Craig Scott were hiding. Klebold called Isaiah, one of the few black students at Columbine, a racial epithet and then called Harris over. The two taunted him before each firing under the table; Harris shot and killed Isaiah as Klebold killed Matthew. Craig feigned dead while lying in his friends' blood. Harris yelled "Who's ready to die next?" and tossed a cricket under the table where Patrick, Daniel, and Makai were still under. It landed on Daniel's thigh, and Makai quickly tossed it away, where it exploded midair. The shooters rejoined each other on the east side of the library. Klebold shot towards the closest table, injuring Mark Kintgen in the head and shoulders. He then turned to his left, where he shot under the table and injured Lisa Kreutz, Valeen Schnurr, and Lauren Townsend with one shot. He moved closer to the table and fired again, killing Lauren. Valeen began to scream "Oh, God," and Klebold asked her if she believed in God. Valeen responded that she did. Klebold reloaded his weapon but declined to kill her.

Harris looked under another table where two girls were hiding. He dismissed them as pathetic before continuing to another table, where he shot twice, hitting Nicole Nowlen and John Tomlin. John moved out from under the table, where Klebold shot him repeatedly, killing him. Harris returned to the table where Lauren's body was. Like Bree, Kelly Fleming sat beside the table

as there was no space under it. Harris shot her dead. He continued to fire, hitting Lauren's body again, reinjuring Lisa, and hitting Jeanna Park.

The shooters reconvened at the center of the library. Harris aimed his weapon at a student, who moved out of the way. Harris demanded the student identify themself; it was John Savage, an acquaintance of Klebold's. John asked Klebold what they were doing, Klebold mildly responded "Oh, just killing people." John asked if they were going to kill them and Klebold responded in the negative. He told John to flee, and he did, leaving the library. Upon John's departure, Harris shot at the table in front of him, hitting Daniel Mauser in the hand and ear. Daniel retaliated, shoving a chair at him. Harris fired again, shooting him in the face at close range and killing him. Daniel was the only victim or witness involved in the attack to physically retaliate. Harris moved on, firing three more shots at another table, injuring Austin Eubanks and Jennifer Doyle. He shot under the table again, killing Corey DePooter. Corey was the last fatality involved in the attack and was killed at 11:35. A minute later at 11:36, the gunmen left the library. Fifty-two students and four faculty members were in the library during the shooting. Klebold and Harris killed 10 of them. After the two left the library, everyone inside fled except for Patrick and Lisa, who were unconscious and too injured to move, respectively.

After leaving the library, the shooters wandered around the school, firing their weapons aimlessly and occasionally tossing explosives. They returned to the cafeteria at 11:44 am, where security footage shows Harris shooting at the propane bombs they had left, unsuccessfully attempting to detonate them. The two exit the cafeteria and continue to wander and fire their weapons. No one was injured as they did so. At 12:00 pm they returned up the stairway and reentered the library. Between 12:02 and 12:05 pm they exchanged gunfire with the police outside. At 12:08, the two shot themselves, Harris through the roof of his mouth and Klebold through his left temple. Though they were dead shortly after noon, evacuation of the school would take hours more as law enforcement had no knowledge of their suicide. Dave Sanders bled out hours after their suicides, while SWAT teams slowly searched the building.*

Thirteen people shot dead. Mass media coverage detailing every second of it. Wild rumors flying about how this could have happened. A wealth of recordings and journals left behind by the killers, dissecting their own plans and motives. This was a highly sensationalized act of violence, broadcasted for everyone in the country to see. It was something the nation had never seen before, and it was a recipe for mass interest in the case. The case was discussed in depth throughout the country, and due to the nature of the attack and the events surrounding it, everyone had their own opinions on it, and while some agreed, some didn't.

THE SEARCH FOR A "WHY": DIAGNOSTIC FRAMEWORK FOR COLUMBINE

The country was in a state of shock. As the nation was trying to piece together how this could have happened, a major talking point revolved around a central few questions – Why did this happen, and who was to blame? This was not an easy question to answer, and there was not just one factor upon which the blame could fall. The events that led to Columbine were nuanced, and several theories and accusations were used to try and explain what could have led to this.

Blame the Parents?

While Columbine was far and away the school shooting that garnered the most media attention, it was not the first of its kind. In October of 1997, almost two years prior the shooting at Columbine, sixteen-year-old Luke Woodham had shot and killed two of his fellow students at Pearl High School in Pearl, Mississippi. Following the murder of her daughter, one mother sued Woodham's father. This is a pattern that had been repeated a few times – in West Paducah, Kentucky, the parents of three girls shot by another fourteen-year-old were seeking legal action against the child's parents (Belkin, 1999). This pattern would continue at Columbine High School, where Michael and Vonda Shoels, parents of Isiah Shoels, who was shot and killed in the library, brought a case against the parents of both Klebold and Harris claiming that there was more they should have done to prevent this tragedy, and that they should be held responsible for the way their children acted. Michael Vonda is quoted as saying "They ask us if we blame the parents? Who else do we blame? I taught my son right from wrong. My son wasn't shooting people up. My son was in the library doing what he was supposed to do (Belkin, 1999)." This argument is supported by the fact that Colorado, along with half the states in the country, had statutes that specifically hold parents liable for damages their children cause. This, however, typically applies to financial damage such as a baseball thrown through a window or spray-paint on the neighbor's front porch, posing obstacles for the Shoels lawsuit. Still, the idea that the parents of Harris and Klebold were to blame was a commonly echoed sentiment. A Gallup poll conducted ten days after the shooting reported that a quarter of the surveyed population believed the parents of the shooters should face criminal prosecution, with up to 85% of those surveyed attributing some level of blame to the family. This number held steady for years after the attack.

Bullying: The Greatest Columbine Myth

Another prevailing theory of what could have prompted the shooting was bullying at school. This idea, however, is somewhat of a nonstarter – neither Klebold nor Harris were victims of bullying at Columbine. In fact, the pair

were reported to have a roster of friends and worked together at Blackjack Pizza with some of their buddies. They also both belonged to a bowling league (Brockell, 2019). The pair had an active social life, more friends than many of the other kids at Columbine High School, and conformed well with a thriving subculture (Cullen, 2019, p. 147). The claim that the shooting was revenge for bullying was perpetrated by another source of blame, that the two were part of the so-called Trench Coat Mafia, an aspect of a subculture the two were known to belong to. The origin and idea of the Trench Coat Mafia is somewhat abstract – reportedly it was a loose social affiliation of present and past Columbine students that hung around each other and wore trench coats. The Trench Coat Mafia term itself became synonymous with social outcasts and led to the idea that Harris and Klebold were bent on revenge against their bullies. This is no more than a perpetuated misconception. While the shooters knew of the Trench Coat Mafia, and knew some members of it, they themselves were not involved with it, and the organization, if it could be called that, was no different than other social circles, like the jocks or nerds you could find at any other high school (Brockell, 2019). Despite the evidence showing that neither Klebold nor Harris were really victims of bullying, the commonly accepted narrative, as spun by the media, is that the two had been pushed to the breaking point by social rejection and bullying. This narrative was exacerbated by the fact that during their rampage the two had directly threatened "jocks," although, again, there is no observable reason for them to have done so, as they had never faced persecution at the hands of that social group. While the facts show that the two were neither oppressed nor bullied, it was an easy answer that was seemingly backed up by the two's writings they left behind that discussed their disdain for humanity overall, which was twisted into a narrative about them being the victim of bullying. There was likely no malintent for this narrative to be born – the country was reeling with shock and was desperate to find a way to make the attack make sense. The idea of them being bullied kids who snapped was an easy answer to the question of why this happened. Although why the two felt so abysmally about humanity is unsure, it could be contributed to by the fact that they both struggled with depression and other forms of mental illness that could cause them to feel alienated from the people around them. It wasn't, however, because of bullying.

Mental Health & its Implications
The likely reality for the basis of the attack that the two boys were mentally ill. "Mental illness" is a very broad term, but refers to a wide range of mental health conditions that can affect mood, behavior, functioning, or thinking. In the context of the Columbine shooting, it is a widely held belief by investigators of the case that both boys suffered from mental health disorders, though differing between the two. Both boys left behind over two years' worth

of journals, and Eric had his own website that he posted on for just under two years prior to the attack. This left massive amounts of information and motives for the crime behind for investigators to sift through. Jeffco officials, particularly Dwayne Fusilier, an FBI agent who worked on the case for years, believed that Eric was a psychopath (Cullen, 2019, p. 239-246).

Psychopaths tend to be distinguished from the rest of the population by two main characteristics: a ruthless disregard for others, and a stunning ability to hide this disregard (Cullen, 2019, p. 240). Researchers also note that psychopaths have a small emotional range – while they are capable of feeling emotions, they often feel things dimly. One measure of psychopathy is the Psychopathy Checklist, which was originally developed by Hervey Cleckley in the 1970s, after almost five decades of researching psychopathy. Another expert in the field, Robert Hare, later expanded this list. Some traits included on these lists are egocentricity, manipulativeness, superficial charm, lack of remorse, and shallow affect, among others, all of which were viewable in the journals Eric left behind. Eric's journals, along with his website, spewed hate and violence unprompted. He considered himself superior, and professed he wished mankind would fall, and that those lesser than him should die. In one entry he writes "how dare you think that I and you are part of the same species when we are soooooooooo different. you arent human. you are a robot...and if you pissed me off in the past, you will die if I see you (Cullen, 2019, p. 243)." In another entry, he says "fuck mercy fuck justice fuck morals fuck civilized fuck rules fuck laws.." Of humanity, he said "It's all just nature, chemistry, and math, deal with it … you die, burn, melt, evaporate, decay – just go the fuck away!!!! (Cullen, appendix B)." Researchers believe that psychopaths typically fall into ten categories, but only two are characterized by brutality or murder, those being the malevolent and the tyrannical (Cullen, 2019, p. 294). Of the psychopaths that fall into these categories, they are driven not by greed or material gain, but instead by the desire to punish those they consider their inferiors, and to feed into their own superiority complex. Eric fit both of these subcategories, evident by both his writings and behaviors (Cullen, 2019, p. 294). Written on one page of his journal, in all caps and larger than any of the other writing, he simply states "KILL MANKIND (Cullen, appendix B)." Another expert involved in the case summarizes in saying "Eric Harris was a psychopath, he was a narcissist, he was a sadist. He wasn't out to bully bullies; he was out to hurt the people he looked down upon (Cullen, 2019, p. 383)."

Dylan, on the other hand, was woefully depressed. His very first journal entry was from March 31st, 1997 (just over two years prior to the attack), and in it, among other things, he writes "Thinking of suicide gives me hope that I'll be in my place wherever I go after this life – that ill finally not be at at war w. myself, the world, the universe... (Cullen, 2019, p. 174)." Dylan was also deeply religious, although his family was not – while they had been involved

with the church sporadically as he and his brother were growing up, it had been years since they attended any formal worship. Still, he constantly referenced God in his writings, although mostly just to curse him and ask him why he was being punished (Cullen, 2019, p.174). Dylan's belief in God and an afterlife is a tentative explanation as to why he never did kill himself – the belief of an afterlife, and specifically of a hell, may have prevented him from going over the edge. Dylan was also consumed by loneliness. In his journals, he frequently talked about a girl in his class who he believed he was madly in love with. He longed to be loved and wrote extensively on the subject. Love was the most frequently used word in his journal (Cullen, 2019, p.187). Fusilier and other experts on the case consider Dylan's role in the case to be more of a suicide than a homicide. Even while planning the attack with Eric, Dylan didn't actually believe he'd be around to see it and planned to kill himself long before it.

The two boys fed off of each other – without Eric, Dylan certainly would never have proceeded to homicide, although without Dylan Eric still might have. However, it's also possible Eric's homicidal ideation would have died out without someone to mirror his ideas back at him. Criminologists refer to partner murders as dyads, and while they're not very well researched, they're still fairly well documented, with the most notable examples including Leopold and Loeb as well as Bonnie and Clyde (Cullen, 2019, p.244). It appears that these partnerships tend to be asymmetrical; a cool and calculating psychopath is sustained when feeding off an erratic depressive. Fusilier explains it as "It takes heat and cold to make a tornado (Cullen, 2019, p. 244)." This perfectly encapsulates the dynamic of the two shooters.

Other theories were proposed – some local churches cited Satan as the true perpetrator, many people cited violent video games as the source of evil, some people blamed lax gun laws, and still others proclaimed alternative music was the culprit (Cullen, 2019, p.107, p. 118). Ultimately, the blame cannot be attributed to just one source, and the true factors that led Klebold and Harris to commit their crime are likely nuanced and interconnected; not simple enough to peg on any one idea.

WHAT NOW? THE PROGNOSIS FOR COLUMBINE

When referring to Columbine, we are not referring to just the actual event but rather the reverberations it left in American culture, policy, and society (Muschert, 2019). There is a wide spectrum of ramifications it has left upon the American psyche, but four of the most easily observable ones include the dialogue surrounding gun control, the push for more mental health awareness, the effect on school policy surrounding violence and safety, and the culture that sprung up around school shootings – namely, the pursuit of notoriety for individuals who resort to violence to get it.

Guns: Facts and Discourse

Despite the violence of the attack, there has been little change to gun regulation since then. Tom Mauser, father of Daniel "Danny" Mauser who was killed in the shooting, found himself propelled into the world of gun politics following the death of his son. Two weeks before he was shot and killed, Danny asked his father if he was aware of the gun show loophole in the Brady bill (Janofsky, 2000). The Brady bill, shorthand for the Brady Handgun Violence Prevention Act, mandates the use of a background check on any persons buying a firearm from a licensed dealer. However, at gun shows, the people selling guns are not licensed; instead, they are considered private dealers, and therefore are not required to perform a background check. Danny was killed by a gun purchased for Klebold and Harris at one of these shows. Through lobbying for SAFE Colorado, a gun control advocacy group, Tom Mauser was successfully able to help push a voter referendum that closed this loophole in Colorado (Jones, 2002). The loophole was not closed at a federal level. Mauser would go on to continue to push for better gun regulation and is still an activist in this field in 2022.

Because of its controversial nature, gun regulation, what to some seems to be the obvious solution, hasn't been explored in depth. While very little has changed policy wise, much has been discussed. The United States has a firearm homicide rate that is 19.5 times higher than that of other comparable high-income countries (Boyd, P., & Molyneux, J., 2021). As discussed, the closing of the Brady Bill loophole occurred in Colorado shortly after the Columbine attack, but not federally. In January of 2019, a bill referred to as H.R. 8, the Bipartisan Background Checks Act was introduced in the House of Representatives. The next month, the House passed it. This bill would close the gun show loophole on a federal level, the same way that Tom Mauser and SAFE Colorado managed to close it in the state of Colorado twenty years prior. The bill never made it through the Senate, but was reintroduced in the House in 2021, where it passed again the following year. It is now waiting in the Senate as of May of 2022 (Bella, 2022). Another proposed solution is implementing a waiting period on buying weapons. A waiting period functions as it sounds: an individual looking to purchase a weapon cannot walk away the same day with a gun, and instead must wait an allotted amount of time, which can be used by the state to perform a background check or simply as a cool-off period. Researchers estimate that waiting periods decrease gun-related homicides by 17% based on the 17 states where this waiting period is enacted. These states avoid roughly 750 homicides per year, and were this policy to be extended to all 50 states, 910 additional homicides would be avoided annually (Luka et al., 2017). While these waiting periods may not have stopped the Columbine shooters, they would have stopped Robb Elementary shooter,

among others. Nationally, about 1/3 of mass shooters purchase their weapon within one month of their attack. While the longest waiting period in the country is Hawaii, at 14 days, there is strong evidence that suggests a waiting period for purchasing a firearm makes a difference in combatting gun violence (Johnson, G., & Press, T. A., 2022).

Another proposed solution is raising the minimum age for purchasing a firearm from 18 to 21. This would have prevented the Columbine High shooting, as well as the Marjory Stoneman Douglas High shooting, the Robb Elementary shooting, and the majority of other shootings carried out in schools, barring colleges. In 2018, then-Governor Rick Scott of Florida signed a bill into law that raised the minimum age to purchase a firearm in the state from 18 to 21 in wake of the Marjory Stoneman Douglas High shooting, which occurred in Parkland, Florida. While all states require individuals to be 21 to purchase a handgun, all but 8 states allow for individuals to purchase a rifle, or "long guns," at 18 (Johnson, G., & Press, T. A., 2022). The majority of mass shootings are carried out with a long gun, as handguns do not have the magazine capacity that rifles do.

Mental Health? Teenage Depression

Dave Cullen, who was a firsthand reporter on the scene, and who spent a decade following the event and documenting it for his book, *Columbine,* believes the answer to preventing school shootings is simpler than you might think: that before all else, we should be focusing on treating teenage depression. Making mass shootings a "mental health issue" is far too broad, and proposes no concrete solutions, while focusing on teenage depression in specific does. A report from the Secret Service showed that 61% of shooters had a documented history of depression, and that 78% of them exhibited a history of suicidal attempts or thoughts (Cullen, 2019, p. 386). The majority of mass shooters also shoot themselves or predict they will die by fire from the police, alluding to the fact that most of these shootings should be viewed not just as homicide, but as a murder-suicide. While the U.S. Preventive Services Task Force estimated 6% of American teenagers suffer from clinical depression, many of them go undiagnosed (Cullen, 2019, p. 386). That's two million kids, many flying under the radar. And the screening process is excessively easy – it is just a one page, nine question questionnaire with answers ranging on a scale of 1 – 5. The points are tallied and depending on the range of them indicates whether a person may be depressed or not, and to what extent. This screening is cheap and simple. Cullen believes schools should regularly perform screenings in order to get teenagers help before they begin to spiral. While mental health services in the U.S. are not ideal, they are ready to be used, and treatment could be the difference between life and death in these scenarios. Cullen also stresses that these screenings should not be

viewed just as a way to flag down potential mass shooters, but also for the overall benefit they could provide, stating "We should do it to slash school dropout rates, teen pregnancy, drug and alcohol addiction, car accidents, and general misery. But if we are primed to act, this is the answer. Teen depression: the great unlearned lesson of Columbine. (Cullen, 2019, p. 387)."

School Security: Reactive, But Not Always Effective
Although gun laws and mental health treatment may have not visibly changed, one thing that has been visibly affected by the shooting are school security and safety policies. Over 90% of American schools have a written crisis plan, with 75% of them holding active shooter drills, something that would have been completely unheard of in a pre-Columbine nation (Shapiro, 2019). Teachers who survived Columbine also reported classroom doors only locked from the outside, meaning they were forced to open the door and reach around it to lock it upon hearing gunshots. Across the country, schools are now built with classroom doors that lock from the
inside (Shapiro, 2019).

Contemporary schools now often have some form of school-based law enforcement (SBLE). This is most commonly seen as school resource officers (SROs); officers whose entire job is to work for public schools to ensure safety. These officers should not be seen as just security guards; they are armed law enforcement officers sworn in to work in public schools. This program has existed since the 1950s but has gained considerable traction after Columbine, and as school-based violence and shootings have become more frequent. Two years before the shooting at Columbine during the 1996 – 1997 school year, 78% of schools did not have a police officer or any sort of law enforcement agent stationed at said school. More recently it was estimated that during the 2015 – 2016 school year 57% of public schools had an officer on campus at least one day a week (King, Bracy, 2019). The employment of SBLE has been considered a widely reactionary measure, as its growth trends with the aftermath of school shootings. In 2013 following the shooting at Sandy Hook Elementary School in Newton, CT that claimed the lives of 20 children and 6 staff members, President Obama signed the "Now is the Time" bill, which allocated federal funds to hire more SBLE and to purchase more school security equipment (King, Bracy, 2019).

However, SBLE and SROs are only as effective as their training is, and, in the context of school shootings, of whether or not they're willing to confront the gunman. This goes for regular law enforcement as well – the responding officers to Columbine High School exchanged fire with one of the gunmen between 5 and 7 minutes into the attack but would not enter the building or fire again for another 40 minutes (Cullen, 2019, p. 51, p. 57). At Marjory Stoneman Douglas High in Parkland, Florida in 2018, a gunman killed

17 students and shot an addition 17 people. The school's SRO chose not to enter the building after hearing gunshots inside. In 2022 in Uvalde, Texas, a gunman killed 21 individuals at Robb Elementary School: 19 students and 2 educators. The police waited outside for over 45 minutes while the killer was actively shooting inside the building before entering the building and killing him.

Other security measures include the use of security cameras and closed-circuit television. In the year prior to the shooting at Columbine, 19.4% of schools used security cameras. In 2015, this number had risen to 80.6% (King, Bracy, 2019). Schools also began to utilize chokepoints for doors into the school; while there may be more exits in the building, student and faculty entry is limited to only a few entry points in order to supervise who is entering the school.

While these school security features have the potential to work in the context of a shooting, they are all reactionary measures, not preventative. All these measures assume there already is a gunman and are in place to minimize the extent of a potential attack, but do not address the source of the attacker; or how to stop the attack from occurring to begin with, in the way that focusing on teenage depression or, to a slightly lesser degree, that limiting the access to firearms does.

A NEW STAGE: THE COLUMBINE EFFECT

Perhaps the most disturbing reverberation to come from the Columbine shooting was the trend of copycat killings. In 2007, 8 years after the shooting at Columbine, there were 12 documented school rampage shootings. Of these shootings, 8 (66.7%) of the shooters directly referred to Columbine. Perpetrators would, in any combination, refer to Columbine as inspiration, set the goal of surpassing the body count at Columbine, or dedicate their attack as homage to Columbine (Larkin, 2007). This fascination with Columbine as a blueprint and ideology became known as
the Columbine Effect.

How does this happen? To start, Columbine's mass media portrayal set a new stage for those seeking notoriety and laid out the idea of using a rampage shooting as a means of revenge, or as a political act. The mass media portrayal paired with the online rantings left by Harris and Klebold gave potential shooters a baseline idea of what their own shooting could look like. Klebold and Harris became martyrs to the social aliens of high school and college campuses; people to be idolized and emulated. The attack became romanticized; the pair had left enough content to justify themselves in the eyes of other prospective shooters. As previously discussed, it is important to note that the pair were never explicitly victims of bullying. In their writings, the two did not discuss their hatred of specific bullies or perpetrators, but rather

professed their hatred and disgust for mankind as a whole. The idea of Columbine being a vengeance shooting was driven more by the media than it was by reality, and subsequent school shooters would be fed the media's version and apply it to their own lives. Ultimately, there were perhaps two main factors that would drive people to recreate their own version of Columbine – frustration manifested into violence, and the hope that they too may through their act become immortalized as were the Columbine shooters they looked up to.

The fascination with Columbine has continued. In 2018, the gunman who killed 17 at Marjory Stoneman Douglas High reportedly spent time researching Columbine (Cullen, T. 2018). Also mentioned prior is the gunman at Sandy Hook Elementary School, who had a reported "fascination" with Columbine and had kept a spreadsheet detailing it along with other mass shootings, going as far as to make collages of the victims of Columbine, spend time in online forums dedicated to the Columbine shootings, and even roleplaying as the shooters in the online video game "Super Columbine Massacre RPG" (Weill, 2017). These examples illustrate two main things: the use of Columbine as a blueprint; as something to be researched and recreated, and the infatuation with Columbine as an event and ideology, outside of (though not necessarily without) direct intent to recreate it.

The pattern of mass shooters, particularly those who target schools, and their connection to Columbine is continually visible. A prospective shooter at De Anza College in California had a website dedicated as a memorial to Klebold and Harris. The shooter at Virginia Tech referred to the Columbine shooters as "martyrs" in his manifesto. This manifesto was also comparable to the tapes made by Klebold and Harris. (Denver Post, 2016). A hallmark of shooters inspired by Columbine is the mimicry of Harris and Klebold, such as purchasing the same weapons and creating written and recorded manifestos (Larkin, 2007). In 2019, an 18-year-old from Florida spent weeks planning a pilgrimage to Jefferson County the month of the shootings twentieth anniversary. Upon landing in Denver, she immediately bought the same firearm as one used in the shooting with intent to recreate the event. After authorities caught wind of her plan, she was the subject of an FBI manhunt and was on the run for 20 hours before ultimately turning the weapon on herself. She, too, was reportedly infatuated by the shooting and had spent time researching it leading up to her trip to Colorado and eventual suicide (Oldham et al., 2019).

Clearing the Stage

A way to counteract the influx of copycat killers has been a movement for no notoriety – researchers argue that the direct correlation between Columbine and the shootings inspired by it is the seeking of similar fame by prospective

shooters (Haynes, 2022). Because of the highly sensationalized news coverage surrounding Columbine and specifically the perpetrators of it, the names Dylan Klebold and Eric Harris have become almost household names in America. The idea is that as you decrease the coverage of the perpetrators of mass shootings and instead focus on the victims, prospective shooters following the attack will not be rewarded with someone to elevate to martyrdom and will not be as apt to try and recreate the events if they are seeking notoriety, because there will be a precedence of former shooters not receiving said notoriety. Namely, we have learned from Columbine that covering mass shooters in great detail in the media leads to copycat killers recreating the event, so by decreasing the coverage and limiting the notoriety of shooters in new events, you can help decrease the odds of future shootings occurring (Haynes, 2022).

CONCLUSION, AND LOOKING FORWARD

Because the perpetrators committed suicide following their rampage, there was never a need for a trial. This was reported as being the final cruel act of the pair, because when the smoke cleared, families were left with no one to direct their anger that that could respond to them, no cathartic trial, no visible justice being served, just a vacuum left behind by the two teenagers (Cullen, 2019, p. 212). This is perhaps why so much anger was directed at the parents of Klebold and Harris, as they were around to take the brunt of it while their children weren't.

While there were changes to policy regarding school security and minimal changes to gun laws, the country is still very unsure of how to prevent these tragedies from occurring. The number of school shootings has grown exponentially since Columbine, and there's little being done to directly combat this. Preventative measures span about as far as the uptick in school security, but little else is directly being done to actively address rampage shootings in schools (Jonson, 2017). The discussion around school violence with reference to Columbine will likely always be in circulation, but as of yet it is hard to attribute major systemic change in policy to prevent these kinds of events from occurring.

There are important lessons to be learned from Columbine – a need to take teenage depression and mental health more seriously, for more immediate action from law enforcement in the event of a shooting, the need to axe notoriety from the equation through media coverage, and though roundabout, the need to address bullying and toxic cultures in high schools; while the Columbine shooters were not victims to bullying, subsequent shooters have been. In 2019, a shooter at a high school in Highlands Ranch, Colorado, was allegedly motivated to kill certain students as revenge for being made fun of for his gender identity. One person was killed in this attack and 8 others were injured. The shooting was done as a pair and occurred during the month of the

20-year anniversary of Columbine, a short few weeks after the school had gone on lockdown while the prospective Florida shooter was on the run after coming to the state (Helsel, 2019). While the timing of this shooting is not thought to be related to the anniversary of Columbine and is considered merely a coincidence, it once again highlights that even twenty years after the attack very little has changed, and that in reality it seems to have gotten worse.

Time will continue to tell how gun violence is handled in America, but it is without a doubt that the Columbine shooting has irreversibly impacted American social and political culture and will likely be part of the dialogue surrounding gun violence for years to come. Until there is a more major change in policy, the likely reality is that these shootings will continue to happen. They are trending upward and have been for the twenty-three years since the shooting – things need to change, and in more ways than one. If we as a country were to place more need solely on gun regulation and the treatment of depression, there is ample evidence to support that there could be positive change. While there are numerous factors that go into finding a solution for the epidemic of mass shootings, and particularly those that occur in schools, these two areas are ones where little change has occurred, and where the potential to make a difference are the highest. In the meantime, it is important to remember the victims of these tragedies and stop rewarding the perpetrators with infamy. Change is possible, but not until the nation is ready to lay down its differences and unite around keeping our people, and particularly our children, safe.

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♦ ENGLISH 101

WE'RE NOT IN NO (EXPLETIVE) COLLEGE, WE'RE IN PRISON

FREDDY WALKER

I WAS RAISED BY MY GRANDPARENTS. Why? Because my mother and father were incarcerated in federal prison. My father, he was basically in prison my whole life. He passed away in prison when I was 20 years old. My mother, on the other hand, she got arrested when I was 6 years old. I do not have many memories of my parents before prison, but I have one particular memory with my mother that haunts me every time it crosses my mind.

I do not remember exactly how old I was, but I had to be 6 years old or younger since my mother did not get released until I was 14. In any event, I remember standing up inside the bathroom sink, and my mother was giving me a bath. She asked me, "Freddy, do you love me?" And I remember loving my mother although she was barely around because of the lifestyle that she and my father were living. Even though my father was in prison, my mother played a role in keeping his drug business running.

The Assignment and the Writer: At the start of the semester in ENG 101, students write a creative nonfiction piece about a formative event in their lives, and this often serves as the springboard for their subsequent inquiry-based research projects. In our class, we read an excerpt from Malcolm X's *Autobiography* and Langston Hughes's "Salvation;" then the students described their own moments of significant change. The assignment often elicits moving work from students, but this essay stood out as exceptional. While the family members who feature in the story are treated with compassion, Freddy's writing searingly depicts the very real damage that results when adults lie to children. In my opinion, "We're Not in No…" is a worthy companion to Hughes's canonical piece.

– Professor Ashley Minihan

Did I love my mother? Of course. So, when she asked me if I loved her, as a child who just wants to play and laugh all day, I remember saying, "No!" The look on my mother's face was pain, heartbreak, sorrow, disbelief. At the same time, her look was understanding, acceptance, and knowing. Her response though, "What? Freddy, you don't love me? I'm your mother." And again, as a playful child who had probably just learned the word and its effects, I said "No," again. My mother broke out in tears, and the memory ends. I feel sad every time I think about it.

When my mother "disappeared," someone came up with the "bright" idea that it was best to tell me my parents were away at college. I remember visiting my mother at "school" but I do not remember visiting my dad, unfortunately. Although I do have a picture to prove that I had visited him. I remember enjoying going on "visits at Mom's school." The best part was when they would stamp my hand but the stamp was invisible. I could feel the dampness on my hand; I knew something was on my hand but I could not see it. And then, a few minutes later the magic happened. "Freddy, put your hand up to the light." I do not even remember what the stamp looked like. I probably didn't even care. It was glowing, and for that reason I could have gone to visit my mother every day. Amazing.

My father, although I do not remember seeing him, I know that we spoke a lot over the phone. We spoke enough to where I remember times that I would "worry" about having to explain things to him. School, behavior, life, everything. There is one phone call that I will never forget. I learned a couple of things on this day. Although I do not remember word for word what led up to the start of my memory, I was telling my dad that I wanted to go to college just like he and my mother were doing.

Now, I had said this phrase to him and my mother before; I remember because I really did want to go to college like my parents when I was a child. Well, on this day, for whatever reason, I guess my dad felt I needed to know the truth. So, after my statement about wanting to go to college like "you and Mommy," he paused. (I remember noticing the pause and wondering why he paused.) He said, "Freddy, me and your moms ain't in no fucking college, we're in prison." In my head I was thinking, wait a minute, what? Prison? Where Mommy and Daddy (my grandparents) always told me is a place where "bad" people go? But those thoughts were short lived because of what I also learned that day. For a long time, I'd had suspicions that my grandmother would listen in on all my phone calls but I had no proof.

On this day, I had my proof. Right after my father exposed me to the truth, through the phone receiver and my free ear, I could hear my grandmother yell, dramatically, "WHY WOULD YOU TELL HIM THAAAT!?"—It was at that moment I told myself, "I knew Mommy was listening to all my calls."

That's how she would know stuff that she was not supposed to know about. Something else I learned that day, people lie. And being lied to hurts.

Finding out that my parents were not in college, and that they were "bad" people, believing that lie, I started to think that when my grandparents would tell me, "You gotta be good," they were lying. I mean, I loved my mother and my father. They understood me more. I loved my grandparents, and they gave me love in return. If I asked my grandparents for the "newest" (whatever), it might take a while, but they would get it. If I asked my parents in prison for something, it would arrive at the house within a couple of days.

As a kid I started weighing options; I started to question everything. If my grandparents would lie to me about where my parents were, maybe they were lying about prison being a place for "bad" people. My parents did not seem bad. They were actually "cool" to me. I eventually started to get in trouble, got kicked out of school, got an Archdiocese suspension and then a superintendent's suspension; everything went "left." When I was 14 years old, my mother got released and my grandparents pretty much had had enough, especially since Cardinal Hayes High School had given me "the boot." My grandparents kicked me out of their house and sent me to live with my mother in the Bronx.

I was a good kid, I remember being "good," I was raised to be good. And I remember getting older… 10 months after I moved in with my mother, I got arrested. I had messed up all across the board. I was 15 years old, sitting in juvenile detention, feeling somewhat as if I was living my destiny. I kept telling my parents that I wanted to go to college (prison) just like them. I told them.

♦ ENGLISH 101

PUPPIES BEHIND BARS: DO DOGS SERVE A PURPOSE IN LIFE?

DAVID SCHICCHI

I HAVE NOT ALWAYS ENJOYED the company of dogs. I grew up next door to a family who had vicious and scary-looking dogs. I chose to stay away from them. In fact, I had very little to do with dogs prior to my incarceration. It wasn't until many years later, after being incarcerated, that an opportunity became available to work with dogs through the Puppies Behind Bars program.

Puppies Behind Bars is a non-profit organization that teaches incarcerated individuals how to raise and train service dogs for very specific clients. Puppies Behind Bars was born in 1997 at the Bedford Hills Correctional Facility for Women. Five guide dog puppies that had been initially tested by Guiding Eyes for the Blind, another non-profit organization that uses dogs to help people. These dogs were unlikely to become guide dogs for the visually impaired. They were thus released from Guiding Eyes for the Blind and donated to Puppies Behind Bars. Shortly after it began, the Puppies program was a resounding success, gaining the respect of prison officials and guide dog schools, alike. It produced two working guide dogs that out of the initial five canines were deemed incapable of succeeding.

The Assignment and the Writer: One day early in the semester, a black Lab, Kiki, joined our English 101 class. I learned that David, who brought Kiki, was a "raiser," someone who trained dogs through the Puppies Behind Bars program, in which incarcerated persons train the dogs to be of service to veterans, law enforcement personnel, and canine units. David's inquiry-based research project was a natural. He used his personal and profound experience, secondary sources, and first-person interviews to write an informative, and successful paper that highlights the win-win nature of Puppies Behind Bars, showing how this program brings out the best in incarcerated persons, the recipients of these service dogs, and the animals themselves.   **– Professor Heidi Bratt**

Today, the clientele has changed. The goal of Puppies Behind Bars remains intact: imparting valuable skills to incarcerated individuals for the purpose of training working dogs to go out in the world to help someone lead a richer life. They will also partner, hand-in-paw with law enforcement agents to find explosives before they claim innocent victims. They will also help bridge community relations with the police while also helping with officer wellness. Puppies Behind Bars is currently functioning in seven correctional facilities: Bedford Hills, Fishkill, Otisville, Wallkill, Greenhaven, Easter and Ed Mohen in New Jersey.

It wasn't until many years later after being incarcerated that an opportunity became available to work with dogs through the Puppies Behind Bars program. Yes, I was afraid of dogs, but what changed my perception was when I met Harley. Harley is a chocolate Labrador Retriever that I met when I transferred to Downstate Correctional Facility from a facility that did not have a puppy program. It had been over 14 years since I last saw a dog prior to meeting Harley, and his "raiser" Randy, who is his primary caretaker in prison. I couldn't stop petting and loving on Harley while Randy explained the Puppies Behind Bars program to me. I saw it as a win-win scenario and decided to join Puppies Behind Bars.

Nora Moran is my instructor at Otisville and the director of "Dog Tags." In our interview, Ms. Moran explained the goal of Puppies Behind Bars. Puppies Behind Bars trains prison incarcerated individuals to raise service dogs for wounded war veterans, retired first responders, active police officers, and explosive-detection canines for law enforcement. "Dog Tags: service dogs for those who've served us" is a Puppies Behind Bars initiative. Ms. Moran said, "This initiative was launched in 2006, pairing service dogs with disabled war veterans who served in the Iraq and Afghanistan war. Our dogs are trained specifically to work with clients with PTSD (Post Traumatic Stress Disorder) and TBI (Traumatic Brain Injury) as well as some mobility-related disabilities," She continued, "In 2018 Puppies Behind Bars backup initiative was launched pairing service dogs with first responders because of their domestic service. In 2020 a new need was created to include facility dogs. Facility dogs are trained to work with a police officer within a police department to assist with officer wellness and community relations."

The impact of the program was and continues to be dramatic. For example, our dogs have a profound effect on mitigating the symptoms of those suffering from PTSD. In a New York Times article just weeks after Chris Coehner, 25, an Iraqi war veteran, received his service dog, he was able to cut in half the dose of anxiety and sleep medications he took for PTSD, the terrible night terrors he suffered and the suicidal thoughts that kept him awake for days. In another example, Aaron Ellis, 29, another Iraqi veteran with stress disorder, scrapped his medications entirely soon after receiving a service dog. He was

able to go into a grocery store for the first time in three years. The dogs that are credited specifically for improving their health are not just pets. These dogs are psychiatric service dogs trained to help traumatized veterans leave the battlefield behind as they reintegrate into society.

In 2020 a new need was met as police were facing down tensions on the streets, especially in the aftermath of George Floyd's death and the breach on the U.S. Capitol. Anti-police sentiments were running high; assaults on police officers had increased. Communities across the nation were calling for "defunding the police." In many cases throughout the country, police officers felt that the public had turned against them. The escalation in the public's anger against them created serious stress on the part of the police officers.

According to Puppies Behind Bars newsletter (Winter, 2019-2020), a community liaison and officer wellness program coordinator for the Groton police department, Heather McClelled, asked Puppies Behind Bars to pair her with a dog. A few months later, she and a black Labrador named McDonald graduated from a team training process in the Bedford Hills prison where the pup was raised. "I can't even put into words the impact that one little handsome dog had made on all of us. This dog, McDonald has opened more conversation about wellness, stress, and trauma. McDonald is a tangible thing, a therapies tool with an instantaneous impact when you interact with him. Using the dog out in the community both to bridge the gap between police and civilians and to help people who have been a victim of a crime!"

I add here how positive interactions with the community using the facility dogs have made a huge impact on both officers and community relations.

According to Ms. Moran, "Incarcerated individuals benefit as well in learning responsibilities in providing puppies with a loving, caring, and healthy home, including exercising dogs daily, and learning a craft. By spending two years in the Puppies Behind Bars program and passing a comprehensive exam, incarcerated individuals receive a certificate as a qualified Dog Trainer. Puppies enter prison at the age of eight weeks and live with their puppy raisers for approximately 24 months. As the puppies mature into well-loved and behaved dogs, their raisers learn what it means to contribute to society, rather than take from it."

All this would not be possible without civilian volunteers who give their time to help socialize our dogs to the world at large. They take our dogs places that we incarcerated individuals cannot to introduce them to different sights, sounds, encounters with people of all ages, and expose them to help the dogs' confidence and grow more comfortable in the world they will eventually inhabit full-time. As raisers, we receive feedback letters through Puppies Behind Bars on how the outing went. The puppies leave prison for as little as two hours or at most, two days. As one volunteer wrote in her letter, "Kiki was

a wonderful visitor!" She further wrote: "Had a terrific time with this sweet, playful, friendly, gentle, easygoing and self-confident pup." Our dogs are exposed to stores, diners, other animals, and more during when they are out with the volunteers.

I joined Puppies Behind Bars as a volunteer the very first chance I got in 2014. I have continued to work in this program to the present time. To date, I happily and proudly raised three puppies to become working dogs. Pete is currently paired with a 911 first responder. Witten is currently serving as an Explosive Detection Canine for the New York State Police. Coach is currently serving in the Connecticut police department helping to build community relations while assisting in officer wellness.

I've learned and gained so much from this program. I had a difficult time connecting with people prior to my incarceration. By connecting with the dogs that I raised, I learned how to connect with people. There is a real relationship that develops when raising a puppy. What comes forth is respect, meeting needs, kindness, and most importantly, love. I learned how to nurture a loving and caring relationship, how to build trust, how to be a good influence, and how to be a consistent and reliable person. Becoming a raiser in Puppies Behind Bars is far beyond simply training the dogs. I cannot for the life of me wake up and feed, exercise, and train my dog as if it's just what I must do, as if it was routine. No. With my dog, I love being present, being lively, and really engaged. I cherish our tender, special moments that we share. I learned a huge lesson in my daily interactions with my dogs: life does work with an attitude and outlook that is positive and optimistic. This attitude brought out the best in my dogs, which in turn, brought out the best in me. My dogs taught me so much. My dogs helped me heal to my invisible wounds and helped me better communicate when it was time for each of my dogs to leave and say goodbye.

