

ART OF WRITING

2020-21 Essays

Berkeley

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A Letter to Our Readers

Since the Art of Writing began in 2016, we have been publishing an annual anthology of student writings. Each semester, all Art of Writing students write separately in seminars of their choice. Rarely do they have the occasion to communicate with each other, to speak about their writing, reading, thinking, and experiences. The Art of Writing anthology allows students to read each other's work and to create a new community of writers, readers, and critics.

Art of Writing students: we invite you to reach out to one of your fellow writers to ponder together a sentence or two, a paragraph or three, a whole essay and its process of creation and composition.

We also share these writings with all of you in the Art of Writing community, some of whom we know and some of whom we hope to meet. All the pieces in this anthology were written by the 2020-2021 Art of Writing cohort—undergraduates who decided to spend a semester writing intensively in an intimate group of 20 or fewer, guided by a Professor and a Graduate Student Instructor.

The range of seminars offered by Art of Writing demonstrates our commitment to teaching writing across the Berkeley campus and across the divisions—Geography (Professor Sharad Chari); Film and Media Studies (Professor Mark Sandberg and Lisa Jacobson); Legal Studies (Professor Christopher Kutz and Anna Zaret); Rhetoric (Professor Ramona Naddaff, Anooj Kansara and Jeehyun Choi); Sociology (Professor Kim Voss and Tyler Leeds); Data Science (Professor Deborah Nolan and Adam Anderson); and Journalism (Professor Mark Schapiro and Ansel Olive Klein).

Not all students chose to publish their work, and many debated which of the many writings produced over the course of the semester they should include. All students would agree, however, that rarely as undergraduates are they afforded the occasion and time to com-

mit themselves to the process of writing and thoughtful revision, the chance to experiment with a diversity of genres, the care and attention instructors offered so that they could discover and cultivate their own signature voice and style. Furthermore, while all seminars are intensive writing seminars, they also and simultaneously create the space for critical thinking, the informed and deep reflection that emerges from reading and analyzing the works of other writers and scholars.

The 2020-2021 Art of Writing anthology is special for at least two reasons. First, with COVID-19 moving us from the classroom to the Zoom room, reading, thinking, writing, speaking, and editing together diminished some of the necessary isolation and strengthened Art of Writing's desire to create new forms of sociality and communities through the writing process. The anthology is the written trace of our students' collaborative labors.

Second, designer Lucy Andersen has spent countless hours creating this digital book, choosing the graphics and colors that reflect each seminar's themes, in a visual collaboration with these written works.

The Art of Writing team—Rebecca Egger, Ali Hasan, Linda Kinstler, Jane Liaw, and myself—thank the students for their dedication to, and joy in, the many arts of writing.

Sincerely,
Ramona Naddaff

The image shows a handwritten signature in dark ink. It consists of a large, stylized capital 'R' followed by a capital 'N'. The 'R' has a long horizontal tail that extends to the right. The 'N' is also stylized, with a vertical stem and a horizontal base that connects to the tail of the 'R'.



Art of Writing Seminars

GEOG 129: Ocean Worlds

Sharad Chari

Fall 2020

FILM 194: Words and the Moving Image

Mark Sandberg & Lisa Jacobson

Fall 2020

LEGALST 107WI: Theories of Justice

Christopher Kutz & Anna Zaret

Fall 2020

SOC 190: Writing Across the Partisan Divide

Kim Voss & Tyler Leeds

Fall 2020

DATA 88: Writing Data Stories

Deborah Nolan & Adam Anderson

Spring 2021

JOURN 130: Finding the Narrative in the Science

Mark Schapiro & Ansel Olive Klein

Spring 2021

LEGALST 190WI: Crime and Punishment in America

Christopher Kutz & Anna Zaret

Spring 2021

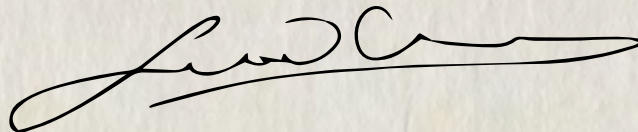
RH189/EN16: “Moments of Truth”: Narrating the Ending of Lies, Disinformation, and Deceit

Ramona Naddaff, Jeehyun Choi, & Anooj Kansara

Spring 2021

GEOG 129

Ocean Worlds

A stylized, handwritten signature in black ink, appearing to read "L. C.", positioned below the title "Ocean Worlds".

Ocean Worlds

Sharad Chari

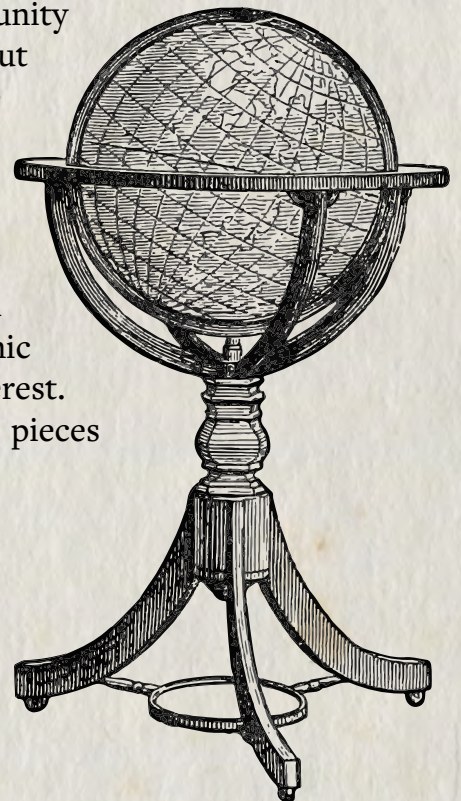
While oceans comprise about 71% of the surface of our planet, our imaginations of the world remain land-locked in continental and national frameworks. This Art of Writing course turns to oceanic connections, movements, livelihoods, developments, and imaginations to rethink our modern and oceanic world.

We engage a range of oceanic themes, including exploration and imperial sovereignty over the seas, far-flung diasporas across Atlantic and Indian Oceans, the motley and riotous transatlantic world, global system of indentured labor and 'blackbirding,' the imperial Pacific and its indigenous critics, oceanic theory from islands cast adrift from continental histories, island prisons and convicts, the military origins of logistics and containerization, the industrial ocean, and illicit and precarious livelihoods. We explore oceanic processes and explore an oceanic way of thinking and writing.

The key question we ask is a rhetorical one: why think oceanically on an oceanic planet? We undertake a set of writing exercises to evoke an oceanic way of thinking about the entanglements of living and non-living things (including humans), energy flows, movements of the powerful (capital, states, empires), and the hopes and dreams of ordinary people.

As a writing course, students have an opportunity to develop an oceanic style of writing about ideas, topics, and styles that you associate with the ocean: waves, currents, upwellings, islands, beaches, depths, melting ice, rising seas, bleached lives, and floating hopes.

The course culminates in a final researched piece of creative non-fiction on the oceanic region, theme, or object of the student's interest. We see excerpts of this creative work in the pieces that follow.



Lost History of the South China Sea

Mary Chiu

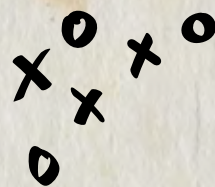
This paper aims to consider the multifaceted South China Sea beyond its primary narrative. First, we will look at the current political state of the South China Sea through the local perspective of a fisherman and his son. Next, this paper will discuss how the limited history of the South China Sea has shaped its contemporary landscape. This paper subsequently attempts to draw parallels between the neglected inhabitants of the South China Sea and other oceanic thinkers. Finally, connections between the South China Sea and Glissant's idea of relation are shown. Although most of this paper analyzes the South China Sea historically, it does so in an attempt to be future facing. The fate of the South China Sea should not be determined by a sole perspective; instead, its forgotten history and shirked citizens must be considered.

Despite current tensions between the countries surrounding the South China Sea, millions venture into its waters daily. It's a rainy April day in a small seaside town near Santa Cruz, Philippines. Tuco's dad has been on the water since before daybreak; it is common knowledge amongst fishermen that the best fish bite at sunrise. So, hundreds of fishing boats float above the water in the dark, each hopeful for a full catch today.

While this may paint an unexceptional scene, upon closer inspection, thousands of flags atop the small boats can be noticed. The South China Sea is surrounded by seven countries. These countries, having depleted their own resources, seek to feed their growing populations on these disputed waters. As the sun continues to rise, fleets of fishing boats bearing their own countries' flags begin to appear. Like the rest of the fleet, Tuco's family boat is less than 10 meters long, but there are at least 10 flags on the boat. At this rate, rather than to inform, the flags seem to be making an antagonistic point.