I also learned how to cultivate positive relationships with the team of guys around me. I have practiced being a team player and how to inspire others to choose to be so. I learned how to help others meet goals, despite obstacles. It was a privilege when I was called on to become a group leader for Puppies Behind Bars. I enjoyed the overall commitment and responsibility in serving. It's all my honor that Puppies Behind Bars has made this all possible.

I believe the question has been answered.

Yes, dogs do serve a wonderful purpose in life.

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◆ ENGLISH 255

THE CONFEDERATE FLAG: HATE SYMBOL OR SOUTHERN HERITAGE?

KATHERINE GRIVKOV

STANDING FOR THE PLEDGE OF ALLEGIANCE DURING SCHOOL-WIDE ANNOUNCEMENTS, students across the United States have gazed at the American flag every day. Most schools, universities, and government buildings display the national flag in support of the country's efforts at promoting unity and patriotism. Symbols, and flags in particular, pervade our daily lives; however, these symbols often evolve or become misconstrued. A well-known and controversial symbol, the swastika, originally meant good fortune and well-being but was later adopted by the Nazi Party in Germany ("Swastika History"). Additionally, symbols often have significant cultural implications. The raised, clenched fist has become synonymous with the Black Lives Matter movement (Duffield). Currently, a hotly debated symbol in the United States is the Confederate flag. Having originated during the Civil War

period in the United States, the Confederate flag has an inherent "historical association with the Confederacy and the South" (Foster). Nevertheless, it is not the flag's symbolism during the Civil War that is sparking controversy but that "the flag's meaning has changed significantly over time, and the contemporary conflict about the flag should be seen more as a dispute about the future than the past" (Foster). Today's fight for preserving the Confederate flag conveys a distinct socio-political attitude amongst its generally conservative supporters: a desire to honor tradition, despite highly racist implications. Most notably, "the flag's historic connection to structural racism, which has resulted in widespread denial of civil rights as well as lost income, education, and sense of belonging for blacks" (Foster) constitutes the fundamental reason to oppose the Confederate flag and the racist ideals it promotes. The formal, authorized display of the Confederate flag at public sites should be prohibited in light of the flag's racist connotations.

Some people take exactly the opposite position. They say the Confederate flag to "many white people in the south [sic] and beyond . . . is a sign of historic pride and defiance" (Ladd). This defiance is usually aimed at liberalism and "the stance is part of a broader strategy to inflame the culture wars around so-called cancel culture" (Nguyen). Additionally, supporters of the Confederate flag argue that context plays a large role in whether someone's display of the flag is racist or not: "At a national cemetery or national battlefield it is seen in the historical context of the American Civil War" (Jones). And those with close family ties to Confederate soldiers have even more reason to defend the flag's display:

> To those 70 million of us whose ancestors fought for the South, it is a symbol of family members who fought for what they thought was right in their time, and whose valor became legendary in military history. This is not nostalgia. It is our legacy. The current attacks on that legacy, 150 years after the event, are to us an insult that mends no fences nor builds any bridges. (Jones)

Most people are likely to side against displays of the Confederate flag today, however, because its connection "not only to 19th-century slavery, but [also] to the Jim Crow era that followed" (Crayton) is impossible to ignore. The use of the flag in today's political context, while sometimes may be to honor those who fought in the Civil War, is usually tied to current racial tensions and perpetuates divisions on the basis of prejudice. The Confederate flag also has overwhelming ties to different white supremacy hate groups. Most recently, images of the Confederate flag were seen during the January 6 Capitol Riot, when one of the rioters was seen carrying the Confederate flag into the Capitol.

Furthermore, "The Southern Poverty Law Center has tracked the proliferation of hate groups nationwide, including those known as neo-Confederates . . . [who] lament the demise of the principle that made slavery possible—that some people are not created equal. Their aim is to reinstate that order, and their brand heavily relies on the rebel flag" (Crayton). A well-known example of the hatred with which the flag is associated is the 2015 shooting at Emanuel AME Church in Charleston, South Carolina. On a website containing his manifesto, the shooter displayed many pictures which proudly captured him with a Confederate flag. However, the personal use of the Confederate flag is slightly less controversial; still, the claim that the flag represents Southern heritage or honors veterans of the war is futile when advocating for the flag's display at public sites. Not only is the heritage that it represents racist, but the memorialization of this history is also better suited for a museum—an argument that former President Donald Trump supported pertaining to this issue (Nguyen). Once again, this perspective on the Confederate flag supports the argument for removing it from government grounds.

The most logical argument is clearly that the Confederate flag should not be displayed at any government sites or official public spaces. Preserving the Confederate flag at state capitol buildings and other prominent locations means fighting for what is known as the Lost Cause: "in the late 19th and early 20th centuries, the Lost Cause not only celebrated the service and sacrifice of Confederate soldiers, but also offered a model of the good society as one built both on white supremacy and also on deference to aristocratic leaders and loyalty to the social order" (Foster). By allowing the display of the flag, our society is continuing to foster the ideals of the Lost Cause; this white supremacist ideology is hurting Black Americans repeatedly, as demonstrated by recent racially motivated mass shootings. Similar to the notion of removing Confederate statues, the flag's display at public sites signifies its acceptance and therefore creates a society in which the history and heritage of the oppressor are consistently promoted, while that of the oppressed is silenced. Ultimately, the flag is symbolic of "a long, persistent history of slavery, segregation, and racial oppression" (Foster) and, if our country is striving to abandon these detestable practices, it is counterproductive to our democracy to continue to display the flag.

Eradicating white supremacy in the United States might be impossible; after all, political factions have existed all throughout history. However, ensuring that this racist ideology does not continue to spread in our country requires collective action. An intellectual diet is similar to a physical one, in that what one consumes on social media platforms, traditional news sites, and other sources contributes to an overall stance on the world. By limiting the presence of hateful symbols, especially in public spaces, our country can begin to move away from the beliefs that are causing severe polarization. Most

recently, on May 14, 2022, a tragic mass shooting at a supermarket in Buffalo, New York, fueled by racist, white supremacist ideology, took the lives of ten innocent people. If such heartbreaking events are to stop, symbols such as the Confederate flag must no longer occupy our public sites.

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⬥ ENGLISH 201

OP-ED ESSAY
BLOWING SMOKE AT POLISHED MIRRORS: THE TRUE COST OF COMPUTING CRYPTOCURRENCY

ANDREW ACEVEDO

FROM THE TIME THAT ANCIENT EGYPT built the first pyramids to the modern-day Arab world's race to raise the tallest buildings, monumental achievements of this nature have always directly correlated to amassing wealth. It usually begins with a lofty goal, but it can end in hubris. Tons of valuable material required for the construction must be transported, often across long distances. This can lead to elevated expenses, a depletion of a region's natural resources and possible environmental degradation. Often, particularly when gathering greater capital from various investors is necessitated by the exorbitant cost, this ultimately leads to excess.

It's an ecological and economic gamble.

In the high stakes card game of the stock market, a gambler can lose more than his metaphorical shirt. A type of long-shot bet, called a hold in Wall Street jargon, can result in a player walking away from the table with just his socks, and those severely worn from worrying feet. In other words, his anxiety over risky bets in a volatile market may cause the gambler to agitate himself into even more impetuous decision making, quickly fraying the fabric of his finances.

Real estate, bundled debt, and other desperate attempts to create new means of wealth through risky investment careened out of control, and by the early twenty-first century the bubble burst. Just as the need for instant

gratification through undiscovered greener pastures reached a fever pitch, along came the cryptocurrency boom.

Initially, this trend toward cryptocurrency investment seemed a sure thing. It appeared a more solvent and secure commodity for generating guaranteed profit. It was a mythic rainbow made manifest, a means by which one could eventually locate their own personal pot of gold.

Caveat emptor, for there are always downsides to every get-rich-quick scheme. First of all, one did not get rich quick through purchase of the digital denomination called bitcoin. It took time and interest from many would-be money moguls to raise the value of the computer-stored commodity before one could see a serious return on investment. Secondly, China has since thrown its competitive economic hat into the ring with its own exploration into crypto. This further fueled the contest to crack the code to successful speculative investment. Lastly, though this process had produced windfalls for some, it has recently suffered a sharp decline due to the digital equivalent of a run on the banks.

Interest eventually changes with changing fortunes.

One firm which handles 401(k)s has proactively advocated on behalf of bitcoin for employee retirement plans. Fidelity Investments is launching a bitcoin option: investors will be able to allocate up to 20% of their 401(k) accounts to bitcoin (Lee). The recent loss of profits in bitcoin by some hasn't completely deterred interest in the digital commodity. Despite bitcoin's sharp decline from its November all-time high - $68,000 (Phillips) – the share of adults who were considering purchasing bitcoin held steady at 21%, as of January (Lee).

Still, bitcoin is not without its detractors. The Federal Reserve's previous opinion of bitcoin specifically, and cryptocurrency more generally, has also changed. It virtually reversed its neutral attitude toward investment in the commodity, expressing concern over cryptocurrency's potential volatility. Their hawkishness in favoring higher interest rates, motivated by shifting its focus to fighting high inflation, will further undercut bitcoin's growth and stability. Jay Hatfield, CEO of Infrastructure Management, wrote in an email last year: "We believe that Bitcoin is likely to decline substantially in 2022 as the Fed stops its excessive liquidity injection into markets" (Phillips).

There is a very real concern that minimal government oversight will have serious repercussions. Cryptocurrency and crypto-related investments are too volatile and too unregulated, critics say (Lee). "Unlike stocks and bonds, which have set trading hours, cryptocurrencies trade 24 hours a day and over the weekend" (Phillips). This resulted in a sharp plummet over the first weekend of December 21. "[It] suddenly… dropped by around $10,000, or nearly 20%, in a matter of minutes," Phillips reports.

More recently, on Friday, May 13, 2022, "Bitcoin tumbled, stablecoins were anything but stable and one of the crypto industry's highest-profile companies lost a third of its market value" (Ott, Sweet, and Rugbar). This rapid decrease in value represents a major drawback for wary investors.

However, the biggest drawback of cryptocurrency is not in its financially risky behavior. It results from the subsequent waste product.

Wary Investor: "Waste product, you say?"

Yes, waste product. You see, the devil is in the details.

The electricity needed to power computing for the 'mining' of cryptocurrency requires a massive output. Companies have been developing their own energy infrastructures as a means of creating the virtual commodity. "The prospectors in this digital gold rush need lots of cheap electricity to run thousands of energy-guzzling computers," writes Corey Kilgannon in the *New York Times*.

Their solution throughout specific areas of New York State run the gamut from utilizing a century-old hydro-electric plant, to placing computer banks in shipping containers configured as makeshift warehouses. The most disturbing trend has been to utilize natural gas-burning power plants, which contribute significantly to a rise in greenhouse gases.

Kilgannon reports that "China, once home to perhaps two thirds of all crypto mining, banned the practice… to help achieve its carbon-reduction goals." If the most populous nation on the planet recognizes the danger and bans it, despite the size and rapid growth of their own economy, we here in the west should also take steps to curb emissions caused by mining cryptocurrency through cheap electricity.

The problem with China's moratorium on mining crypto is that is has driven some of those operations and even newer ones to New York state. "Cryptocurrency brings a welcome boost to hurting upstate towns," Kilgannon writes, "But the energy-intensive digital mining could wreck state emission goals."

So we are a crossroads with the whole issue of crypto mining.

A cashless society was a concept on the horizon for economists and financial institutions long before the digital accounting of hard currency. Dollars, deutschmarks, and dinars composed of binary code are currently "stored" in computer banks throughout the world. Printing paper money still has an economic and ecological cost: deforestation, toxic ink, more non-biodegradable material to include in the prevention of counterfeiting, and the very process of printing and cutting stacks upon stacks of paper sheets. Have I mentioned deforestation yet?

Digital currency as the next phase in finance and the global economy is a no-brainer. Encrypted savings would add another layer of security for

corporate assets and personal wealth. It's an imperfect science still in its infancy.

In the meantime, until wind turbines and solar panels become reliable energy grids, we as the caretakers of our big blue marble should not gamble away Earth's future with ideas like mining crypto through cheap electricity that is toxic to the environment. Hydroelectric plants that comply with state regulations are one alternative. They could make use of energy that would otherwise prove difficult to send to other locations because of power grid congestion.

Geothermally generated energy provides yet another solution to the pollution otherwise caused by utilizing a natural gas-burning source. This would be a boon to places like Iceland, which already uses geothermal. Investment in this technology could prove extremely profitable for said country and beneficial to the environment.

With so many dynamics to consider for computing cryptocurrency and reaping the rewards, one must ask the question: is it really worth it?

Ott, Sweet, and Rugbar report that "Security and Exchange Commission Chairman Gary Gensler has said that the crypto industry is 'rife with fraud, scams, and abuse, and that his agency needs more authority from congress – and more funding – to regulate the market."

At the end of the day, the cryptocurrency investment boom has proven to be no different than other get-rich-quick ploys to enrich those who invest first. Those who got in on the ground floor had far less to lose and everything to gain by recruiting others to the newest funhouse of smoke and mirrors.

In my humble opinion, it was all a pyramid scheme from the very start.

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♦ English 212

UNREAL

TERRENCE PAIR

MY HEART IS RACING. I can't stop looking at my watch, my shirt, or my pants. I've been wearing polyester for so long that I forgot what cotton feels like. Each article seems unreal. I've been waiting twoand a half decades for this day to come and now it's here. But I'm dreaming. I know I'm dreaming. Yet, I find myself praying for this not to be a dream.

I can't stay still—I stand, I sit; I pace back and forth; I can't stop fiddling with my hat, my watch, or my glasses. Anxiety invades every fiber of my being.

Every person that walks past me congratulates me. Some offer a handshake, others pat me on the back. Shockingly, some even give me a hug, followed by a sincere, "Be safe." I've spent more time here, among these people, than I spent with my own family. And I've always been a respectful person--so the requited respect is expected, I guess. However, these people passing me are unable to call themselves my friends; It goes against the code of the uniform. But for some reason none of them seem to care about code. They are openly showing care, embracing me.

My name is called and my anxiety rises. I'm scared; I can't breathe. The uniformed man calling me can see the distress in my expression and body language. He walks over to me, places a hand on my shoulder, and says, "You're going to be alright, Pair."

The Assignment and the Writer: Terrence Pair created a powerful piece of creative non-fiction based on a writing prompt that focused on Place. The students were asked to conjure a place they either loved or hated. First, everyone created a detailed list of the sights, sounds, smells, people, food, music, etc. that they associated with that place. After sharing their lists with the group, they chose the most potent words and images, ones that transported them. It was from there that they wrote their pieces. Rather than choose between love or hate, Terrence uses both. He imagines his release from prison (which he hates) and describes a new state, and state of mind, so lovingly that it blinds both writer and reader to the unexpectedly stunning close.
                                                                    – Professor Richard Hoehler

I respond with a smirk and say, "It's Terrence now. Not Pair—unless you add the mister in front of it."

"You're right, Terrence. My apologies," he responds with a smile. He then leads me down the hall, past a door made of bars, then a door made of metal, then into a blue van. We only drive a short distance before stopping. When the uniformed man gets out of the van I follow. We walk into a house, where I see more familiar faces, faces I've seen daily over the years since I first arrived here. I'm greeted with more "Be safes," "Good lucks," and "Stay safes," before being told to sign some papers by a woman. I have no idea what these papers are for, but at the top of the first paper it reads: Release. So, of course, I sign where I'm told to sign without argument.

Our visit at the house is short. We are back in the van within minutes. We drive past a gate, then another. Then another. After exiting the third gate, off to the right, I notice a small parking lot with only four cars parked in it. Three of the cars are empty. However, in the fourth car, I see my daughter sitting in the driver's seat. She gets out when she sees that it's me in the van coming through the gate.

My escort sees the big smile painted on my daughter's face when she gets out of her car. He turns toward me. "Your ride is here," he says; then holds out his hand and continues. "This is where you get out and begin your life, Terrence."

I smile, shake his extended hand, and say, "Thank you," then get out the van. I walk over to my daughter and embrace her tightly, washing her hair with my tears. While I'm holding her, I look up and notice my granddaughter, the beautiful little girl that I've heard so much about but never met, sitting in the back seat of the car, strapped in a car-seat. I cannot see her face clearly, just her little figure moving around in the car-seat. I release my daughter and eagerly move to get to my granddaughter. I open the car door and reach for her (she looks just like her mother—and me). But when her little fingers reach out and touch mine, my eyes open...

I never tire of revisiting that dream. I am, however, tired of the dream being just a dream, of it being interrupted by an officer yelling, "Wake up. It's count time."

◆ ENGLISH 201

YOU CAN'T TELL ANYONE

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ANDREA

I GOT THE LATE SLIP, went up the stairs, to the right, passed the nurse's office, and made it to my second-grade classroom. While everything was a blur I remember trying not to cry. I knew that the second I cried I would lose everything. It was about 9 AM on a Friday, I was half an hour late to school on paper, but I usually got there at 8 so people knew something was off. I was always so put together. My mom made sure that she did my hair and picked out my outfit for school. She would leave me to eat breakfast with my aunt since she had to be at work in Queens by 8. All we had to do was put on a jacket and cross the street.

When my first crush ever, Luke, asked me if I was okay during the test, I knew he could see the red on my face from crying. At the time I hated him for drawing more attention to me. The teacher already had her eyes on me, but when Luke spoke she came over and decided to pull me out of the classroom.

"Andrea, are you okay?"

I'm okay." Please just stop asking. I'm barely hanging on to my tears by a thread. I didn't know it then, but you could see her handprint around my throat. I just knew that I couldn't lose my family.

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The Assignment and the Writer: In English 201, students explore disciplinary writing in different genres across numerous situations, considering their audience, their purpose, and which rhetorical appeals will be most effective for conveying their message. In the short "Flash Memoir" assignment, students are asked to capture a single moment in time through lush scenic detail, and give a sense of its importance to their life. In her powerful and moving flash memoir, Andrea framed a childhood experience with poetic language and unflinching detail, teasing out the nature of experience, memory, resilience, and love. Her deft authorial moves through time and space offer the reader an intimate portrait of a single girl framed by larger questions about society—everything that a successful memoir seeks to achieve.

– Professor Kim Liao

"Are you sure you're okay?" All it took was for her to put her hand on my shoulder for the truth to come out.

HEADSTRONG

I have always been a fighter. It's been my strength, and on occasion, it's been my downfall. It's this character trait that forces me to acknowledge that I can be quite headstrong and will not let go of an idea until I realize I am very wrong.

My idea in second grade was that I didn't need a thick jacket in the middle of January. I was that cliche asthma kid, which I found so embarrassing I didn't even want to put it on. I hated that brown cheetah print jacket. It symbolized the severe asthma that forced my dad to put at least five layers on me every chance he got. It even pushed my mother to send a note to the school that said I was not allowed to go out for recess with the other kids when it was cold outside. The coddling was almost as suffocating as the layers. So when my aunt told me it was time to put on my jacket to go to school I refused, even if it meant the cold was going to flush my cheeks red and numb my fingers. That fight almost cost me my life.

TRAGAME TIERRA

In Spanish, the phrase "tragame tierra" could mean a lot of things. At this moment, I wished the earth could swallow me whole to end my life. I was terrified and I remembered my dad prepared me for this. "Call 911 when you are in danger." He knew that I was being abused verbally and physically by my aunt and grandmother but could do nothing about it.

So at the start of this event, I debated calling because this was probably one my aunt's outbursts. I thought it was going to pass. It was just a jacket after all, not that big of a deal. I decided to run to my mom's room since she had a phone in there and try to reach her for help. My small fingers were too slow at pressing the digits. By the second time I managed to lock myself in her room, my aunt got in. It was one of those dumb locks you can open with a coin or a long fingernail. My parents' ten-digit numbers were too long, and as things escalated I was threatened with a knife. By the third time I managed to lock myself in, I had already been bitten on my leg, choked, and dragged from the front door, where I was so close to yelling at the crossing guard for help. I had opened the door, but the cars on the main road muffled my cries. She then locked my house door and my apartment door to make sure I could not get out.

My aunt did not respond to threats. I told her I would call 911, but she always grabbed the phone from my hand before I could finish the dial. I could only get to 91—Tragame tierra.

Honestly, the events that unfolded after were like a fever dream. The nurse took photos of my body. I don't remember being asked. My neck, the

bite mark on my leg, but I don't think any photo could capture the fear in my eyes. Getting called to the principal's office did not help. I was told I was going to lose everything, but then I saw my mom. The two most powerful women in my life sat there and looked back at me. While both petite, these women struck the fear of God in me, and even then they were reduced to tears as I told them of my morning.

The next memory I have is walking into the lion's den later that night to find my cousin. Since we lived in a mother-daughter home, he lived upstairs with my aunt and my grandmother. I hugged him and I felt the pain radiating off him. That was his mom, but being raised together made us siblings. She had been on a streak of not taking her medication and at 14, he knew what it was like when she went off the rails. My aunt has bipolar disorder. On top of having a variety of mental illnesses, she has the mental age of about an eight-year-old. Growing up and into a new person made me realize I couldn't blame her. How can I when a child was put in charge of another?

Yet it was this incident that brought child protective services to my house months later. I couldn't tell then, but my mother was scared. She asked me if I had told anyone. She made me promise not to tell my father and to stay quiet at school about it. When the lady asking questions came around to interview my family members, my mom let her interview everyone else before me.

"Tell her the truth about what happened that morning, but nothing more. You are okay now."

And with her coaching, I did just that, and we never heard from CPS again, but I also never got hit again.

HOW TO SAVE A LIFE

I hate the word victim. At least to describe myself. And survivor? Makes me feel like a fraud. There have been many kids who have had it way worse. The biggest takeaway from all this is that it taught me how serious mental health issues are. They can completely ruin lives. My aunt and I could have fallen victim to broken systems—the mental health system as well as the child services one. I am living proof that it takes one small remark to set someone off completely and do something they will regret once they see clearly. I could have died that day, but for some reason, I live another day, and I think the most important part of this story is discovering what I can do to help change these systems that fail to serve our communities. Help save the next seven-year-old. Help save me.

◆ LITERATURE 241

THE WRATH OF THE WOUNDED WOMAN: VON TRIER'S *ANTICHRIST* AS A MODERN EURIPIDES' *MEDEA*

ELIZA POPA

THE "WOUNDED WOMAN" IN FILM is a contentious archetype, especially when it appears in male-written texts. Euripides' *Medea* depicts a "mad woman's" demise through her supposed inherent inferiority within the mind of the ancient Greek storyteller. Lars von Trier, a contemporary avant-garde filmmaker, is heavily inspired by the *Medea* myth and is distinguished in his raw portrayals of corrupted women (Simmons). Von Trier directed a version of *Medea*; however, this essay expounds on another one of his films that remakes the Medea myth in a more enigmatic way. Von Trier's *Antichrist* (2009) highlights the breakdown of a nuclear family through a similar nuanced perversion of a woman and mother. *Antichrist*, in its contemporary setting, interprets the theme of female demise seen in Euripides' *Medea* by underscoring male dominion over female grief and madness.

THE CORRUPT WOMAN ARCHETYPE AND ITS
MUSE-LIKE UTILIZATION IN LITERATURE AND FILM

Both *Medea* and *Antichrist* are considered reflections of feminist values, but are equally scrutinized for the feminist-ambiguity of their male directors/writers, Euripides and von Trier. This raises the interesting question of how the demise of women is portrayed through the male lens, and if this portrayal, in turn, influences a female character's fate. *Medea* is an ancient play written by tragedian Euripides around 430 BC, which follows the pattern of a classic Greek tragedy. Medea herself is a wounded woman who makes grave mistakes in the killing of her own children after Jason's infidelity. *Medea* the tragedy is often utilized like a sharp blade by modern feminist writers to expand the application of "wounded, crazy woman" to a symbol of freedom and power over the patriarchy. Euripides may or may not have intended this, but *Medea*'s modern interpretations have greatly opposed one another. Some may argue that Euripides was a feminist of the ancient world (Collits 5), while others deem *Medea* a reinforcing narrative of the acceptance of the subjugation of women (Collits 9). Observe a line from *Medea*: "Of all Creatures that live and have understanding, we women are the wretchedest breed alive" (Esposito 230-231). This, taken at face value, could suggest that Euripides finds all women "wretched." However, through examination of the next few lines, "They say we spend all our time at home, and live safe lives, while they go out to battle. What fools they are! I'd rather stand three times behind a shield than bear a child once!" (248-251), we begin to get a sense of Euripides' pity for women, and we can also infer that Euripides goes on to say that a woman's experience is far more difficult than a man's. This is quite an unconventional perspective for the time period, and it keeps Euripides' *Medea* from becoming obsolete, as his early grasp of female power occupies a distinguished nook within the structure of modern feminism.

Modern-day debate on feminist depictions is equally ambiguous, as our current versions of Euripides, the writer, and *Medea,* the semi-feminist tale, are still scrutinized by each opposing side. Danish filmmaker, Lars von Trier, directed a 1988 adaptation of *Medea*, but, interestingly, the myth's theme of tragedy and female demise repeats itself in most of his following films (Simmons). To say von Trier's films are hard to watch would be an understatement, but his female leads transcend expectations we may have of a "male-limited' director—just as Euripides" distinguished female lead, Medea. Regarding von Trier, Simmons states, "Challenging his Audience emotionally and psychologically, von Trier's oeuvre has focused predominantly on female characters suffering incredible social duress" (9). Von Trier is often scrutinized for creating very explicit depictions of female corruption; von Trier's *Antichrist* (2009) does everything but fall short of this notion, in that it reinforces the theme of the "evil woman" who is corrupt on her very own, not

manipulated or forced by man. Von Trier utilizes this muse-like approach to the "mad woman" in almost all of his films, of which *Antichrist* stands out the strongest. *Antichrist*'s female lead, so cleverly named "She," manages to gain viewer sympathy before von Trier violently takes it away, reminding us that not all women are kind, nurturing, loving mothers.

SORROW AND SADISM: ATYPICAL COPING AMONG WOUNDED WOMEN

Antichrist and *Medea* both portray wounded women who act out of haste and impulse toward their husbands to deal with their immense grief. *Medea*, laced with the typical male infidelity often seen in ancient tragedy, tells a tale of a woman set on ruining her former lover in every tangible way. And what better way than to rid him of his own offspring, his own creations? Medea's act of infanticide is quite jarring, and von Trier plays off this idea but in a much subtler way.

At the start of *Antichrist*, we are made to watch a meticulous montage of the lead characters, She and He, engaging in passionate love-making, and the scene's musical score of "Lascia Ch'io Pianga Prologue" (George Frideric Handel, IMDB) makes it seem like it is a race between both people to ultimate pleasure. A moment that is supposed to be rooted in love has mutated into a competition between the lovers, conveying a sense of incongruity between the characters, or, more broadly, man and woman. Von Trier uses the musical score rather than heavy imagery to express this particular scene's theme (Rudolph 11). The scene then cuts, and we are struck down by the realization that She and He's young son is exploring the open window unmonitored. Their son then falls to his death at the same time that his mother, She, reaches ultimate pleasure. The meat of the film is She's downward spiral into guilt, shame and insanity, which is juxtaposed by the logical and intellectual coping strategies of psychologist, He. Simmons states, "Here, von Trier casts the imbalance of the sexes at the heart of the film, conflict between the furious wife who rejects the shackles of her maternal role, and the coldly rational and distant husband" (12). By the end of the film, She's rudimentary self-deprecating coping mechanisms have escalated to sadistic sexual torture of both herself and He, as it is revealed that She did in fact see her son about to fall but did not stop him because she selfishly chose pleasure. It is now understood that She's guilt from her son's death is very much real in that she did, more than just figuratively, kill him. The idea that a woman would make this self-serving sacrifice is hard to believe let alone accept, but that is von Trier's intention (Simmons). Women are perfectly capable of transcending their "motherly" shackles, and, though disturbing, von Trier's *Antichrist* makes us gain a perverted respect for She for not adhering to societal expectations.

In Euripides' *Medea*, Medea makes a passionate display of grief by murdering her own children to portray her own death in the roles of the mother, the lover, and the wife. She is now "evil" and wants to be feared, especially by Jason, the one she blames for her despair. It is interesting, however, that Medea has divine backing from her grandfather, Helios, regardless of her questionable actions (defying her father and killing her brother in order to be with Jason). After Jason's infidelity, Medea, "...calls upon the gods to witness what kind of return she has received from Jason. She doesn't eat, surrenders to her sorrows; her life has melted into a river of tears…" (Esposito 22-24). The coping mechanism described fits into the typical depiction of female grief in ancient tragedy: self-debasing and introverted. Euripides then makes a transition into a darker tone, "[Medea] hates her children. She does not enjoy seeing them. I'm afraid she may be planning something rash. Her mind is dangerous. She will not endure mistreatment" (36-38). This is unexpected but serves as a reminder from Euripides that this is a tale of an evil woman. It is also important to note that Medea is often referred to as a "poor woman" throughout the play, which can make one wonder if Euripides genuinely sees Medea as pitiful, or if he is challenging the reader's understanding of the distinction between a pitiful woman and an evil woman. The former quotes demonstrate that *Medea* and *Antichrist* are rooted in the same idea of a woman's insurmountable grief leading to insanity, but also show that the two stories differ in execution of theme. In *Medea*, Medea's inherent corruption as a woman is questionable, as one may argue that it was Jason's fault for making her this way. But when examining more closely, one sees that like She, Medea also brings upon her own demise through the pursuit of pleasure. For She, it was physical pleasure, and for Medea, it was loving Jason. Both women end up childless as a result of their choices, and the men in the film (though in *Antichrist*, He is arguably less deserving) are subject to the wrath of the wounded woman.

THE INTERPLAY OF SOCIETAL UNDERSTANDING OF FEMININITY AND THE FEMALE DEMISE

Antichrist and *Medea* deal with the weight of the female demise through the lens of society, and how the ideas of 'witch', or 'evil woman' interplay with how the female leads see themselves, and, in turn, how they express their sorrows. In *Antichrist*, She is taken to the hospital by her husband, He, to help her deal with her sorrow. The doctor reports that She is not following a typical grieving pattern and, in fact, she is getting worse. She's family members and friends all don't understand what is wrong with her, and He eagerly assumes his psychologist role in trying to heal her. What's interesting is He doesn't actually do anything objectively wrong during She's grieving process. He tries his best to be there for She, and He checks every box on the list of the pathway to healing. She's total lack of receptivity to his

methods, however, reinforce this idea of the elusiveness of the female psyche. Speaking on "male hostility to female emotionalism" (170), Robert Just describes a scene,

> '...my mother rushed out, and the women set up such a shrieking and wailing, as if someone had died…(Dem. 54 [Konon] 9 and 20)'. The speaker is not complaining of the women's response to his misfortune. Their lamentations and panic are adduced merely as part of a credible vignette to illustrate the gravity of the outrage he has suffered. This is the way women behave in crises, and it can be taken for granted (170).

This concept reverberates throughout the entire film, making the viewers question if our reservations towards She are warranted, as He's stoicism in the situation is just as unsettling.

At the end of the film, we are told that She's intended dissertation was on gynecide, and that during her research on the reasoning behind historical acts of violence against women, She eventually came to her own unorthodox conclusion that women are inherently evil and deserved this treatment from the world. He, now in league with the viewer's curiosity, argues with She on this, not understanding why She, a woman, would believe such debasing things about her gender. She replies, "You shouldn't underestimate Eden. If human nature is evil, then that goes as well, of the nature of women. Female nature. The nature of all sisters. Women do not control their own bodies. Nature does" (1:04:00-1:05:00). Here the viewer realizes She has fallen from her motherly virtues. At this pivotal moment, She is no longer the vulnerable woman we've come to think we know. She has taken her wounds and infected them by her own willingness to grow within her cruelty. And just like Medea, She has betrayed us by becoming what we least expect: wicked, shameless, and, above all, nuanced with the crudeness of a primitive masculinity.

Medea similarly is misunderstood by her male counterparts and has to deal with the sorrow of losing Jason and her children on her own: "...sometimes she'll turn her white cheek away to herself, and let out a wail for her dear father, her country, her home, which she betrayed to come with her husband, who has now dishonored her" (Esposito 30-33). She also does not receive any form of societal support because she has already been labeled "sorceress" and "mad" and never had public sympathy. In the play, the Nurse states, "[Medea] is a frightening woman; not easily will someone engage with her in hatred and sing a victory-song" (44-45). It is interesting that in tragedies involving a man and a woman, as in *Antichrist*, the woman often receives all the attention while the man assumes a back-seat role. It seems the emotional instability of a woman brings greater passion to both stories here, and to stories in general,

contradicting the societal understanding of women as kind, nurturing, calm beings.

      Antichrist and *Medea* both portray wounded women through a male-oriented lens. The ambiguity in feminist values in both Euripides and von Trier's tragedies is what sets their tales of the wounded woman apart from tales of the strong, independent female lead, familiar in today's mainstream film. Though both stories deal with heavy themes and disturbing imagery, we can't help but be intrigued at the creativity from both Euripides and von Trier, both utilizing the inherent dynamic between man and woman to highlight the demise of women and humanize the female experience of grief. At the end of *Medea*, Medea kills Jason. In *Antichrist*, the opposite happens, with He killing She. Euripides' choice of a victorious evil woman and von Trier's ultimate death of one sparks interest. Considering von Trier's films are influenced by the ancient *Medea*, his choice to ultimately kill the evil woman in his tragedy offers a different version of how grief and corruption can consume a woman. Ultimately, *Medea* is nuanced with a perverted sense of hope for the wounded woman, while *Antichrist* stands as a warning of what she may become if she succumbs to her sorrows.

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♦ POLITICAL SCIENCE 235

COURT OBSERVATION
BRENDA UMHOLTZ V.
KANSAS DEPARTMENT OF SOCIAL AND
REHABILITATION SERVICES

ANDREW J. KOGAN

Brenda Umholtz v. Kansas Department of Social and Rehabilitation Services
United States District Court for the District of Kansas
Judge Julie A. Robinson, presiding
Plaintiff's Lead Attorney: Alan V. Johnson
Defendant's Lead Attorney: Gregory A. Lee
August 13-16, 2013

OPENING STATEMENT BY PLAINTIFF,
GIVEN BY MR. DEREK L. BROWN

Plaintiff's supporting counsel presented the jury with initial context behind the Plaintiff's grievance, followed by background information about who Mrs. Brenda Umholtz, one of three Plaintiffs, was, as well as her career experience, followed by a brief timeline of events that led up to the initiation of the case.

The Assignment and the Writer: In POL 235 (Judicial Processes and Politics), students write a cogent summary and analysis of what they see watching a videotaped jury trial available in an online database of the federal courts. In their observations, students also make meaningful connections to relevant course readings and discussions. Mr. Kogan chose a case, brought under the Americans with Disabilities Act, where a rehabilitation counselor was fired for criticizing the Kansas Department of Social and Rehabilitation Services for its failure to provide adequate working accommodations to a blind employee. Mr. Kogan's paper is comprehensive, detailed, and nuanced, offering a careful journalist's keen report about the litigation. Plus, his linkages to course materials are plentiful and on the mark.

– Professor Daniel Pinello

Mrs. Umholtz served as a certified vocational rehabilitation counselor since 1995, and had provided over 1,000 vocational rehabilitation assessments in numerous contexts. Many such assessments had been provided to those with disabilities, as was exclusively the case in a contract Mrs. Umholtz had with the State of Kansas from 2001. Pursuant to this contract, Mrs. Umholtz had to provide vocational assessments to individuals referred to her by the State of Kansas in exchange for a flat fee for each assessment.

This contract, called an "SRS Provider Agreement," was terminated by the State of Kansas in 2009, a year after an employee named Paul Levy asked Mrs. Umholtz to perform a vocational assessment on a fellow employee named Tina Bruce, a blind woman. Mrs. Bruce had been receiving negative reviews on her job performance and wished for someone to observe her at work to see if any barriers existed that prevented her from adequately fulfilling the roles of her job. Mrs. Umholtz, thought of very highly by many of her fellow employees, originally declined Mr. Levy's offer in December 2008, but changed her mind in January 2009 and performed the assessment that same month.

On January 6th, 2009, ten days prior to when Mrs. Umholtz was scheduled to assess Mrs. Bruce, SRS Director Michael Donnelly, SRS Program Administrator Paul Meals, and Mrs. Bruce's immediate supervisor, Penny Radke, were all made aware of this upcoming assessment. The latter three people were planning to use the assessment as a tool to then support Mrs. Bruce at doing her job correctly. Mrs. Umholtz contacted Mr. Meals and Mrs. Bruce after the assessment to confirm that she received every perspective she could receive on this report.

Mrs. Umholtz submitted a very critical assessment of SRS to Mr. Donnelly. The assessment specifically mentioned that the SRS was failing to accommodate Mrs. Bruce and that the SRS violated the Americans with Disabilities Act (ADA).

On January 30th, 2009, Mr. Donnelly read Mrs. Umholtz's assessment and became extremely angry that Mrs. Umholtz would dare question the adequacy of his department, so much so that he terminated Mrs. Umholtz's agreement two weeks later. The termination occurred without any discussion. Mr. Brown concluded the Plaintiff's opening statement by attributing Mr. Donnelly's reaction to Mrs. Umholtz's assessment as unlawful retaliation.

OPENING STATEMENT BY DEFENDANT, GIVEN BY MR. LEE

Mr. Lee explained to the jury that when Mrs. Bruce applied for vocational services with a fellow counselor, Mr. Levy, this violated the SRS "Conflict of Interest" policy. Mr. Levy and Mrs. Bruce did not notify their superiors about the filing of the claim until Mr. Levy sent an email on January

6th, 2009, to Mr. Meals and Mrs. Radke advising that a claim had been opened by Mrs. Bruce.

Mr. Lee accused Mrs. Umholtz's vocational assessment of not including any testing nor any determination of whether or not Mrs. Bruce was capable of doing the job that she was supposed to do. Mr. Lee questioned the impartiality of the assessment as well. Mr. Lee said that, from January 2006 to November 2008, Mrs. Umholtz had been paid $113,000 by SRS for the assessments she had done in Wichita, Kansas, and that most of these referrals had come from Mrs. Bruce (31 referrals) and Mr. Levy (63 referrals), summing to $81,000 from referrals made by Mrs. Bruce and Mr. Levy combined.

Mr. Lee anticipated that Mrs. Umholtz felt that it was not a conflict of interest for her to do an assessment on Mrs. Bruce, a woman who had been referring her cases for the previous two years. Mr. Lee stated that a month before the assessment was completed, Mrs. Umholtz, Mrs. Bruce, and Mr. Levy had discussed via email what Mrs. Umholtz should include in her assessment of Mrs. Bruce. Mr. Lee, therefore, attributed Mr. Donnelly's termination of Mrs. Umholtz's contract to impartiality pertaining to the vocational assessment of Mrs. Bruce, not retaliation over what was said in the assessment.

TESTIMONY BY PLAINTIFF'S FACT WITNESS: BRENDA UMHOLTZ; DIRECT EXAMINATION BY MR. JOHNSON

Mrs. Umholtz resided with her husband in Wichita, Kansas, and served as a vocational rehabilitation consultant. Mrs. Umholtz had been married for twenty years and had one daughter.

Mrs. Umholtz studied the Americans with Disabilities Act, in addition to ethics, en route to the completion of her college education. Mrs. Umholtz had tremendous experience in the field of vocational rehabilitation and completed multiple exams prior to her eventual certification as a licensed vocational rehabilitation counselor. Mrs. Umholtz had conducted over 1,000 vocational assessments in her life. She was a vocational rehabilitation counselor in Wellington, Kansas, from 2004 to 2005, before she relocated to Wichita, Kansas, in 2006, where she signed a contract at the Wichita regional office to be a VR counselor, while a different Director, Mr. Fleisig, was in charge.

Mr. Levy contacted Mrs. Umholtz in December 2008 about a potential vocational assessment for Mrs. Bruce. Mr. Levy informed Mrs. Umholtz that Mrs. Bruce had contacted him so that she could receive vocational rehabilitation services for herself. Initially, Mrs. Umholtz did not agree to provide such services and was not under any obligation to do so just because she was asked to do so. Mrs. Umholtz cited that she did not have time during that period in her life and had other obligations such as other sources of income.

Counselors in Mrs. Umholtz's office were advised to have other sources of income because providing vocational rehabilitation assessments was very sporadic and random.