Like pawns, these fishing boats are often encouraged by their country's government to go past the boundary into contested waters to fish. Other fleets, unwilling to let prime fishing spots go to another, follow the example and wade into ambiguous waters as well. This brings about a vicious cycle difficult to curb and often sparks confrontation between the countries.

Tuco loves listening to his dad's fishing stories. His favorite story is about the 300-pound blue marlin his dad caught a decade ago. Sightings of a marlin that size is almost unheard of today. The fishermen witness a decrease in the quality and quantity of seafood they catch daily. Without proper enforcement of fishing laws, unsustainable ways of fishing have led fisheries to the brink of collapse. Soon, this patch of ocean will become barren, exhausted from overfishing.



The rapidly diminishing fisheries of the South China Sea is also tearing apart families in bordering seaside towns. Fishermen can no longer support their own families. Some have had to go into large cities for menial jobs to send home money every month. Some families have even taken the drastic step to move away from the dilapidated fishing villages.

By noon, Tuco's dad begins to think about home, hoping to make it before Tuco comes back from school. However, he stays for a little while more, trying his luck for just a bit longer. For these fishermen, the South China Sea is life and livelihood. Although the unremarkable lives of fishermen and their families do not impact global policy, political decisions made about this large oceanic region can alter lives overnight. Yet, world leaders are using the enticing resources of the South China Sea to further political agenda. Some are dragging out and exacerbating the dispute, unwilling to compromise.

The South China Sea dispute is a product of modern technology and current resource demand. Between 221 BC and 1474 AD, the South China Sea played a vital role in the "silk road on the sea," trading products "along the coasts of the Philippines, Vietnam, Malaysia, and Thailand and through the Malacca Strait to India and the Mediterranean."¹ Resources were not scarce, and countries were not particularly motivated to establish oceanic territories.

This lack of regulation of oceanic regions is not unique to the South China Sea. In "Ocean-space in non-modern societies," Steinberg discusses what oceanic regions represent and how they were regulated in the past. For example, the Indian Ocean between 500 BC and 1500 AD were considered to be "void" and thus cannot be subject to territorial claims.² Similar to the South China Sea, the Indian Ocean was used extensively for trade as well. Another region that experienced frequent human interaction is the Mediterranean between 1000 BC and 500 AD. The Mediterranean was deemed as a space for "competition among societies" and thus not able to belong to a particular group. Steinberg makes the argument that although there is diversity in perceptions of ocean space in various non-modern societies, a general trend from nonterritorial to territorial can be seen over-time. Admittingly, the lack of proper exploration tools prevented non-modern societies from understanding the potential of controlling oceanic regions.

As navigational technology developed and demand for resources increased, oceanic regions became more than a bridge between point A and B. For the South China Sea in particular, its central location and rich fisheries give it unparalleled political and economic significance. Over the last decade, countries making political moves to control the South China Sea brought this sea from relative anonymity to front page news. This fame

¹ Zhiguo Gao and Bing Bing Jia, "The Nine-Dash Line in the South China Sea: History, Status, and Implications," *The American Journal of International Law* 107, no. 1 (2013): 101, https://www.jstor.org/stable/10.5305/amerjintlaw.107.1.0098?seq=1#metadata_info_tab_contents.

² Philip Steinberg, "Ocean-space in non-modern societies," in *The Social Construction of the Ocean* (Cambridge: Cambridge University Press, 2001): 42.

led to global interest in the South China Sea's history since proof of past control could be used as evidence for modern claims. Current historical knowledge about the South China Sea is inaccurate and leaves out pertinent perspectives.

The South China Sea has always been historically considered through a Western and Chinese lens. Its nomenclature is just one example of how the history of the South China Sea is not represented equally. While locals of surrounding countries refer to this sea as the "West Philippine Sea," "East Sea," or "Luzon Sea," the rest of the world regards it as the South China Sea. Even the Chinese do not call this oceanic region the South China Sea. Instead, the Chinese name for the South China Sea is "南海," which translates to Southern Sea.³

Why does the rest of the world refer to the South China Sea as such when the Chinese do not? The Chinese name was coined between 475 and 221 BC, when the state-sponsored voyages out of China first began. Later, the western name was given by Portuguese captains in the early 16th century when they needed to differentiate between the bodies of water surrounding China.⁴ The western name "South China Sea" took root in Europe while the Chinese name "South Sea" or "南海" remained accepted in China. The South China Sea's western name reveals the biased nature of its history.