Two weeks later, Mr. Levy once again contacted Mrs. Umholtz notifying her that he was still unable to find anyone who was available to provide Mrs. Bruce with a vocational rehabilitation assessment, and due to certain cancellations in Mrs. Umholtz's schedule, Mrs. Umholtz verbally agreed that she would do that assessment. Per the code of ethics for VR counselors, if a VR counselor had been selected to do work for a client, the client was allowed to veto this selection. Mrs. Bruce did not express such disapproval of Mrs. Umholtz's proposed assessment of Mrs. Bruce, Mrs. Bruce consented to Mrs. Umholtz when Mrs. Umholtz called her.

Mrs. Umholtz frequently contacted Mrs. Bruce and Mr. Levy beginning on December 15th, 2008. On this day, Mrs. Bruce formally agreed via email to Mr. Levy and Mrs. Umholtz that she consented to Mrs. Umholtz conducting this assessment. There was also a technological component to the assessment, which Mrs. Umholtz was not trained nor expected to do for Mrs. Bruce. Mr. Levy wanted a technological specialist who specialized in working with blind clients such as Mrs. Bruce to conduct this component. Mrs. Umholtz responded by establishing a relationship with Mrs. Bruce a bit more, offering to meet Mrs. Bruce for lunch or in a more comfortable setting than a work office.

Mrs. Umholtz was also receiving referrals from Mrs. Bruce during December 2008 for services which Mrs. Umholtz got paid for, though Mrs. Umholtz did not feel that this was a conflict of interest. Mrs. Umholtz cited the code of ethics for VR counselors, which stated that VR counselors were allowed to have a direct business relationship with their clients. Mrs. Umholtz also stated that VR counselors frequently get referrals from their clients, including services for which the VR counselors get paid. Mrs. Umholtz denied giving Mrs. Bruce preferential treatment because Mrs. Bruce was sending Mrs. Umholtz more clientele.

Mrs. Umholtz stopped by Mrs. Bruce's office for two hours on December 20th to observe her as part of the assessment, and SRS was notified of this by Mrs. Bruce, the latter of whom consented to this examination. Mrs. Umholtz recalled from that day that Mrs. Bruce, just a few minutes before the observation began, closed the office door and told Mrs. Umholtz, "I need to know what I can do." This statement by Mrs. Bruce showed Mrs. Umholtz that she was motivated to find out, truthfully, what she could do and what her capabilities were, which was an encouraging sign for Mrs. Umholtz. Mrs. Umholtz observed Mrs. Bruce, along with her assistant (who assists blind people) taking phone calls, responding to emails, and searching through physical files as well as files found on the computer on Mrs. Bruce's office

desk. After these two hours, Mrs. Umholtz sent Mrs. Bruce a draft of her summary of the observation. Mrs. Umholtz wanted to make sure she had correct factual information about Mrs. Bruce (such as dates). Mrs. Umholtz's sending the summary draft was not for the purpose of obtaining Mrs. Bruce's opinions on the summary.

On January 16th, 2009, Mrs. Umholtz was not completely finished with the evaluation and had asked Mrs. Radke (Mrs. Bruce's immediate supervisor) and Mr. Meals (SRS Program Director) if there were any contributions they wanted to add to Mrs. Umholtz's evaluation. On January 21, 2009, Mrs. Umholtz completed the evaluation and sent the final copy to Mrs. Bruce on January 22, 2009.

Mrs. Umholtz testified that when she assessed clients, she never takes what the client says at face value, rather, she observes a client's competency when she does their job, their accommodations, and support in the work setting. In the case of the assessment of Mrs. Bruce, she also observed the capability of the assistive technologies for blind people that Mrs. Bruce used for her job.

Mrs. Umholtz testified that although she was not an expert in assistive technology for the blind, she did have an idea of what this technology looked like. Mrs. Umholtz had knowledge of a blind notetaker, called the "Braille Lite M40," which allowed blind people to take notes as though it were a laptop. A "Braille Lite M20," an older version of the same assistive tool, was used by Mrs. Bruce. A software called the JAWS software was also used by Mrs. Bruce, which read, verbally, what was on a screen to Mrs. Bruce. Mrs. Umholtz noticed that this software was not working well with the computer system that the State of Kansas had accommodated for Mrs. Bruce. Mrs. Umholtz observed this software as being slower (5-6 second delay) in telling Mrs. Bruce where her cursor was.

Mrs. Umholtz also stated that Mrs. Bruce's assistant was also present during the observation, but was not there to do the work for Mrs. Bruce, but rather to be Mrs. Bruce's "eyes" when Mrs. Bruce needed them. Her assistant filed/scanned documents for Mrs. Bruce and told her where something was in the office for convenience purposes.

Mrs. Umholtz testified that in her report sent to Mr. Meals and Mrs. Radke on January 16th, 2009 (which at that point was not final), she listed that one of the concerns she had after her evaluation was that there was a "Lack of Placements" accommodated for Mrs. Bruce. The term "Placements" stood for successful employments that go beyond 90 days. In the same report, Mrs. Umholtz stated that Mrs. Bruce's caseload was dramatically excessive, and one of the highest caseloads at her local office, at 130 cases. The average caseload, at that point, had been just 50 cases per person in Mrs. Bruce's position (only blind).

Mrs. Umholtz testified that in her report, she stated that Mrs. Bruce was not being adequately represented by her peers on a national basis, meaning that she did not receive the same treatment in terms of caseload.

Mrs. Umholtz additionally stated that it was difficult to assess Mrs. Bruce's skills, strengths and weaknesses and that they could not be properly evaluated by her employer (or Mrs. Umholtz herself) because she was not on the same playing field (for example, in terms of caseload) as her peers nationally, and so it was unfair to judge her abilities.

Mrs. Umholtz stated that the ADA (Americans With Disabilities Act) protected Mrs. Bruce by ensuring that an evaluation of someone's job performance could not be made until their accommodations were equal and as consistent as her peers, enough so that these accommodations allowed her to do her job properly. Sometimes, Mrs. Umholtz stated, Mrs. Bruce was not accommodated with necessary information in braille that was needed to sufficiently perform her job.

Shortly after delivering the assessment to Mr. Meals, Mrs. Umholtz received a phone call on February 10, 2009, from Mr. Meals stating that he'd like to have her meet with him and Mr. Donnelly the following day at 11 am. Mrs. Umholtz stated that she was not available due to scheduling issues. Mr. Meals was adamant that Mrs. Umholtz must meet them at 11 am on February 11, 2009, regarding the services that Mrs. Umholtz had provided.

Mrs. Umholtz insisted repeatedly that she was not able to attend. Mr. Meals did not tell Mrs. Umholtz that he believed she had a conflict of interest, or any subject matter regarding why Mr. Meals had asked her to meet them.

On February 12, 2009, Mrs. Umholtz received a letter from Mr. Donnelly. In this letter, Mr. Donnelly informed Mrs. Umholtz that her agreement with the Kansas Department of Social & Rehabilitation Services would be terminated effective March 14, 2009, in accordance with Section 9 of that agreement. He did not indicate any reason for this termination, including any indication he had of any conflict of interest that Mrs. Umholtz may have had.

Section 9 of the said agreement stated that the Secretary (Mr. Meals, in this case) held the right to terminate any employee who had violated Section 7 of the agreement. The specific violation of any criteria mentioned in Section 7 was never mentioned to Mrs. Umholtz. Mrs. Umholtz testified that she did not believe that she had committed any violation of Section 7 of her agreement with the Kansas Department of Social & Rehabilitation Services.

Mrs. Umholtz testified that she experienced economic damages from the termination of this contract by Mr. Donnelly. Mrs. Umholtz stated that she could no longer be employed as a VR counselor for the State of Kansas and receive income as an employee or as a contractor in any part of the State of Kansas.

Mrs. Umholtz also stated that this termination caused her to have a "loss of enjoyment of life" and "emotional damage," which impacted her life professionally as well, since her growing business from prior years had been essentially wiped out because of this termination. The connections that Mrs. Umholtz had made with several offices within Wichita and across Kansas had been irrelevant now that she was not allowed to be employed by the State.

Mrs. Umholtz's husband did not work at the time of Mrs. Umholtz's termination, as he was in college. Therefore, upon her termination, neither member of the household had any income. This caused severe distress and anxiety within the family.

CROSS-EXAMINATION OF MRS. UMHOLTZ BY MR. LEE

Mrs. Umholtz testified that she had not suffered any loss of income as a result of the Service Provider Agreement being terminated by SRS. Mrs. Umholtz testified that this termination, however, had impacted her financially.

On April 10, 2010, Mrs. Umholtz testified at the Civil Service Board that she was not dependent on this income and that this income did not makeup even a majority of her total income. She testified that she was not dependent on referrals and that she had other sources of income. However, Mrs. Umholtz explained that in April 2010, her situation was much different than later.

Mrs. Umholtz had still received referrals from some insurance companies but local referrals were not happening. Mrs. Umholtz testified that her reputation in the area was rapidly declining and in 2010, she made significantly less than in previous years.

Mr. Lee pressed Mrs. Umholtz on the fact that she received the majority of her referrals from Mr. Levy during the year of 2008. Mrs. Umholtz also received a request to perform a vocational assessment on Mr. Levy himself, around the same time as Mr. Levy had requested Mrs. Umholtz to perform a vocational assessment on Mrs. Bruce.

Mr. Lee continued to press Mrs. Umholtz on the fact that 70% of referrals that Mrs. Umholtz had received from the Wichita office since her contract had started in 2006 had come from Mr. Levy and Mrs. Bruce, and that it was a conflict of interest to do a vocational assessment on Mrs. Bruce in December 2008.

Mr. Lee impeached Mrs. Umholtz from the standpoint that the day after Mrs. Umholtz and Mrs. Bruce were emailing each other about what Mrs. Umholtz wished to include in the vocational assessment, Mrs. Bruce referred Mrs. Umholtz three more cases.

Mrs. Umholtz testified that prior to agreeing to the Service Provider Agreement dated December 18, 2008, she had prior knowledge of Mrs. Bruce's caseload at 130 cases.

Mrs. Umholtz claimed that it was common to meet 'privately' with people whom she had done assessments for, before or after, as she had done on December 15, 2008. She had done so to discuss any issues with Mrs. Bruce's employment in a more comfortable, non-work setting.   Prior   to December 15, 2008, Mrs. Umholtz admitted that she had not contacted Mrs. Radke nor Mr. Meals to see if anyone in a similarly situated vocational counselor position like Mrs. Bruce had as high of a caseload as Mrs. Bruce. Neither did Mrs. Umholtz contact Mrs. Radke nor Mr. Meals to compare the accommodations of anyone in a similarly situated vocational counselor position like Mrs. Bruce, which Mr. Lee maintained was important to have done in order to state with any validity why Mrs. Bruce could not be accurately assessed.

Mr. Lee impeached Mrs. Umholtz by questioning why she gave Mrs. Bruce two opportunities, via sending a summary of her findings to Mrs. Bruce, to review the assessment and see if there were any issues that Mrs. Bruce had with the document. Mrs. Umholtz told Mrs. Bruce, in these emails, dated January 16, 2009, to not send the draft to anyone else, because Mrs. Umholtz was not completely finished with the evaluation. In regard to this evidence, Mrs. Umholtz denied being impartial or biased.

REDIRECT EXAMINATION OF MRS. UMHOLTZ BY MR. JOHNSON

Mrs. Umholtz clarified that when Mr. Meals asked her to provide a vocational assessment for Mrs. Bruce, Mrs. Umholtz stated that she would not be qualified to do any technological components and therefore declined to do so. Rather, she was willing to provide the basic, non-technological components of the vocational assessment and believed she was qualified to do so.

In April 2010, Mrs. Umholtz's statements relating to her not solely depending on the income from the Service Provider Agreement were in the context of being unbiased in her evaluation of Mrs. Bruce, as opposed to someone who solely relied upon State employment that may have been biased in the evaluation.

When Mrs. Umholtz was authorized to perform an assessment of Mrs. Bruce, specifically authorized by VR counselor Mr. Bill Brier, nobody said anything about a possible conflict of interest as it pertained to Mrs. Umholtz performing a vocational assessment of Mrs. Bruce.

Mr. Johnson presented the total number of cases per counselor at the Wichita Office at which Mrs. Bruce was working, and showed that Mrs. Bruce, a blind woman, had the second most cases in the entire office. Mrs. Bruce had a greater caseload than not only blind VR counselors but all VR counselors, on average, nationwide.

RECROSS EXAMINATION OF MRS. UMHOLTZ BY MR. LEE

Mrs. Umholtz, while working as a VR counselor for attorneys and insurance companies, stated that it was not customary to share an incomplete vocational assessment with the client prior to submitting the completed assessment to the companies for which she worked. This was because Mrs. Umholtz was able to establish business relationships with her clients at the Wichita Office when she worked for the State, but only saw clients at other sources of employment one time, which was during the actual vocational assessment.

Mr. Lee, engaged in several leading questions, repeatedly asked Mrs. Umholtz whether she had written consent from Mrs. Bruce to send any information about her vocational assessment of Mrs. Bruce to any third parties. Mrs. Bruce testified that Mrs. Bruce had sent information from Mrs. Umholtz's unfinished assessment to third parties herself, which gave Mrs. Umholtz implied consent to then also send, if desired, any information from her assessment of Mrs. Bruce to third parties.

TESTIMONY BY PLAINTIFF'S SECOND FACT WITNESS:
TINA BRUCE; DIRECT EXAMINATION BY MR. JOHNSON

Mrs. Bruce resided in Wichita, Kansas, and worked as a Human Service Counselor for the State of Kansas in Wichita. Mrs. Bruce had been totally blind since she was seven years old and had a hearing impairment. Mrs. Bruce first began working for SRS as a VR counselor in November 2001. Prior to this employment, Mrs. Bruce worked for an agency that employed blind people where she did rehabilitation teaching and social work for the blind.

When Mrs. Bruce first began working at SRS in 2001, she had a blind-only caseload of roughly 40-50 cases. After new management took over SRS, they started giving Mrs. Bruce a greater caseload and included general cases (not blind-only).

In April 2008, Mrs. Bruce's caseload was roughly 120 cases, 60-70 of whom were blind. From that month until November 2008, SRS conducted a vocational assessment of Mrs. Bruce that resulted in an 'unsatisfactory' rating, the first that Mrs. Bruce had ever received since being employed by SRS.

Mrs. Bruce appealed this rating, and in this appeal, Mrs. Bruce stated that her assistant was only available 30 hours a week as opposed to the 40 hours a week she needed her assistant. Mrs. Bruce needed 40 hours from her assistant because Mrs. Bruce's caseload had more than doubled since she began working, and so more time dealing with paperwork and office work was required to keep up with her caseload. Mrs. Bruce had also requested to have her blind caseload dispersed to other counselors since the blind are harder to place than general cases, and Mrs. Bruce felt that she could do as good of a job if she was on an even playing field with the rest of the counselors. This request

was not granted until four days prior to SRS placing Mrs. Bruce on administrative leave.

When Mrs. Bruce received her "unsatisfactory" rating, she did not receive it in braille and requested for the assessment to be given to her in braille - this request was not granted. Mrs. Bruce, when asked why she wished for this specific assessment to be in braille while never asking for her assessments to be in braille before, stated that this was the first time she received an 'unsatisfactory' rating and wished to read the report. She did not care for reading all previous reports which rated her as "satisfactory."

CROSS-EXAMINATION OF MRS. BRUCE BY MR. LEE

Mr. Lee attempted to press Mrs. Bruce on the topic of technological assistance, where Mrs. Umholtz claimed Mrs. Bruce did not have the adequate technology needed to sufficiently perform her job. However, from 2008 to 2009, a man named Mr. Marler, a worker from the IT department at the Wichita Office, trained blind counselors, albeit once or twice, according to Mrs. Bruce, on how to use technology specifically for the blind. Mrs. Bruce did not feel that this changed her testimony that the technology was not adequate.

At the time of Mrs. Umholtz's assessment of Mrs. Bruce on January 15, 2009, Mrs. Bruce did not consider Mrs. Umholtz as a friend of hers. Mrs. Bruce testified that she never met with Mrs. Umholtz for lunch or in any capacity prior to the assessment being performed on that date.

REDIRECT EXAMINATION OF MRS. BRUCE BY MR. JOHNSON

Mrs. Bruce testified that after Mr. Levy contacted Mrs. Umholtz on Friday, December 12, 2008, to possibly do a vocational assessment, Mrs. Bruce had no idea about this interaction and did not even know how to get into contact with Mrs. Umholtz even if she did know about it. She did, however, get in contact with Mrs. Umholtz the following Monday, December 15, 2008. Mrs. Bruce declined Mrs. Umholtz's request to go out for lunch, though she did not feel like it was inappropriate in any shape or form.

Mrs. Bruce felt that she had an abnormally high caseload, especially for someone in her position. The thoughts expressed by Mrs. Umholtz in the vocational assessment were consistent with Mrs. Bruce's feelings as well.

TESTIMONY BY DEFENDANT'S FIRST FACT WITNESS:
PAUL MEALS; CROSS EXAMINATION BY MR. JOHNSON

Mr. Meals lived in Wichita, Kansas, and had worked for the Social Rehabilitation Services Department for the State of Kansas since 1974. He worked as a Supervisor prior to becoming a Program Administrator in 2006 for this department. Mr. Meals did not have any specific vocational

rehabilitation training for the purposes of counseling. In 2006, Mr. Meal served as Mrs. Bruce's second-line supervisor, whereas Mrs. Radke served as Mrs. Bruce's first-line supervisor.

Mr. Meals testified that the reason that Mrs. Bruce had a special performance evaluation in October 2008 was that her level of successful client rehabilitation was quite low and had remained quite low. Prior to the actual evaluation, Mr. Meals told Mrs. Bruce that if this did not improve, she could be or would be subject to a special evaluation. Mr. Meals was optimistic but stern with Mrs. Bruce at that point in time.

The 'unsatisfactory' rating on Mrs. Bruce's special evaluation dated October 2, 2008, Mr. Meals testified, was appealed, and Mr. Meals participated in that appeal process. The appeal was sent to the Appeals Committee in December 2008, and Mr. Meals was present during the process with the exception of deliberations. Mr. Meals stated that upon Mrs. Bruce's request, they had sent the evaluation to be in braille format but the evaluation was never returned in braille.

On January 8, 2009, Mr. Meals became aware that Mr. Levy authorized the service that Mrs. Umholtz had already started on Mrs. Bruce, and that while Mrs. Umholtz was not completely finished, she was nearly done. Mr. Meals testified that had he known earlier about this authorization, he would have told Mrs. Umholtz to stop the assessment. However, since the service had already begun, Mr. Meals did not ask Mrs. Umholtz to stop.

On January 29, 2009, Mr. Meals sent an email to Mr. Donnelly, summarizing the events of the vocational assessment that had occurred up to that point, advising Mr. Donnelly that Mrs. Bruce was not willing to release the evaluation to the HR department at the Wichita Office. In this email, no actual content of Mrs. Umholtz's assessment was given to Mr. Donnelly, rather, an email sent earlier that morning to Mr. Donnelly from Mr. Meals included a scanned copy of Mrs. Umholtz's evaluation.

After reading Mrs. Umholtz's report, Mr. Donnelly was 'livid' and made this clear to Mr. Meals via email. Mr. Donnelly, however, did not explain to Mr. Meals why he was livid.

In Mrs. Umholtz's evaluation of Mrs. Bruce, which Mr. Meals had at that point, Mrs. Umholtz wrote that Mrs. Bruce had requested to receive placement rates statistics for the Area (Wichita) and State (Kansas). Mr. Meals testified that he had this information available to him but did not share this information with Mrs. Umholtz. Mr. Meals insisted that Mrs. Umholtz never made a direct request for Mr. Meals to provide this information, rather this request was only found in the evaluation. Mr. Meals believed that because there was no direct request, he did not provide Mrs. Umholtz with this information.

Moreover, Mrs. Umholtz stated in the evaluation that if there was any information that she was missing in the report, she could be contacted using

the contact details found on the letterhead. Mr. Meals, though having read this reminder, did not provide Mrs. Umholtz with any information nor granted any of Mrs. Umholtz's or Mrs. Bruce's requests because they were not directly requested.

DIRECT EXAMINATION OF MR. MEALS BY MR. LEE

When Mr. Meals received an email on January 6, 2009, from Mr. Levy indicating that the latter had opened a file for Mrs. Bruce, Mr. Meals was very concerned that this action was a violation of the regional conflict of interest policy as well as the general ethical expectations of a VR counselor. Mr. Meals's first inclination was that they needed to retrieve the case and send it to a more appropriate place to be handled. Mr. Meals said that if Mrs. Bruce wished to have applied for VR services, she should have done so through Mr. Meals or her manager, and they would have made arrangements through Mr. Donnelly to find a proper location for Mrs. Bruce to submit the application.

Mr. Meals testified that not only was it a conflict of interest for Mrs. Umholtz to have provided a vocational assessment of Mrs. Bruce, but that it was also a conflict of interest when Mr. Levy contacted Mrs. Umholtz about a referral.

RE-CROSS EXAMINATION OF MR. MEALS BY MR. JOHNSON

The Wichita regional policy on conflict of interest established the standards by which employees should abide. A 'provider' for SRS was not considered an employee, and the Wichita regional policy applied to Mrs. Bruce and Mr. Levy. Both Mrs. Bruce and Mr. Levy were under investigation for violating this policy. Another man by the name of Mr. Brier was also under investigation for violating the policy but was not terminated for taking referrals from counselors within the same office. Mr. Levy, however, was encouraged to have his contract terminated for violating the same policy in virtually the same manner. Mr. Johnson questioned this inconsistency as it pertains to the treatment of employees. Mr. Meals testified that he was not a part of the investigative committee at the time, and could not provide a certain answer as to why this inconsistency took place.

Mrs. Umholtz's Service Provider Agreement began on September 1, 2006, and was terminated on June 30, 2009. Mr. Meals would have more than likely renewed Mrs. Umholtz's agreement had she not done a vocational assessment for Mrs. Bruce. Mrs. Umholtz was the first provider agreement that was terminated during its term on Mr. Meal's watch.

Out of the several recommendations that Mrs. Umholtz requested on behalf of Mrs. Bruce in Mrs. Umholtz's vocational assessment, some were granted, such as the request for a new computer for Mrs. Bruce's assistant. While a new computer was not actually given due to space constraints, a new

keyboard was given to Mrs. Bruce's assistant in Mrs. Bruce's office. Mr. Meals stated that this, among others, was a reasonable request for accommodation.

Mr. Meals also testified that the IT department worked closely with Mrs. Bruce with her braille technological tool, and Mr. Meals understood that this was a valid request for an accommodation.

When Mr. Donnelly told Mr. Meals to call Mrs. Umholtz and ask her if she was able to speak with Mr. Donnelly on February 13, 2009, Mr. Meals was not told by Mr. Donnelly whether Mr. Meals would be part of that conversation or not. When Mr. Donnelly contacted Mr. Meals, he did not mention anything about a conflict of interest. Mr. Meals did not know exactly why Mr. Donnelly wanted to speak with Mrs. Umholtz but did have some sort of idea that it likely had to do with Mrs. Umholtz's provider agreement. Mr. Meals, during his conversation with Mrs. Umholtz, did not express any indication that her job was in jeopardy despite saying that it was important she met with Mr. Donnelly.

Plaintiff rested their case.

TESTIMONY BY DEFENDANT'S SECOND FACT WITNESS: PENNY RADKE; DIRECT EXAMINATION BY MR. LEE

Mrs. Radke resided in Wichita, Kansas, and was employed by Kansas Rehabilitation Services for over 22 years, first as a rehabilitation counselor, for 16 years, and then as a supervisor ever since.

Mrs. Radke explained standard administrative rules that evaluators and counselors must follow under the code of ethics. For example, a vocational rehabilitation counselor was not allowed to begin assessing someone prior to authorization of that assessment.

Mrs. Radke was the acting supervisor of Mrs. Bruce from 2006 to 2009. On January 6, 2009, Mrs. Radke received a call from Mrs. Umholtz, where Mrs. Umholtz asked about accommodation suggestions for Mrs. Bruce and discussed her current accommodations. Mrs. Radke did not recall Mrs. Umholtz ever mentioning anything about an abnormally high caseload regarding Mrs. Bruce.

Mr. Meals, who served as Mrs. Radke's supervisor at the time, was given the case of Mrs. Bruce and sent the case to a different area office, located in Hutchinson, Kansas, to be dealt with by another counselor by the name of Suzanne Evans.

Mrs. Evans was a vocational rehabilitation counselor like Mrs. Radke and had over 25 years of experience in the position.

Mrs. Radke testified that it was not protocoled for a vocational rehabilitation counselor to send a rough draft of their assessment to the person evaluated for that person's comments on the draft, as Mrs. Umholtz had done

with Mrs. Bruce. Mrs. Radke stated that in such a situation, the assessment shouldn't have been considered 'valid' for objectivity purposes.

CROSS-EXAMINATION OF MRS. RADKE BY MR. JOHNSON

Mrs. Radke believed that, upon finding out that Mr. Levy had made a referral to Mrs. Umholtz to do a vocational assessment on Mrs. Bruce, a conflict of interest had occurred pertaining to Mr. Levy and Mrs. Bruce, since she supervised both people and the fact that both people worked in the same unit while providing services for one another. Mr. Levy was fired because of this referral. Another member of the same working unit, Mr. Brier, had also violated policy as a result of a conflict of interest, but was not terminated. Mr. Johnson questioned Mrs. Radke as to why there was inconsistent treatment pertaining to Mr. Levy compared to Mr. Brier. Mrs. Radke testified that she was not aware of the specificities of Mr. Brier's termination.

TESTIMONY BY DEFENDANT'S THIRD FACT WITNESS: SUZANNE EVANS; DIRECT EXAMINATION BY MR. LEE

Mrs. Evans resided in Hutchinson, Kansas, and was employed as a vocational rehabilitation counselor in the Hutchinson Office for over 25 years. She was one of the senior vocational rehabilitation counselors in all of Kansas. She had authorized 144 vocational evaluations throughout her career, 110 to a vocational evaluator in the Hutchinson office while the rest were sent to an outside office.

Out of 90 vocational rehabilitation counselors in the state of Kansas, only 3 were blind. There were no blind vocational rehabilitation counselors in the Hutchinson office.

Mrs. Evans testified that during the years of 2008 and 2009, if a VR counselor in the Hutchinson office requested to be vocationally assessed by another VR counselor within the same office, it could not have been done because it would have been against SRS Conflict of Interest policy. If someone applied for VR services as a VR counselor, they would need to have their case transferred to another office.

Mrs. Evans became Mrs. Bruce's VR counselor when Mrs. Bruce's case was transferred from the Wichita office to the Hutchinson office in March 2009. She reviewed the case and saw that the case had already been opened by Mrs. Umholtz in the Wichita office but needed to be transferred to avoid a conflict of interest.

Mrs. Evans had a meeting with Mrs. Bruce at the Wichita office after the case was transferred to Mrs. Evans. They discussed potential barriers to Mrs. Bruce's employment or if anything changed recently pertaining to her job. Mrs. Evans additionally made it abundantly clear to Mrs. Bruce that Mrs.

Umholtz's evaluation of Mrs. Bruce appeared very biased and opinion-based rather than objective. It was unusual for Mrs. Evans because she did not see any testing in the evaluation. Instead, she saw an abundance of advocacy for Mrs. Bruce as opposed to an objective evaluation of Mrs. Bruce's performance.

Mrs. Evans had a second meeting with Mrs. Bruce in which she told Mrs. Bruce that it would be better to have a second, new evaluation done. In this new evaluation, done by Mrs. Evans, Mrs. Evans did not utilize any of Mrs. Umholtz's work in her own evaluation of Mrs. Bruce.

Mrs. Evans felt that it was certainly not appropriate for an evaluator to go to lunch with the person they are evaluating. Mrs. Evans did not agree with virtually anything that Mrs. Umholtz did during her evaluation process of Mrs. Bruce. Mrs. Evans expressed that Mrs. Umholtz's actions were unethical and biased.

CROSS-EXAMINATION OF MRS. EVANS BY MR. JOHNSON

Mrs. Evans had never prepared a vocational assessment herself, nor was she ever qualified to prepare a vocational assessment.

Mr. Johnson impeached Mrs. Evans by pointing out that Mrs. Evans did not know if Mrs. Umholtz was bound by the Code of Ethics for Rehabilitation counselors yet testified that Mrs. Umholtz's actions were unethical.

Mr. Levy handled Mrs. Bruce's VR file prior to Mrs. Evans. When Mrs. Evans received the file, she saw the 'narrative' portion of the file written by Mr. Meals. Once Mr. Meals was notified that Mrs. Bruce's file had been in possession of Mr. Levy, Mr. Meals thought that there was a conflict of interest and obtained the file for himself from Mr. Levy. Therefore, Mr. Meals, while not a qualified VR counselor himself, was reviewing the file.

Mr. Johnson impeached Mrs. Evans's earlier testimony that someone in Mr. Meals' position could have stopped the process of a VR assessment from continuing if a conflict of interest was noticed. However, Mr. Meals did not stop the process.

TESTIMONY BY DEFENDANT'S FOURTH FACT WITNESS: MICHAEL DONNELLY; DIRECT EXAMINATION BY MR. LEE

Mr. Donnelly resided in Lawrence, Kansas, and was employed as the Director of Rehabilitation Services for Children & Families in the State of Kansas. Mr. Donnelly was responsible for appointing all staff in his division. There were just under 300 employees, roughly 120 of which were in the VR division. Prior to working for the State in 2006, Mr. Donnelly spent all but six years of his working career serving people with disabilities. Mr. Donnelly had previously dealt with two separate cases regarding the Americans with Disabilities Act (ADA), both of which were in California.

Mr. Donnelly's division generally hired external evaluators for vocational assessments for three years.

Prior to reading Mrs. Umholtz's vocational assessment of Mrs. Bruce, nobody asked Mr. Donnelly to provide them with any comparable statistics pertaining to caseloads for blind vocational counselors in the Wichita area or nationwide. Similarly, prior to reading Mrs. Umholtz's vocational assessment of Mrs. Bruce, nobody asked Mr. Donnelly to provide them with any comparable information regarding accommodations (technological or other) for blind vocational counselors.

However, Mr. Donnelly testified that he and Mr. Meals had some conversations in which they compared the accommodations Mrs. Bruce had with the accommodations that other counselors in Mrs. Bruce's position had, and whether or not they were successful with those same accommodations.

Before January 6, 2009, Mr. Donnelly did not know who Mrs. Umholtz was but told Mr. Meals that the case opened by Mrs. Umholtz on Mrs. Bruce needed to be transferred out of the Wichita office because a counselor could not assess another counselor within the same office, for that would have been a conflict of interest.

On January 29, 2009, Mr. Donnelly read Mrs. Umholtz's assessment for the first time from an email sent by Mr. Meals and was very livid because he thought he was going to see a vocational assessment but did not. Instead, he saw a report that did not address the vocational needs of the person being assessed, nor did he see any evaluative tasks that would objectively assess a person's capabilities.

Mr. Donnelly terminated Mrs. Umholtz's Service Provider agreement because, in his view, she violated that agreement by way of a conflict of interest and did not meet the requirements of the service provider agreement. Such requirements included confidentiality, objectivity, and ethics. Mr. Donnelly did not believe Mrs. Umholtz's assessment had been done in good faith because had she done so, it would have been an objective review. Mr. Donnelly denied terminating the agreement due to retaliation over the accommodation requests that Mrs. Umholtz made in the assessment. Mr. Donnelly testified that Mrs. Umholtz had not made any formal requests for accommodations.

When Mrs. Bruce received an unsatisfactory performance evaluation in October 2008, Mr. Donnelly reviewed this evaluation and signed it. Requests for accommodations for Mrs. Bruce, Mr. Donnelly testified, came only after this unsatisfactory rating was made.

One of the requests made in Mrs. Umholtz's assessment was that Mrs. Bruce's 'goals' be lowered, which meant that Mrs. Bruce sought a lower number of cases that she had to deal with as part of her job. At the time, Mrs. Bruce's 'goals' were on the same level as the other two blind VR counselors in Kansas. Mr. Donnelly was aware that Mrs. Bruce's caseload at the time was

117 cases. One of the other two blind VR counselors from the state of Kansas, Mr. Mirando, had more cases, at 131.

CROSS-EXAMINATION OF MR. DONNELLY BY MR. JOHNSON

Mr. Donnelly identified several documents that contributed to his decision to terminate Mrs. Umholtz's contract and included these documents in an affidavit that he signed under oath.

One document that Mr. Donnelly included in his testimony was Mr. Mirando's caseload and used it as a comparison to Mrs. Umholtz. However, he did not include this document in his affidavit. Mr. Johnson impeached Mr. Donnelly by pointing out that Mr. Donnelly used this document in his testimony but did not include this document in the affidavit. Mr. Donnelly responded by claiming he forgot to include the document in his affidavit.

The same was said about the Code of Professional Ethics for Vocational Evaluation Specialists, Work Adjustment Specialists and Career Assessment Associates, which Mr. Donnelly cited in his testimony but did not include in his signed affidavit. Mr. Donnelly also said that he forgot to include the document in his affidavit.

Mr. Johnson impeached Mr. Donnelly by pointing out that the documents that Mr. Donnelly used in his testimony used to explain why he terminated Mrs. Umholtz's contract were not relied upon during the actual time of Mrs. Umholtz's contract termination.

Though Mr. Donnelly's main reason for the termination of Mrs. Umholtz's agreement was due to a conflict of interest, Mr. Donnelly also testified that the vocational assessment was missing the usual analytical and evaluative tasks that are commonplace in standard vocational assessments. In the report, Mrs. Umholtz wrote that if there was any information missing, she could be contacted using the contact details found in the report. Mr. Johnson impeached Mr. Donnelly by pointing out that he did not provide Mrs. Umholtz with clarification as to what information she was missing, nor did he ask her to create a new report with all necessary information included. Mr. Donnelly stated that because the assessment was labeled as 'final', he did not bother contacting Mrs. Umholtz to create a new, updated report.

When Mr. Donnelly directed Mr. Meals to contact Mrs. Umholtz on February 11, 2009, and tell her to meet with Mr. Donnelly for an urgent matter the following day, his purpose for the meeting was to notify Mrs. Umholtz that her contract would be terminated unless she provided Mr. Donnelly with a satisfactory explanation as to why her vocational assessment of Mrs. Bruce was the way it was. However, Mr. Donnelly did not explain his motives to Mr. Meals, the latter of whom served simply as a messenger.

Mr. Johnson further impeached Mr. Donnelly by pointing out that in the latter's letter to Mrs. Umholtz notifying her that her contract will be

terminated, he did not state the reason why this was the case. Mr. Donnelly testified that explicitly stating the reason for a contract termination was unnecessary.

INSTRUCTIONS TO THE JURY ON THE LAW BY JUDGE ROBINSON

Judge Robinson told the jury that the presentation of evidence had been completed. Judge Robinson stated that the jury must take into account all instructions and not question the wisdom of the instructions when the jury is retired to the jury room. Jurors should not be influenced by sympathy or prejudice, for or against, anyone involved in the case. Jurors must not be influenced by anything not within the issues of the case. The judge stated that the Plaintiff brought her claim under Federal Law known as the Rehabilitation Act, which stated that it was unlawful for an entity to retaliate against someone who was engaged in protected activity. The Rehabilitation Act incorporated provisions established by the Americans With Disabilities Act (ADA).

The judge noted that the remainder of her instructions were contentions, not evidence, and so the jury should not treat the remainder of her instructions as evidence for either party but should deliberate using the evidence they have already been provided.

The judge reminded jurors that Mrs. Brenda Umholtz claimed that Defendant State of Kansas Rehabilitation Services violated the Rehabilitation Act by retaliating against her for her engagement in activities specifically protected by the Act.

The judge told jurors that Mrs. Umholtz sought damages for losses of income, emotional distress, mental anguish, anger, and loss of enjoyment of life. The juror emphasized to the jury that Mrs. Umholtz had the burden of proving her claim of retaliation as well as her claim for damages.

Judge Robinson explained that SRS denied that it retaliated against Mrs. Umholtz in any way and asserts that the termination of Mrs. Umholtz's contract was justified because: (1) The vocational assessment she provided was not done in good faith and was not fair as required by Kansas Law; (2) The assessment was not objective as required by the Code of Professional Ethics for Rehabilitation Counselors; (3) The assessment violated the Professional Ethics of Vocational Evaluation Specialists; and (4) The data and opinions contained in the report were biased, distorted, and inaccurate. SRS also claimed that Mrs. Umholtz failed to mitigate her damages. Judge Robinson also informed jurors that SRS had the burden of proving that Mrs. Umholtz failed to mitigate her damages.

Judge Robinson emphasized that in order for Mrs. Umholtz to establish her claim of retaliation and violation of the Rehabilitation Act, Mrs. Umholtz had the burden of proving the following elements: (1) Mrs. Umholtz had a contract with SRS; (2) The services provided by SRS was part of a program or

activity receiving federal financial assistance; (3) Mrs. Umholtz engaged in protected activity; (4); SRS took materially adverse action against Mrs. Umholtz; and (5) Retaliation was a motivating or determining factor in the adverse actions taken by the SRS against Mrs. Umholtz. The first two elements were not to be disputed.

The judge informed the jurors that the entirety of a party's case was seldom possible to be proved entirely true, and so if the Plaintiff's claims were found to be mostly correct, then the verdict should have been for the Plaintiff. Similarly, if the Defendant's claims were to be found mostly correct, then the verdict should have been for the Defendant.

CLOSING STATEMENT BY PLAINTIFF, GIVEN BY MR. JOHNSON

Plaintiff counsel asserted that Plaintiff Mrs. Umholtz's contract with SRS was terminated for telling the truth and that this termination was unlawful and unjust. Mr. Johnson suggested that in Mrs. Umholtz's assessment, Mrs. Umholtz stated several times that SRS violated the ADA and failed to provide the good-faith requests that Mrs. Umholtz made on behalf of Mrs. Bruce.

Mr. Johnson suggested to the jury that the key element of the case was to have decided whether retaliation was a motivating or determining factor in the adverse actions taken by SRS against Mrs. Umholtz. Mr. Johnson also emphasized that, as Judge Robinson explained, it was the Plaintiff's burden that at least one of the motivating reasons for the decision was intentional retaliation, but that it was important to remember that it was not Mrs. Umholtz's burden to prove that it was the only reason for retaliation.

Mr. Johnson continued by stating that the jury should scrutinize the reasons made by the Defendant just as they would have any other evidence and that if the evidence was found to be pretextual, they should have inferred or not inferred that the pretext was designed to conceal the true motive of retaliation.

Mr. Johnson asked: Were the reasons given by Mr. Donnelly really the reasons for his actions? Or were they just smoke and mirrors that were meant to cover up his true motive?

Mr. Johnson further urged the jury to ask themselves whether the Defendant's reasons for terminating Mrs. Umholtz's contract were widespread, including the following reasons: distorted opinions, bias, breach of confidentiality, lack of good faith, and violation of ethics. However, Mr. Johnson pointed out that these reasons were not stated in Mr. Donnelly's deposition. The deposition only mentioned conflict of interest as the reason why the contract was terminated. Mr. Johnson asked, again: Were these reasons just smoke and mirrors used to cover up the retaliation?

Mr. Johnson continued by reminding the jury that Mr. Donnelly did not include several documents that were presented during his testimony in his

affidavit, where Mr. Donnelly swore under oath that the documents in the affidavit were the only documents that Mr. Donnelly relied upon to terminate Mrs. Umholtz's contract.

Plaintiff's counsel reminded the jury of the various emails and time frames of those emails that were presented, and how these emails were not mentioned in the affidavit by Mr. Donnelly, either.

Mr. Johnson continued further by reminding the jury of one such email, where Mr. Levy informed Mr. Meals that he wanted to bring in Mrs. Umholtz to conduct a vocational assessment on Mrs. Bruce and that Mr. Donnelly was notified about this on January 6, 2009, but did not express any dissatisfaction with such plans and only became 'livid' after the report was done. Mr. Donnelly knew, on January 6, 2009, that the vocational assessment would be done by an employee for another employee within the same office but did not object to it. In fact, Mr. Donnelly and Mr. Meals were looking forward to the report to see how Mrs. Bruce could have been assisted further at sufficiently performing her job.

Mr. Johnson reminded the jury that when Mr. Donnelly informed Mrs. Umholtz that her contract was going to be terminated, he did not list any explanation as to why he came to that determination and Mrs. Umholtz was never provided any explanation until after she was already fired.