During my research, very little could be found about the perspectives of the other six countries that surround this conflicted sea. In his book "The South China Sea: the Struggle for Power in Asia," Hayton evaluates the credibility of primary sources regarding the South China Sea. Due to the lack of documentation from the other surrounding countries, most Western thoughts about the South China Sea depend upon Chinese Communist Party journal articles.⁵ Although the South China Sea has historically been a "polyglot place of exchange and trade", available primary sources may portray the sea as being Chinese dominated.⁶

What we know today about the South China Sea's past is one-sided, and a certain amount of doubt must be had about its history. Currently, past use and control of the South China Sea by China is a powerful argument for the country's future control of the South China Sea. Before using available historical sources to make a decision on which country should receive control of the South China Sea, we should consider the untold perspectives of the six other nations enclosing the region.

Untold perspectives or forgotten memories are a common occurrence. Oceanic thinkers

³ Zhiguo Gao and Bing Bing Jia, "The Nine-Dash Line in the South China Sea: History, Status, and Implications," *The American Journal of International Law* 107, no. 1 (2013): 100, https://www.jstor.org/stable/10.5305/amerjintlaw.107.1.0098?seq=1#metadata_info_tab_contents

⁴ Paul H. Kratoska, Remco Raben, and Henk Schulte Nordholt, *Locating Southeast Asia: Geographies of Knowledge and Politics of Space* (Singapore: Singapore University Press, 2005): 204.

⁵ Bill Hayton, *South China Sea: The Struggle for Power in Asia* (London: Yale University Press, 2014): 26

⁶ *Ibid.* 27.

use their personal connections to attempt to shed light on overlooked societies. Hau'ofa writes the essay "The Ocean in Us" as a citizen of Oceania to call for the establishment of a united identity to prevent further injustices such as Bikini Island. The lack of Oceania representation on a global scale has reduced its diverse culture to untold perspectives and lost memories.⁷ The idea of the untold perspective is also explored by Stuart Hall in "Thinking the Caribbean: Creolizing Thinking." Hall observes that physical remnants of history are easily lost and even historical memories can be forgotten due to events of social fragmentation like slavery.⁸ However, this doesn't "condemn the Caribbean as a place without a history."⁹ Hall and Hau'ofa both stress the importance of a society's presence on a global scale — economically, culturally, and politically.

Within his book *Poetics of Relation*, Edouard Glissant states that oceanic thinkers have the power to change the narrative in spite of lost memories through relation. Relation is brought about through common experience and shared knowledge. The idea of relation is a part of Glissant's imaginary: how every relation might be perceived differently by cultures of the world but can be shaped by thinkers and writers.

Through reference to the Middle Passage, Glissant showcases the strength of relation in bringing people together even without a shared history. Glissant remarks that the Middle Passage boat is akin to a womb, pregnant with the suspense of death. The occupants of this open boat "are alone in this suffering" but "share in the unknown with others."¹⁰ Although those on the Middle Passage didn't know each other, the common experience of suffering leads to relation. It's important to note that relation does not have to stem from a shared history; for example, those on the Middle Passage did not have a common past. Glissant's relation can transcend the lack of a common history.

The global mindset can also be shifted using relation. The initial contact with otherness might be shocking but will be adopted into society eventually. Although I was not able to read this book in its original French, translator Betsy Wing gives context that Glissant frequently "forces new word complexes"¹¹ meant to "stop readers in their tracks."¹² By forcing the audience to encounter words or phrases they have never seen before, Glissant mimics the experience of encountering otherness. The brief pause that the audience might have when seeing a strange word is akin to the pause experienced when facing cultures that don't belong. However, the audience would quickly get used to Glissant's way of writing. Similarly, the world would be able to adopt the untold perspective of a new culture.

⁷ Epeli Hau'ofa, *We are the Ocean: Selected Works* (Honolulu: University of Hawai'i Press, 2008): 46.

⁸ Stuart Hall, "Thinking the Caribbean: Creolizing Thinking" in *Familiar Stranger: A Life Between Two Islands* (Durham: Duke University Press, 2017): 80.