Mr. Johnson argued that the reason why Mr. Donnelly did not include a reason for his decision was that he knew that his act was illegal and wished to cover up his act.

CLOSING STATEMENT BY DEFENDANT, GIVEN BY MR. LEE

Mr. Lee argued that Mrs. Umholtz held a strong bias in favor of Mrs. Bruce prior to the assessment being done on Mrs. Bruce. Mr. Lee continued by stating that Mrs. Umholtz was not supposed to start the evaluation until December 18 but had emailed Mrs. Bruce on December 15 where she asked what Mrs. Bruce wanted Mrs. Umholtz to include in her report. Mr. Lee argued that Mrs. Umholtz had made her mind up as to what she was going to include in her report prior to having had the opportunity to meet with Mrs. Bruce and assess the work she was doing.

Mr. Lee reminded the jury that VR counselors were forbidden from establishing a relationship outside of the workplace, something which Mrs. Umholtz had done when Mrs. Umholtz invited Mrs. Bruce to lunch.

Defendant's counsel reminded the jury that Mrs. Umholtz's role was not to advocate for Mrs. Bruce and assist her in keeping her job - but to provide an objective, unbiased evaluation of Mrs. Bruce's capabilities.

Mr. Lee argued that when Mrs. Umholtz entered her Service Provider agreement with the State of Kansas, she knew about the rules and procedures that must be abided by in order to remain in good standing with the SRS. She

knew that if she did not obey the rules set forth by the State of Kansas, specifically the SRS, that there would be consequences for her actions. These consequences, in Mrs. Umholtz's situation, were that her contract would have been terminated.

Mr. Lee continued by stating that the role of Mrs. Umholtz, unlike the role of Mrs. Evans, was limited. Mrs. Umholtz was tasked with providing a good-faith assessment but instead assumed a greater role that was unjustified. When Mr. Levy provided a service referral for Mrs. Umholtz, there was absolutely nothing in that referral that mentioned anything about assuming the role of an advocate on behalf of Mrs. Bruce. There was nothing in that service referral that stated that Mrs. Umholtz was to counsel Mrs. Bruce.

Mr. Lee urged the jury to remember what the Code of Ethics stated pertaining to requests for accommodations for those being assessed. Mr. Lee emphasized that requests for accommodations were made after the completion of the assessment, not during the assessment nor should have they been included in the assessment.

Defendant's counsel reminded the jury of the three complaints that Mrs. Bruce had when she appealed her initial unsatisfactory rating that was done in October 2008. The first complaint was that she had an assistant at the time that was only with her 75% of the time, or 30 out of 40 hours. Second, Mrs. Bruce stated that her caseload was too high and wished for a redistribution of her caseload. Third, she cited updated technological equipment, especially as someone who was blind and needed braille technology. Mr. Lee contended that these were all fair complaints, but that these requests were being addressed by her employer. However, Mrs. Umholtz tagged on to these issues in her actual report and nearly mirrored the complaints Mrs. Bruce had.

Mr. Lee argued that if Mrs. Umholtz truly wished to provide an objective assessment, why did Mrs. Umholtz not ask for information regarding these requests prior to the evaluation of Mrs. Bruce? Why did Mrs. Umholtz not make any direct requests for comparison purposes, to see how other blind VR counselors fared with the same accommodations?

Mr. Lee stated to the jury that he was most disturbed by the exchanges between Mrs. Umholtz and Mrs. Bruce over email, particularly when Mrs. Umholtz asked Mrs. Bruce whether there was anything Mrs. Bruce wanted Mrs. Umholtz to include in Mrs. Umholtz's assessment.

Defendant's counsel asked: If Brenda Umholtz was a qualified VR assessor, why did she need input from the person she was assessing to complete her vocational assessment?

Mr. Lee questioned why Mrs. Umholtz sought $200,000 in damages when Mrs. Umholtz previously testified that the SRS was not her sole source of income at the time of her termination with the SRS. Mr. Lee continued by reminding the jury that Mrs. Umholtz's damage claim was contingent upon her

contract claim being renewed - but there was no guarantee that her contract would be renewed.

REBUTTAL BY PLAINTIFF, GIVEN BY MR. JOHNSON

Mr. Johnson again urged the jury to ask themselves whether the numerous explanations given by the Defendant were the real explanations behind Mr. Donnelly's termination of Mrs. Umholtz's contract, or were these explanations a pretext to cover up Mr. Donnelly's true motive of retaliation. Mr. Johnson again mentioned the lack of inclusion of several documents that were spoken of by Mr. Donnelly during the trial but not mentioned at all in the affidavit signed by Mr. Donnelly. Mr. Johnson suggested that this was all just smoke and mirrors used to cover up Mr. Donnelly's retaliation.

THE JURY VERDICT, READ BY JUDGE ROBINSON

1. On the retaliation claim of Plaintiff Brenda Umholtz, the jury found in favor of Brenda Umholtz.

2. The damages sustained by Plaintiff Brenda Umholtz were awarded in the amount of $31,157.64 for loss of income for the years 2009-2010, $0 for loss of income from 2011- and thereafter, $20,772.30 for emotional distress, mental anguish, anger and loss of enjoyment of life.

Judgment for the Plaintiff

COMMENTARY ON THE TRIAL OBSERVATION
AND LINKS TO COURSE MATERIALS

On Page 278 of Chapter 10 ("The Criminal Trial and Its Aftermath"), *Judicial Process in America* discusses the purpose of cross-examinations conducted by attorneys, which is to largely confuse or fluster the witnesses being cross-examined. Mr. Johnson was quite successful in flustering Mr. Donnelly in this case. Mr. Donnelly identified several documents in his testimony that, according to Mr. Donnelly, contributed to his decision to terminate Mrs. Umholtz's contract, and included these documents in an affidavit that he signed under oath. However, two documents that Mr. Donnelly included in his testimony as reasoning for the termination of Mrs. Umholtz — Mr. Mirando's caseload (used in comparison to Mrs. Umholtz's caseload) and the Code of Professional Ethics for Vocational Evaluation Specialists and Career Assessment Associates - were not included. When Mr. Johnson asked Mr. Donnelly why these two crucial documents were not included in his affidavit, Mr. Donnelly simply stated that he "forgot." How someone who served as the Director of Rehabilitation Services for Children & Families in the state of Kansas forgot to include such documents as reasoning for his

termination of an employee is very suspicious, and this termination was essentially the basis of Plaintiff's argument. Mr. Johnson's questioning of Mr. Donnelly's carelessness hurt Defendant's argument tremendously and was therefore likely instrumental in the jury's eventual verdict in favor of Plaintiff.

On Page 222 of Chapter 8 ("Lawyers, Litigants, and Interest Groups in the Judicial Process"), the Latin term *pro bono publico* is used to describe lawyers who provide legal services for free because they consider free assistance as a duty for clients who may not have the resources to appoint a lawyer for themselves. The term was also used by Mrs. Umholtz during Mr. Johnson's direct examination to describe the fact that she, too, provided services free of charge to certain clients, albeit through vocational rehabilitation assessments and not through legal services. This was an important bit of information to establish for Mrs. Umholtz's case as Plaintiff anticipated that Defendant's counsel would ask Mrs. Umholtz why she asked Mrs. Bruce, who worked in the same office as Mrs. Umholtz, if Mrs. Bruce would like to meet her for lunch prior to Mrs. Umholtz's vocational assessment of Mrs. Bruce. Plaintiff made the case that she did not offer to have lunch with Mrs. Bruce to establish a relationship outside of the workplace with Mrs. Bruce, but simply out of generosity and kindness, which she supported by testifying that she sometimes gave vocational assessments *pro bono* to clients for these same reasons.

In *Caperton v. A. T. Massey Coal Company* and at Page 107 of Chapter 5 ("State Judges"), the issue of judicial conflict of interest is discussed, where the U.S. Supreme Court ruled that overwhelming contributions to judges create an unconstitutional danger to the existence of an impartial trial because there is a risk of "potential bias." In *Brenda Umholtz v. Kansas Department of Social and Rehabilitation Services*, conflict of interest was the focal point of Defendant's argument about Mrs. Umholtz on two separate counts. Defendant argued that the first instance of a conflict of interest occurred when Mrs. Bruce applied for vocational services with a fellow counselor, Mr. Levy, which violated the SRS "Conflict of Interest" policy. The second instance argued by Defendant was the fact that, prior to Mrs. Umholtz's assessment of Mrs. Bruce, Mrs. Bruce provided Mrs. Umholtz with 31 referrals for vocational services for which Mrs. Umholtz got paid. These 31 referrals comprised of almost a quarter of all referrals Mrs. Umholtz received from the beginning of her contractual obligations with the Kansas Department of Social and Rehabilitation Services. Additionally, when taking into account the fact that Mr. Levy provided Mrs. Umholtz with an astounding 61 referrals, this new total amounts to 70% of Mrs. Umholtz's referrals coming from Mrs. Bruce and Mr. Levy alone. Mr. Levy was critical in advising Mrs. Bruce to have a vocational assessment done by Mrs. Umholtz, which begged the question of whether Mrs. Umholtz had a conflict of interest since Mrs. Bruce provided her

with so many referrals that amounted to a substantial portion of Mrs. Umholtz's income. Similar to how the presence of a possible conflict of interest regarding Judge Robinson was discussed in court (Judge Robinson was tasked with deciding a case in which one of his more substantial campaign donors was involved), the presence of a possible conflict of interest regarding Mrs. Umholtz was also discussed in court, albeit in a lower federal court.

On Page 51 of "Bringing the Lawyers Back In," Mather discusses the ability of lawyers to reconstruct cases brought to court by rephrasing problems in legal language, and such an ability was clearly possessed in Plaintiff's opening statement, given by Mr. Derek L. Brown. Mr. Brown's overarching topic in this opening statement was that Mrs. Umholtz was relieved of her duties without proper reason. However, the term that Mr. Brown used instead to describe Plaintiff's case was "unlawful retaliation," telling the jury that Mr. Donnelly, Director of the Kansas SRS, became enraged by Mrs. Umholtz's vocational assessment of Mrs. Bruce that he retaliated by firing Mrs. Umholtz. It is noticeable that a simple relief of duties was transformed into a term with the word "law" in it, implying that a law was broken and consequently justifying the cause for legal action. This term was used as the backbone for the argument that there was no substantive basis for relieving Mrs. Umholtz of her duties, but rather that Mr. Donnelly's anger fueled this decision.

On Page 305 of Chapter 11 ("The Civil Court Process"), the subcategory of civil law which *Brenda Umholtz v. Kansas Department of Social and Rehabilitation Services* falls under is explained, known as tort law. Tort law focuses on civil wrongs and therefore, with the occurrence of unlawful termination in question, it describes the type of law being deliberated in this case. While the case does not involve the more popular subsets of tort law, such as personal injury, bodily injury claims, or product liability, Mrs. Umholtz did testify that she experienced severe emotional distress, mental anguish, anger, and loss of enjoyment of life as a result of her termination. In the field of vocational rehabilitation, the unexpected relief of duties for the State of Kansas prevented Mrs. Umholtz from finding a new job or getting some, if any, referrals for vocational assessments. Therefore, the impact caused by her termination and the financial compensation she received after the Jury delivered their verdict puts this case under the category of tort law, despite the absence of common issues such as physical injury or product liability.

On Page 315 of Chapter 11, one of the several types of motions discussed was a defendant's motion to strike, where the motion asks the court to "excise," or remove, certain aspects of the petition that the defendant deems improper or irrelevant, which closely aligns with what happened in this case. In a complaint filed by Plaintiff, the court was asked for damages and equitable relief for alleged violations and retaliation under the ADA and the Rehabilitation Act. In lieu of this complaint, Defendant then filed a motion for

summary judgment, an attempt to avoid a trial because no additional facts remained to be disputed. While a trial clearly still took place, the motion for summary judgment functioned as a motion to strike, since the court partially granted Defendant's motion for summary judgment, dismissing all of Plaintiffs' claims under the ADA and also Mr. Levy's claim under the Rehabilitation Act.

◆ SECURITY MANAGEMENT 211

MENTAL HEALTH OF SECURITY PROFESSIONALS IN THE PRIVATE SECTOR: EFFECTS OF WORKPLACE ENVIRONMENT AND OCCUPATIONAL HAZARDS ON INDIVIDUALS AND ORGANIZATIONS

DAVEN ASAFO-AGYEI

OVERVIEW

Mental health is a growing concern in the security industry. "According to WHO, 1 in every 8 people in the world live with a mental health disorder" (Hurst 2022). Many studies show that the mental health of an employee can positively affect the workplace environment and increase productivity, whereas when an employee suffers from some degree of mental illness, it can lead to a toxic and harmful workspace which can have detrimental effects on

an organization. "According to the Centers for Disease Control (CDC), depression causes an estimated 200 million lost workdays each year at the cost of between $17 billion – $44 billion for employers. Half of the employees with depression are left untreated" (Hurst, 2022). Additionally, statistics show that combined depression and anxiety cost the global economy 1 Trillion USD per year in lost productivity. The task given to security professionals can involve a number of sensitive areas such as monitoring, responding, and protecting fire systems, valuable assets (individuals included), personal information, as well as critical infrastructures. These individuals take on the task of being the protector of life and property and respond to emergency situations. Security is an intricate field; every organization requires some form of private-sector security to ensure its success. This can be a proprietary or contract security program, physical or cyber, or even all of them combined. Unfortunately, security professionals are prone to suffer from occupational hazards, which may lead to long-term mental health problems and prolonged side effects, including anger, violence, and unsafe practices.

These mental health issues can bring harm to both the company and the individual. Ironically, the very reason a security professional is hired is so that they are able to deescalate, deter, document, and report the same angry and violent tendencies that they may one day suffer. Similar to how firemen, police officers, EMS officials, and the vast majority of emergency personnel suffer from occupational hazards, the same is true for security professionals. Within the last 50 years, the protection of assets has become a part of a vital growing industry that is projected to reach extraordinary new heights. Time and time again, security programs have proven to be the backbone of an organization by providing adequate protection of assets and more. Yet, the truth is security professionals are underpaid, under pressure, suffer from too high a workload, are mismanaged, and lack proper training. All of these things can lead to poor mental health, and impose a feeling of unfulfillment and lack of purpose. Overall the effects of bypassing or overlooking the mental health of security professionals can lead to detrimental effects for an organization in terms of both liability and success.

Security professionals are oftentimes the first point of contact an individual will have when engaging with an organization, and this interaction can lead to a potential loss or gain of profit; it is important for every organization to understand this. With the use of formal education and practical experience, the goal of this work is to highlight the importance of investment in the mental health and well-being of the security professional, highlighting the private sector of security within American urban communities. Although not much research has been done in America regarding this issue, many of the same problems that the security industry faces here are encountered in other parts of the world. No matter where they are, security personnel are usually in

charge of patrolling and protecting areas such as malls, theaters, nightclubs, public streets, armored cars, and critical infrastructures such as financial institutions, shelters, hospitals, and transit stations. The majority of these are known to be places where violence, drug, and criminal activity are high or pose a great risk. "No matter how strong and resilient security professionals seem, their experiences at work make them vulnerable to mental health problems" (Admin, 2022). These individuals are often the first responders to crises that deal with people who are dealing with a plethora of issues including mental problems.

MAIN PRINCIPLE 1: VIOLENT, DIFFICULT CLIENTELE

During an Interview with IFSEC Global, Mike Hurst, the board director of the International Foundation of Protection Officers in the UK stated:

> Security Officers are on the frontline, protecting people and organizations every day. As a result, they have to deal with a vast range of situations and regularly face threats and abuse aimed at the organizations they are protecting. These physical and verbal threats often have a detrimental effect on their well-being. (Moore 2022)

Organizations fail to realize the toll the daily task of a security officer can take on the mental health of an individual that works in the industry. All that an individual goes through on a daily basis is to protect and represent the company in a stellar way. According to IFSEC, nearly 65% of security professionals encountered verbal abuse on a monthly basis 50% of which reported it occurred daily. Furthermore, the same research shows almost 40% of respondents to the survey reported threats of physical violence on a monthly basis 10% of which reported it occurred daily (Hurst,2022).

There was a study done in Australia where the experimental group included 300 security guards employed in different sectors of the security industry such as healthcare, financial institutions, and educational institutions. All of them had no prior history of drug use or mental problems. This experiment revealed that most security personnel suffer from depression and anxiety, which can be positively correlated to the amount of physical and verbal abuse they encounter on the job. (Admin,2022). Additionally, another study conducted in Britain which brought together 750 security professionals to inquire into their mental well-being showed that 40 % of them suffered from Post Traumatic Stress Disorder (PTSD) (cite). Research shows that if left untreated depression, anxiety, and PTSD, can lead an individual to experience angry violent outbursts and irrational behavior.

MAIN PRINCIPAL 2: ADMINISTRATIVE ISSUES
LOW WAGE, MISMANAGEMENT

Abraham H. Maslow, in his theory of the hierarchy of human needs, highlights the concepts which seem to motivate an individual's behavior. This hierarchy is broken up into 5 steps, however, for the purpose of this article, we will only further explore the first 3 tiers of the hierarchy, because without understanding the importance of these foundational concepts of motivation the other steps of esteem and self-actualization cannot happen. Firstly there is an emphasis placed on the physiological need of an individual. Which aims to highlight the basic needs of an individual, for example food, shelter, air, and sleep. Secondly, the need for individual personal security which means there is some form of "reasonable order and stability and the freedom from being anxious and insecure" (McCrie n.d). This can mean both job security and physical security. Lastly, an individual's need for belongingness, simply put the need to fit in and feel valued and appreciated by their employer, patrons, and overall work establishment. (McCrie n.d). This is a structure in which each step is built upon another, the basic needs and security of an individual must be met before they can even begin to fathom the idea of belonging or going even further up the "ladder."

Research shows that individuals within the field complain of low pay, and the inability to obtain benefits or even a proper living wage. The following was obtained from an IPSA report, security officers complained of a heavy workload, and low pay. They expressed the hardship in finding work, along with how they haven't been sent on a shift for weeks, and their need for a secure career. On the other end of the spectrum, as mentioned above regarding the heavy workload of security professionals, they are often forced to work long hours and lack promotion opportunities. "Many times, security officers and other security professionals work double shifts because of poor scheduling or inadequate staffing. (Nahjah, 2020)". In most cases, an individual can work an average shift of anywhere between 8 to 12 hours. However, post-COVID-19 as with many other sectors there is currently a severe shortage of security personnel throughout the field, and quite frankly adding to the low amount of people coming out to search for work it is hard to find many people who are cut out for this job. Therefore, there may be times when an officer is forced to work as much as 16 hours in one day, including late night hours, weekends, and holidays. For a person who does this 3-4 times out of a work week, it means they spend approximately an additional 18-32 hours on the clock. This can quickly lead to severe burnout and cause an individual to form a number of bad habits both on and off the clock, which can have an effect on their social and family life. Overworked employees are prone to make mistakes on the job, such as reacting slower than usual, failing to notice things going on around them, showing poor logic and impaired judgment, being less motivated, and

being more forgetful. (Najah, 2020) So not only does this extreme workload cause security personnel to lose out on important milestones outside of work, but organizations also have to pay attention to the liabilities they are keeping on the clock. This undermines the first step of the hierarchy of human needs as mentioned above. Ultimately this has a negative effect on an individual's mental health and can cause someone to suffer from depression.

As mentioned above, a primary hazard of working within this industry is dealing with difficult clients, causing an individual to have to often suffer from verbal and/or physical abuse. This is important to mention again because it was confirmed in a recent article that "security professionals don't report incidents of verbal abuse at work or mistreatment from other people because managers don't take them seriously which makes them feel worse" (Saad, 2021). According to a questionnaire conducted by IPSA, frontline security professionals stated they feel as though their employer does not care about the health and safety of the staff. (Global, 2022). Often times there are few protocols or benefits/incentives put in place to address these issues, which can be seen as a breach of duty on the organization's part. This can cause an employee to fear for their safety and decide that the job is not worth the risk to their security. One individual in the same survey stated, "If it isn't tough enough dealing with the things we do, it definitely doesn't help when you work in surroundings where people seem like they don't even want you there" (Global, 2022). No one likes an enforcer and some people feel additional turmoil towards people who hold some sense of authority. While just doing their jobs and wearing their uniforms, frontline security professionals place a target on their backs.

With all that going on, frontline security professionals encounter many problems with mismanagement that often leads to misdirection and confusion and in the end disastrous events for all parties involved. This can create a loss of accountability because no proper guidelines or protocols are put in place so people simply do what is best for them. Sometimes this can help an individual to progress in their professional career, however negatively affect an organization. For instance, one frontline worker stated, "Due to mismanagement of the security detail I'm working on, I'm having to undermine the security subcontractor in order to make myself stand out for the client" (Global, 2022). Reports show that:

> Many times, security policies and procedures are unclear, not specific enough or there is very limited training, so when security personnel completes a task or activity believing that they are operating within the scope of their job responsibilities, they find out later that they are being held accountable for a situation they were not trained to handle or a situation where

they had no control over the outcome, and results in stress (Nahjah, 2020)

Now that these problems are more openly discussed in the field, challenges within the security industry continue to pile up. These issues are being brought to the forefront, continuously highlighted, and analyzed so that proper solutions can be found.

CHALLENGES

In his interview with IFSEC, Mike Hurst stated, "There is still not enough awareness that we need to react to mental health conditions in the same way that we react to problems regarding physical health" (Moore 2022).In other words, mental health days are not a sufficient reason to call out. One of the conflicts that exist in the security industry concerning management and an organization's ability to understand and support the mental well-being of its security professionals is that there is a lack of research, resources, and overall seriousness allocated to these issues. Speaking from experience, it can also feel that as a professional you are not valued by the company, or you are simply making matters worse, especially when threats to your safety are continuously ignored and viewed as something that just come with the territory. However, this can be an ineffective answer when there is a lack of adequate training to properly deal with the hazards of the industry. Realistically, security managers are not often equipped with the knowledge to recognize the symptoms or side effects of poor mental health, and equally so, neither are security officers. The last thing security professionals believe when starting a job is that they are signing up to be mental health experts. Due to their overwhelming workload and lack of training, it is easy for these individuals to miss the subtle but hazardous signs job. They also tend to lack the proper training to handle the numerous problematic encounters they face with difficult clientele. As mentioned above, the private security sector is continuously growing and over the last 50 years has blossomed in all areas and is expected to continue to grow. Now that this conversation has started it is the responsibility of organizations and managers to come up with new strategies to combat these issues.

WHAT DOES THIS MEAN FOR THE FUTURE?

The future of security is full of possibilities and it is the duty of security managers and directors to ensure the physical and mental safety of their employees and educate organizations on why mental health must be included when analyzing old and creating new security programs. This can be accomplished if all parties involved enter the conversation with an open mind. Young, educated security professionals can bring new ideas to the field. Organizations such as IFSEC, IPSA, ASIS International, and Security Minds

Matter which is supported by the SIA, along with individuals such as Mike Hurst and Satia Rei are leading the conversations and taking action in numerous ways to combat this issue. In his interview with IFSEC, Mike Hurst stated, "the majority of us are not clinically trained so we do need to be a little careful in what advice we offer. Just listening to colleagues and treating them as people and not symptoms is a good first step…Try to manage empathically." (Hurst 2022). These organizations offer training and support via open forum discussions and online training courses in mental health and are urging more organizations to do the same. The IPSA front-line forum serves as a platform for frontline security professionals to share their real-life experiences, which provide research into the problems within the industry so that innovative solutions can be found.

Security professionals are viewed as low on the ladder when it comes to careers, especially careers in enforcement. They are often times ridiculed, disrespected, and not taken seriously. According to Satia Rei, there is a very "much-needed change in perception that employers and the industry hold of the frontline. They need to be respected, recognized, and appreciated for the work they put in to keep us all safe, and businesses protected," (Global, 2022). In conclusion, awareness is the first step to correcting a problem, so the security industry has definitely begun to take steps in the right direction. As new technologies and devices are created, and new threats continuously expose themselves, the security industry has to be adaptable to change. There will always be a need for the protection of life, property, and valuables; therefore it is imperative that people tasked with this responsibility are trained to remain clear-minded and poised.

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ABBREVIATIONS:

ASIS - American Society for Industrial Security

IFSEC - International Fire and Security Exhibition and Conference

IPSA - The International Professional Security Association

SIA - Security Industry Association

◆ Interdisciplinary Studies Program 334

Untold Stories

Shambaleed Nayyer

The play takes place in a hospital waiting room.

The Characters:

Sarah: 21-year-old female. Her mother is in surgery.
Rana: Sarah's maternal grandmother.

RANA

Did you bring it?

(Sarah feels the weight of it in her pocket. She looks at her grandmother, who suddenly looks fifty years older, and hesitates.)

SARAH

No, the police still have it…Why don't you drink some water?

The Assignment and the Writer: In our class, ISP 334, Sex, Gender, and Justice (Seeing Rape) we study rape and sexualized harm through various disciplines including anthropology, psychology, law, sociology, art, film, literature and theater. Students' final projects are to write a short play about sexual harm in our world. The purpose is not to "see" actual rape on the stage, but rather that sexualized harm exists, the cultural factors that lead to it, and its aftermath in the lives of the people it affects. Shambaleed's scene examines rape in the family and the acceptance of domestic violence and rape. In "Untold Stories" the generations collide: the grandmother thinks a certain way, the granddaughter thinks another way, and the mother, who has a foot in each world, is the devastated party. Shambaleed is committed to showing us her characters in an honest and unpatronizing way; the scene is unsettling and, somehow, hopeful.   **– Professors Shonna Trinch and Barbara Cassidy**

RANA

Drink some water? What's the matter with you, girl? My daughter is dying!
YOUR MOTHER IS DYING! She's in that room all alone with those lousy,
no-good doctors with their hands deep inside her chest. Oh my poor baby!

SARAH

She's going to be okay, Ma.

RANA

How can you be so sure of that? Ya Allah! How could this have happened? I
was supposed to go first! Why would she do such a thing? I refuse to
believe–

SARAH

Pray, Ma.

RANA

What? *(disheveled)*

SARAH

Just pray, isn't that what you always say, ma? Just have some faith in God,
and pray, and be patient because nothing is ever in our hands, right? It's all
up to God. *Sabr karo.* That's all we're supposed to do. *Sabr.* Until one day
life gets so fucking awful that even God doesn't know what to do about it.

RANA

This isn't my fault. Don't you dare imply that I am responsible for my
daughter's death, bachay.

SARAH

She's not dead. And I didn't say it was your fault.

RANA

Then why can't you look at me.

SARAH

(sighs) You knew she was struggling. 21 years, ma. 21 years of pain, control,
and slamming doors, and anger outbursts, and seven babies, and more pain.
How could you have missed all of that for 21 years? She was dying inside. I
could see it right before me. But I was a child myself, Ma. You were her
mother–

RANA

I'm going to stop you before you say another word, bachay. There is nothing in this world that your mother went through that I didn't go through. That my mother and grandmother and her great-grandmother didn't go through–

SARAH

I can't do this right now–

RANA

I've seen a lot of terrible men and your father is not one of them. My father beat up my mother just for putting too much salt in his food, and made me and my sister watch as he whipped his belt across her chest for an entire hour. And my mother? She still stood by his side and honored him because he worked hard to put food on the table. She had two daughters to look after. And your goddamn mother has seven!

SARAH

So that's how low the bar is, huh? As long as they don't whip a belt at your chest, or kick you, or rape you, or murder you, they're good men? And why do you keep making excuses for these men? Why are you defending these monsters over your own daughter?

RANA

I don't owe you an explanation, bachay. Everyone always tells me that it was my fault that all my daughters are unhappy. But no one has ever questioned any decision your grandfather has made. Do you really think it was *me* who decided to marry off my daughters when they were still playing with dolls? Why do I have to bear the consequences of *his* decisions when I never even had the freedom to question him? *(sobs)*

SARAH

You're right, I'm sorry, please ma, I didn't mean to upset you more than you already are, of course it isn't your fault. We're all just tired. Let's just pray for her.

RANA

At least he never raised his hand on her. So what if he occasionally yelled at her? Or broke a few dishes? Or preferred that she stayed home to look after the kids? He had a wife and seven children to feed. That isn't an easy task for a man and who can blame him for losing his nerve every now and then? He saved the honor of our family, you of all people should be grateful to him–

SARAH

What honor? What are you talking about?! HE MARRIED MOM WHEN
SHE WAS 12 YEARS OLD. What honor is there to that? I don't understand
how you could—

RANA

He saved our family.

SARAH

(infuriated) Saved? WHAT DOES THAT EVEN MEAN–

RANA

Nevermind. We are here for your mother. I am done with this conversation,
bachay.

SARAH

NO. YOU CAN'T JUST SAY THAT AND THEN EXPECT ME TO
FORGET LIKE THIS CONVERSATION NEVER HAPPENED. I NEED
TO KNOW!

RANA

(yells) YOUR MOTHER WAS RUINED! It was over for her! One night 21
years ago a man broke into our home and had his way with your mother. No
one would have her after that! Who wants to marry a ruined 12 year old girl?
No one! But your father, being the honorable man that he was, stepped up
and offered his hand for no price! I won't let you slander his good name after
what he did for our family, after what he did for YOU!

SARAH

For *me?*

RANA

(confused, suddenly realizing that she had taken it too far) …nevermind this
nonsense! Where are my glasses? I can't seem to find them–

SARAH

–That doesn't make any sense (*blood suddenly drains from her face, the
world spins around her*). My mom was *raped* 21 years ago?

(Pause for five seconds before next dialogue)

RANA

(*realizing there's no going back from this*) Your father fed you, and clothed you, and loved you like his own child, bachay. He did what no other self-respected man would've done in that day and age. He has a lot of weaknesses, but I will never forget what he did for us. I ask for you to always remember that (*sobs*). He isn't a bad man.

(*Sarah buries her face in her hands, unable to breathe. Her sobs come out in thick, hoarse intervals. Rana embraces her. They both cry silently for several minutes.*)

RANA

There are so many things I wish I had done differently.

SARAH

Me too.

RANA

(*sobs*) She came to see me last week, your mother. She wasn't looking too well. She told me she wanted to–

SARAH

What? You knew she was going to do this and you didn't–

RANA

NO! She just wasn't feeling well. She looked tired. It was the first time in 21 years that I felt like she actually wanted to talk, get things off her chest…

SARAH

And?

RANA

(*Rana stays silent for several moments, looking down*) She said she wanted to leave the country, start somewhere fresh with your sister. She said the rest of you were old enough to take care of yourselves–

SARAH

What? She wouldn't say that–

RANA

She was talking like a mad woman, completely disconnected from reality. Like her life was just her own. Like she had forgotten she was a mother and a wife and–

SARAH

What did you say to her?

RANA

She said she felt trapped. Like she didn't have a life outside of her marriage. I told her that she had lost her mind. Leave the country? Her husband and kids? I told her that…I'd rather see her dead. *(sobs)* Those were my last words to her.

(Sarah takes the suicide note out of her pocket and places it on her grandmother's lap and leaves.)

~

♦ INTERNATIONAL CRIMINAL JUSTICE 310

HOW DOES PARTICIPATION IN ILLICIT ANTIQUITIES TRAFFICKING CONTRIBUTE TO THE INFLUENCE OF ISIS?

MORGAN DEGLOPPER

ABSTRACT

This research proposal examines the relationship between the Islamic State of Iraq and the Levant's (ISIS) participation in the illicit antiquities market and their influence within Syria. This study analyzes the social and economic influence of ISIS in two regions where prolific looting of cultural heritage sites occurred, and in two regions where the looting of cultural heritage sites was significantly less common. Researchers will interview community members from each of these regions to evaluate the amount of social influence ISIS has in each. Additionally, agents within the Federal Bureau of Investigation that investigated art and antiquities trafficking within Syria will be surveyed and interviewed to analyze how arts and antiquities trafficking affects the economic

influence of ISIS. The purpose of this study is to better understand how terrorist organizations, such as ISIS, gain and maintain control within regions of conflict, and to create interventions that can be used to undermine the global influence of terrorist organizations. At its peak, ISIS maintained control over a significant territory spanning across Syria and Iraq. This was only possible because they were able to gain not just physical control, but also social control over the region. Additionally, the militant nature of ISIS indicates that their ability to maintain control relies on their ability to cultivate economic resources. This study could determine how ISIS created enough social and economic influence to become not just a threat to the Syrian people, but to the world.

INTRODUCTION

THE ILLICIT TRAFFICKING OF ANTIQUITIES is one of the most lucrative criminal activities in the world. As estimated by the United Nations Educational, Scientific, and Cultural Organization (UNESCO), illicit antiquities generates an annual revenue of $2.2 billion, making the illicit trade of antiquities nearly as profitable as narcotics and arms trafficking. Antiquities trafficking is defined as the illegal excavation and exportation of cultural, historical, and archaeological objects for monetary gain (Weirich, 2021). In most cases, these objects are excavated in one state, enter the global antiquities market in another, and are bought by collectors across the globe. The transnational nature of antiquities trading networks and the self-regulated nature of licit antiquities markets make it extremely difficult to control illicit trade. As a result, antiquities trafficking operates within a grey market, in which antiquities trafficking is neither completely licit or completely illicit. Criminals, organized crime groups, and terrorist organizations are able to sell illicit antiquities to reputable buyers, creating economic gains to fund their criminal endeavors.

Besides financially supporting criminal organizations, antiquities trafficking also destroys cultural heritage via the trafficking of cultural property. Historically, the destruction of cultural heritage has been a tactic used to challenge the right of a national, ethnic, religious, and racial groups' right to exist. Following the events of World War II, UNESCO created the Convention for the Protection of Cultural Property in the Event of Armed Conflict, which defines cultural property as "movable or immovable property of great importance to the cultural heritage of every people" (UNESCO, 1954). Antiquities trafficking poses a serious threat to the cultural preservation of human history. When analyzing the economic gains antiquities trafficking provide violent terrorist organizations, the linkage between cultural property destruction and the destruction of human life cannot be taken lightly.

Islamic State of Iraq and the Levant (ISIS) is a militant Islamist terrorist group based in Iraq and Syria. Despite being founded in 2004, the group did not gain global attention until the 2010's. During the Syrian Civil War, ISIS launched a violent campaign to create a caliphate within Syria and Iraq, diverting foreign aid away from efforts to remove the violent regime of Syrian President Bashar Assad. The violence committed by ISIS and caused by battles between ISIS and foreign aid contributed to the destabilization of Syria and the displacement of millions. As of 2019, ISIS does not control any territories, but continues to orchestrate terrorist attacks and be a threat to the safety of those living in Central and North-Eastern Syria. ISIS has achieved both economic and social influence within Syria. In this study, influence is conceptualized as power or material gain a group uses to further their mission or agenda. Antiquities trafficking creates financial revenue, which allows terrorist organizations to fund militant violence. Antiquities trafficking also separates communities from their cultural property, and as a result, their identity. This could allow an ideologically driven terrorist organization like ISIS to spread their beliefs and gain community support.

Understanding the way terrorist groups finance themselves and increase their social power allows global enforcement agencies to develop effective counterterrorism strategies. The relevancy of this issue is amplified by the issue of cultural property, especially when considering the historical connection between cultural heritage destruction and violence. At its height, ISIS was one of the most globally prolific terrorist groups. Today, they continue to threaten the lives of Syrians and destabilize Syria. Investigating how they developed their global relevance and financed their extremism is necessary in order to create policy that effectively prevents the growth of terrorist organizations.

Antiquities Trafficking During Conflict

The illicit trafficking of antiquities during periods of conflict is hardly a modern phenomenon, nor a plight unique to Syria. UNESCO has documented the trafficking of antiquities by organized crime groups, state militaries, and terrorist organizations from regions in conflict as far back as 150 years ago (Hardy, 2017). In the late 20th century, right-wing groups in Colombia, the Liberation Tigers of Tamil Eelam in Sri Lanka, and militant extremist groups in Afghanistan all trafficked art and antiquities to finance their operations (Hardy, 2017). The antiquities being trafficked by these groups are often conflict antiquities. Conflict antiquities are antiquities originating from zones of conflict, often entering the market through illicit means. These regions of conflict typically are enduring military violence, diverting resources away from efforts to prevent antiquities trafficking. According to Peter B. Campbell, antiquities looting "often occurs during the political turmoil following military

action, when law enforcement is unable to protect sites" (Campbell, 2013). The majority of looters are not involved in terrorist or organized crime organizations. In most cases, artifacts are looted by subsistence diggers, defined by Campbell as "local citizens that turn to looting due to economic hardship" (Campbell, 2013). Though the looting may be committed by independent citizens, terrorist organizations and organized crime groups are often the only entities with the specialized knowledge and resources to carry out the smuggling of illicit antiquities into the gray market. These groups often purchase antiquities from subsistence looters, then sell them in the global market.

As a result of the transnational nature of antiquities trafficking and the inability of many states to prevent illicit antiquities from entering the global market, international policy has been created to address the trade of illicit antiquities. In addition to defining cultural property, UNESCO's 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict also granted cultural property "immunity from seizure, placing in prize, or capture" during military conflict" (UNESCO, 1954). UNESCO's 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property added to the protections granted to cultural property, and created guidelines for state responses to antiquities trafficking that stressed prevention, restitution, and international cooperation (UNESCO, 1970). Despite these international conventions, antiquities trafficking remains extremely lucrative for criminal groups, especially in regions of immense cultural heritage and extensive conflict like Syria.

The Trafficking of Conflict Antiquities in Syria

Since the start of the Syrian Civil War, Syria has been a prominent source of conflict antiquities entering regional and global markets. The Syrian Civil War began in 2012, as peaceful pro-democracy protests gave way to armed insurgency against the Assad regime. The war created destabilization and displacement, marked by what the United States Institute of Peace describes as "the rise of a new generation of jihadists who have espoused a more virulent Salafi-jihadist ideology and focused on seizing territory and creating their own states" (Yacoubian, 2021). The new wave of religious extremists, the military factions created by the armed conflict, and the economic destabilization of Syria served as catalysts for the rise in illicit antiquities trafficking in Syria.

North-West Syria was most affected by this rise in antiquities looting and trafficking due to the high concentration of cultural heritage sites in this region. According to Olivier Moos," all the major Salafist or Islamist groups that were or are operating in various parts of north-west Syria have been

involved in and/or have adopted some sort of position towards the excavation and selling of cultural artefacts" (Moos, 2020). Palmyra, which is in the Aleppo governorate, was looted by both the Free Syrian Army and the Syrian Arab Republic before becoming seized by ISIS, who also excavated illicit antiquities from Palmyra (Hardy, 2017).

The trafficking of antiquities in Syria is an issue of international importance. As a result, foreign policy organizations have taken action to address the illicit trafficking of Syrian antiquities in the global antiquities market. In 2014, The U.S. Department of State published the Emergency Red List of Syrian Cultural Objects at Risk, alerting international customs authorities to the issue of the illicit trafficking of Syrian cultural property (Office of the Spokesperson, 2014). Additionally, the U.S. Federal Bureau of Investigations (FBI), published a warning to those purchasing cultural objects from Syria that purchasing antiquities sold or looted by ISIS would be considered providing material support to terrorists and result in federal punitive action (FBI, 2015). The United Nations Security Council also passed Resolution 2199, which required member states to prevent terrorist groups in Syria from financially benefiting from antiquities sales (FBI, 2015).

ISIS's Participation in Syrian Antiquities Trafficking

ISIS is one of many terrorist groups illicitly trafficking Syrian antiquities, but they stand out due to their highly organized approach to antiquities trafficking. Most modern terrorist organizations are known have fluid group structures, with little bureaucratic structure. ISIS's structure departs from this structural framework, even including bureaucratic divisions called Diwans dedicated to overseeing ISIS's financial ventures. The Diwan Al-Rikaz, ISIS's Department of Underground or Natural Resources, established a permit-based system for excavating antiquities in Syria (Almohamad, 2021). These permits were administered and regulated by a sub-division of the Diwan Al-Rikaz called Qasmu Al-Athar. ISIS created a strictly regulated antiquities industry within their territory, which allowed them to maximize the profits they gained from the illicit antiquities market. ISIS issued orders banning the excavation of any antiquities without the approval of the Diwan Al-Rikaz and Qasmu Al-Athar (Almohamad, 2021). This allowed ISIS to collect revenue from each stage of antiquities trafficking. Excavation was not permitted without paying a tax to ISIS, and ISIS collected a percentage of any revenue generated by illicit antiquities sales. Those who did not comply were punished by penalties ranging from fines to imprisonment (Almohamad, 202).

The intentional publicization of cultural heritage destruction and looting by ISIS makes it clear that there is a motive beyond financial gain in ISIS's trafficking of cultural property. According to Moos, the Islamic State

intentionally broadcasts the destruction of Iraqi and Syrian sites of cultural heritage, while "simultaneously setting up a complex bureaucracy to manage the looting and marketing of cultural assets" (2020). In 2015, at the height of ISIS's campaign to create a caliphate in Syria, the terrorist organization publicly announced a mission to destroy artifacts and monuments that were inconsistent with the group's beliefs. This sets ISIS apart from other religious extremist groups in Syria. According to Moos, "no Salafist or Islamist group in the region has officially called for the destruction of certain types of pre-Islamic artefact or monuments" (Moos, 2020). ISIS has destroyed Syrian temples, mausoleums, and statues based on claims that they were "symbols of idolatry and polytheism" (Almohamad, 2021). The destruction of heritage sites also makes the excavation of antiquities easier. In Manbij, ISIS bulldozed a Syriac Church, however the financial gain of ancient mosaics within the church were likely a greater drive behind the destruction than the site's religious history.

The level of organization in ISIS's antiquities trafficking operations and ISIS's publicly proclaimed mission to destroy religious and cultural symbols differentiates them from other terrorist organizations that benefit from the illicit antiquities market. Analyzing whether the illicit trafficking of antiquities has a significant contribution to ISIS's social and economic influence is essential to understanding how to combat violent terrorist organizations in areas of conflict. Despite losing their territory in 2019, ISIS continues to commit acts of violence in an attempt to regain control. Though research has been conducted to determine how and why ISIS traffics antiquities, little has been done to evaluate whether their efforts have been successful at generating long-term economic and social influence. Determining whether ISIS still has social power and financial resources in Syria is essential to understanding the threat they pose to global security, and whether they will reclaim the territorial power they once possessed.

THEORY

Rational Choice theory suggests that human beings are reasonable and rational beings that evaluate the costs and benefits of illicit actions before deciding to commit crime. For the purpose of this study, this means that terrorists, like all human beings, consider how participating in antiquities trafficking could benefit their ideological mission. Additionally, terrorists consider the possible costs of participating in antiquities trafficking. According to Ronald L. Akers, when making a decision to commit crime, human actions are "informed by the probable consequences of that action" (1990). Due to the grey market of antiquities trafficking and the lack of effective regulation, the probability of facing consequences for trafficking illicit antiquities is low. While the amount of risk is relatively low, the potential benefits of

participating in illicit antiquities trafficking is high. Terrorists can not only gain financial resources to procure arms and other resources necessary for committing acts of terror, but also use the dispossession of cultural property to help their organization gain control over groups of people. For terrorists, this means that participating in the illicit trafficking of antiquities is rational.

METHODS
Research Design
This research will be conducted using a cross-sectional design with a deductive approach. All participants in this research will be interviewed or surveyed throughout one period of time and the hypotheses will be tested. This research is explanatory, as it seeks to investigate the connection between ISIS's participation in antiquities trafficking and ISIS's social and economic influence in Syria.

The independent variable is the illicit trafficking of Syrian antiquities by ISIS. The dependent variable is the social and economic influence ISIS gained from their participation in illicit antiquities trafficking.

Research Question/Hypotheses
Question: How does participation in antiquities trafficking contribute to the influence of ISIS?

H1: There is a positive association between participation in antiquities trafficking and the social influence of ISIS.

H2: There is a positive association between participation in antiquities trafficking and the economic influence of ISIS.

Data Collection and Sampling
Researchers will interview 20 community members from Syrian governorates that were once partially controlled by ISIS. The first group of community members will include 10 people living in either the Aleppo or Homs governorates of Syria. These governorates are areas where ISIS loots and destroys cultural heritage sites most prevalently. The second group of community members will include 10 people living in either the Deir ez-Zour or Al-Hasakah governorates. It is hypothesized that these governorates have not been as significantly involved in ISIS's antiquities trafficking operations. Individuals in both groups will be asked open-ended questions concerning three topics. First, they will be asked to describe their opinions on ISIS's core tenets, actions, and goals. Next, they will be asked how their community feels about ISIS's core tenets, actions, and goals. Finally, they will be asked if they were aware of ISIS trafficking antiquities in their village. The answers given by the community members interviewed will be used to analyze the amount of

social influence ISIS has and compare how the trafficking of antiquities within a region affects that social influence.

All interviews will be administered individually, and the identities of the interviewees will be confidential. Though a video call option will be available to Syrian community members interested in participating in this study, it is most likely that interviews will be conducted in person. Internet access is somewhat limited in Syria and strict government restrictions on internet usage may make participants wary of interviewing via video call. An in-person interview is preferred, as researchers will be able to use the interviewees non-verbal responses to questions to enhance the research and better understand community perceptions of ISIS. Subjects will be found through snowball sampling. Researchers will find subjects by visiting spaces where community members gather, such as markets, and asking community members if they would like to participate in this study. Community members who agree to participate will be asked to give the researchers' contact information to Syrians they know that reside within one of the four governorates being studied.

In addition to these interviews, empirical data will be collected by surveying Federal Bureau of Investigation (FBI) agents who have investigated the illicit trafficking of Syrian antiquities by ISIS will be surveyed. Subjects will be selected using systematic random sampling. The sample frame will be a list of all FBI agents who have worked cases concerning Syrian antiquities trafficking. The identity of the FBI agents surveyed and interviewed will be confidential. The FBI agents who are selected to be subjects of this research will be emailed an electronic questionnaire. Survey questions will focus on the economic value of Syrian antiquities and how much of the illicit Syrian antiquities market is supplied by ISIS. Each survey respondent will have the choice to participate in a follow-up interview to discuss their survey answers. Surveys will be administered until 10 FBI agents choose to participate in follow-up interviews. These interviews will be administered via Zoom or in-person. In these interviews, researchers will ask open-ended questions to FBI agents about how significant they believe antiquities trafficking is to ISIS's economic influence. Obtaining both quantitative and qualitative data about the economic influence of ISIS is important to understanding the significance of the revenue antiquities generates. The purpose of the survey is to create an accurate estimate how much of the generated by the illicit trade of Syrian antiquities actually benefits ISIS. The follow-up interviews will allow for researchers to evaluate how financial gain amounts to the influence of ISIS within Syria by asking individuals who are well-educated about terrorist groups and how they function.

Due to the multi-regional nature of this research, a research team will be required. This research team will be made up of four researchers and two

translators that are fluent in Syrian Arabic, the language dialect most commonly used in Syria.

Data Management

It is important to keep the data collected in this research secure and to keep the identities of participants confidential. ISIS is still an active terrorist threat. The threat of retaliation for both community members and FBI agents that are known to be discussing ISIS's illicit activities is serious.

Hand-written notes taken during interviews and electronic survey responses will be entered into an encrypted notes folder on a computer. This folder will be password protected, and after too many failed login attempts the notes will be erased. Researchers will also consult with the FBI about best practices for data security, as they may be interested in providing guidance considering that FBI agents are involved in this study.

Data Analysis

Researchers will analyze the interview responses collected from community members in this study using a comparative approach. Researchers will compare the responses given by Syrian community members that live in governorates with a significant presence of antiquities trafficking and Syrian community members that live in governorates without a known significant presence of antiquities trafficking. Researchers will pay attention to signs of social influence, such as support of ISIS actions, the belief in ISIS's core tenets, or pro-ISIS sentiments. This analysis will show whether or not the level of social influence ISIS has is elevated in communities where antiquities trafficking is a major criminal enterprise.

The survey responses collected from FBI agents will be analyzed using measures of central tendency. The estimates collected from FBI agents concerning the value of Syrian antiquities and the approximate yearly revenue ISIS gains from antiquities trafficking will be input into an excel sheet. Then the measures of central tendency will be found to provide an overview of the data. Though it is difficult to tell whether or not there will be outliers in the data, it is most likely that the mean and median will be most useful for the analysis of this study's data. Once collected, this data will be used to create a bar graph showing the value of the most prolifically trafficked antiquity types, the value of the Syrian illicit antiquities market, and the amount of yearly revenue ISIS obtains from illicit antiquities trafficking.

ETHICAL CONSIDERATIONS
Conducting Experiments in Times of Conflict

Even today, nearly ten years after the beginning of the Syrian civil war, Syria is still a conflict zone. Millions of Syrians have been displaced from their

homes and driven out of the country. Syria's infrastructure has been severely damaged by the war, and Syrians face immense economic hardship. With this in mind, it is important that researchers do not offer compensation for research participation that is so attractive it is coercive. At the same time, participating in this research puts individuals at risk of retaliation from ISIS or other groups looting antiquities, therefore the compensation for participation must be enough to account for this risk. Careful social research will have to be conducted in the governorates to determine what amount of financial or material compensation is appropriate for participation in order to avoid an ethical concern.

Participant Safety

ISIS is still an active terrorist threat in Syria, committing sporadic violence as part of a campaign to regain territorial control. There are also other militant groups that traffic and loot antiquities in Syria. With this in mind, measures must be taken to protect the identity of participants and safeguard them from retaliation from antiquities traffickers. Interviews must be conducted in a private setting, and researchers must be careful and discrete about what is said during interviews. While in Syria, researchers should not publicly discuss interview preceding's or identifying features of participants. Additionally, when finding participants researchers should be careful to avoid causing unwarranted attention to possible participants, or to publicly announce they are researching ISIS.

Researcher Safety

As noted previously, Syria is still a zone of conflict. Armed violence continues to occur, on the part of militant factions, terrorist organizations, and the Syrian government. Sending researchers to Syria to conduct research on ISIS increases the risk of danger they may face. To ethically address this issue, researchers and interpreters should be informed of the possible dangers of taking part in this research. Additionally, security personnel should be made available to the research team and accompany them on outings. The researchers should be informed of the Syrian culture and factions that operate in each governorate. This will allow them to be more aware of their surroundings and prepared for possible safety risks.

MEASUREMENT ISSUES
Measuring the economic influence of illicit trafficking

When analyzing illicit antiquities markets, it is impossible to take into account all incidents of trafficking. Crime statistics and interviews with law enforcement can only reflect what is known about reported crimes. FBI agents are not able to investigate every incidence of antiquities trafficking.

Unreported crimes, like the countless sales of illicit antiquities that pass as legitimate on the gray market, are a part of dark side of crime. This dark side of crime makes it impossible to measure all of the revenue generated by illicit antiquities.

Measuring Social Influence

The active nature of ISIS makes it difficult to measure their social influence. This is because participants may be hesitant to answer interview questions about their opinion of ISIS truthfully due to fear of retaliation. This could cause an over-representation of increased social influence, regardless of whether the governorate a participant resides in has significant antiquities trafficking or not.

LIMITATIONS

Language

There may be a significant language barrier between Syrian residents and the researchers. Additionally, Syria has a multitude of regional Arabic dialects, meaning that even interpreters that speak Arabic may have difficulty communicating with participants. This can be overcome by hiring a team of experienced interpreters who are from Syria and aware of these dialectical differences. It could also be beneficial to hire interpreters originating from various regions of Syria, making it possible to adapt to participants' dialect.

Government Cooperation

The survey and interview of FBI agents requires a significant level of government cooperation. This is difficult to ensure, especially when asking for a complete list of agents who have actively worked against a dangerous terrorist organization. This limitation could be overcome by establishing the credibility of the research and working with to create a partnership with the U.S. government to ensure the highest level of safe data management and security.

CONCLUSION

This study focuses on the participation of ISIS in the trafficking of antiquities and their social and economic influence within Syria. Interviews with community members will allow researchers to evaluate the social influence of ISIS, comparing how their social influence varies depending on a governorate's inclusion in antiquities trafficking operations. Surveying and interviewing FBI Agents will establish not only the amount of financial gain ISIS creates through antiquities trafficking, but also how that financial gain contributes to their economic influence in Syria. ISIS is not the only terrorist

organization to loot, destroy, and traffic cultural property, however, no other terrorist group has been as organized or ideologically driven in their practice of antiquities trafficking as ISIS has.

This research is innovative in that it evaluates not just the economic revenue of antiquities trafficking, but also the social revenue antiquities trafficking can provide terrorist groups operating within regions of conflict. This study's approach is unique because it does not just interview experts in antiquities trafficking, such as law enforcement, but also takes into account the experiences and perspectives of community members living in some of Syria's most prolifically looted regions. This will provide invaluable insight into community perceptions of ISIS and the social impact antiquities trafficking has on those whose culture is being stolen and destroyed.

The aim of this study is to provide insight into how antiquities trafficking contributes to the campaigns of ideological terrorist organizations, especially when they are able to implement entire regimes within these territories like ISIS has. This insight will hopefully inform global policy interventions and counterterrorism strategies. In order to prepare the international community for ISIS and other terrorist organizations' violent campaigns, it is necessary for the field of research on ISIS's involvement in antiquities trafficking to be expanded. This research becomes even more pertinent as ISIS continues its violent campaign in Syria, fighting to regain their territory and spread their extremist doctrine. The destruction of cultural property by ISIS is a threat to not just Syrian heritage but the heritage of humanity.

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♦ Anthropology 327

Eat Like a Girl

Sofia LaRocca

"Keep eatin' like that you may find yourself in these boots one day," Breeze says, smiling, after Nat rushes her lunch-break burger.

As if that's something to look forward to, Nat thinks. She climbs up the ladder past her boss's beaten down Timberland boots, and steps onto the main deck looking for garbage left from the trip before.

Loading passengers and cargo solo is an easy mission for her. And now, with less than five minutes left of her lunch break, she's still the only one of the crew on the boat, ready to get back to work. Gazing down from the top deck, Nat sees her all-male crew taking a cigarette break, again.

"Trip time. Let's go!" she yells out to them, annoyed.

She watches as the men hobble onto the boat, each of them throwing their cigarette butt into the bay before boarding.

"Save the turtles, right?" says Cap. The rest of the crew laughs.

Nat's already on the bow, crouched down, line in hand, ready to whip it up at the reverse sound of the motors when Cap yells angrily, "Nat get the line for us!"

She snickers at his ignorance. It's my job, it's not *for* you, she thinks as she yanks the line off the dock piling. The sound of the twenty-five pound line smacking the deck echoes over the empty, dull canal as they set the boat forward, across the bay.

Across the bay and back,
Across the bay and back,
Load, carry, move,
Unload, pack and push,
It could be the mantra on these boats.

It's the best summer job — outside on the water all day, working with friends. Today is not summer, though. There's no sun, and there's no blinding shimmer on the wave caps. Only thing to look out for down below are loose logs that'll clog up the prop.

Nat stands next to the wheel, stalking the radar. Limited visibility today and with a storm rolling in, she knows she has to warn the rest of the crew.

"Incoming rain, Cap!" she announces. No one responds from the wheelhouse.

Her entertainment for the day is watching the storm slowly crawl above them, then looking back to the boat, packed with passengers. Anticipating chaos seems almost romantic compared to listening to these guys speak about whether the woman who is sitting port side, fourth bench, third person in, has breast implants or not. Caught up in their own conversation, the crew seems to have missed the turn at the buoy.

"Nat, what the fuck! I thought you were watching the radar!"

Still staring at the radar, she considers talking back. Funny to brag about your forty years as a captain and miss the same buoy you see twenty times a day, five days a week. It's what she would say if she'd give up the ounce of respect she had left for her boss. Instead, she laughs to herself.

Maybe he read her mind: "You know what? Take the wheel Miss Cap-i-tan," Breeze says, smirking at Nat's red face.

"Gladly!" she retorts, finally out loud.

♦ CORRECTIONS 320

THE EFFECTS OF TRAUMA ON FEMALE CRIMINALITY

ERICA LAW

INTRODUCTION

FEMALE INCARCERATION has increased in recent years, with it now expanding nearly twice as quickly as male incarceration. When they first enter a jail or prison setting, incarcerated females are more likely to have mental health issues, unresolved trauma, and a long history of abuse. Due to the severe insufficiency of beneficial programs and social assistance, the issues such individuals face are often left unaddressed until they reach the pit of the criminal justice system: criminal court. Along with the rising rate of female incarceration and lack of proper treatment for specific traumas, comes the rising rate in female recidivism. Unfortunately, a majority of females are incarcerated for nonviolent property and drug offenses. Oftentimes, incarcerated females experience a form of trauma sometime in their life that influences certain actions, which in turn leads to their first arrest. Experiencing trauma can range from firsthand experience to being a witness, both of which predispose an individual to unhealthy behaviors in their later life. The grave traumatic sufferings that one may endure results in an altered psyche that leads to them to having inclinations for a variety of maladaptive behaviors, many of which involve illegal activities. There is an unfortunate, yet definitive link between a female offender's past trauma and their dabbling in criminal activity.

LITERATURE REVIEW

In multiple studies conducted through the *Psychology of Addictive Behaviors*, Grella et. al (2005) thoroughly discussed the slow rise in female criminality and incarceration over recent years. An abundance of cross-sectional empirical research has shown that "childhood experiences of abuse and adversity are associated with poor outcomes among adults" (Grella et. al, p. 43). This particular study focused on the strong connection between a substance-abusing female offender's exposure to different childhood traumas and them having deep psychological distress and criminal manifestations later in life. In a study comprised of numerous female inmates incarcerated in both state and federal facilities, it was found that anywhere from one quarter to one half of said female offenders had experienced either physical or sexual abuse during their childhoods. Those who sadly fall victim to any form of childhood trauma or abuse "have higher lifetime rates of violent crime compared with women offenders without a history of abuse" (Grella et. al, p. 43- 44). In a separate, but very similar study, it was found that a majority of incarcerated women meet the criteria for experiencing a lifetime of substance abuse and mental disorder (Grella et. al, p. 44). The in-depth study that is the very heart of this article suggested that there is a strong pattern and trajectory of adult criminality in females who experienced trauma in their developing years. Of the 440 participating offenders, ranging from 22 to 58 years old, nearly 47% (207/440) had not finished high school, one third (147/440) had mental health issues, and most had received "about three times as much income from illegal means (e.g., theft, shoplifting, sex work, drug dealing) as from legal sources" (Grella et. al, p. 45). Results found the following:

Among the most notable associations were high associations among childhood physical abuse, sexual abuse, family violence, and the experiencing of early traumatic events. The childhood trauma variables were also significantly associated with the latent variables representing adolescent problem behaviors and adult outcomes. There was a high association between adolescent substance abuse and adolescent conduct problems (.75), and there were substantial associations between adolescent problem behaviors and adult outcomes (Grella et. al, p. 47). Conclusively, the various studies within this article demonstrated that adverse trauma in a female's developing years is directly associated with their adult criminality.

The *Crime and Delinquency* peer-reviewed journal published an article, "Trauma Exposure, Mental Health Functioning, and Program Needs of Women in Jail," in which Green et. al (2005) observed trauma to be virtually universal amongst incarcerated women. Rather than focusing on one type of trauma, this particular work focuses on a range of destructive behaviors and actions: interpersonal violence, childhood abuse (physical and sexual), substance abuse, mental trauma, etc (Green et. al, p. 134-135). Throughout

this extensive article, past trauma is continuously referred to as a "determining factor in the involvement in criminal behavior for women" (Green et. al, p. 134). Researchers have also discovered that exposure to unnerving trauma leads to harmful behaviors (different drug usage, smoking, etc) in one's later life. Of the women to experience trauma and later be imprisoned, a majority of them return after being initially released due to their inability to receive the proper treatment and support needed. There have been several advancements over the past two decades that have sought to provide efficient aid in female offenders' road to recovery after being incarcerated and dealing with other past traumas (Green et. al, p. 149). This research has confirmed that experiencing differing forms of trauma during a female's developing years has a direct impact on their push to criminality in adulthood, as well as it stressing the profound need to understand such circumstances before creating a solution to avert them.

The thorough research conducted by Marcus-Mendoza and Wright (2004) focused on the effects of past abuse on a female's criminality, as well as the extreme consideration needed when relating such traumas to effective treatment. Explicitly noted by the authors as having an abundance of harmful consequences in a women's adult life, examples of past trauma include sexual, emotional, and physical abuse. Past findings have added upon such correlation between trauma and criminality in females, with different researchers, comprised of sociologists and criminologists, showing that "economic marginalization, substance abuse, sexual and physical abuse, and parenting without adeqaute financial resources can lead to criminality" (Marcus-Mendoza & Wright, p. 250). Such inquiries into this particular topic had found that approximately seventy-eight to eighty-five percent of incarcerated females had experienced at least one prior traumatic event, compared to the general population's sixty-nine percent, the hospitalized female population's fifty to eighty percent, and the females in outpatient therapy rate of about sixty-eight percent. In addition, research by Cathy Spitz Widom found that abused female youths were highly more likely than non-abused females to be raised by substance abusing parents, become runaways, engage in criminal behavior, and lack severe social or psychological resources (Marcus-Mendoza & Wright, p. 250-251). The authors consistently stress how confusing and often traumatic dynamics with law enforcement are that much more harmful and traumatizing, with prison not being an ideal environment for therapy and treatment (Marcus-Mendoza & Wright, p. 252). This article emphasizes the severe unproductive lack of attention shown to incarcerated females that are in dire need of aid to properly heal from past traumas.

SUPREME COURT CASE BRIEFINGS
Wuornos v. State of Florida 644 So. 2d 1000 (1994)

The facts of this severely unnerving and highly publicized case goes as follows. Over the course of nearly one year (late November 1989 to early November 1990), a total of seven middle-aged White men brutally lost their lives to the infamous Aileen Carol Wuornos. Wuornos, who quickly became known as the "Damsel of Death" after the revelation of her particular crimes/acts, shot and killed Richard Mallory, Charles Humphreys, Peter Siems (his body was not found), Jeno Antonio, Troy Burress, David Spears, and Charles Carskaddon within different regions of Central Florida. The trial jury found Wuornos guilty of six counts of armed robbery with a firearm and first-degree murder, receiving a death sentence for each conviction (six total) (Florida Supreme Court, 1994, p. 1005). Throughout all of the evidence regarding Wuornos' heinous upbringing that the defense had introduced, the trial court found five aggravating circumstances and only one mitigating factor, thus leading to a unanimous decision for Wuornos to receive the death penalty. In this particular hearing, the abundance of issues that Wuornos had in regard to the handling of her case, as well as the trial court's imposition of the death penalty, were thoroughly discussed. Wuornos' eight lengthy issues included the withholding of information from her during pretrial discovery, that the rule of law established in *Williams v. State of Florida (1959)* unlawfully prejudiced her personal case, that she had been tricked into a confession thus violating her constitutional right to an attorney, that the trial court allowed for the improper choosing of its jurors, that there were several mistakes made in the penalty phase of her case (the exact definition of certain terms/acts, lack of proper instruction, etc.), that there was an error in the imposition of the death penalty due to lack of investigation into the alleged aggravating and mitigating factors, that the trial court should have allowed for a motion for judgement of acquittal, and that Florida's death penalty statute is utterly unconstitutional (Florida Supreme Court, 1994, pp. 1006-1011).

In a unanimous decision (no dissent), the seven Florida Supreme Court Justices affirmed the trial court's judgment and original sentence for Aileen Wuornos. They found that there was no merit to Wuornos' claims, as well as there were no errors within her case. Senior Justice McDonald was in concurrence with the other six justices, with Justice Gerald Kogan writing his own, separate concurring opinion. In such opinion, Justice Kogan writes of his view on the different aspects of this particularly harrowing case. He touches on the absolute gruesomeness of Wuornos' crimes, stating how the facts of the case present her to be "a cold-blooded killer who lured men to their deaths to steal their property" (Florida Supreme Court, 1994, p. 1012). Emphasizing the importance of facts and impartiality despite certain upsetting details in a case, Justice Kogan wrote that "social awareness does not dispose of the strictly legal

issues, beyond which this Court must be absolutely blind. Whether Wuornos were male or female, the facts remain that the State's theory of this case is sufficiently supported by the record" (Florida Supreme Court, 1994, p. 1012).

Hoyt v. Florida, 368 U.S. 57 (1961)

The facts of this sixty-year old United States Supreme Court Case goes as follows. A Florida trial court found Gwendolyn Holt guilty of second-degree murder for the death of her husband. Despite the unveiling of abuse and crazed behavior that Holt suffered while in her marriage, a six man jury found her to be far from innocent. Hoyt appealed such decision to the Florida Supreme Court, claiming that an all-male jury violated her constitutional rights (granted by the Fourteenth Amendment) and caused her trial to be unfair and biased (U.S. Supreme Court, 1961, p. 57). The Florida Supreme Court upheld Hoyt's trial court conviction, stating that a Florida statute provides women an exemption from jury duty, thus leaving them from being placed on any jury lists. The Justices involved in Hoyt's appeal to the Florida Supreme court also stated that the only way a woman could become a juror is if they willingly volunteered and registered themselves for jury service. The main question posed in Hoyt's case as it was making itself up to the United States Supreme Court, was if the Florida statute violated the Equal Protection Clause located within the Fourteenth Amendment of the U.S. Constitution (Oyez).

In a unanimous decision (no dissent), the nine U.S. Supreme Court Justices affirmed the decision of both the trial court and of the Florida Supreme Court. The majority opinion was presented by Justice John M. Harlan II, with Justices Warren, Black, Frankfurter, Douglas, Clark, Brennan, Whittaker, and Stewart concurring. The nine U.S. Supreme Court Justices held that the Florida statute in question was reasonably based and not unconstitutional as applied in Hoyt's case (U.S. Supreme Court, 1961, pp. 58-69). In the majority opinion, Justice Harlan noted how, at the time of this particular case, women were still considered to be the center of the home and family, thus leading the Court to find that women needed personal "special responsibilities" consistent with being a juror in order to be allowed to continue serving on a jury (Oyez). The Court also held that "the right to an impartially selected jury assured by the Fourteenth Amendment…requires only that the jury be indiscriminately drawn from among those in the community eligible for jury service, untrammeled by any arbitrary and systematic exclusions" (U.S. Supreme Court, 1961, pp. 58-59). Furthermore, the Justices held that Hoyt's case was very different from other cases that claimed bias and racial discrimination in jury selection, with male/female disproportions on a jury list having no real, constitutional significance.

FINAL THOUGHTS

Over the last few decades, female criminality has become a major focus of numerous sociologists and criminologists. The recognition of the association between gender and crime is incredibly important, seeing as there are great differences between a man and woman's reasoning/motives, social attitudes, type/form of crime committed, and particular errant behavior(s). While the reasons that lie behind an individual's choice to commit an unlawful act are diverse, thorough research has shown that experiences of deep trauma and neglect remain in direct correlation with a female's inclination to deviant/criminal behavior(s). While researching this topic, I became heavily informed of the different traumas that currently incarcerated, or formerly incarcerated, females have experienced. Seeing the distinct trauma-to-jail/prison pipeline was utterly heartbreaking due to the fact that said troubled females often turn to criminal behaviors because they grew up in a similar environment, they feel that is all that is left for them in life, and/or because of their overwhelming frustration with gender inequality.

The particular topic of female criminality is quite interesting to me, with this paper allowing for me to become even more intrigued. While I was already aware of the clear inequalities that existed between men and women, seeing the even deeper divide between the care/consideration of incarcerated men and women was very unnerving. Most, but not each/all, criminology articles focus on male criminality and the violence or rage that double down into them committing crimes rather than looking at the deep-seated trauma that frequently influences females into a life of offending. Of course there is no way to know of and/or prevent every possible case of neglect or abuse against females, but years of research (both minor and major articles) convey the need for proper solutions to avert such potential trauma.

The profound stigma that encompasses every aspect within the great sphere of criminality remains incredibly influential unto most individuals' opinions. It is incredibly easy to think of someone in a specific way with only a small portion of information rather than taking the time to know the truth/reasoning behind their actions. At first glance, most people might associate female criminals/offenders with traits like "crazy," "insane," or "full of rage." If individuals took just a short few minutes to look up the stories about females they see so falsely portrayed on the news, they would find out the truth: women do not commit crimes out of pure spontaneity, but often do so as a result of years of maltreatment and trauma. Negative life experiences (trauma, abuse, neglect, etc.) should not be held as an excuse for one's illegal actions or unlawful behaviors in their adult life, but should serve as definitive markers for potential criminality.

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⬥ PHILOSOPHY 317

AN EIGHTEENTH CENTURY LIGHT ON CUSTOMARY LAW IN THE SELF-REGULATION OF INCARCERATED INDIVIDUALS

VINCENT WARREN

When you hear the word "common," I want you to think about a space you share with other people in our environment or community. For example, think of a public park: you have a common use-right to use or pass through it, for it is a public area. The benefit of a public park is that it can be used or occupied without a fee and can be used at any hour of the day or night. On Sundays when you visit the park you may see the same group of people playing drums. On Saturdays you may see teenagers rapping at another location in the park. A person who visits the park for the first time and doesn't know of these groups may attempt to occupy these spaces. The first-time visitor will see that a group will arrive to play the drums or a group of teens will arrive to rap. The individual may contend his/her use-right to use the park, arguing that there is no written law stating otherwise. The person would be informed orally of the customary rule and the places in the park where these customary practices are observed.

The Assignment and the Writer: This course examines various answers to the question "what is law?" and the specific assignment was to give an overview of the week's reading. Vince focused on the principle of custom as a source of law as discussed in a section of E.P. Thompson's *Customs In Common*. In his presentation Vince looks at shared public places and focuses on the role of customary practice within the prison setting – a space that most consider highly regulated with many restrictive rules. Vince's examples demonstrate the principles of customary law. In ways that are insightful and also meaningful to him and his classmates, Vince shows us that custom allows us to self-regulate the spaces we share with others, even in otherwise highly formal and restrictive settings.

– Professor Genevieve LaForge

These unwritten laws are called Customary Law. Customary law systems are defined as, "patterns of behavior (or custom) that have come to be accepted as legal requirements or rules of conduct within a particular country. The laws of customary legal systems are usually unwritten and are often dispensed by elders, passed down through generations" (Legal Systems- Guide to International and Foreign Law Research – LibGuides at University of Southern Carolina School of Law, 2018).

An example of how a "common" is modified or taken away from public use is when someone buys the community park from the state and proclaims, *there are to be no drummers playing or teenagers rapping in groups unless they pay a fee to enter the park* or proclaims, t*he park will be closed at 6:30 p.m. on Saturday and Sunday*. The customary rule had been previously understood that the park was a public domain and free to be used by the common people in the community – a common right.

Let us imagine that the community park is a wooded area or a forest close to you and your community/neighbors. As is the case with small towns, different towns observe different practices. The common objects and areas in this forest would be the trees, vegetation, creeks, lakes, and trails. Outside of the small town is a castle and several well-constructed homes (the rich in mansions and expensive condos) to house the nobles. During certain occasions the commoners (those living in affordable housing) can stand outside the castle gates and watch all the men and women in fine clothing come and go. The people who reside in the castle and the well-constructed homes (e.g. gated communities) ignore the common people. To prevent community disturbances, the common people create their own unwritten laws to govern what takes place inside the forest. For example, if you are having a family cookout or a picnic, you are to clean up before you leave and put out all the burning coal.

In *Customs in Common*, E. P. Thompson illustrates how customary practices in the 18th century developed into Customary Law. He explained, when a reasonable customary act is done for a long time, it can obtain the force of a law. "When a reasonable Act once done is found to be good and beneficial to the People, and agreeable to their nature and disposition, then they use it and practice it again and again, and so by often iteration and multiplication of the Act, it becomes a Custom; and being continued without interruption time out of mind, it obtaineth the force of a Law" (Carter, 1696 as cited in Thompson, 1993, 97). Customary law can be found in a shared space like a park and in other places like a prison.

There is a phrase about prison that people in society mistakenly find funny, "Don't drop the soap." The reason is self-explanatory. The fear of being sexually assaulted or injured while in a prison shower is a real fear. At some facilities there are up to 50 shower heads, allowing 50 incarcerated individuals to shower at once. The shower heads are close to each other. It is this common

fear that causes the incarcerated individuals to wear their underwear while in the shower. If someone wants to shower naked, it would be in the department of correction's opinion that it is that person's use-right. Although it is not restricted by the departmental officials, it is an unwritten customary law that one shouldn't shower naked. This customary practice is a prison customary law. It is viewed as "a reasonable act" and "agreeable to their nature and disposition;" it has been done without "interruption time out of mind, it obtaineth the force of a law" (Carter, 1696 as cited in Thompson, 1991, 97). If one were to undress and walk into the shower, he would be met with stiff resistance. This prison customary practice could be modified is if the prison officials enforced a rule that all men are to shower naked.

The use-right is not limited to the shower. Inside the prison recreational yard there are tables. There is enough space at the tables for only eight people. The incarcerated individuals will sit amongst themselves, perhaps working on college assignments, conversing, playing cards, dominos, poker, chess and other games. The tables are sectioned off in groups. Some tables are occupied by different boroughs, affiliations and ethnic groups. The segregation of these tables has been in place for years. It is customary. The practice of sitting at separate tables, divided amongst these groups has been customary since before the individuals using them came to prison. This is the practice. The tables are not segregated by the facility administration for this specific purpose. The prison authorities will hold that all prisoners have the use-right to sit wherever they want. Regardless of this use-right, if one group member sits at the wrong table, he may be admonished or punished, not by a prison guard but by other incarcerated individuals. This customary practice is like a law as well. The sitting arrangement that the incarcerated individuals choose is considered to be a reasonable act. By each group sitting amongst themselves in a dangerous environment gives them a sense of security. The act is therefore beneficial and agreeable to their nature and/or surroundings. It is a custom that has the force of law. What can modify or remove this use-right is the prison removing the tables or removing the tables in the recreational yard.

Blackstone says that there are seven qualities that make something a customary law:

(1) "It had been used so long, that the memory of man runneth not to the contrary" (76). The prison customary practices of wearing underwear in the shower and the sitting arrangements at the tables has been in place longer than the individuals using them.
(2) "It must be continued" (77). The practices in prison have not changed.
(3) "It must have been peaceful" (77). It is in the observance of the customary prison practices between the incarcerated individuals that prevents sexual abuse and balance between groups and not the prions officials.
(4) "Customs must be reasonable" (77). The customs of the incarcerated are reasonable for the desire to practice positive behavioral patterns.

(5) "Custom must be certain" (78). There is no doubt in regard to the customary practice and knowledge of the practices. (The practices are also known to the prison officials.) The prison officials leave the custom as it is for any attempt to regulate it would spark violence.

(6) The custom must be established through "consent" (78). This consent is given because it is seen as reasonable and beneficial.

(7) "Customs must be consistent with others" (78). There is no conflict between customs for they are all prison customs followed to prevent harm.

In closing, Carter's observations are correct when he holds, "When a reasonable Act once done is found to be good and beneficial to the People, and agreeable to their nature and disposition, then they use it and practice it again and again, and so by often iteration and multiplication of the Act, it becomes a Custom; and being continued without interruption time out of mind, it obtaineth the force of a Law" (Carter, 1696 as cited in Thompson, 1993, 97). As in any place where there are authority figures, whether prison guards, politicians, or administrative officers, if they attempt to enforce a law or a rule that the populace doesn't agree to, it will cause unrest. As in prison, there are civil remedies available, grievance procedure to address departmental complaints. There are resources for those in society as well – elections! Wherefore, people in society and those who are locked out of society, such as incarcerated individuals, the observance of customary law is the same. When a practice is done for a long time and it is a benefit, the people observe the practice because the custom has obtained the force of a law. What holds true for prison officials and bureaucrats, "power must submit to some constraints, not only because custom had juridical endorsement and could itself be a property, but also because power might bring itself into danger if abuse of customary rights outraged the populace" (Thompson 110-111).

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♦ ANTHROPOLOGY 380

THE AMALGAMATION OF IDENTITY IN *DAUGHTERS OF THE DUST*

KAYLA RAMJOHN

IT IS A DIFFICULT TASK TO DEFINE all that can encompass the concept of identity. What is understood to be a simple, "I am…" statement actually is built on much more. It is the combination of the internal and the external and the symbiotic relationship between those two. Identity is not a two dimensional label that one has, and it is also not set in stone. It is hard enough to face the core of who or what an individual is, and it is even more difficult to do so when examining the identity of a whole community. To take the singular phenomena of identity and use it to flesh out an entire community is exactly what Julie Dash's 1991 film *Daughters of the Dust* seeks to do by introducing three generations of Black women on the islands off South Carolina during the dawn of the 20th century. By highlighting both the lives of these women in a very unique African American community, Dash makes a statement about the past, present, and future of a culture and how identity is all of these things at once in dynamic motion and that community identity is a constant act that must be done and is never quite finished as staples of the African American community are interlaced in a non-linear format throughout the film.

The Daughters of the Dust focuses on three generations of Gullah women who are all different from each other in many ways as viewers begin to understand them. There is Nana Peazant, the matriarch, her granddaughters Mary and Viola, and her great-granddaughter Iona. With Mary and Viola returning to the island after being on the mainland, they bring with them the tidings of new-the tidings of the world outside of their small community. We see this cause a ruckus when all members of the family come together. Mary and Viola were previously ingrained members in this community until they left for their own reasons, which creates a small fracture in the sphere. Now there is a foreign influence to the whole. That, however, doesn't mean that Mary and Viola forget their roots. It is more like scaffolding, the stacking of key parts of their identity on top of their foundations to who they are. Viola says to Mary as they return home together, "Remember how when Uncle Spikenard got excited or angry he'd talk funny so the children couldn't understand him? He'd speak in African words and sounds" (10:22-10:33). Their Uncle Spikenard is what they refer to as a "salt-water" African, someone who came directly from Africa to the States as a slave and became free right after the war. This is the first view the audience gets into the history that surrounds this community and this family more specifically. They are in touch with their African roots and have managed to retain aspects of their mother language, which is a very big factor in how one might cling to identity. The preservation of language that Dash illuminates is one of the facets of identity in ecstatic motion that have been swirling in this family's identity. There are historical implications to who these people are and what they can represent despite it being discussed in the present and it still having a bearing on who they are, because it is a memory that makes up the pieces of them.

Being close to the preservation of the African tradition while being in a foreign land also lends to the idea of displacement and its role in identity. The Gullah are a people that have been able to hold onto their ancestry while being in a land that is not originally theirs. They have had to transplant their way of life and find a way to carve out a space for it in their new existential space. Displacement is inherent in the African American community, especially during the early 20th century, because they were taken from their rightful place and made into something they should not have been in a new land. This displacement, or juxtaposition, is also a facet of their identity that they have to reconcile with. Instead of allowing the displacement to override who they are, they incorporate it and embrace it in order to build a new sense of self and worth. Visually, the film does many things to enhance such displacement for the viewer. The setting of the film is the island that is full of beaches, foliage, forests, and water. It seems to be a rather wild, untouched, and unyielding place, and yet our characters are always in stark contrast. The women are in white all of the time, making them more noticeable against the

backdrop. Their clothes are elegant, consisting of tulle and lace and softer material that seems to have no place amongst nature. They appear to be in pristine condition, an indication of the change of times they have had to endure in a new land, while the land itself bears an ancient quality about it. The synergy of the environment and the clothing highlight the detail of innate displacement within their identity. It is not something they can shake or run from unfortunately, so they weave it together to form a patchwork of both past and present all rolled into one. In one scene, Mary, Eula, wife of Nana Peazant's great-grandson, and Mary's companion Trula all take a walk along the beach. They are fully clothed in their heavy, lacy, white 20th century garments, including heels. They are walking through wet sand and set against the ocean. This is a visual instance again of displacement that makes the viewers wonder what exactly is going on and why they are here. It is a question that is sure to have echoed through many past generations of African slaves coming to a new land that they did not want to be on. It brings with it a sense of uneasiness that Dash intends in order to further emphasize the nuance of this community and all that makes up their identity and how they are still moving within it.

While Nana Peazant is the one member of her family that does not want to go up north to the mainland, she is also at odds with the old tradition and the new realities of the world for her family. She is scared for them, afraid that they will lose an important part of who they are. She says, "How you can leave this soil, this soil? The sweat of our love, it's here in this soil" (1:34:05-1:34:15). Nana Peazant is a foundational figure who bore all her children on the island and raised them with the tradition and customs of Africa, where they are able to preserve who they were. By her family moving away, to a place that has no place to hold them and their swell of history like the island does, she worries that they will become new people. This goes back to the idea of scaffolding and the piling of things on top of each other to compound into their identity. Due to the non-linear form of the movie, that also allows Dash to play with time that are not just from the past and the present for the Peazant family. Dash is able to pluck staples from Black culture across space and time to place it into the film in order to compile into their identity as it was, as it is, and as it will be. Though the Gullah speak English, the way Dash specifically has them speak, it has Caribbean Creole, a southern accent, and African vernacular all blended into one. African peoples were taken to the Caribbean as well and made up a large population in the mainland south. Though the Gullahs are separate, they manage to become an apex for many aspects of Black culture that all lead back to their identity and the interconnectedness of who they are. The hairstyles the women wear are also not just for the times they live in, but borrow from older traditional hairstyles that Nana Peazant wears to the timely up do that Viola wears, all the way to the more modern styles that Trula wears.