⁹ *Ibid.* 94.

¹⁰ Édouard Glissant and Betsy Wing, *Poetics of Relation* (Ann Arbor: University of Michigan Press, 2010): 6.

¹¹ *Ibid.* xii.

¹² *Ibid.* xiii.

Using case studies from other societies and oceanic thinkers, this paper explores untold perspectives of the South China Sea, from a fisherman's family to an unequal representation in history. China's current dominance in the narrative of the South China Sea can be changed to accommodate the surrounding countries and their viewpoints. Oceanic thinkers from neglected societies could call upon their direct connection to the sea and give a voice to these untold perspectives.

Evolve or Dissolve

Chris Gustini

Situated on the edges of the Arctic Circle, the cold swirling waters of the Bering Sea endlessly churn through the seemingly unending darkness of winter. The winter solstice on the Bering Sea grants only a few hours of a distant orange sun that lays low and clings to the horizon. The sun shines its rays on the turbulent and dark water only to be engulfed by darkness. Historically, under the conditions of these dark and frigid winter days I have been able to become solid and expand my frozen reach over thousands of kilometers of open water. As a sheet of sea ice I am a friend to all organisms, big and small.

The locals rely on the vastness of my frozen grasps for their seasonal hunting and small organisms like plankton that need me in order to bloom when the seasons change. The months of December through April are usually when I am the most productive. While it stays cold enough throughout the year in the Arctic for some of my brothers and sisters to remain frozen all 12 months, I endure a cyclical cycle of melting and freezing. Throughout the course of a year in the remote region of the Bering Sea I visit all sorts of different people, places, and things. I have been doing this for millions of years. However, the past 20 years have been radically different from the others. The reliable changes in the season that stimulate growth and hold the ecological balance of the Bering Sea are at risk from the new narrative of human progress. My reliable cycle now hangs in uncertainty. My seemingly minimal and simple duties are coming to an end at the hands of a resource and economy driven globalized world. While I had previously peacefully coexisted with humans in the area for thousands of years, their physical consumption and growing presence is permanently changing the only place I call home. The goals of human progress have created a division between humanity and the natural world. It has become necessary for the ecological survival of the region that I bring volume to the soon to be lost voices of the Bering Sea.

Historically, the proceedings of the Bering Sea have been a symbiotic relationship between humans and the natural environment. The former humans that occupied the Bering Sea had no motivation to change the landscape and process of the land and sea. Locals in the area only took what they needed for survival. The indigenous tribes such as the Inupiaq and Yupik have relied heavily on the natural environment for survival. Their subsistence practices followed historical knowledge and traditions. During the frozen winter months, locals would use me to hunt. Groups of hunters with traditional knowledge would venture onto my solid landscape and listen to the liquid world of walruses and seals below.¹ While their presence in the region was known, the environment was never strained by their use and consumption.

¹ Bathsbeba Demuth, "The Sea," in *Floating Coast: An Environmental History of the Bering Strait* (New York: W.W. Norton & Company, 2019), 1–48.



To this day, the surviving local tribes prioritize their interactions with the environment as caretakers over anything else.² Sadly, their subsistence practices and traditional knowledge of the space has been swallowed by the economic priorities of exploiting natural resources and globalization. While the remote landscape and extreme climate of the Bering Sea had long protected me and the region from standard global human practices of exploitation, the past 20 years have seen an increase in shipping traffic and commercial fishing which has led to pollution, a loss of biodiversity, and the looming end of sea ice presence.

I have lots of experience with vessels in the Bering Sea. In the winter months during my solid form I often bump into passing crab boats or large oceanic ice breaking research vessels. However, the biggest change has occurred in the increasingly ice-free months of June through October. My inability to stay frozen for as long as I once did has opened the door to a longer navigation season for vessels. This relatively inactive area saw a 145% increase in traffic vessels between 2008 and 2015.³ The primary concerns from this increased vessel traffic are the effects of pollution on the species and indigenous people that have peacefully lived there for thousands of years. Whether it is emissions, garbage, or sewage, all of these ships passing through the Bering Sea produce some sort of waste. According to Raymond-Yakoubian, the regular spills and pollution in the region have become the biggest concern for locals “because of their impact on the health of the marine environment and species harvested for subsistence.” It is clear that these needs and drives of the modern world have taken a priority over the historical practices of the locals. The local communities bear the majority of the risk from the concerns and dangers of the addition of new navigation practices of the global shipping industry. Sadly, pollution is not the only way the modern boating world has damaged the Bering Sea.