All of these are indicative of Black culture but at different eras, though one is not more or less valid when examining its place in their identity. Dash is able to create an amalgamation of the Black community at present and who they will be through a singularity of the Gullah people, and the Peazant family more pointedly.

Mr. Snead, in the opening scene, remarks on the wonders of a kaleidoscope and says, "It is beauty, simplicity, and science all rolled into one small tube" (9:43-9:49). The kaleidoscope, an invention that is made for the shifting of images as one conglomerate into a single space is both one image and every image, is the perfect allegory for not only the Peazant family but also the communal identity that Dash wants to convey to the viewers. Identity is the reflection of many angles and images that are all needed to make one single comprehensive thing when viewed all together. You can single one detail out, but also must acknowledge its role in the bigger picture. Identity works in the same way, and *Daughters of the Dust* does a beautiful job at encapsulating the moving parts of identity and how it is constantly building on itself and changing shape.

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♦ HISTORY 228

THE RACIALIZATION OF ARABS IN NEW YORK CITY

ESHA ADNAN

MUSEUMS PLAY A SIGNIFICANT ROLE in preserving a community's history and culture, and, thus, New York City (NYC) has over 140 museums to preserve the city's diverse heritage. A museum teaches people about the various cultures around us and gives a platform to these communities to write their authentic and culturally aware narratives, away from the biases of pop culture and media, which underrepresent minorities. The creation of this memorial institution is a lengthy process that necessitates significant funding, and in some cases, government assistance. According to the American Association of Museums, government typically provides 24.4% of a museum's funding. Private donors contribute approximately 36.5%, revenues contribute 27.5%, and investment contributes 11.5% (Bell 2). In NYC, government funding often comes through

NYC's cultural affairs and art commissions, which help existing museums and promote diversity and culture for all New Yorkers. Laurie Cumbo, the new head of The Cultural Affairs Commission, stated that she hoped to use the commission to make New York more diverse and to represent the immigrant population. And thus, former Mayor De Blasio recently invested $50 million in the Brooklyn Museum, which shares art from various cultures around New York (NYC Cultural Affairs).

There are approximately 145 museums in New York that work to capture the diverse cultures, traditions, and institutions rooted in the city. Yet there are no Arab heritage museums, despite the long history of Arab Americans in the city and country. Arab immigration to America began in the 1880s, and NYC experienced a large influx of Arab immigrants around the 1920s. Arab Americans, like other immigrants, have established communities in New York and contributed to the city's cultural and immigrant landscape. Despite generations of Arabs living in New York, the state only provided them with racialization and economic hardship.

Arabs in America have a long history of racialization, both before and after the 9/11 terrorist attacks, which has had an impact on their economic development, political participation, and socioeconomic status. Beginning in the 1960s, Arab Americans, particularly Syrians and Palestinians, were scrutinized in the media and subjected to defamatory attacks, as a result of America's political and financial support for Israel during the Arab Israeli War. By the 1990s, this targeting forced Arab Americans to become invisible minorities, after society barred them from fully joining white institutions. This exclusion paralleled the US government support for the state of Israel, at the expense of Palestinians. Furthermore, in the aftermath of the 9/11 terrorist attacks, the language used to describe Arabs, Muslims, and South Asians exposed this minority to public scrutiny, hate crimes, and biased government policies, such as the Muslim Surveillance program. These practices created an environment in which Arab Americans faced a high rate of workplace discrimination, restricting them to lower-paying jobs and, ultimately, contributing to their economic insecurity. To summarize, these coordinated practices stymied Arab American economic development while also ostracizing them in society, limiting their ability to run for office. This history of racialization suppressed economic development, and limited access to the political world prevented the Arab American population from building a museum of Arab heritage in NYC, which is home to more than 160,000 Arabs and Arab Americans. In contrast to this history of exclusion and silencing, the only Arab American museum is built in Dearborn, Michigan, which is home to a large Arab American population that is less racialized and more economically successful. This essay examines these contrasting histories of Arab America to show the impact of racialization on Arab heritage.

HISTORY OF ARAB IMMIGRATION IN AMERICA

The 3 million Arabs residing in the US today immigrated to America in four phases. During the 1880s up to the 1920s, Lebanese and Syrians immigrated to the Midwest and Northeast. This early immigration from the Ottoman Empire was primarily for economic reasons. After the rise of the nationalist Young Turks and Sultan's 1878 decision to disestablish the parliament, the political unrest in the country encouraged Arabs to leave the empire and find a nation where they could earn a living and avoid mandatory military service. Most of these Arab immigrants to the US worked in grocery stores or as peddlers because they were predominantly unskilled or illiterate. Eventually, this immigration from the Ottoman Empire slowed down after the US government issued a quota to prioritize European immigrants (Little). In the 1920s, America passed the Johnson-Reed Act and the Asian Exclusion Act, which entirely prevented immigration from East Asia and limited immigration from the Eastern Hemisphere, which includes the Middle East. Inevitably, US policies restricted Arab immigration to promote whiteness and control the number of undesirable immigrants entering the nation. These "unwanted" immigrants were people who were not white in the United States and were thus considered racially inferior, a situation compounded by their association with Islam. As a result, restricting immigration from Arab countries was the first step in racializing the Arab community and labeling them as inferior and undesirable immigrants (NBC).

After World War II, America experienced another massive influx of Arab immigrants concentrating on Detroit, Michigan, home to the ever-expanding Ford Auto Industry. This wave brought many educated professionals, predominantly because the only exceptions the US made for non-European immigrants were doctors, scientists, and engineers from other countries. Furthermore, other than professionals, America allowed refugees from Palestine after the establishment of Israel. Then, the third wave attracted many refugees escaping poverty and wars happening in Lebanon, Egypt, Morocco, and Yemen. The last and current wave attracts refugees from the wider region, from Somalia to Sudan, Iraq, and Syria (Little). However, America has played a key role in the recent conflicts in most of these countries that America welcomes refugees from today. For example, America led the war against Iraq in 2003 as part of the nation's claim to bring war on terror (Cordesman). Similarly, America led the intervention in the Syrian Civil War to dismantle the Islamic State. However, after initiating these wars and conflicts, America withdrew from these countries, either physically or financially, leaving nations in ruins and vulnerable to dictatorial rule and civil unrest.

Arab immigration to NYC followed a similar pattern. The first wave,

from the 1860s to the 1920s, brought many Syrians and Lebanese to Manhattan, known as "Little Syria." However, the majority of Arabs in New York today are predominantly in Brooklyn. In the 1960s, Brooklyn's Atlantic Avenue and surrounding communities welcomed the second wave of Arabs. This second wave of immigrants resulted in an increase in mosques and halal butcher shops frequented by Arab Muslims. Nonetheless, despite having about 450,000 Arabs in New York State, as confirmed by the Arab American Institutes data, New York does not have any Arab Heritage Museum (Arab American Institute).

INVISIBLE MINORITIES

"Go back to your country!" This is a phrase that many minorities in America are used to hearing. However, in the 1960s, government institutions were weaponizing this phrase against Arab Americans and exacerbating the social and political barriers against them. This social distinction arose because of the racist and xenophobic communities who considered Arabs, and specifically Palestinians, as violent people after the influence of the government and media portrayals of Arabs. The media portrayed Arabs in a negative light, leading many Americans to believe that Arab identities were incompatible with American values. Biased media representations of Palestine portrayed them as anti-democratic and were projected onto Arab Americans, leading Americans to believe that Palestinians living in America held the same beliefs as these biased misrepresentations. The US developed policies against Arabs and used both legal and illegal methods of surveillance against them. Following Israel's portrayal of Palestinians as terrorists and a threat to any nation's security, this surveillance was encouraged (Cainkar).

Yet America's anti-Arab political campaigns ignored three major factors. First, Israel was a settler colonial state in historically Arab Palestine. Second, not every person of the same ethnicity is a terrorist or a threat. Third, Arabs in America came from all over the world, not just from Palestine. Nonetheless, Richard Nixon organized Operation Boulder after putting all Arabs under one racist umbrella. Operation Boulder was a government surveillance program deployed by President Nixon against Arab immigrants and Arab Americans. In 1967, this general background and surveillance operation took charge because of America's increased support for Israel. Nixon organized this campaign in response to domestic Zionist claims that Arabs were seeking support from radical American organizations such as the Black Panther Party, Students for Democratic Society, and Communist organizations (Fischbach). These biased allegations persuaded the president of the democratic and supposedly free country to use wiretaps, burglaries, and surveillance against Arabs, and even send foreign students back to their countries. The public was unfazed by these actions (Fischbach), for two

reasons. First, America hid its illegal behavior from the public. Second, with the use of media representation, anyone who would find out would support America to save the nation from the "violent territories". Through bigoted media representation, America portrayed innocent Arabs as violent. In particular, in 1984, the media depicted Arabs as "greedy oil sheiks and bloodthirsty terrorists" to gain support for Israeli campaigns in the aftermath of the 1982 Lebanon War (Cainkar).

Social exclusion explains the Arab American economic predicament. Because of their isolation from white institutions, many Arabs become entrepreneurs. According to the 1990 census, 73,829 Arabs were self-employed, making up 64% of the documented Arabs in New York (Batalova & Harjanto). In San Antonio, Texas, researchers tried to determine the motivation for Arabs to be self-employed. The findings concluded that all of the research participants agreed that the difficulty in finding work and the perception that the US job market was unfair to Arabs was the main motivator (Omar). This disadvantage was primarily caused by racist job-market standards. Research on racial inequalities in the labor market proved that discrimination resulted from employer prejudice and not skill differences or education (Borowczyk-Martins). However, since most Arabs are self-employed because of social exclusion, when there is a recession or economic turmoil in America, Arab businesses suffer more than company-secured jobs, since self-employed businesses have an unreliable flow of income (Dougherty). Self-employed individuals are subjected to irregular incomes which are not guaranteed because they are dependent on the success of the business. Hence, the recession of the 1990s had a significant impact on immigrants, including Arabs, because they owned fewer stable businesses. Moreover, the economic fluctuations cost Arab businesses to experience huge drops in sales. Furthermore, another profession dominated by Arabs is the taxi industry, which suffered massive losses during the 1990s recession.

Nonetheless, there are cases of Arab economic success. One exceptional case is Michigan. Arab workers at the Ford Motor Company in Dearborn, Michigan, earned the same wages as white workers, a rare occurrence in racialized America. Furthermore, the Ford Industry was known for its $ 5-a-day wage, which was comparatively higher compared to other industries in America that employed immigrants. Other Syrian immigrants in Michigan who started as peddlers eventually became grocery and convenience store owners. This economic ascent was made possible by the Syrian immigrant's ability to thrift and save for years, allowing them to buy stores in urbanized areas and establish a foothold in local economies (Jamal & Nader). To summarize, the exclusion of Arab Americans in the labor force, in an effort to promote support for Israel, encouraged Arabs to be self-employed or assemble in the taxi industry. This exclusion contrasted with Dearborn and the

Ford industry which fostered an inclusiveness environment allowing Arab Americans to have economic stability. Because of the economic insecurity of these job options, these businesses and ventures are the first to be severely impacted by recessions. In contrast to New York, Michigan did not racialize Arabs in the workforce, as evidenced by Ford's employment policies which give equal pay to all their employers regardless of one's identity. Hence, working in a racially free workforce allowed the majority of immigrant workers to find high-paying jobs and economic security. As a result, Arab Americans have a low social status and economic insecurity in New York, since this community and economy were less welcoming to Arabs, making it difficult for the community to come together and build an Arab Heritage Museum.

IMPACT OF 9/11 ON ARABS' LIVES

Many Arabs and South Asians, regardless of their religion, were labeled as terrorists. After the terrorist attacks on September 11th in NYC, Arabs became hyper-visible minorities, due to the constant scrutiny in the public eye, biased media representation and specific use of the word terrorist, and the government's decision to harass Muslims, South Asians, and Arabs in the name of security. The racialization of Arabs after the terrorist attack impacted the community's economic development by further ostracizing this minority in economic, social, and political means. Many Arab businesses were boycotted because of the stigma derived from the public considering all Arabs to be terrorists. Hate crimes against Muslims and Arabs increase by 300%, according to the Council of American Islamic Relations (Widner & Chicoine).

Middle Eastern and Arab organizations retaliated with words and educational methods. The Middle East Studies Association (MESA) understood the importance of educating people about Arabs and changing the current narrative. During this time, domestic policies and geopolitical relations were enough for America to justify the maltreatment of Arabs and Muslims and the deprivation of their civil rights. After noticing the country's response to the 9/11 attack which included illegal detaining, an increased rate of hate crimes, or an onerous screening process to obtain a visa, MESA reconfigured its mission to voice the concerns of Arabs post-terrorist attacks. MESA released a report in 2003 about the impact of the terrorist attacks on Arabs' lives and highlighted the impact America has had on Arabs, which is often overlooked (Beinin). For example, the report highlighted the US secretary of State Alexander Haig's support of Israel's invasion of Lebanon in 1982 to curb the spread of communism. Although the U.S. guaranteed the security of Palestinian civilians, their inability to do so resulted in the rape, torture, and murder of 3,5000 unarmed Palestinians in the Sabra and Shatila refugee camps. Yet in the view of MESA, the narrative of America remained intact as a country

promoting freedom, and thus Americans were not labeled as terrorists, despite their role in Palestinian suffering (Beinin).

This racist and Islamophobic mindset persisted for years after the terrorist attacks harmed Arabs and the Middle Eastern and North African (MENA) population today. In 2019, MENA immigrants had a median household income of $54k, which was approximately $10k lower than the median national household income of other immigrants. Compared to US-born households, the Arab community earned $12,000 less. Furthermore, about 22% of the MENA community lives in poverty, while other immigrants account for 14% of the poverty rate, and US-born citizens account for 12% (Batalova & Harjanto). The MENA community's low economic status is primarily due to the limited career options society makes available to them. In 2011, researchers examined employment discrimination against Arab Americans by randomly assigning a typical white-sounding name or an Arab-sounding name to two similar fictitious resumes and tracking callbacks (Chicoine & Widener). The study supported the hypothesis that white names receive 3.39% more callbacks than Arab names. In jobs such as office manager, the percentage difference between callbacks increased to 4.6% in favor of white names. For an office manager position, an Arab applicant received 0.66% callbacks for an interview, compared to 5.26% for a white applicant. Even though a white applicant is preferred for jobs in the customer service department, which received 5.31% of callbacks, Arabs received a higher percentage of callbacks compared to other positions, 3.54%. In summary, the study discovered that white applicants are preferred over Arab applicants, although both applicants have identical resumes. More importantly, recruiters heavily favor white people for higher-paying jobs, which Arabs are rarely considered for simply due to their ethnicity (Chicoine & Widener). As a result of racializing the Arab population post-9/11, lower household incomes and apparent job discrimination have been a roadblock for Arabs, impeding their ability to pay for museums or memorials as a community.

BUILDING ARAB & MUSLIM HERITAGE HISTORY

Nonetheless, the Arab community in New York worked hard to establish a center or museum dedicated to Arab heritage. While the majority of the Arab population was unable to contribute financially to a museum costing millions of dollars, there were some Arab entrepreneurs who attempted to establish museums and Arab heritage centers. However, the Arabs' continued narrative as terrorists and the lack of government support made this process appear difficult and dangerous. Initially, the Arab community in Manhattan advocated for the inclusion of "Little Syria" in the 9/11 Memorial National Museum in 2013 (Kuruvilla). Little Syria was similar to Chinatown or Little Italy in that it was a section of New York City dedicated to Syrian immigrants.

Arabs wanted a piece of their history to be represented in the 9/11 Memorial Museum because it would help change the narrative that Arabs are dangerous and humanize this minority group. However, the museum's curators refused to include a piece of Arab American history in their permanent collection, instead offering to record oral histories and display materials in temporary exhibitions. In sum, racialization efforts against Arabs in America continued to obstruct any history of Arabs entering the 9/11 Memorial, which could have helped to change Arabs' perceptions. Nonetheless, the decision not to include a section on Arab history in New York perpetuates current narratives and reinforces the belief that Arabs are only terrorists with no other contribution to NYC's culture.

Other Arabs attempted to build a Muslim and Arabic center called the Cordoba House, which the founders envisioned as a 13-story Islamic community center and mosque in Lower Manhattan. In modern terms, this building would be the Jewish Community Center (JCC) but for Arabs and Muslims. Sharif El- Gamal, a Brooklyn real estate developer, and Feisal Abdul Rauf, a local imam and activist, planned to build a Muslim cultural center in 2010 (O'Connor). This center was meant to resolve conflicts between Arabs, Muslims, and Americans. Rauf was met with disgruntled members of the Manhattan Community Board's finance committee after purchasing the property at 45 Park Place in lower Manhattan with the assistance of a Muslim convert with CIA ties, R. Leslie Deak. Rosemary Cain, the mother of a fallen 9/11 firefighter, said it was "atrocious" that anyone would even consider allowing Muslims to build a mosque near the World Trade Center.

This notion that the terrorist attack only affected the families of those who died in the attack ignored the impact on the lives of Muslims, South Asians, and Arabs (O'Connor). Torturing, waterboarding, assaulting, and illegally detaining any brown person in New York was justified by the executive office to protect America's security. Despite being targeted by political officials, community members, and even their neighbors, the Arab and Muslim populations attempted to use the Cordoba House to rebuild downtown Manhattan to reflect the representation of Muslims in this country even before the attacks. Lower Manhattan's white communities, on the other hand, saw the Cordoba House as a monster mosque that celebrated terrorism. Once again, this language perpetuated the notion that Muslims are terrorists and that a peaceful place of worship was simply a gathering place for people to plot future terrorist attacks. This mosque and center were under national public scrutiny after Sarah Palin, a vice-presidential candidate, said that "Ground Zero mosque is [an] unnecessary provocation; it stabs hearts" (Siegel). Furthermore, the media portrayed this attempt, which gave Arabs and Muslims a voice in New York, as Muslims erecting a "victory mosque". VanityFair interviewed Robert Spencer, who is the director of Jihad Watch and co-founder of Stop

Islamization of America, and a well-known author whose books are "lined in the FBI library at Quantico" (Ackerman). He claimed that this mosque was a "victory mosque," and when asked if his language toward Cordoba House and the decision to form the Stop Islamization of America pressure group were deliberately proactive, he replied, "Why not? It's fun" (Ackerman). In sum, the racially biased rhetoric created around Arabs and Muslims as a result of politicians like Sarah Palin, as well as media coverage of this mosque as a "victory mosque," made it risky to construct this heritage building.

Although the Cordoba House was never completed as planned, the founders of this cultural center did establish a nonprofit organization. Individual donors who attended a fundraiser gala hosted by Sheikh Abdullah Adhami funded the non-profit institute. Adhami replaced Abdul Rauf after Rauf made homophobic comments in a lecture. Adhami recognized, however, that finding patrons to financially support the institution would be difficult because Arabs earning minimum wage and spending the majority of their earnings on their businesses could not afford to pay for a museum or cultural center.

CASE STUDIES: HERITAGE AND MEMORIAL STUDIES

To understand the lack of Arab Heritage Museums in New York, I analyzed other heritage and trauma-bonding museums, or museums which emerged after a traumatic incident in an effort to rebuild a community. The Jewish community in America has the most museums for an immigrant community. This is due in part to the community's economic and political success, which aids in the acquisition of funding, real estate, and support for the establishment of a museum. A major reason for the proliferation of Jewish heritage and Holocaust memorial museums is due to Israel's and America's political affiliations, as well as the large domestic Jewish and Zionist voter base, which encourages senators to support the establishment of Jewish museums to appeal to some voters. The Museum of Jewish Heritage: A Living Memorial to the Holocaust was New York City's first Holocaust memorial. However, in the 1960s, Philadelphia and other neighboring states already had a memorial. This museum was supported by a large number of individual and private donors which included political officials. Robert Morris Morgenthau, former District Attorney for New York County; Mario Cuomo, former New York Governor; Edward Koch, former New York City Mayor; and Manfred Ohrenstein, New York State Senator were among the museum's founders and chair members (Saidel 145). These individuals and others helped establish this museum, obtained funding from the New York City Art Commission, and located a suitable city-owned real estate. Having political support aided the museum in finding funding and permission to build near Battery Park. The New York Art Commission denied the founders' request to build the museum

near Battery Park. According to the commission, the park is meant for recreational and relaxation purposes; however, this museum would not provide comfort to children (Saidel 208). However, after the commission's rejection, the founders urged the mayor, who is also the museum's chairman, to reverse the commission's decision, and today this museum is located next to Battery Park.

In addition to political affiliations, the Jewish community's economic success and social standing played a significant role in their ability to find individual donors to support the museum. The first synagogue in New York was built in 1720 after Jewish immigration began in the early 1600s. Because the Jewish community began to establish a role in New York's social structures in the 1600s, they were able to build their first Jewish Heritage Museum in 1904. Furthermore, when compared to other minorities, Jews have a relatively high income. In 2020, one in every four Jews, 23%, report a family income of more than $200,000. In comparison, only 4% of adults in the United States report that level of household income (Pew Research Center, 2022).This relative economic success partially explains why the Jewish community was able to construct the first Holocaust Memorial in New York City.

As this case shows, a minority community must have a steady flow of funding, government affiliation and representation, and societal support to build a museum. This explains why Dearborn, Michigan is home to the first and only Arab Heritage Museum. Dearborn's population is approximately 42% Arab, owing primarily to a large influx of Lebanese immigrants following World War I. Most of these immigrants worked in the auto industry in Dearborn and settled near the Ford plant. By settling in a sparsely populated area, the Arabs had the chance to establish their own community. Because of the relatively high wages, the Arab immigrants found economic security and built gas stations, grocery stores, and shops, as well as the first mosque for prayers and congregations (James & Nader). However, following the downturn in the auto industry, many Arabs experienced high rates of unemployment. Because the majority of the population was unskilled and illiterate, it was difficult for the unemployed to find alternative employment. The Arab Community Center for Economic and Social Services (ACCESS) was founded to assist the Arab population in adjusting to life in the United States. ACCESS offered the community social, economic, health, and educational services, all to improve the community. The Arab community was able to thrive socially, economically, and politically with the assistance of ACCESS (Rignall). As a result, the Arab community established the Arab American Political Action Committee in 1998 to organize and promote the political activities of Arab Americans. With the support of a political presence, Michigan now has several Arab Americans serving as political representatives. Adbul Al Haidous, for example, is the mayor of Wayne County in Michigan,

and Bill Bazzay, another Lebanese American, is the mayor of Dearborn Heights. Furthermore, Hamtramck, Michigan, had its first Muslim-majority city council and even its first state representative, Abraham Aiyash, a Yemen American (Wang). An Arab majority in Michigan cities facilitated societal support and economic success. With this foundation, the Arab population was able to establish non-profit organizations and political committees, as well as gain representation in the government, all of which are necessary steps in the development of a museum.

Given this economic and political success, it is not surprising that the Arab American National Museum (AANM) was founded in Dearborn, Michigan. This state and city experienced massive Arab migrations and was able to build a museum for Arab heritage as a result of economic success, political affluence, and social dominance. ACCESS was the parent organization for this national museum, according to Matthew Jaber Stiffler, the Museum's Research and Content Manager, who I interviewed to understand the history of this museum. After receiving requests from its members to speak more about their community, ACCESS recognized the need and desire for a larger space representing Arab culture. As a result, this museum began as a cultural art department with small exhibitions about Arab culture; however, the curators of these mini exhibitions decided in 1998 that they needed a larger space to accommodate all of the donated artifacts. The museum started fundraising for this museum and received a lot of help from the industries around Dearborn that had a lot of Arab workers. However, following the 2001 attacks and the massive backlash against Arabs and Muslims, the diverse and frequently divided community of Arab Christians and Arab Muslims banded together to galvanize this project. Because their story was only being told accurately in their small community centers, this museum became increasingly important for Arab heritage.

Creating this museum had its challenges. The museum's founders had no prior experience with museum work, memorial studies, or curation. Their main goal was to build a structure dedicated to documenting, preserving, and presenting the history, culture, and contributions of Arab Americans. Nonetheless, the Japanese American Museum in Los Angeles, AANM's sister museum, taught the founders the fundamentals of museum design and operation. According to Matthew Jaber Stiffler, the current Research and Content Manager at the AANM, the Japanese American Museum assisted the Arab community because the Japanese community was interned in America for security reasons. They understood the lengths to which America will go to protect the security and liberty of white people. After being treated in this manner, the Japanese community wanted to protect other minorities to prevent others from losing their civil liberties as well. As a result, the Japanese American Museum, the largest immigrant heritage museum at the time,

decided to assist AANM in developing its museum. The museum opened its doors in 2005, thanks to the assistance of a sister museum and $16 million in fundraising (Interview with Matthew Stiffler, 12/1/2022).

Most of the museum's funding comes from private sources rather than government or public sources. Private foundations such as the Wallace, Ford, Kellogg, and Mellon, which work to advance equitable communities and art, contribute significantly to the museum's funding. Additionally, corporations in the metro Detroit area, which has a huge Arab labor force, private individuals, and one annual state grant make up the rest of the $23 million museum's operating budget. Furthermore, community artifacts donations build the exhibitions. The artifacts are memories of the Arab families who live in the neighborhood. According to museum Research Content and Manager, Matthew Stiffler, it is difficult to persuade someone that their story is worth preserving, but after establishing credibility over time, asking for artifacts and stories becomes easier. Although the 9/11 attacks had a significant impact on Arabs and Muslims across America, the museum chose not to frame its heritage and history around the terrorist attacks and thus has only one permanent exhibition piece, a copy of a letter an Arab male received inviting him to interview for the state. Aside from that, to highlight the impact of islamophobia, the museum hosts programs with South Asian and Muslim communities to continue the dialogue about surveillance, detention, and deportation, and it also hosted an exhibit about "Little Syria" in Manhattan. Most of the museum exhibits, however, focus on Arab culture and art to educate visitors about the significance of Arab heritage in America. This secular museum celebrates Arab culture regardless of religious affiliation. During COVID-19, it also hosts communal programs to educate its audience about current events such as the Muslim ban and anti-Asian hate crimes. AANM uses its foundation and platform to rewrite the stories of its own community and other immigrant communities facing discrimination in America (Interview with Matthew Stiffler, 12/1/2022).

CONCLUSION

The racialization of Arab Americans in New York has impacted their ability to participate in political affairs, gain economic success, and be free from hate crimes and public scrutiny. Today, there are three million Arabs in America, most of whom live in California, Michigan, and New York. Since the beginning of Arab immigration, American media and politics have regarded this group as inferior, forcing them to be the invisible minority. During the 1900s, this invisible minority was barred from white institutions and subjected to illegal surveillance by the US government. This portrayal of Arabs as evil, to gain public support for America's support to Israel catalyzed blaming Arabs and Muslims for the terrorist attacks. The impact of racialization caused the

low socioeconomic status of Arabs today, resulting in Arabs making about 10k less than the median household income of other immigrants. The Arabs' inability to build a museum was influenced by insufficient financial resources and political influence because of a lack of political representation. However, the exceptional individuals in the community, like any other community, worked to build a Muslim and Arab cultural center in Lower Manhattan and received death threats while doing so at the Cordoba House. Nonetheless, the building still stands but only as a mosque for Friday prayers and not the 13-story community center the founder envisioned.

In contrast to this history of exclusion and silencing, the only Arab American museum is built in Dearborn, Michigan. However, after understanding the social prevalence of Arabs in the city, the economic success of the Syrians and Lebanese, and the political representations of Arabs in Michigan, explain the presence of the national museum in Dearborn. Even though the Arab American National Museum is the only museum in the country, cultural centers are highlighting Arab and Muslim art. In New York City, there is an Institute of Arab and Islamic Art, which is a non-profit organization. This center works to change people's perceptions of Arabs and Muslims. In New York, dedicating this center to Arab and Muslim artists helps to reshape the narrative of this population. Furthermore, this center is entirely self-funded, with no government assistance, raising the question of why the New York Cultural Arts Commission does not fund centers like the Institute of Arab and Islamic Art. To summarize, Arab maltreatment explains one aspect of why there are no Arab museums in New York, despite their desire to build a center. These museums and centers were meant to highlight their culture and heritage, educate the public that Arabs are not terrorists or evil, and finally humanize this hyper-visible minority.

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◆ International Criminal Justice 401

WOMEN'S INVOLVEMENT IN THE TORTURE AND ABUSE AT ABU GHRAIB

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ABSTRACT

This literature review discusses US female soldiers' involvement in the abuses that occurred at Abu Ghraib prison in Iraq between 2003 and 2004 during the war on terror. The shocking news of women's participation in the atrocities sparked global outrage for both the violation of basic human rights and the nature of such deviant conduct. This thesis aims to investigate the elements that facilitated women's participation in the abuses with the goal of developing strategies to prevent incidents such as Abu Ghraib from occurring again. I have gathered data from reliable existing literature on Abu Ghraib and women's involvement in the abuse of Iraqi detainees and selected the most relevant material from each publication. The findings discussed in this literature review are the product of approximately forty sources combined, encompassing several theoretical approaches and methodologies. Overall, this guided literature review found that there is no single explanation for why female soldiers engaged in the abuse but instead emphasizes the importance of considering all of the various factors that led to the initiation and continuation

of the atrocities. While numerous publications focused on social-situational factors, few studies looked into the servicewomen's personality traits. For this reason, besides focusing on developing strategies aimed at addressing prisons' operational dynamics - I believe more research is needed regarding the individual/personality factors of each participant in the abuse to explore further targeted strategies.

WOMEN'S INVOLVEMENT IN THE
TORTURE AND ABUSE AT ABU GHRAIB

IN APRIL 2004, THE MEDIA RELEASED HORRIFIC PHOTOGRAPHS depicting US female soldiers participating in the abuse of detainees at Abu Ghraib prison in Iraq. The images revealed injured prisoners in degrading and humiliating conditions, including naked captives stacked up in human pyramids, captives forced into homosexual practices, captives hooded and taped with electric wires, and captives covered in feces (Leung, 2004; Hersh, 2004; Brody, 2004; Gronnvoll, 2008; Titunik, 2009; Zurbriggen, 2008; Michaels, 2020). Unquestioningly, the photographs prompted global shock and indignation - not just because of their graphic content but because several of them portrayed servicewomen smiling at the camera with their thumbs up. One of the most renowned images is that of Army Private-First-Class Lynndie England, a female soldier photographed holding a naked Iraqi detainee on a leash (Gronnvoll, 2008; Kaufman-Osborn, 2005; Benjamin & Scherer, 2006; Hersh, 2004; Leung, 2004).

The severe allegations regarding inhumane prisoner treatment at Abu Ghraib attracted particular attention after a detainee died at the end of 2003 (Brody, 2004; Amnesty International, 2006). Shortly after, military investigations and human rights organizations such as Human Rights Watch, Amnesty International, and the International Committee of the Red Cross (ICRC) confirmed the claims linking American forces (including female soldiers) to the brutal treatment of Iraqi captives at Abu Ghraib. More so, the official evidence of the abuses raised moral and legal concerns about the legitimacy of US military operations at Abu Ghraib, including the US adherence to international laws and treaties that regulate detainee treatment, notably the 1949 Geneva Conventions against torture and abuse (Brody, 2004; Greenberg & Dratel, 2005; Amnesty International, 2006).

The revelation of the atrocities at Abu Ghraib generated numerous questions regarding women's roles in such horrific acts, including females' ability and inclination towards cruelty and violence and the reasoning for such 'unnatural' behavior (Titunik, 2009; Caldwell & Mestrovic, 2008). The involvement of servicewomen in the scandal also highlighted how power operates within the framework of masculinized militarism, specifically in relation to gender (Titunik, 2009; Kaufman-Osborn, 2005; Caldwell, 2007;

Noakes, 2013). The implication of US female soldiers in the torture and abuse at Abu Ghraib not only destabilized gender norms of femininity but also prompted widespread criticism of the patriarchal military culture and practices – calling into question the integrity of the US military institution in general (Holland, 2009).

My interest in this topic originates mainly from Dr. John F. Hussey's discussions in ICJ 700 (International Crime and Justice Theory) about the US military personnel's accountability for the violation of international law in war zones and from my ambition to join the US Military. This paper aims to analyze several pieces of literature and different interpretations of women's involvement in the abuse at Abu Ghraib to identify possible causes and implement efficient strategies to prevent instances like Abu Ghraib from happening again.

In the upcoming pages, I offer a method section in which I detail the scope of my study and discuss how I searched for and selected the material for my topic, including challenges and limitations encountered during the search. I then present the general trends and magnitude of the problem, including the drawback in measuring my topic and some critique of my data sources. Subsequently, I provide a historical background of Abu Ghraib and legal definitions of torture and abuse in relation to international laws. I then apply behavioral studies on obedience and feminist theory to explain why women might have engaged in the abuse of Iraqi detainees at Abu Ghraib. Lastly, I present a comprehensive problem analysis, including potential preventive measures to avoid future incidents.

METHODS

This thesis relies on existing literature regarding Abu Ghraib, specifically servicewomen's involvement in the abuse of detainees at the Iraqi prison. To search for the material pertaining to my topic, I primarily utilized the resources offered by the virtual Lloyd Sealy Library at John Jay. The electronic databases used to find reliable references include OneSearch CUNY, Google Scholar, Nexis Uni, and SAGE Publishing. My search covered publications from when the incident occurred, in 2003, to the present day, all in the English language. The final selected sources include military reports, NGO reports, books, book chapters, journal articles, one dissertation, two master's theses, a CBS video interview, and several news articles. Additional material collected for this study includes personal communication with the expert, Dr. John F. Hussey, who commanded the 306th MP Battalion at the Abu Ghraib Prison in 2005, shortly after the scandals.

Table 1.
Table 1 illustrates the search terms I utilized to find relevant material on my topic.

Target terms	Associated terms
Abu Ghraib	Prison, Iraq, scandal, abuse, torture, detainees, prisoners, captives, misconduct, interrogation, violence, sexual abuse, nudity, humiliation, ill-treatment, human rights violation
Women & abuse	Perpetrators, photographs, cruelty, violence, aggression, maltreatment, deviance, abusive behavior, unauthorized behavior, sexuality, participation, involvement, compliance
Female soldiers in the military	Military, servicewomen, gender, sex, soldiers, gendered standards, cultural implications, cultural norms, masculinity, patriarchal, sexualization, warriors, gender expectation, femininity, sexual abuse, obedience

I selected my final sources based on the materials' availability, reliability, and content. Problems and limitations of my search included a lack of quality, duplicates, inconsistencies, and hidden data. Most of the sources I came across throughout my search were recycled from other sources – lacking transparency, research methods, or application of theories – raising doubt on the reliability of their content. Furthermore, I noticed a data gap concerning female soldiers' personality traits. I had difficulty obtaining information on the psychological characteristics of each woman who participated in the abuse.

TRENDS AND MAGNITUDE OF THE PROBLEM

In order to quantify servicewomen's involvement in the abuse of Iraqi detainees at Abu Ghraib, it is essential to look into all facts and circumstances regarding the dynamics of the Iraqi prison and the military climate in which women operated. Following the confidential allegations collected by the International Committee of the Red Cross (ICRC) at Abu Ghraib regarding grave violations of International Humanitarian Law in the treatment of Iraqi detainees, several military investigations were conducted to understand and estimate the seriousness of the issue and hold people accountable for their actions. Official inquiries on the claimed maltreatment and torture of prisoners included the comprehensive investigations of Major General Antonio M. Taguba, Lieutenant General Anthony R. Jones, and Major General George R. Fay, aided by policy memoranda and testimonies of both soldiers and detainees from Abu Ghraib (International Committee of the Red Cross [ICRC], 2004; Taguba, 2004; Department of Defense Washington DC, 2004).

The investigation led by Major General Antonio M. Taguba was the first official military assessment into the circumstances underlying the ICRC claims of detainee mistreatment. His investigation included an analysis of the general internal procedures and the command climate at Abu Ghraib (Taguba, 2004). The findings of Major General Antonio M. Taguba validated the ICRC allegations, implicating several US army personnel at Abu Ghraib in the egregious violations of international law (Taguba, 2004). Similarly, Lieutenant General Anthony R. Jones' report also exposed multiple dynamics surrounding the abuses. His investigation was explicitly designed to determine whether organizations or persons higher than the military chain of command of Abu Ghraib were implicated, directly or indirectly, in the alleged torture and mistreatment of Iraqi detainees (Department of Defense Washington DC, 2004). According to Lieutenant General Anthony R. Jones, the soldiers who perpetrated the atrocities "…did not act in accordance with the discipline and values that the US Army represents," and leaders failed to fulfill their responsibilities in preventing these unlawful actions (Department of Defense Washington DC, 2004, p. 24). Even though these reports are extremely helpful in assessing the general magnitude of the abuse of Abu Ghraib and providing substantial insight into some of the key aspects that facilitated them, neither of these reports alone can be used to determine the magnitude of female involvement in the atrocities due to the lack of gender specification on whether the offenses were committed by male or female soldiers.

On the other hand, Major General George R. Fay's report allows for a more accurate assessment of female involvement in the abuse as it specifies the gender of the soldiers participating in the listed incidents. In his report, female soldiers are recorded in eight (8) of the forty-four (44) documented episodes of

detainee maltreatment perpetrated by military police, military intelligence, and civilian contractors, including the following:

- Incident #4 – describes a female soldier participating in abusive interrogation sessions of a detainee.
- Incident #5 – reports two female soldiers hitting and throwing objects at detainees' intimate parts while taking pictures.
- Incident #8 – reports a female soldier standing on a detainee's legs and pressing a broom against his anus.
- Incident #10 – describes a female soldier ordering a detainee to stand while another soldier was placing wires around his fingers and penis.
- Incident #22 – a female soldier was reported taking pictures while an interpreter (wearing a military uniform) was raping a detainee.
- Incident #34 – reports a detainee forced to get dressed in front of a female soldier.
- Incident #35 – reports a detainee forced to stand naked in front of two female soldiers
  (Department of Defense Washington DC, 2004).

According to Major General George R. Fay's findings, females participated, directly or indirectly, in almost twenty (20) percent of the reported incidents – providing an indicator of women's involvement. Furthermore, additional evidence in support of Fay's investigation was found in the judicial proceeding. According to the data, three (3) of the eleven (11) soldiers charged with torture of detainees at Abu Ghraib were female, including Army Pfc. Lynndie England, Specialist Sabrina Herman, and Specialist Megan Ambuhl (Gronnvoll, 2008; Noakes, 2013). Moreover, as estimated by Noakes (2013), "Statistically, therefore, with around 15 percent of the Army being female, women were nearly twice as likely to partake in the abuses as men" (Noakes, 2013, p. 3).

Overall, while it is undeniable that servicewomen participated in the abuse of detainees at Abu Ghraib, given the general ambiguity surrounding women's roles in the atrocities, determining the exact degree of servicewomen's participation is complex. Some publications claim that women soldiers were merely spectators of the abuse, a practice used at Abu Ghraib to deliberately humiliate captives, while other sources allege more active involvement (Greenberg & Dratel, 2005; Amnesty International, 2006; Department of Defense Washington DC, 2004; International Committee of the Red Cross [ICRC], 2004). Additionally, given the secrecy surrounding military and governmental policy, several publications imply that we may still have an inadequate picture of what occurred at Abu Ghraib (Caldwell, 2007; Caldwell, 2016; Hersh, 2005). As clearly noticeable in Major General Antonio M. Taguba's report (2004), the use of the word 'secret' is recurrent at the top of several pages, and numerous names/words are black-outs on purpose to omit

specific information. Army Pfc. Lynndie England also confirmed in her interview that worse things have happened to the Iraqi captives at Abu Ghraib than what has been disclosed, and those details remain hidden (Maass, 2022). Therefore, these pieces of evidence provide a solid foundation for assuming that soldiers' involvement in the abuse may have been greater than estimated.

DESCRIPTION OF THE PROBLEM

The terrible events that unfolded at Abu Ghraib are part of the unfortunate history of the United States use of torture during counterterrorism operations abroad, particularly during the Iraq war. The Iraq war was part of the Global War on Terror, a military campaign launched by President George W. Bush after the 9/11 attacks to stop Islamic terrorist groups (Brody, 2004; Greenberg & Dratel, 2005; Michaels, 2020). From 2003 to 2006, Abu Ghraib prison in Iraq served as a US detention and interrogation facility for captured Iraqis suspected of supporting terrorism or opposing US military actions. The prison accommodated around 7,000 inmates with a security force of only 90 personnel from the 800th Military Police Brigade (including servicewomen), commended by former Brigadier General Janis Karpinski (Greenberg & Dratel, 2005).