The unique physical environment of the Bering Sea makes it a highly productive ecosystem with vast biodiversity. While this area is highly volatile to pollution, the scarcity of the region also makes it vulnerable to any sort of overconsumption of natural resources. Sadly, I see this happen on a regular basis. During the months of October, November, and December, I flow aimlessly throughout the Bering Sea. Almost every day during these months I see a crabbing boat prowling on the horizon. They are all there at this time for the same thing. They want to cash in on the gold that is Alaskan King Crab.

Who can blame them? During the roughly three-month season, a deckhand makes approximately \$20,000 a week according to the Alaska Fishing Employment Center with captains making up to \$200,000 per trip. While these boats can bring in a massive profit, it is a highly unsustainable practice for the local ecosystem. The abundance of crab in the Bering Sea quickly dropped off after the industry boomed. After its peak the catch of ships was drastically decreasing and it was clear to me that overfishing was an

² Julie Raymond-Yakoubian, “Arctic Vessel Traffic and Indigenous Communities in the Bering Strait Region of Alaska,” in *Sustainable Shipping in a Changing Arctic* (New York: Springer International Publishing, 2018): 278, <https://kawerak.org/wp-content/uploads/2018/08/Raymond-Yakoubian-2018.pdf>.

³ *Ibid.*

issue. Today there are less ships than in the past, but I still see the boats reeling in full crab traps endlessly throughout the day and night in their now limited season.

This hurts me to see. These ugly mechanical sharks have come into my home and repeatedly pillage the waters, taking everything they can get their hands on. Sometimes I take the form of a 40-foot rogue wave in the middle of a storm and blindside a crabbing boat just to remind them who the boss really is. What separates their actions from the similar practices of the locals is what the crab means to them. When I see a local Yupik fisherman reel in 10 crabs, I know that will feed members of his family and community and none of it goes to waste. When a crab boat hauls in 100 pounds of King Crab, I know that it will not be eaten for weeks as it is packed into containers and shipped around the world, and a lot of it won't be eaten at all and will just go to waste.

The commercial crabbers are pulling out crabs, but in theory, every trap that breaches the surface full of crab is just one big pot of money. Unlike the local people, there is no awareness of one's environment. As Leyones and Tengan claim in their piece "Pacific Currents," islanders and local people have a common sense of their relationship with the land based on "the fluidity of being in the world." The locals understand their relationship with nature is give and take. They understand the cycles of life in and around ocean life. On the contrary, fishermen and the consumers of the commercially caught crab have no connection to the natural environment of the Bering Sea that this once belonged to. It is this lack of understanding and acknowledgment that has made overconsumption an integral part of the modern world. It is easy for consumers to be removed from the supply side of their consumption. The results of overfishing are not felt by someone eating crab legs at a Vegas all-you-can-eat buffet. But I feel it in my home. I see the effects it has on my community. This out of sight, out of mind mentality feeds into the divide between humanity and the environment that comes from overexploitation of natural resources. While natural resource depletion is a huge issue for my community, perhaps the greatest issue is the one closest to my heart.

Sea ice is what makes the Bering Sea everything that it is. That may sound cocky coming from a piece of sea ice, but it truly is the case. Since the importance of my job is not fully realized by almost anyone, let me explain. So today is the winter solstice, the shortest day of the year. This is the time of the year when my brothers and sister from above the Arctic Circle take advantage of the cold air and water temperatures to expand their freeze and move to the south through the Bering Strait and throughout the Bering Sea. The increasingly colder temperatures allow for us to stay frozen throughout the entire winter and spring months. The frozen ice we provide is a habitat for local animals like seals, foxes, and even polar bears. Our frozen sea ice also reflects incoming sunlight instead of letting the ocean absorb it. Reflecting the sunlight instead of absorbing it keeps the ocean water cooler and facilitates our re-freezing in the following winter. Once the warmer weather of summer reaches the Bering Sea our fleet of sea ice retreats back

into the Arctic Circle. This may not seem like a big deal, but it is this action that makes the Bering Sea a region of such high productivity. I won't go into all of the scientific details because even I am not sure how it works, but essentially when we melt, there is an imbalance in the salinity of the water. This allows the nutrients and fresh water that we have collected throughout the storms of the winter months to get released into the ocean. It also facilitates the growth of algae and a phytoplankton bloom. While this does not seem like a big deal it is, especially to use and the food chain of the Bering Sea. It is our melting that allows for the massive explosion at the bottom of the food chain in such a barren region. The influx of these microorganisms stimulates the entire food chain in the Bering Sea. It was this process that historically made the Bering Sea such a resource and nutrient rich location. This primary productivity has characterized the Bering Sea for millions of years. It is only in the 21st century where I have seen my frozen reach retreat dramatically year after year. This is a huge problem for me and every living organism that calls the Bering Sea home.

In 2018, my fellow comrades and I had our least extensive sea ice coverage in the Bering Sea in the past 5500 years.⁴ Those that state this simply as the effect from the natural cycle of the Earth's heating and cooling are wrong. I have been in this space for millions of years and these rapid changes are completely new and unique. While I could not seem to get to the bottom of the reason for this rapid change, many scientists and environmentalists have come to the Bering sea for research and to give me an answer. The scientists in the region have been able to create a "record of peat cellulose oxygen isotopes from St. Matthew Island along with isotope-enabled general circulation model simulations to generate a record of Bering Sea winter sea ice extent".⁵

While I cannot entirely understand the methods, the results are clear and foreboding. According to the report by Jones et al., the recent loss of sea ice in the Bering Sea is just a delayed result of increased CO₂ concentrations that the rest of the world has already felt the effects of. The natural isolation of the Bering Sea makes it highly sensitive to change but on a delayed scale. While the rest of the world began to feel the effects of climate change, the Bering Sea and its sea ice remained relatively stable. However, Gramling shows that the sea ice extent in February 2018 and February 2019 was 60–70% lower than the average February extent from 1979 to 2017. This drastic change in such a quick time is extremely concerning. These findings mean that the Bering Sea is extremely reactive to anthropogenic forcings associated with climate change. This is clear to me and my brothers and sisters. Every year our reach gets smaller and smaller. This loss is not only a loss of my solid physical form, but also a loss of biodiversity and the natural

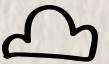
⁴ Carolyn Gramling, "Bering Sea winter ice shrinks to record low," *Science News* 198, no. 7 (2020): 18, https://www.sciencenewsdigital.org/sciencenews/october_10_2020/october_24_2020/MobilePagedArticle.action?articleId=1624292#articleId1624292.

⁵ Miriam C. Jones, et al., "High sensitivity of Bering Sea winter sea ice to winter insolation and carbon dioxide over the last 5500 years," *Science Advances* 6, no. 36 (2020): https://www.science.org/doi/epdf/10.1126/sciadv.aaz9588?adobe_mc=MCORGID%3D242B6472541199F70A4C98A6%2540AdobeOrg%7CTS%3D1638914131.

environment that so many, including myself, different beings call home. While the Bering Sea remains a space of remoteness, humanity's wickedness has never played a bigger role in the future of the land and sea in the region. The fate and environment of the Bering Sea is on course to permanently change.

The sacredness of life and nature in the Bering Sea has quickly begun to dissolve. This is a cry for help. I know that things will never go back to the way they were. I live in a world where even the most remote places, like the Bering Sea, experience the effects of human progress. I am reminded of this daily through the presence of crabbing boats, increasing shipping vessels and activity, loss of biodiversity, and sitting here in my liquid form. My liquid form this late into the year is a reminder that the needs of the natural world fall second to human progress and the dangers of ambition. My remote sea is a microcosm of the entire world. An untouched and rich paradise succumbs to the greed and privilege of humanity. This is not a new phenomenon, regions throughout the world that have abundant access to any sort of resource are eventually depleted and left to heal in the name of human progress. Due to the finite nature of our planet, this cycle must be broken if humans want Earth to continue to serve as their only home.





Slow Healing, Destruction, and Transformation: Sea-Related Agency

Lauren Leung

“The voice said “I will not die. I refuse it. I will make it through this nightmare. I will beat the odds, as great as they are. I have survived so far, miraculously. Now I will turn miracle into routine. The amazing will be seen everyday. I will put in all the hard work necessary. Yes, so long as God is with me, I will not die. Amen.”