Several publications indicated that detention and interrogation policies adopted by the US forces in Iraq were inadequate or faulty at multiple levels. Numerous sources highlighted the confusion that existed at both the US government level and within the military itself - concerning detention operations and procedures in Iraq, particularly regarding the treatment of detainees and whether the protection of the Geneva Conventions applied to war prisoners or not (Brody, 2004; Greenberg & Dratel, 2005; Caldwell & Mestrovic, 2008). During the war on terror, the US Department of Justice released several legal memoranda approving counter-resistance tactics and coercive interrogation techniques, including stress position, sleep/food deprivation, and waterboarding, among others. Several times between 2003 and 2004, the list of permitted procedures was revised, underscoring the contentious nature of the subject (Greenberg & Dratel, 2005). As Brody (2004) confirmed, "It is not yet clear which techniques of ill-treatment or torture were formally approved at which levels of the US government and the degree of severity allowed in their application, or whether they were informally encouraged" (p. 2). Undeniably, whether authorized or not, these coercive methods ignored and violated the Geneva Conventions of 1949 and the U.N. Convention against Torture and Other Cruel, Inhuman Degrading Treatment or Punishment ratified by the United States in 1994 (Greenberg & Dratel, 2005).

The third Geneva Convention on the treatment of prisoners of war and the fourth Geneva Convention on the protection of civilians in times of war

establish humanitarian protections for captives during armed conflicts. Notably, article three (3) of the convention "Prohibits at any time violence to life and person, including cruel treatment and torture" (Geneva Conventions, 1949; Greenberg & Dratel, 2005). Similarly, the U.N. Convention promotes universal respect for, and observance of, human rights and fundamental freedoms – declaring that "No one shall be subjected to torture or to cruel, inhuman, or degrading treatment or punishment" (Article 5 & Article 7 United Nations, 1984).

Torture is defined in Article 1 of the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment adopted on December 10, 1984, by the General Assembly resolution 39/46 as:

> Any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed, or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in, or incidental to lawful sanctions (United Nations, 1984).

It is important to note that, in the context of Abu Ghraib, the terms torture and abuse are used interchangeably, and both represent the cruel, inhuman, and degrading treatment or punishment that US soldiers perpetrated on Iraqi detainees.

Ultimately, multiple pieces of evidence demonstrate that the cruel and illegal practices that occurred at Abu Ghraib persisted and remained unnoticed for an extended period owing to a lack of leadership at several levels, including a failure to provide adequate supervision, training, and recognition of soldiers' psychological stressors (Greenberg & Dratel, 2005; Department of Defense Washington DC, 2004; Taguba, 2004; Hersh, 2005; Bartone, 2010; Hussey, 2022). As illustrated in the Taguba report (2004), the 800th Military Police Brigade lacked internment or corrections-specific training. More so, evidence suggests that the unit had difficulty adapting its organizational structure and equipment resources to Abu Ghraib (Taguba, 2004). In addition, government reports and testimony revealed that Abu Ghraib was run by a complex interplay of organizations, including the CIA (Central Intelligence Agency), civilian contractors, Iraqi police, and OGAs (other government agencies), adding to the

confusion over who was in charge and what rules soldiers should have followed (Caldwell & Mestrovic, 2008; Taguba, 2004; Bartone, 2010). As confirmed by Mastroianni (2013), the inadequate supervision paired with the sharing of roles and responsibilities between different units rendered leadership "unclear and ineffective" (p.64). Finally, executive leadership directly above Abu Ghraib should have been aware of the facility's dysfunctional leadership yet failed to handle the situation appropriately (Mastroianni, 2013).

Moreover, to comprehend women's involvement in Abu Ghraib abuse, it is essential to analyze the context in which such atrocities occurred. The women involved in the scandal at Abu Ghraib were female soldiers serving in the US military. As the major agent of dominance, the US military, particularly back in 2003, maintained rigid gender norms that prioritized and valorized combative attributes associated with masculinity, such as dominance, aggression, and hostility (Titunik, 2009; Zurbriggen, 2008). As illustrated by Noakes (2013), US female soldiers operated in a deeply patriarchal culture, "An institution filled with expressions of hypermasculinity and bonding based around the denigration of women" (Solaro, 2006, as cited in Noakes, 2013). Given the element of masculinity serving as a dominating power of the military, one possible explanation is that women soldiers felt compelled to replicate masculine behavior and attitudes in order to assert their "strength and invulnerability" in the context of Abu Ghraib prison (Noakes, 2013, p. 5; Titunik, 2009; Caldwell, 2007). Overall, evidence suggests that the uncertainties existing at the governmental level, paired with a lack of regulations/discipline, leadership failure, confusion about the chain of command and operational procedures, and the profoundly patriarchal/masculine climate created an environment favorable to violence and abuse.

APPLICABLE THEORIES

Theoretical perspectives can be extremely helpful, especially in the criminological sector, for understanding and explaining why a given phenomenon occurred and, subsequentially, developing preventative strategies. To comprehend women's participation in the abuse of Abu Ghraib, it is critical to adopt theories that address two distinct elements: (1) the sociopsychological factors that facilitated women's involvement in such horrible acts and (2) the situational and cultural components that favored the abuse.

One of the psychological theories that can be used to explain women's participation in the abuse and torture of detainees at Abu Ghraib is Milgram's theory of obedience. Stanley Milgram's behavioral studies on obedience provided compelling evidence that, given certain circumstances, ordinary people can be induced by respectable authoritative figures to engage in

unconventional behaviors, even if it means causing harm to others (Caldwell, 2007; Haslam & Reicher, 2012). "Supporting popular notions of the banality of evil, this research has been taken to show that people conform passively and unthinkingly to both the instructions and the roles that authorities provide, however malevolent these may be" (Haslam & Reicher, 2012, p. 1). According to this theory, there is a significant correlation between authoritarianism and obedience – implying that individuals tend to follow the instruction of the person in a position of legitimate authority without limitations of ethics (Schacter et al., 2017).

 Although this theory seems to conflict with the evidence demonstrating the absence of leadership at Abu Ghraib, if certain conditions regarding the definition of the term "legitimate authority" are acknowledged, Milgram's theory on obedience can provide an excellent explanation of women's involvement in the abuse. In the military context, a 'legitimate authority' can be regarded as any person of a higher rank who is issuing orders without necessarily limiting the definition to the higher chain of command. The fact that soldiers at Abu Ghraib lacked an authoritative figure, such as the unit commander that provided rules and discipline, does not imply that any other authoritarian figure existed in the prison context. As reported in several publications, female soldiers confessed to having acted in compliance with commands from "higher ranks" without specifying the exact authority level of the person who issued the instruction (Maass, 2022, Department of Defense Washington DC, 2004; KaufmanOsborn, 2005). As Army Pfc. Lynndie England confirmed in her interview, in response to a question about the photograph in which she is holding an Iraqi detainee by the leash, "I was instructed by a person in a higher rank to stand there, hold the leash, and that's all I know," she continues, referring to other pictures, "I was just told to stand there and give the thumbs up, smile, stand behind all the naked Iraqis in the pyramid and take a picture. To us, we were doing our job, which meant doing what we were told, and the outcome was what they wanted (referring to persons in higher positions)" (Maass, 2022, 00:24; Kaufman-Osborn, 2005, p.615). Therefore, given that the absence of leadership does not rule out the possibility that soldiers were obeying people's instructions, possibly including fellow soldiers, whom they may have regarded as authoritarian figures, the theory's application is considered plausible.

 Furthermore, Zimbardo's Stanford Prison experiment expanded on Milgram's work by investigating how negative compliance arises in specific social contexts and how good people become perpetrators of violence and cruelty even in the absence of authorities. After observing the interaction of the experiment's participants, who acted as inmates and prison guards, Zimbardo concluded that "People descend into tyranny because they conform unthinkingly to the toxic roles that authorities prescribe without the need for

specific orders: brutality was a 'natural' consequence of being in the uniform of a 'guard' and asserting the power inherent in that role" (Haslam & Reicher, 2012, p. 1). According to Zimbardo's observations, people easily conform to social roles, even when the role contradicts their moral values (Zurbriggen, 2008; Caldwell, 2007; Haslam & Reicher, 2012). Although this theory can potentially be beneficial in explaining how servicewomen conformed to the social role of Abu Ghraib prison guards and acted in accordance with asserting the power inherent in that role – Zimbardo's study only included male participants in his experiment, limiting the validity of his findings (Caldwell & Mestrovic, 2008).

Furthermore, psychologist Harbert Kelman also built on Milgram's studies on obedience by emphasizing the loss of moral values when authorization promotes people's propensity to commit wrongdoing. According to Kelman, as illustrated by Neubacher (2006), when a legitimate authority gives the instruction, "The perpetrators see themselves in a 'no-choice situation' either because they feel their duty lies in obedience or because they feel involved in a transcendent mission" (p. 791). Additionally, Kelman identified two extra components in such a mechanism: routinization and dehumanization. He stressed that the more frequent the repetition of an action, the more ingrained the circumstance becomes, taking away from moral focus. Similarly, the more the victim is dehumanized and assigned degrading and subhuman features, the easier it is for the perpetrator to commit abuses or violence. Additionally, Kelman observed that when multiple people engage in an immoral action together, they mutually support one other, and no one appears to be wholly accountable or doubt their wrongdoing (Neubacher, 2006).

Harbert Kelman's reflections provide, in my opinion, a brilliant interpretation of additional components that can be utilized to understand women's involvement in the abuse at Abu Ghraib. In military settings, soldiers are more inclined than regular individuals to follow the rules without considering the morality of the instructions due to their social role and the particular circumstances in which they operate. Furthermore, all soldiers are purposely trained to be apathetic through dehumanization practices – which may ultimately facilitate the perpetration of atrocities (Zurbriggen, 2008). More so, as Harbert Kelman pointed out when a series of unconventional behaviors become part of the routine, people may gradually lose moral awareness and begin to regard them as 'normal'. In addition, evidence suggests that female soldiers were solicited and persuaded by male colleagues to participate in the cruelty and abuse of detainees at Abu Ghraib - reinforcing Harbert Kelman's claim that it is easier to commit immoral acts as part of a group in which individuals support one another (Gronnvoll, 2008; Titunik,

2009; Maass, 2022; Caldwell, 2007; Department of Defense Washington DC, 2004; Neubacher, 2006).

Although I argue that psychologists like Milgram, Zimbardo, and Kelman bring a significant contribution to understanding the social-psychological elements that facilitated women's involvement in the abusive treatment of Iraqi inmates, their theories fail to consider the gender component, which is one of the fundamental aspects of this study. To establish a complete picture of the abuse perpetrated by female soldiers at Abu Ghraib, it is essential to examine the relationships between gender, power, and sexuality. Numerous literature and testimonies argue that female soldier perpetrators at Abu Ghraib were conforming to the masculine culture and expectations of the US military environment (Gronnvoll, 2008; Caldwell & Mestrovic, 2008; Caldwell, 2007; Kaufman-Osborn, 2005).

Feminist theories, particularly the radical perspective, can be used to explain women's participation in the abuse of detainees at Abu Ghraib since they analyze how gender is socially constructed, particularly in relation to power, within the framework of masculinized militarism (Caldwell, 2007; Gronnvoll, 2008; Caldwell & Mestrovic, 2008; Kaufman-Osborn, 2005; Holland, 2009; Caldwell, 2016). According to this theoretical perspective, the profoundly patriarchal culture of the US military, in which female soldiers operate, forces them to develop the survival skills necessary to cope with the unique circumstances. Women's engagement in unconventional and abusive practices at Abu Ghraib could have been a method of asserting "strength and invulnerability" to obtain validation from male colleagues (Noakes, 2013, p. 5). As mentioned in several publications, servicewomen's immoral side can be attributed to their urge to be accepted by their male fellow soldiers – with the implication that their participation in the violence could have been avoided (Kaufman-Osborn, 2005).

Overall, the feminist interpretation of these dynamics demonstrates the impact of the patriarchal and misogynistic US military culture on the conduct of servicewomen at Abu Ghraib and fills a vacuum that other theories had not addressed. However, none of the mentioned theories discussed important elements, including the misguided policies regarding prison operation, the lack of discipline, the lack of proper training and clear guidance, and the lack of leadership and supervision (Department of Defense Washington DC, 2004; Taguba, 2004; Hersh, 2005; Hussey, 2022).

PREVENTIVE PRACTICE

The theoretical perspectives discussed in the previous section and other elements addressed throughout the paper are extremely valuable in informing us how to improve future events to prevent episodes like Abu Ghraib from

occurring again. Avoiding military misinterpretation of law and policy is the first and most formal priority in preventing future torture and mistreatment of detainees. This includes the necessity of clear and precise policies regarding military and prison operations abroad in compliance with the Geneva Conventions and other legal standards. Policies must always conform to the fundamental principles and rules relative to protecting prisoners of war and anti-torture treatment (International Committee of the Red Cross, 1988; Geneva Conventions, 1949; United Nations, 1984; Amnesty International, 2006; Zurbriggen, 2008). Furthermore, it is the US Department of Defense's obligation to ensure that such rules are clear and consistent with the aforementioned requirements - and that they are implemented at the organizational level of the US Military.

The second priority is the establishment of effective leadership. Military commanders should be actively involved in mission operations and aware of their environment. Detention facility unit commanders must ensure that prison operations are always carried out in accordance with applicable rules and appropriate procedures. This implies close supervision and ongoing investigations, particularly at night, to ensure that soldiers' conduct and prison operations are consistent with legal and moral obligations (Hussey, 2022). Additionally, supervisors should be held accountable for soldiers' misconduct since human rights violations are not only limited to direct actions but can also occur from negligence. As stated in the International Committee of the Red Cross (ICRC) report, "Superiors should be held individually responsible when they fail to take proper measures to prevent their subordinates from committing serious violations of international humanitarian law" (The International Committee of the Red Cross, 2014, p. 1).

Moreover, all military personnel should be provided with professional training and guidance, specifically on the Geneva Convention standards for the treatment of detainees, to form them to operate in compliance with the protocols. The training should not be limited to interrogation techniques and detention operations (such as capturing, processing, and segregating suspects); it should also educate personnel about cultural diversity and religious practices. Additionally, the training should provide all personnel with the competence needed to recognize procedure violations and their responsibilities in reporting them (Department of Defense Washington DC, 2004; Greenberg & Dratel, 2005). Furthermore, the ratio of guards to prisoners at detention facilities like Abu Ghraib should be increased to improve system performance (Greenberg & Dratel, 2005).

Another efficient method to prevent incidents like Abu Ghraib from reoccurring is to provide independent human rights organizations, such as the International Red Cross and Amnesty International, access to all US detention centers abroad to monitor all activities and detect human rights violations

(Brody, 2004; Amnesty International, 2006; Zurbriggen, 2008). In case of allegations of abuse, the commander-in-chief should instruct an impartial commission to conduct an expedited and rigorous investigation of the claims while maintaining consistency and transparency (Amnesty International, 2006). If any investigation reveals that unlawful activity has occurred, the proper authorities must ensure that those responsible, at all levels, are held accountable in compliance with the law (Greenberg & Dratel, 2005).

Furthermore, to prevent women's participation in future abuse like Abu Ghraib, it is necessary to reform the US military culture, focusing on eradicating the masculinist code. Military institutions should incorporate women into their organizations in such a way that their involvement may positively affect military performance instead of being linked with diminishing military efficacy and combat strength. Women can provide unique abilities and perspectives that can benefit military operations. The military should strive to create an atmosphere where women's capabilities are acknowledged at all levels, and female soldiers are not driven to replicate masculine conduct to assert their power and invulnerability. According to Noakes (2013), "The introduction of women into the US Military should increase women's power and prestige while reducing their vulnerabilities to sexism and misogyny" (p. 7). Additionally, given the evidence that rape and sexual assault of female soldiers by fellow soldiers is a widespread practice in the military (Noakes, 2013; Gronnvoll, 2008), claims of sexual assault should be thoroughly investigated, and those involved, directly and indirectly, in the soldiers' abuse should be held accountable by the law. This approach may help prevent female soldiers from developing detrimental survival skills to deal with the issue of sexual assault on their own, which might have an unfavorable impact on their overall conduct in the military.

ANALYSIS AND DISCUSSION

Gathering and analyzing information regarding women's involvement in the torture and abuse at Abu Ghraib was extremely challenging due to the complexity of the subject. Given the variety of my sources, the most challenging part was extracting each publication's key concepts to create a paper that presented explicit and meaningful content while following a logical sequence. My collected sources - including official military reports, human rights organization reports, journal papers, books, and media articles - described and explained the abuses from different perspectives, each considering distinct factors. These divergent approaches to the subject made me realize that my selected topic was more difficult to evaluate than expected.

As the evidence demonstrates, the horrific photographs depicting US servicewomen abusing Iraqi captives at Abu Ghraib exist within a complex framework containing historical, sociological, and psychological discourses

(Bartone, 2010). As such, presenting a literature review on women's participation in the abuse of detainees at the Iraqi prison required analyzing and addressing concepts such as the legal background of governmental and military policies and detention practices, international laws in the protection of fundamental human rights, the cultural context and situational aspects in which servicewomen operated, and the role of gender in the masculinized military culture.

After analyzing all the publications, I determined that the US military activities at Abu Ghraib violated the 1949 Geneva Conventions against torture and abuse and other international laws. More importantly, women undeniably participated in the abuse of Iraqi detainees at Abu Ghraib prison. However, due to inconsistencies across data, the exact degree of involvement of servicewomen in the atrocities was challenging to assess. Some publications claimed that women were simply spectators to intensify prisoners' humiliation, while others referred to greater involvement, stressing females' capacity and inclination toward cruelty and violence.

Additionally, each publication adopted different attitudes toward analyzing the motives behind servicewomen's behavior. Some implied that female soldiers could have been solicited and induced by male colleagues to participate in the mistreatment of captives at Abu Ghraib and, therefore, blamed the American masculinized military culture. Others lingered that women's participation resulted from a lack of discipline, proper training/guidance, and absence of leadership – attributing the brutalities to a system failure.

Given the different interpretations of the issue, creating a comprehensive and accurate literature review required extra caution. Indeed, during the data analysis process, I had to spend additional time determining the validity of the material contained in each publication and understanding how to converge and frame all the different interpretations in one single paper – while avoiding messiness. This was especially true for journal articles and news articles that relied heavily on media and other untrustworthy sources to paint a picture of servicewomen in the Iraqi prison. As confirmed by Caldwell (2016) in the book "*Fallgirls: Gender and the framing of torture at Abu Ghraib*", several leading feminist scholars produced an interpretation of the servicewomen photographs at Abu Ghraib that was inaccurate and far from reality. I strongly agree with Caldwell (2016) and observed that certain articles failed to consider the context in which these events occurred – producing an incomplete and biased analysis.

After reviewing the literature, I found it interesting that most publications on women's involvement in atrocities adopted a particular stance and addressed the topic from a narrow perspective. Almost all feminist articles examined the toxicity of the masculinized US military culture while ignoring various other components, including the ambiguity of operational regulations

and lack of leadership. Furthermore, most of the military and NGO reports that investigated the incidents at Abu Ghraib did not specify the gender of the abuser, leaving open interpretation. Finally, whereas the most significant portion of my publications focused on contextual and situational elements, just a few examined the abusers' mental and emotional characteristics. Therefore, I believe more research should have been done on the psychological profiles of each woman who participated in the abuse since not all individuals react similarly to a given setting. Further assessments of the abusers would have provided a more comprehensive perspective of Abu Ghraib.

Socio-psychological and criminological theories are relevant to this analysis since they contribute to understanding servicewomen's participation in abuses. Milgram's study on obedience is helpful in drawing the hypothesis that servicewomen had complied with the orders given by superiors or other male personnel (regarded as authority figures). Zimbardo's Stanford Prison experiment can be used to explain how servicewomen had conformed to the social role attributed to them – particularly given the harsh dynamic in which they operated. Furthermore, Kelman's reflections help understand how the loss of moral focus, associated not only with authority but also with the concepts of dehumanization and routinization, facilitated the perpetration of atrocities over time. Finally, feminist theories are instrumental in addressing how gender is socially constructed within the framework of masculinized militarism – and therefore explaining that servicewomen participation in the abuse at Abu Ghraib could have been a result of obtaining validation and acceptance from fellow male soldiers. However, it is essential to point out that while all these theoretical perspectives are very helpful in building a picture of Abu Ghraib – they fail to address the social disorganization of the prison and, therefore, the system failure. From my perspective, future research should focus on addressing how social disorganization relates to women's involvement in the abuse of Iraqi detainees at Abu Ghraib Prison to add to the existing theoretical approaches. Specifically, scholars should use a social disorganization theory or a routine activities lens to better address social and situational forces and help shed light on the problem.

Given the numerous causal factors for servicewomen's involvement in the abuses, I concluded that there is no single explanation for why female soldiers engaged in the atrocities. Nevertheless, it is essential to adopt a critical mindset and not only consider all the elements that played a critical role in the abuse but also examine how these factors have converged and functioned together to allow the continuation of the brutalities.

Implementing the aforementioned prevention practices is essential to ensure that horrific incidents like Abu Ghraib will not happen again. The findings highlighted throughout this paper should raise awareness of the elements that influenced women's participation in the abuse – in order to

address them and design proper responses. In my opinion, reforming the US military, specifically eradicating the cultural code of masculinity, is not easy because this attribute serves as a historical principle of American society. Nevertheless, progress has been made in recent years – as women's inclusion in military operations has gained extensiveness and acceptance.

While the data was sufficient to demonstrate women's implication in the abuses, there were several inconsistencies regarding the degree of engagement and the motives of such behaviors. Additionally, there should be more transparency around what happened at Abu Ghraib at all levels – in order to allow for a better investigation and evaluation. Lastly, I argue that punishing the abusers without further action will not solve the issue.

CONCLUSION

Since the revelations of Abu Ghraib, servicewomen involvement in the abuse has evolved into an increasingly convoluted narrative of how female soldiers are capable of committing acts that do not naturally belong to their gendered role. This paper sheds light on the various aspects that enabled such abnormal and horrific behaviors. Through the theoretical analysis of all the collected material, which included empirical and non-empirical data regarding women's involvement in prisoners' abuse at the Abu Ghraib facility in Iraq, I have provided a discussion encompassing several elements that could have facilitated servicewomen's engagement in the atrocities. I have determined the extent of the issue using military investigations and NGO reports, soldier testimonies, and the legal proceedings' findings, all unequivocally tied servicewomen to the abuses. I have then provided historical background and a description of the problem, emphasizing how the horrific events at Abu Ghraib were the product of the Global War on Terror and US government-approved counter-resistance tactics and coercive interrogation techniques – highlighting the confusion that existed at the governmental and military level regarding authorized practices. I have also touched on the lack of regulation/discipline and leadership failure.

Moreover, I have discussed how servicewomen were operating in a highly maledominant military climate, suggesting that in many circumstances, women soldiers felt compelled to replicate masculine behavior and attitudes to assert strength and invulnerability and obtain male fellow soldiers' acceptance. I have then applied several studies on obedience to demonstrate that servicewomen could have possibly acted in compliance with the orders given by superiors or other male personnel, conformed to the social role that was attributed to them, and lost the moral focus as a result of dehumanization and routinization practices, which facilitated the perpetration of atrocities over time. Furthermore, I have used feminist theories to examine how gender is socially constructed within the context of masculinized militarism, arguing that

servicewomen's involvement in the Abu Ghraib torture might have resulted from this environment. Lastly, I have provided several preventive practices essential for avoiding future incidents, including creating a military atmosphere that integrates and allows women to function without facing the challenges of gender disparity.

Overall, within the discussion, I maintained that women's involvement in the torture and abuse at Abu Ghraib was a result of several factors, including the uncertainties existing at the governmental level regarding military operations in Iraq, the social disorganization of the prison, the lack of regulation/discipline paired with leadership failure, the deeply patriarchal/masculine climate, the conformity to social role/obedience to orders, and the loss of moral value, all created an atmosphere favorable to violence and abuse. Therefore, this paper is relevant for understanding all the elements that played a role in women's involvement in the abuse of Iraqi detainees at Abu Ghraib since it analyzes different interpretations without taking a specific or biased stand. Further research is suggested to understand how servicewomen operate within the context of the US military. I consider this work part of my interest in investigating injustices and system failure – to expose mistakes for learning and not committing them in the future.

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⬥ Toxicology (Laboratory Report) 426

THC-COOH in Urine Using LLE and GC-MS Discussion

Angel J Cruz

This lab experiment consisted of performing sample preparation, hydrolysis, liquid-liquid extraction, derivatization, and Gas Chromatography - Mass Spectrometry (GC-MS) using GCMS QP2010 by SHIMADZU on an unknown sample and calibrators of a biological matrix, which was urine, to identify whether 11-nor-9-carboxy-THC (also referred to as THC-COOH) is present in the unknown sample and confirm the concentrations if present. The window detection for urine is normally up to a few days (up to a few weeks, or even a month for chronic drug users), which means that the detection of THC-COOH won't necessarily reflect that a person is under the influence because it can at least hours or a day for drugs and their metabolites to be excreted into the urine after the last drug exposure upon sample collection. The assigned unknown sample was THC-COOH-22-B. Sample preparation involved setting up the calibrators and unknown samples using internal standard solution (THC-COOH-d3) at 1 ug/mL (THC-COOH-d3), mixed standard solutions of THC-COOH at 10 ug/mL and 1 ug/mL, and urine. When THC is taken, it will

go through metabolism where the formation of its metabolites and conjugations are formed. In this case, THC metabolite would be THC-COOH, while the conjugate will be THC-COO glucuronide (which is highly present in the urine). Since techniques like GC cannot analyze conjugates, hydrolysis was performed to get the free drug metabolite THC-COOH using alkaline hydrolysis with NaOH. The purpose of alkaline hydrolysis is to cleave conjugated metabolites prior to GC-MS analysis, which will increase the parent drug concentration of THC-COOH that are primarily metabolized to THC-COO glucuronide. To perform GC-MS, the drug analyte must have high volatility in which they will interact more with the gaseous mobile phase, meaning they move faster through the column and have shorter retention time; however, THC-COOH has a low volatility profile, meaning that THC-COOH will undergo derivatization after being extracted during the liquid-liquid extraction. Liquid-liquid extraction is the principle of transferring an analyte from an aqueous matrix into an extraction solvent that will be analyzed by GC-MS. This extraction solvent is hexane in this experiment where the drug will be present in the hexane organic layer. Once the extraction is completed and samples were evaporated, the samples underwent derivatization. Derivatization is the principle that involves chemically changing an analyte (in this experiment, THC-COOH) to produce a new compound that has more suitable properties for analysis. Through alkylation, acylation & sialylation, the analytes are able to obtain an enhancement of volatility, increase levels of detectability and produce a more complex and unique mass spectral fragmentation pattern by replacing the hydrogen the -OH groups with a trimethylsilyl group. After derivatization, the samples undergo GC-MS, which is a technique that involves the separation of volatile components in the mixture (gas chromatography) due to differential affinities for the column at a certain temperature while the mobile phase is a gas that does not interact with the analytes and involves the identification of analytes (mass spectrometry). In GC-MS, analytes are identified by their retention times and by their m/z ratios. MS detects masses of ions in which it consists of MS consists of an inlet/ionization source, mass analyzer and ion detector. The ionization source, electron ionization (EI) imparts additional energy into organic or inorganic molecules to produce gas phase ions.

For the GC-MS analysis, Figure 1 represents the peak area ratio of analytes of interest and the internal standard against the concentration of the following four standards calibrators: 25 ng/mL, 50 ng/mL, 100 ng/mL, and 250 ng/mL, and the unknown THC-COOH-22-B sample. The peak area values of each analyte were divided by the internal standard present in the calibrators and the unknown were calculated to obtain the peak area ratio of each calibrator and unknown. The peak area ratio (y-value) is then used to form the calibration curve along with its respective standard calibrator's concentration

(x-values) and obtain a line of best fit. In Figure 1, using the peak areas of THC-COOH and internal standard, the peak area ratios were calculated and plotted on a graph with its respective standard calibrator concentration, and an equation was formed, $y = 0.0084x+0.2043$, with an R^2 value of 0.9799. Using this equation, the concentration of THC-COOH found in the unknown urine sample was determined by plugging in the calculated peak area ratio of the unknown, which was 1.151615272, into the y value and solved for x which was the concentration. The concentration of THC-COOH in the unknown urine sample was yielded to be approximately 112.8 ng/mL. The calculated concentration of THC-COOH in the unknown urine sample, based on the equation of the line of best fit, is in between the ranges of the standard concentrations used in this experiment, suggesting that the presence of THC-COOH in the unknown urine sample is accepted. In our results, we omitted using 500 ng/mL for the graph because there was no value obtained for the THC-COOH-d3 peak area at that standard calibrator concentration. The absence of this peak area suggests that the internal standard was not identified in that calibrator by GC-MS and it could be due to several reasons. Some reasons include: forgetting to include the internal standard in that calibration, the hydrolysis procedure did not go to completion for that calibrator, or our compounds were not fully derivatized to the point where it wasn't volatile enough to be detected.

In terms of interpretation, the window detection for urine is normally between hours and days, which means that the detection of urine may not reflect that a person is under the influence because the metabolite drug THC-COOH is predominately present in the urine and will not reflect recent drug use in terms of hours or right before collection. THC is classified as a cannabinoid drug that has psychological and behavioral effects of relaxation, laughter, increased appetite, euphoria, "high" feeling, short term memory loss, heightened sensory perception, and sometimes paranoia. In this experiment, it is found that individual THC-COOH-22-B had a THC-COOH concentration of 112.8 ng/mL. According to Mayo Clinic Laboratories, concentrations of THC-COOH in urine greater than 100.0 ng/mL indicates relatively recent use, probably within the past 7 days. This suggests that individual THC-COOH-22-B had an exposure to THC within the past 7 days; however, the exact time of last administration is unknown as well and how much the individual used well.

REFERENCE
"Test ID : THCU." THCU - Overview: Carboxy-Tetrahydrocannabinol (THC) Confirmation, Random, Urine, https://www.mayocliniclabs.com/test-catalog/Overview/8898# Clinical-and-Interpretive.

♦ LITERATURE 405

SOCIAL ACTIVISM IN THE PRESENCE OF A SURVEILLANCE STATE

LUCAS CARVALHO

INTRODUCTION

FOLLOWING THE TRAGIC MURDERS OF GEORGE FLOYD AND BREONNA TAYLOR in 2020, massive demonstrations were staged against police brutality and racism in the United States and elsewhere around the world (Rahim and Picheta). In the United States, bastion of democracy, but also of racial inequities and economic disparities, people were exercising their First Amendment rights to assemble freely and speak out against perceived social injustices. However, in addition to visible actions to contain these events of social activism, we can also assume that there was a significant presence of invisible state-sponsored surveillance. This paper will link surveillance in the United States —particularly in connection with racial protests— to the theories of Michel Foucault, who suggested the far-reaching effects of surveillance in mid-1970s work that produced about a decade after the mass protests associated with the civil rights movement of the 1960's in the United States.

The Assignment and the Writer: Lucas Carvalho's paper, written for my LIT 405 course, the capstone for the literature and law track, is a genuine research paper, conceived and executed entirely by Mr. Carvalho. With the assigned Foucault readings as a springboard, Mr. Carvalho queried how Foucault's 1970s theories of the surveillance state and biopolitics might apply to the question of today's social activism. His paper is based entirely on his own independent research into the events surrounding the *Black Lives Matter* demonstrations and his connections between Foucault and the possibilities for social activism in a world that Foucault envisioned. Because Mr. Carvalho asked a question about which he was passionate, the results were illuminating for us both.   **– Professor Toy-Fung Tung**

French philosopher Michel Foucault wrote about the origins of today's surveillance society in *Discipline and Punish: The Birth of the Prison* (1974). Even though his historical hypotheses are centered in France, Foucault's observations are applicable to the last seventy years of life in the United States. He argues that methods of social control that use "disciplinary" tactics have created a "disciplinary society," because these methods are ubiquitous, "light" and "non-corporal" and thus create self-monitoring subjects, controlled by the state's various systems of power (*Discipline* 202-203, 216). Furthermore, Foucault argues that through tactics of discipline and surveillance, the state can manipulate many different segments of the population, since "discipline is the unitary technique by which the body is reduced as a 'political' force at the least cost and maximized as a useful force" (221). He concludes, "[i]s it surprising [then] that prisons resemble factories, schools, barracks, hospitals, which all resemble prisons?" (228).

In the United States, the tenure of J. Edgar Hoover as director of the Federal Bureau of Investigation (FBI) during the civil rights movement is a perfect example of how the state uses surveillance in the active suppression of social movements. Furthermore, after 9/11, advancements in technology, along with the USA PATRIOT Act (2001), expanded the United States' ability to investigate, monitor, and surveil its population to an unprecedented level. This aim is embodied in the full name of that Act, for which "USA PATRIOT" is an acronym: "Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism." With Foucault's theories of the aims of surveillance and social control in mind, is it possible to envision the United States government as accepting and supportive of social activism?

SURVEILLANCE, SOCIAL CONTROL AND FOUCAULT'S *PANOPTICON*

The distinctive feature of a post-modern sovereign state is its ability to establish, maintain, and exert power over its subjects. Penal institutions are one of the main mechanisms designed to sustain social control. In the 18th Century, English philosopher and social theorist, Jeremy Bentham, imagined the *Panopticon*, an ideal jail and social control apparatus that Foucault used as the model for modern state authority and discipline. Bentham's *Panopticon* was never built, but it was designed specifically to exert a "mechanical" form of social control. In the *Panopticon*, prisoners were in cells in a ring structure, at the center of which was an observation tower, from which they could be seen 24/7 by guards. However, they could not see the guards, nor could they communicate with one another. Therefore, the prisoners were aware of the presence of authority without knowing when and whether they were being observed or how long they were being observed. The inmates of panoptic institutions know that they could theoretically be constantly watched, so they

act as if they are constantly watched, and they internalize the docility and bodily control expected from them. In this way, the prisoners would be deterred from deviant behavior because someone with authority *might* be watching, thus eliminating the need to exert direct physical control, while accomplishing the same goal of discipline and social control. Foucault surmised that inmates would self-monitor, based on the fiction that they were actually watched. Thus, "[a] real subjection is born mechanically from a fictitious relation" (*Discipline* 202). This is why "Bentham laid down the principle that power should be visible and unverifiable" (201). Foucault extended the mechanisms of control and surveillance of the *Panopticon* into the lives of individuals belonging to a sovereign state. The *Panopticon* "is an important mechanism, for it automatizes and deindividualizes power" (202). To control many individuals, very few resources and skills are needed. For example, one relatively low-level functionary can watch a whole wall of camera monitors. This works even better when citizens are trained to internalize authority. A driver, for example, knowing that traffic cameras are strategically placed—but having no idea *where*—might very well observe all speeding and traffic-light regulations.

The notion that the subject chooses to conform to a network of collective expectations is a profound idea. Because then, the mechanisms of social control can be extended beyond the walls of an institution. Foucault perfectly describes the democratic surveillance society, which does not need to use the top-heavy methods of police and totalitarian states:

> While, on the one hand, the disciplinary establishments increase, their mechanisms have a certain tendency to become 'de-institutionalized,' to emerge from the closed fortress in which they once functioned and to circulate in a 'free' state; the massive, compact disciplines are broken down into flexible methods of control, which may be transferred and adapted. Sometimes the closed apparatuses add to their internal and specific function a role of external surveillance, developing around themselves a whole margin of lateral controls.

(Foucault 211). Surveillance, as Foucault mentions, was adapted from the state apparatus for discipline and punishment. What, then, is surveillance? In Neil Richards's Harvard Law Review article titled: "The Dangers of Surveillance," Richards offers an academic definition of surveillance and credits Professor David Lyon, who says that: "'[surveillance] is the focused, systematic, and routine attention to personal details for the purposes of influence, management, protection, or direction'" (Richards 1937). Nevertheless, Foucault would argue that surveillance, as seen in the United States, goes beyond attention to personal details of individuals and deals with subjects in groups within their

social settings. The United States government, considered to be one of the most powerful sovereign states in the world, employs a vast and complex network of agencies serving as social control mechanisms.

THE RELATIONSHIP AMONG STATE SURVEILLANCE, STATE VIOLENCE, AND STATE RACISM

Surveillance is just one part of the state apparatus utilized for social control. To maintain general order, the state operates an overfunded network of enforcement agencies, which are granted the legal right to use violence as a means to maintain "law and order." Coined in the 1960's by presidential candidate Barry Goldwater, the term "law and order," emerged around the peak of the civil rights movement, as White Americans were witnessing a shift in the dominant social order. The rationale of state-sponsored agencies, acting against citizens who are perceived as threats to the fabric of society, is explained by Foucault's nascent concept of biopolitics, developed in his *1976 Lectures*. According to Foucault the point of the "technologies of domination," unlike the disciplinary mechanisms, is [t]he manufacture of subjects" (*1976 Lectures* 46, 242) who, unlike citizens, are not immune from attack by their own sovereign state. Foucault saw modern states as being in a constant state of war, since "politics is a continuation of war by other means" (48). And what is this war? It is class war between "a superrace and a subrace," as determined by a fictional "biologico-social racism" (61). Due to the history of slavery, the foundation of the United States is built on the myth of dominant and subordinate races. Foucault's idea of biopolitics allows for the aims of the "disciplinary society" to be applied to whole masses of bodies rather than just individuals. This "new nondisciplinary power is applied not to man-as-body but . . . to man-as-species," and it operates by exercising "the right to make live and let die" (241-242). Thus, the biopolitical order protects some and not others.

Myisha Cherry, in the *Oxford Handbook of Philosophy and Race*, references Foucault, when she writes of state racism and state violence, particularly in the United States. American society, she says:

> has historically been divided into the "deviant" black and brown communities, and the "innocent" others. Black and brown bodies are the subrace, and bad qualities have traditionally been ascribed to them. They have been stereotyped as lazy, ruthless, freeloaders, and dangerous, while other bodies are depicted as pure and innocent. These "innocent" others are the superrace." To protect the superrace, black and brown bodies must be eliminated.

(Cherry 5). State racism divides society by creating hierarchies that polarize the dominant and subordinate groups in juxtaposition to one another. Accordingly, Cherry argues that the enforcement parts of the state apparatus—particularly policing institutions—have been designed to eliminate the subrace while protecting the superrace (5). Ubiquitous law enforcement tactics—such as mass incarceration, stop-and-frisk, police brutality, to name a few—have significantly contributed to limiting, restricting, and eliminating those of the subrace.

Furthermore, the United States has historically deemed certain groups of people alien, inferior, and abnormal. For example, Native Americans, African Americans, and those of Muslim faith (to name a few marginalized groups), have all been denoted at some point by the state as deviant. Cherry goes on to say that:

> The state promotes the idea that this abnormal group is to be feared and that society must at the very least, be suspicious of it, and in most extreme cases, kill its members. One of the ways to promote fear is to make the subrace synonymous with criminality. As a result, the subrace is often over-criminalized and surveilled. . . . America proves its exceptionalism and its power through the protection and security it provides to its citizens. Unfortunately, this protection comes at the cost of the protection and security of those citizens erroneously depicted as an inside threat.

(Cherry 5). This systematic approach to maintaining the established order has been a pillar of the American socioeconomic establishment. By creating and sustaining various institutions of social control to promote the superrace, the United States has not extended the cherished protections of liberty and freedom to its citizens who have been designated the subrace.

SURVEILLANCE DURING THE CIVIL RIGHTS MOVEMENT

One of the most recognizable American social control apparatuses is the Federal Bureau of Investigation (FBI). Established in 1908 as the Bureau of Investigation, the FBI's role developed with legislation aimed at barring criminal activity which crossed state lines, such as white slavery, kidnapping, and bank robbery. Under the umbrella of the Department of Justice, the federal government used the FBI as a tool to investigate criminals who evaded prosecution by passing over state lines. By the start of World War I, the agency was responsible for investigating those trying to evade the draft, immigrants suspected of radicalism, and violators of the Espionage Act of 1917. A few years later, J. Edgar Hoover became the director of this state-sponsored law

enforcement agency. In reviewing books on the FBI, David Chalmers, writes about Hoover's role as director of the agency:

> Hoover cleansed, professionalized, and modernized the Bureau, established connections with state law enforcement agencies which made it the central file and training agency for fighting crime, worked sedulously through the press, radio, and the movies to polish its image, and kept on keeping lists. In 1936, President Roosevelt authorized the investigation of Communist and Fascist activities, and the Bureau's World War II surveillance became a "cold war" fixture.

(Chalmers 119). Hoover set up the now infamous system for tracking every radical leader, organization, and publication deemed a threat to the American social fabric. As a panoptic mechanism, Hoover's "surveillance is based on a system of permanent registration" (Foucault 198).

Investigations have revealed, that American law enforcement agencies have a long history of improperly surveilling and targeting members of groups who dare to challenge the power structure by calling for racial equality, economic justice, and an end to racist and xenophobic institutions. Kenneth O'Reilly, author of *Racial Matters: The FBI's Secret File on Black America 1960-1972* brings to light many of the often-overlooked policies implemented by the FBI in the early 20th Century. He writes:

> J. Edgar Hoover focused on the black menace and not the Red menace during the last of the Great Society years, and he framed the FBI response to the chaos and crime of the cities accordingly. With black activists sowing seeds of discontent and militant protest in the ghettoes, and with the Johnson administration giving him free reign to march against the new black menace in any way that he saw fit, the director constructed a pervasive two-track surveillance system. Hoover mobilized the FBI to smash the vanguard (black political activists of liberal and radical views) and to keep track of the masses (the everyday people who lived in black communities).

(O'Reilly 261). The omnipresence of the agency in the lives of everyday Americans had a tremendous impact in entrenching the power dynamic that still remains today. Furthermore, this was not a newly arisen campaign against Black activists. Half a century earlier, at the start of the 20th Century, law enforcement agencies targeted Ida B. Wells and Marcus Garvey as "race agitators" (Choudhury and Cyril). Moreover, during the 1960's, the FBI made

no effort to stop violence and crimes against African Americans but instead chose to investigate the victims and those filing complaints rather than the perpetrators. Simultaneously, the agency began deploying against African Americans a counter intelligence program known as COINTELPRO. In a 1965 FBI Law Enforcement Bulletin, Hoover stated that he was "greatly concerned that certain racial leaders are . . . . suggesting that citizens need only obey the laws with which they agree. Such an attitude breeds disrespect for the law and even civil disorder and rioting. The citizen has no latitude for what laws [they] must obey" (FBI Bulletin 24). As Foucault theorizes in his *1976 Lectures*, it is no surprise that the leader of one of the most powerful institutions in United States history saw African Americans as inferior and subordinate.

Consequently, with help from the Central Intelligence Agency, Internal Revenue Service, and White House aides, such as political scientist John Roche, the FBI extended to communities of color the surveillance and harassment that it had initiated against the Communist and Socialist Workers Parties. An unprecedented feat of surveillance, COINTELPRO, facilitated the partnership among different agencies of the state to eavesdrop on phone calls, create false mail and Black propaganda publications, infiltrate organizations, and fabricate evidence aimed at turning activists against one another. This intelligence program involved not only wiretapping, but as subsequent investigation showed, attempts to disrupt, discredit, and defame perceived political radicals (O'Reilly 261). A program like this exercises Foucault's disciplinary power, since it:

> arrests or regulates movements; it clears up confusion; it dissipates compact groupings of individuals... [by] neutraliz[ing] the effects of counter-power that spring from them and which form a resistance to the power that wishes to dominate it: agitations, revolts, spontaneous organizations, coalitions – anything that may establish horizontal conjunctions.

(*Discipline* 219). Reluctant to protect civil rights activists or investigate violence against them,
the FBI also had no issue with releasing derogatory information about leaders of the civil rights movement and anyone who criticized the Bureau.

Hoover shared the same belief as his colleagues in government that protecting the civil rights of Black people was not the responsibility of the federal government. As O'Reilly shows from Bureau files, Hoover linked protest with disloyalty and believed that there were Communist influences behind the civil rights movement. Following the "March on Washington for Jobs and Freedom" in 1963, Hoover determined that the civil rights movement

was a direct threat to the established order—Dr. Martin Luther King Jr. would have to be destroyed and the movement dismantled before it irreparably damaged the American power structure. The urban riots of the sixties confirmed Hoover's belief that "subversion, not racism was at the heart of the Negro question" (O'Reilly 229). Whether or not the Communists supported the civil rights movement, all communities of color in America, and their leaders, were considered threats to internal peace and stability.

Throughout the history of the FBI, members of ethnic minorities and urban communities were targeted for surveillance. This systematic harassment was undertaken to prevent the rise of leadership, whether from the Southern Christian Leadership Conference, the Student Nonviolent Coordinating Committee, the Nation of Islam, and/or the Black Panther Party. For example, the campaign against the Black Panthers incited feuds and violence within this movement for social justice. The deadly police raid on the Chicago chapter of the Black Panther Party—which later resulted in an almost two-million-dollar settlement following the murder of the 21-year-old activist Fred Hampton—is indicative of how the apparatus operated to maintain the American power structure (Hass). The federal government's organized practice of using surveillance as a weapon to target social activism was constitutionally questionable in the past, and should have no place in the present. Unfortunately, with more advanced technologies and updated methods of surveillance, state-sponsored targeting and surveillance of Black leadership and activism continues today.

SURVEILLANCE, BIOPOLITICS, AND ACTIVISM TODAY

In the summer of 2020, following the police-induced deaths of George Floyd and Breonna Taylor—amidst a global pandemic— millions of people mobilized to form the largest mass movement against police violence and racial injustice in American history. Collective outrage spurred demonstrations in defense of Black lives in all 50 states, with a demand to defund police and invest in communities of color. Attention was focused on abolitionist arguments, which claimed that the only way to prevent the deaths of innocent people of color was to take power and funding away from law enforcement institutions. At the same time, the federal government, in a flagrant abuse of power and at the express direction of former President Donald Trump and Attorney General William Barr, deliberately targeted demonstrators who were supporting the movement to defend Black lives, in order to disrupt and discourage mass participation. For example, on June 1, 2020, "Black Lives Matter" protesters gathered in Lafayette Square Park near the White House to protest against police brutality and the recent killings of George Floyd and Breonna Taylor. President Trump, with the aid of the Justice Department, called upon law enforcement to remove protesters forcibly and violently from

the area. Shortly thereafter, President Trump walked across the street to the nearby church, St. Johns, for a photo opportunity. When the government openly flaunts its abuse of power and exercises violence against peaceful demonstrators, what can be done? Unlike what happened under Hoover's FBI during the civil rights demonstrations, now national leaders are not being targeted as much as the masses, in a biopolitical shift from directing state power to "man-as-body" to "man-as-species."

One of the most blatant methods the state uses in attempts to control social activism is by trying to dictate the narrative about the subrace. For example, in the summer of 2017, the FBI's Counterterrorism Division issued a report, *FBI Intelligence Assessment: Black Identity Extremists Likely Motivated to Target Law Enforcement Officers* (hereafter the "FBI Report"), detailing a new national threat. The FBI Report alleged the existence of "Black Identity Extremists" (BIEs), who were likely to target members of the law enforcement community. These so-called "extremists," the Bureau claimed, were motivated by "perceptions of police brutality against African Americans" and these perceptions have "spurred an increase in premeditated, retaliatory lethal violence against law enforcement" (FBI Report 2). Agents pinpointed the "August 2014 shooting of Michael Brown in Ferguson, Missouri," and the "declination to indict the police officers involved" as politicizing events for BIEs (FBI Report 2). In other words, the FBI Report targeted the "Black Lives Matter" movement en masse, in a move designed to criminalize Black activism.

The FBI's creation of a new domestic threat, the "Black Identity Extremist," is the latest example in a long history of efforts initiated and sanctioned by the state to harass, discredit, and disrupt activists who advocate against white supremacy and racial injustice by challenging the status quo. The government's rhetoric regarding "Black Lives Matter" demonstrations painted the image that protesters were violent radicals (justice.gov). According to a report by the Movement for Black Lives (M4BL), published in partnership with the Creating Law Enforcement Accountability & Responsibility (CLEAR) clinic at the CUNY School of Law, the federal government has deliberately targeted protesters via heavy-handed criminal prosecutions, in hopes of disrupting and discouraging the nationwide movement for socioeconomic justice. This report titled, "Struggle for Power: The Ongoing Persecution of Black Movement by the U.S. Government," (hereafter, the "M4BL Report"), details how policing has been used historically as a prominent tool to deter Black people from engaging in their right to protest injustices against Black Americans. On top of that, the government has recently justified the expanded use of its authority and deployment of federal law enforcement, while claiming that the "abdication of their law enforcement responsibilities in deference to this violent assault" would not happen (M4BL

Report 2). The Bureau's intelligence assessment identifying and greatly exaggerating the threat level of BIEs was widely distributed to thousands of law enforcement agencies nationwide (M4BL Report 2). By contrast, the government's rhetoric surrounding COVID-19 anti-mask protesters (occurring during the same time period) conveyed a different message. For example, former President Trump called anti-mask protesters "very fine people" and encouraged local leaders to negotiate with them despite their incitement of violence and criminal activity (Gray). It is worth noting that most of the anti-mask protestors belonged to the dominant majority group that the American government has been protecting since its inception.

The prosecution of protesters following the "Black Lives Matter" demonstrations for racial justice indicate a century-long practice by the federal government— rooted in structural racism— to suppress social protest movements via the use of surveillance tactics and other intimidating power mechanisms. According to Foucault, the police are one of the primary enforcers of the disciplinary society and its techniques of surveillance, because the police are concerned with "the dust of events" (Foucault 1977, 213) or what happens pervasively in society. But the police can also be effectively deployed as part of Foucault's new biopolitical "technology of power [which] does not exclude disciplinary technology, but . . . does dovetail into it, integrate it . . . and, above all, use it" (*1976 Lectures* 242). During "Black Lives Matter" demonstrations, the police physically targeted protestors, who were then subjected to legal actions. The M4BL report states that "the empirical data and findings in this report largely corroborate what Black organizers have long known intellectually, intuitively, and from lived experience about the federal government's disparate policing and prosecution of racial justice protests and related activity" (M4BL Report 1). Moreover, the M4BL Report's "Executive Summary" notes the disproportionate deployment of *federal* law enforcement against peaceful protestors, whereas monitoring protest demonstrations traditionally falls under local jurisdictions:

- Much of the drive to use federal charges against protesters stemmed from top-down directives from former President Donald J. Trump and Attorney General William Barr. These directives, meant to disrupt the movement, were the primary reason for the unprecedented federalization of protest-related prosecutions seen in 2020.
- The government exploited the expansive federal criminal code in order to assert federal jurisdiction in cases that bore no federal interest. The government most frequently claimed federal jurisdiction based on alleged conduct either occurring on federal property or affecting property which receives federal funding, including state and local government property. This is followed closely by cases where the

government bent over backwards to assert federal jurisdiction through an extremely attenuated nexus with interstate commerce.

- The government greatly exaggerated the threat of violence from protesters as the purported justification in its policing and prosecution of protest-related activity. The vast majority of charges brought were for non-violent offenses or offenses that were potentially hazardous but were restricted to property destruction, not violence against people.

(M4BL Report 1). The M4BL Report is calling for amnesty for all protesters involved in the nationwide protests. The M4BL Report also highlights the shocking differences between the way the federal government handled the "Black Lives Matter" protests and its handling of the COVID-19 protests against local shutdowns and mandates during the same period. The M4BL Report's conclusions are based on an analysis of over 300 criminal cases initiated by U.S. federal prosecutors over alleged misconduct related to protests in the wake of "Black Lives Matter" demonstrations from May 31, 2020 to October 25, 2020. In 92.6% of these cases, according to the M4BL Report, there were equivalent state-level charges that could have been brought against defendants. But instead, federal charges were brought and these federal charges generally imposed more severe penalties on the protesters. Among those cases where similar state-level charges could have been brought, 88% of the federal criminal charges carried more severe penalties than the equivalent state criminal charges for similar conduct. These prosecutions resulted in hundreds of organizers and activists facing years in federal prison.

Surveillance was also deployed to an unprecedented degree during the "Black Lives Matter" demonstrations. In Portland, for example, law enforcement agencies utilized surveillance techniques as a method to quell the demonstrations. For example, the Department of Homeland Security "compiled intelligence dossiers on people who were arrested at "Black Lives Matter protests in Portland, Oregon, according to a newly unredacted internal review" (Selsky). These efforts and others ultimately deterred and dismantled the social unrest occurring in the city at the time. Despite all the challenges, the movement for social justice continues, even as the state apparatuses of surveillance gain strength.

CONCLUSION

As Foucault demonstrates throughout his writings in the mid-1970s, the state weaponizes its social control mechanisms—which organize prisons, factories, schools, barracks, and hospitals—in order to render its own citizens ineffectual at challenging the dominant order. Any challenge to the order of a nation is viewed as a direct threat to the power structure that exists. From the days of J. Edgar Hoover to the Trump era, surveillance has been an extremely effective tool for the federal government, used in tracking, targeting, and thus,

discouraging protestors against the prevailing racist institutions. Specifically, the federal government and its policing agencies, such as the FBI and other law enforcement personnel, have continued to persecute movements aimed at socioeconomic equity, by deploying heightened state surveillance and legal prosecutions. American history shows that leaders like Malcom X, Angela Davis, and Fred Hampton are not permitted by the state to exist within their sphere of influence. The state has employed, and continues to deploy, vast mechanisms of control designed to eliminate activist leaders from the subordinate group. As Neil Richards notes: "Surveillance is harmful because it can chill the exercise of our civil liberties. . . . Intellectual surveillance is especially dangerous because it can cause people to not experiment with new, controversial, or deviant ideas" (Richards 1935). With the rise of new surveillance technologies, such as facial recognition programs, it is hard to say how the government will proceed, but as history shows, any state sovereignty will operate whatever mechanisms are available in order to maintain the established power structure.

Of particular concern is the biopolitical use of the police against the subrace generally, and not only in the political contexts of social protest, but also in the ordinary daily lives of citizens—as seen in the police killings of Eric Garner, Michael Brown and others, which sparked the "Black Lives Matter" protests. As Foucault argued, the state has "the right to make live and let die." The police protect some and pursue others. But biopolitics may cut both ways, as today's protests suggest. Unlike the civil rights demonstrations, the "Black Lives Matter" demonstrations were not orchestrated as much by national activist leaders as by local grassroots organizers. The "Black Lives Matter" demonstrations were not a response to the call of a charismatic leader. All that is necessary today for the masses to organize and threaten the established hierarchical order is the Internet and social media. The recent "Black Lives Matters" protests are indicative of how the protest movement has been transformed in response to the new technologies of state power. In spite of advancements in surveillance and power technologies, hundreds of thousands of people worldwide have gathered to call for an end to social and economic injustice. The act of protesting in a group has always been an act, freely chosen, to assert the dignity of both "man-as-body" and "man-as-species," since the protestor is putting individual life and body on the line, for the betterment of all.

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⬥ LITERATURE 400

PRODIGAL PARENTS: AN APOCALYPTIC INHERITANCE, CAPITALIST FANTASY, AND DEFIANCE OF THE FANTASTICAL IN *A CHILDREN'S BIBLE*

SAM STOOTHOFF

CHILDREN HAVE LONG BEEN USED IN LITERATURE as vessels for the hopes and dreams of the future. Within Lydia Millet's *A Children's Bible*, published in 2020, this concept is expounded into a full-length novel, centered around climate catastrophe and existential peril. However, the novel slowly turns this genre convention on its head. Instead of children being transported via wardrobe or electing to participate in a government death sport in place of their sister, they are forced to grow up in an ecological disaster. Instead of fantasy, we're given a relentlessly logical and realistic insight into our own possible eventual fate. No mystic lion shows up to redeem the children; instead their own human compulsion to both survive and forge a community saves them.

This is done in the face of confronting generational trauma and the catastrophic inheritance of a broken planet. By electing to elevate children as main characters, and centering the narrative around their experiences within climate catastrophe, Millet forms a new, modern parable. The narrator Eve has a keen insight into this eventual catastrophe and its causes. She sees the nihilistic void that engulfed her parents, causing their inaction, but defiantly chooses her own path, following classic mythic archetypes of leaving a place of comfort and forging a new identity. This is done explicitly throughout the work in the form of a game. The children abandon the names and identity of their parents, and obscure them by never revealing who their parents even are. They never waver, even in the face of a cataclysmic storm.

Throughout the novel Millet elects to empower the children, even in their defiance of their parents: "Hiding our parentage was a leisure pursuit, but one we took seriously. Sometimes a parent would edge near, threatening to expose us" (Millet 4). This exposure was one of connection, not simply a relation but a heritage beyond parenthood. Instead of an inheritance, the children, and here the narrator Eve, are grappling with the world they have been given: "At that time in my personal life, I was coming to grips with the end of the world. The familiar world, anyway" (Millet 25). Just as parents are familiar figures given healthy distance, so too are the material conditions the children presented, and both are equally temporary. The nice house they all occupy for a vacation is a rental, their smartphones are confiscated and placed in a drawer. It's also due to their game of obscuring their lineage that they're able to remove themselves from this doomed vacation, and ultimately the world their parents once occupied. This narrative choice stands as a metaphor for their own optimistic pursuit of a self-sustained future. By sleeping on the beach, or by leaving this rental property, they take this game to its natural conclusion. Empowered by the separation they've embraced, they chose their shared future and a wide open new world. The children have embraced separation leaving behind parents more concerned for their security deposit or the liquor cabinet than the apocalyptic reality they now face and abandoned their parents' reality, which is hopelessly rooted in a fictional and fantastical world. Within this game the author reveals the recurring parable of the work: a persistent defiance of the fantastical.

As the reader moves through *A Children's Bible*, our own intuitive understanding of *parable* is itself confronted in this new context: "In the broadest sense, a parable (from the Greek παραβολή, parabolē´) is a lively, often didactic, narrative that uses simile or analogy to convey a moral principle or illustrate a religious truth" (Duarte 631). The religious connection is observed within the text but persistently challenged. In place of the spiritual, there's a deliberate redirection of reverence and belief instead towards the natural. These sorts of adaptations in literature are expected and even

predicted. In discussing climate change-centered narratives, author Fredrick Buell theorized that, "as climate change and the politics surrounding it proceed and create new contexts, new narratives will appear" (Buell 287). Jack, the main character Eve's younger brother, functions as the most overt voice in this regard. While in possession of a children's version of the bible, he nevertheless holds it no higher than any of his other children's books. "They say God but they mean *nature*" (Millet 87), sums up the mechanics of how both he and the work itself seek to invert understandings of scripture and the lessons within. This allows the work to "explore the juxtapositions of pre-climate change memories with post-climate change meltdowns" (Buell 287).

It is also rather hard to imagine a more perfect representation of a fictional and fantastical understanding of the world than the bible. In the incorporation of the bible into the narrative, a thoroughly pre-climate change artifact is transported into a post-climate world with which Millet crafts an acute defiance of the fantastical. Jack turns even the conception of god into a humanist parable. Instead of a divine trinity, Jack sees god as science, in a scalpel-like dissection of years of ecclesiastical tradition. The bible itself becomes a direct analogue for a previous mode of being, one that now must be adapted. It is an obvious and powerful symbol, and the title itself centers its importance. But the bible's supposed narrative power, its spiritual significance, and its cultural impact, like the parents', is defied at every turn. As the children are soon forced to adapt to new environments, new responsibilities, and an entirely new world, they also adapt a host of these old symbols.

Initially within the narrative this parable is primarily embodied in the narrator and main character, fittingly named Eve. She's far more involved with her younger brother's development and well-being than the parents themselves. She's also tasked with elaborating the younger generation's conflict with the knowledge of their precarious place in the world. She's acutely aware of the cause of the impending climate collapse; nearly all the children "knew who was responsible, of course: it had been a done deal before we were born" (Millet 25). It's a foreboding and ghastly inheritance, born from "denial as a tactic. Not science denial exactly-they were liberals. It was more a denial of reality" (Millet 26). In place of the scriptural and spiritual devotion, Millet presents the parents as clear subjects of the parable's moral lesson. However, their moral failing is not immediate or incomprehensible. The narrator herself comes to understand the position the parents were in, and why they'd acted, or failed to act: "They'd functioned passably in a limited domain, specifically adapted to life in their own small niches" (Millet 203). However, as the parable progresses it's their limitations that present one of the first moral lessons.

In order to be an effective parable, however, cultural fluency is required. Where other genres are able to craft and curate a culture around their intended messages, parable speaks to existing culture. A dystopian perspective would start *in media res*; a fantasy would separate characters from the prior reality. That narrative choice is spurned here, presenting, as most parables do, a relatable, digestible situation. Parables are born of the language of instruction and teaching with lessons unable to begin without a context of instruction, and the institution of instructor and student. In Millet's case, her classroom is that of late-stage capitalism and neoliberalism. This is explicitly mentioned in the prior section with the parents labeled "liberals". The children are not classed in the same political language-- the closest signifier being the character Low abstractly called a "hippy". Far from being an explicit condemnation, the parents' actions serve to contextualize the parable's moral lesson. As the storm begins, the parents "crossed their legs and expressed some thoughts about a workers' paradise. It would have saved us, said one" (Millet 66). They yearn for a revolution while sitting in a vacation home that "had been built by robber barons in the nineteenth century" (Millet 2). It's an irony the narrator grasps intuitively, demonstrating the cultural fluency required to accurately provide instruction.

Yet cultural influences are often the ones left most unchallenged. Capitalism itself also functions to obfuscate how it operates culturally. How it does this was defined by Mark Fisher as "capitalist realism". As a cultural force there is "the widespread sense that not only is capitalism the only viable political and economic system, but also that it is now impossible even to *imagine* a coherent alternative to it" (Fisher 2). Neoliberalism similarly "is an ideology supported by corporate, social, and governmental practices that emphasize competition, individualism, consumerism, and capitalist productivity over group survival" (Wilson, Dantzler, Prentis, & Rivera 2022). These systemic forces, as Fisher noted, require imagination to transcend and deconstruct. Again, the parents' failure is not wholly one of morality, though their actions do have moral consequences. Instead, it was "more a denial of reality" (Millet 26), where they fail to imagine a world beyond the one systematically presented to them, one that rewarded their destructive behavior. Says Fisher, "Capitalism is what is left when beliefs have collapsed at the level of ritual or symbolic elaboration, and all that is left is the consumer-spectator, trudging through the ruins and the relics" (4). Millet understands these cultural forces intuitively, and rightly casts the parents as happy tourists and museum guides to the "ruins and the relics" (Fisher 4). In the face of a natural disaster, the parents regress, proving unable to remedy or ameliorate the situation. In the midst of this chaos they fail at the most basic duties of parenthood, even losing a child in the basement. They elect to drink and entertain their base desires, as if passive passengers on a ride that is their lives.

Here, the parable takes its most overt shape. Just as in Jack's *Children's Bible*, eventually a storm comes and drastically alters their world. Millet uses the storm to craft a microcosm, highlighting generational responsibility, and the beginning of the children receiving their apocalyptic inheritance. She starkly delineates their youthful optimism from the worldliness and apathy the parents suffer from. Jack crafts a makeshift ark, imploring them, "to save the animals, like Noah did" (Millet 70). In their efforts to reinforce the house the parents are not only useless but also woefully unprepared. The narrator alludes to them having a chance to be more prepared, not just for the storm but the coming climate change. They "didn't do well with long-term warnings. Even medium-term. But they still had reflexes" (Millet 58). These efforts to prepare for the flood are nevertheless still impaired by their allegiance to "ruins and the relics'' (Fisher 4), with the narrator's own mother, "kneeling in front of a liquor cabinet, as though before an altar" (Millet 50). The religious iconography is obvious, and only serves to highlight where their focus and priorities lie. Still, the children do understand the precarious position the parents were in, and even the limitations of their influence. Rich parents they partied with days before the storm represent much more of an impact on the climate catastrophe: "Those yacht parents are the worst. *Those* are the people that ate the planet" (Millet 52). However, the parable spends little time on them. As is the intent of many parables, the focus is to have maximal impact, and on a demographic whose actions could in turn have substantial effect. By steering the narrative away from these yacht parents, Millet again signals a greater knowledge of who's responsible. The parable's intent is instead to speak to the larger audience, not the 1%, who would see the parents' actions as relatable and understandable, and would benefit from the overarching message.

Next, we're given the powerful metaphor of the parents floundering in their attempts to secure their rented vacation home. They feel a dutiful obligation to something never they were never fully in possession of, but are poorly equipped for the task and ultimately defeated by their own shortcomings. Within this metaphor, Fisher's definition of capitalist realism is fully expressed: "What needs to be kept in mind is both that capitalism is a hyper-abstract impersonal structure and that it would be nothing without our co-operation" (Fisher 8). The parents are fully aware of the consequences of their participation, and within the metaphor of the vacation home feel vindicated by their paltry efforts. The moral message of the work crystallizes. The parents' actions reflect how they "believe (in our hearts) that capitalism is bad, we are free to continue to participate in capitalist exchange" (Fisher 13). It's a failure both of imagination and one of hopeless fantasy the parents cast themselves in. Since, "capitalism seamlessly occupies the horizons of the thinkable" (Fisher 8), we are forced to shape new parables, ones that implicate

ourselves, and defy this fantastical proposition. The monsters of myth are instead replaced by capitalism itself, "a monstrous, infinitely plastic entity, capable of metabolizing and absorbing anything with which it comes into contact" (Fisher 6). Faced with such a daunting enemy Millet does the subtle and nimble work of subverting this monster and revealing that "capitalism's ostensible 'realism' turns out to be nothing of the sort" (Fisher 16). In the face of natural events, this 'realism' crumbles.

Meanwhile, the parents succumb to their baser instincts as the water closes in around them. The task of parenthood proves too much and they "promptly ascended new heights of repulsive" (Millet 73). As the children set up a refuge in the nearby treehouse, fleeing the parents' ecstasy fueled orgy, they behave responsibly. A hole in the roof is patched, one reads, "about the floodwater. It was full of oil and sewage" (Millet 72). A vital piece of information. Due to the storm the natural order is placed in full conflict with any semblance of the prior 'realism'. In place of a fantastical scenario, its gravity is summarized simply as, "water's going where it isn't allowed" (Millet 64). Even the fantastical nature of Jack's desire to save the animals is subverted, with his sister being attacked by a hungry owl. The owl, instead of being anthropomorphized, does not respond to Eve's apology for his hunger. Instead, she simply "wanted to believe he forgave me" (Millet 77). Eve observes and is certainly influenced by the fantastical, even to the point of speaking aloud to an animal but is equally aware of its function as fantasy. This mirrors the dynamic she and the children have with the parents. Painfully aware of their inherited future, and realistically informed of their parents' role and moral character, they are still their parents' children. They find themselves stuck in a liminal space between the fantastical construction of their parents' capitalist realism and the sweeping unknown.

As in the stories contained in Jack's *Children's Bible*, "it took three days for the floodwaters to recede" (Millet 77). Yet, unlike the biblical fantastical narrative of the ark, the new world the children inherit is traumatically real. One of the first actions the children make is to gather the hordes of dead fish for a burial, mirroring Jesus' miracle of the fish and loaves; this time, though, no one is fed. The lesson the children are shown learning is one of reverence and respect for this catastrophic inheritance. Fish are given an honored funeral service. Scriptures, once the domain of zealots, are expanded onto a new naturalistic audience. Jack empathetically recites a passage: "Do not let your hearts be troubled. Do not be afraid" (Millet 79). The previous fantastical assumption of the scriptures precluded the notion of the natural world being afraid. But, clearly, in the tumult and chaos of a climate catastrophe it's equally hard to imagine it not experiencing acute fear. This is the imaginative role that Millet's parable works hard to ensconce in the reader's mind. Like the water, "going where it isn't allowed" (Millet, 64), the

parable being told is one of destruction but also connection. In grieving nature's loss, the reader is placed within and amongst the natural.

These floodwaters also bring a portent, in the character of Burl, a groundskeeper from a nearby estate. He is akin to the nymphs and other woodland creatures of parable but in another overt defiance of the fantastical, he is immediately questioned, which is certainly a natural and realistic reaction, but not one often applied within the realm of fantasy. A talking lion, or a strange hairy-legged creature would not engender immediate trust or allegiance. Here, the woodland creature is simply a man. He clearly understands the effect of floodwaters on the ecology. The parents are hopelessly moored to their fantastical capitalist realism. Fastened tightly to the old world obligations, staying because if they leave, then "there's the breach of the lease agreement" (Millet 89). They're stuck in the 'realist' fantasy "that western consumerism, far from being intrinsically implicated in systemic global inequalities, could itself solve them" (Fisher 15). In order to admit to the severity of this disaster, and what it represents, they would be implicated themselves. It would be an implication in the face of the atonement their 'realism' gave them, an atonement that told them, "all we have to do is buy the right products" (Fisher 15). The children have begun to be emancipated from this 'realism' and are curating their own version now. Instead of being sent away on a magical train to find a wardrobe, or receiving a letter from an owl summoning them away, they leave of their own volition. The narrator sums it up succinctly: "Children grow up. Children leave. They'll find us, I thought. When we want them to" (Millet 91). They answer the call out of the old world unlike their parents, who are unable to receive it.

So they leave, freeing the animals they had saved from the storm. The owl has healed miraculously, unbandaged from its wound. Yet Eve knows better, wondering if, "maybe the bandage had actually been the culprit" (Millet 103). Instead of an imagination dedicated to the fantastical, the children's imagination acknowledges both the symbols and fantasy of the past and stares headlong into an unknown future. They are able to carry around bibles, drive cars, and even occupy the role of parent, and maintain a healthy distance from this 'realism'. The act of leaving leads to suffering and hardship, but it is still one of salvation. The parents in the dank cabin succumb to the plague Burl and Jack intuited. The floodwaters "full of oil and sewage" (Millet 72) were discovered not in a prophecy or in a dream, but thanks to the children's phones. The parable's sense of defiance also becomes entrenched in this action of leaving.

It's here I must define more broadly the concept of 'defiance' within the work. It is not limited to narrative choice within the characters and the work as a whole. Defiance, as it functions within Millet's overarching parable, is also one of genre and tropes. It's a systemic redirection of focus away from

children being projections of youth, and instead understands how youth itself will function within climate catastrophe, not just youth as young individuals, but the developmental concept. Instead of heroic metaphors or symbols themselves, they are in many ways victims. Doomed to a strange vacation home, doomed to an unknown future, and doomed to have a constant reference of both in their parents. At the outset of the novel, defiance as device is embraced. Parents are left unnamed, subverting their authority and even familial connection to their progeny. It's not a defiance without understanding, a pithy dismissal, but rather one that acknowledges the complexity of the youths relation to parents. Were defiance not embraced, the children themselves would be bogged down by the same 'realism' their parents suffer from, a 'realism' they both intuitively know and equally choose to defy.

This is ultimately, and unfortunately, encapsulated in the death of Sukey's mother. Despite their escape they knew it "was only a matter of time until another parent showed up" (Millet 99). Even in a new place, one of their own making, one granting them an agency they had been so desperate for, they do not achieve the fantastical. Despite the almost miraculous appearance of other adults in the form of 'trail angels', Sukey's mother dies in childbirth. There is no obvious lesson, no deification of the child, it is simply, "how Sukey got a sister" (Millet 110). The fantasy never materializes, instead, "her mother wouldn't stop bleeding. And so her mother died" (Millet 110). The night after she passes the sky illuminates, and one of the adults projects the fantastical onto this event, only to be promptly educated by another scientifically-minded adult that it is "not anomalous. The northern lights have been sighted before in these parts" (Millet 118). Just as the loss of mother is just that, loss so too are the northern lights "not anomalous" (Millet 118). Sukey's mother came prepared with a car loaded with supplies for the coming infant. She clearly "wanted to care for her infant. And now she never would" (Millet, 112). Next, Burl's intuitive knowledge of ecology proves to be correct. The foretold plague was revealed as, "*Dengue fever*, the text said" (Millet, 123). No firstborns to be sacrificed, just the blood of the healthy via transfusion.

As they come to occupy this new place, a new dimension of the parable emerges. Absent the delineation of parent and children, they begin to form their own culture. Songs are sung, sometimes they, "yelled it, almost definitely: *Never been a sinner! I never sinned!*" (Millet 133). The great endeavor of rebuilding the world has begun, and reality shifts into focus. Now they "saw everything in three dimensions" (Millet 133). A liberative view of culture and society, in a very nascent form, begins to emerge. Again, the parable endeavors to defy fantasy. These forms of societies and cultures, thanks to capitalist realism, are hard to imagine. They are not any less natural, however. Humanity as a species has existed orders of magnitude longer than even the concept of

currency has existed. The narrative is moving beyond the realm of modern realism, towards that of almost primordial realism.

It's a labor best summarized by Murray Bookchin in his concept of social ecology. Absent the influence of capital and technology the important work becomes "the need to make man's dependence upon the natural world a visible and living part of his culture" (Bookchin 63). What does their humanity look like once removed from their place as an "extension of the machine, and not only of mechanical devices in the productive process but also of social devices in the social process" (Bookchin 78)? By depicting songs, and crafting their own rituals, Millet's children are crafting a new "kind of collective make-believe that we are continually bringing into existence" (Wengrow & Graeber 612). This is the essence of how society itself came into being: "no social order was immutable: …everything was at least potentially open to negotiation, subversion, and change" (Wengrow & Graeber 613). What we construe as order and solid, is at best a constant negotiation, a shared fantasy, begging to be defied.

Narratively, this coalesces thanks to an accidental ingestion of an hallucinogenic mold. Eve absentmindedly takes a bite of bread, only to discover there is something growing on it. It is not a glowing vial, or a potion crafted by witches, a natural accident, with natural consequences. The biologist informs her of the potential of hallucination, and she is instructed to go to bed. Instead of growing larger or smaller, her consciousness is expanded ever so slightly, and empathetically. She sees the parents for who they are, how each "person, fully grown, was sick or sad, with problems attached to them like broken limbs" (Millet 139). The fantasy of parents as mythos fully dissolved, eroded to reveal, "all they ever were was themselves" (Millet 139). She is left with the conclusion that, "what people wanted to be, but never could, traveled along beside them" (Millet 139). This zen-like revelation casts no one as hero or villain, but merely as human.

As they're settling into their newly crafted place and conception of reality, it is all disrupted. Instead of the parable trying to show us what an idyllic utopia looks like, it seeks to show us the value in endeavoring to craft it. If god is a symbol for nature, equally, "heaven's part of the code. It just means a good place for us all to live" (Millet 142). This is a disruption also born of natural events. It's thanks to "the rain that kept us off the watchtower, so it was the rain that brought the men with guns" (Millet 146). Their infant society almost immediately is in conflict with another group's "collective make-believe" (Wengrow & Graeber 612). It's a conflict embodied in how these disruptors interact with nature as well. Immediately they shoot an innocent and productive animal and demand more. Eve's brother Jack immediately summarizes this cultural disparity, arguing that "we're not supposed to sacrifice the animals. We're supposed to *save* them. I'd rather

sacrifice *me*" (Millet 160). In a more fantastical parable, perhaps, that is exactly the sacrifice that would occur. A dramatic leap in front of a helpless sheep, like Scout stepping in front of her father before the unruly mob. The parable instead places the helpless animals in the hands of their captors, and forces the children to confront their place within this new reality. Previously Eve had, "always waited for my parents to take care of it" (Millet 170), when it came to issues small and large. But now has come "the day we didn't want them to" (Millet 170). Yet, that's precisely when they appear.

One could forgive the narrative if it sought to redeem the parents, relenting in the lesson Millet was telling us through them. Again we are met with defiance. Instead of arriving with anything helpful, they make yet another appeal to their outmoded 'realism'. Instead they proclaim to "have the law on our side….the power of the law!" (Millet 176). The lone caveat being when "things get back to normal" (Millet 176). Their ignorance is instead shown in the highest of definitions. The children themselves see it, and formulate their own plan, even telling the hostage-takers that the parents are "living in a fantasy. But we have something real to offer" (Millet 176). There is no normal to return to, the fantasy of clicking heels together is finally, and fully, buried. Their ultimate salvation comes in the shape of the rightful owner of the farm they occupied. Flying in with far more authority and assistance than the parents could have ever hoped to bring, further burying the notion of normality with shovels full of the real. Not only were the parents unprepared to save their children, they are now fully adrift. Left to confront the question, Bookchin asks, "How can we heal the fracture that separates living men from dead machines without sacrificing either men or machines?" (Bookchin 78). How can you begin to imagine yourself removed from machinations that "evolved from an extension of the human nervous system" (Bookchin 51)?

Fittingly the parable answers in the same way Bookchin answered, by creating a "technology for life" (Bookchin 79). Before they set about to forge this new "technology for life" however, some penance is required. After their failed attempt at saving the children, the parents ask for absolution, only to be met with the harshness of reality:

> "'We blame you for everything,' Jen said evenly.
> 'Who else is there to blame?' added Rafe
> 'I don't blame you, said Sukey'" (Millet 192).

Forgiveness is complex, and personal. Atonement is not as simple as prayer, they can no longer "buy the right products" (Fisher 15). Now parents must endeavor alongside their children to defy the previous fantasy.

However, it's within the coda that the parable takes on its most salient form. At their new compound, a place funded by the wealthiest of the parents,

the prodigal parents reunite with the children. The often-missed interpretation of the prodigal son parable is that it's a judgment of the son who left. Instead it's a critique of the son who stayed. In that son's demand for the same spoiling his father is giving the now returned son, we hear the most damning words from Jesus. The prodigal son engages in behavior that many religious people would view as irredeemable, and yet the virtuous father lavishes him with his inheritance yet again, even after he'd wasted it. Here, the parents are given another chance by the children. They attempt to connect, reforge the bonds they had deliberately cast off earlier in the novel. The children also give them their most opulent gift, one of optimism and hope. Not unlike the words the father gave the son who stayed, "that we should make merry, and be glad: for this thy brother was dead, and is alive again; and was lost, and is found" (Luke 15:32, KJV). They're given roles in this new world, a way to earn the satisfaction they previously took for granted. And yet, like the son who stayed, these gifts are not nearly enough. And like the son who stayed, they're asking for something beyond giving, return to "bars at the top of glittering skyscrapers far away. In the once-great cities of the world" (Millet 217). A return to their old seat, their inheritance left unspoiled, a world that no longer exists. In a direct inversion of the children's own leaving, the parents are unable to see a chance at a beautiful new world, sadly unable to defy the fantastical: "One morning, when we woke up, they were simply gone" (Millet 219). Parents leaving with no direction but chasing old dreams, dreams which "were the best part, one of them said. The only part, said another" (Millet 218). The ultimate embrace of the fantastical.

Tragedy asserts itself one final time, again taking its place as an unavoidable aspect of reality. Jack, Eve's young brother, falls ill. How or why is never fully explained. The reality of this independence is one of fear and waiting "for them to come back, but they never did" (Millet 221). There's a tragic irony to the parents' disappearance as well, with one parent being a doctor, a gynecologist as mentioned by one of the children, but still a doctor. In the embrace of the fantastical, they forgot the duty and function they could provide in this new reality. Jack is also left with questions, questions parents are obligated to answer: "What happens at the end?" and "what happens *after* the end?" (Millet 221). Just as the inheritance of the entire planet is a cursed one, here Eve is given yet another trauma, in the synthesis of the world that came before and this new one that she's able to comfort Jack, breaking the traumatic cycle. The end is "more like art. Poetry. But it still comes from what they used to call God, doesn't it?' 'What they used to call God', he murmured" (Millet 223). They aren't what came before, but they aren't something else. They are the "clouds the moon. The dirt, the rocks, the water and the wind" (Millet 223).

They are then able to defiantly take on "a monstrous, infinitely plastic entity" (Fisher 6) and return home to claim their true inheritance. The reader could have been left to imagine a happy ending—with the parents gone, it would be easy to allow the children to be empowered by their full-fledged independence. In the end Eve is left with the most profound inheritance, an autonomy unfelt by her parents and their parents. The children now occupy a workers' paradise the parents pined for, but never forged. They gain access to the vices of their parents, only to ration them, and while their parents overimbibe, they take great care. They have an immediate and vital connection to nature, relying on it instead of dominating it. Their game of requiring separation from their parents is no longer required; the game has been won. The separation is complete; they're unconnected to their phones. In the end the apocalypse is not of the natural—that is shown to powerfully persist—but of 'realism.' We are left with a humanist parable of our place in and of the natural world, the consequences of forgetting that, and that we're capable of imagining so much more, fully capable of crafting a new "technology of life."

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