— Pi, *Life of Pi*¹

“I was kind of looking for a story ... that would direct my life.”

— Yann Martel on why he wrote *Life of Pi*²

I think there are some things that don't do well when represented by something other than the ocean. They are too big to be contained except by the sea.

“When I was young, I used to come to the beach with Gong Gong. I'd sit here by the pier and he'd go out for a swim. He'd swim back and forth out there...I'd lose track of him — I used to be scared he wouldn't come back.”

My aunt tells me this story as we sit on the sand by Redondo. She's mentioned it a few times. The sun is hot against my back; I'm annoyed by the fine grains slipping into my shoes. My eyes fix on the turbulent waves melding in unpleasant and dirty gray-blue forms a hundred feet away then travel to a lost point somewhere beyond the wooden pier. In my mind, an image of my aunt forms. Small, she sports the bowl cut stereotypically associated with 1970–80s Chinese-Americans, arms wrapped around her knees, waiting for her grandpa to emerge.

I was born in San Jose, but when I was 12, my family moved to Los Angeles, specifically a rather nice area of land called Palos Verdes that juts out to finish the southernmost part of the Santa Monica Bay. Our new house was a 15-minute drive from the ocean. Colloquially, the peninsula is known as PV.

In the novel *Life of Pi*, a man survives a shipwreck to find himself adrift in the ocean on a lifeboat with a hyena, orangutan, zebra, and tiger. On the ship for 277 days, he struggles with his helplessness and the psychological battle he fights not only with himself, but

¹ Yann Martel, *Life of Pi* (Edinburgh: Canongate, 2018): 186.

² Ray Suarez and Yann Martel, “Conversation: Life of Pi,” *PBS NewsHour*, Public Broadcasting Service, 11 November 2002, <https://www.pbs.org/news-hour/show/conversation-life-of-pi>.

the tiger on board that he must assert dominance over. Through his oceanic and other-worldly journey, he comes to terms with the need for both “will and faith.”³

Diana Nyad had a goal, or perhaps, it would be more accurate to call it a dream. She was nearly 60 years old. 32 years ago, she had attempted to swim from Cuba to Florida, but failed. Now, the vision of the beach in Key West haunted her day and night. The lights drawing nearer, the first touch of solid sand against her feet, the collapse, the relief. She says, “I wanted to be filled with commitment to the best of myself so that I wasn’t looking back later saying, ‘What have I done with my life?’”⁴

The ocean has long existed as a space for exertion, a way for humans to test their physical fitness, overcome limits, and achieve meaning. Its vast expanse represents not only physical distance to be overcome, but also personal challenges, ranging from old age, the desire to prove oneself, or to conquer illness — struggles that are so massive they require something unfathomably large to be represented by.

When I was 16, I was on crutches for about seven weeks. Three before the surgery and four afterwards. I had a brace for 10 weeks. Three before the surgery and seven afterwards. I divided my whole life into a before and afterwards. When I was seventeen, my most-listened to song on Spotify that year was “1-800-273-8255” by Logic. I wrote about a peace, one that ebbed and flowed like the foam-tinged waves on the sand. I described it as fleeting.

In the winter months, fog spills over the PV hills, driven inwards from the sea. It doesn’t quite reach my house — driving out of the neighborhood in the evening you can see the wall of whitish-gray, hovering above the small valley and enveloping the buildings perched on the hill. I always long to pull the fog a bit closer, like a blanket, to disappear in it, to sleep well for once.

On September 17, 2019, Sarah Thomas reaches the coast of Dover, England. She has completed her goal, which was to not only swim across the English Channel, but to do it *four times in a row*. She has swam over 130 miles in the past 53 hours. “To me, it’s more like a compulsion,” she says to *Sports Illustrated*. “I need to do this. I need to be in the water. I need to be finding limits and pushing boundaries...It just feels like something I have to do.”⁵

I’ve learned that healing is never as fast as you want it to be. I pay close attention every time I get a scratch. The body heals, but slowly. My younger brother asks me of every pain, “Will it be there in a week?” For him the marks come and go — skinned knees,

³ Gary Krist, “Taming the Tiger,” *The New York Times*, 7 July 2002, <https://www.nytimes.com/2002/07/07/books/taming-the-tiger.html>.

⁴ Todd Pitcock, “The Unsinkable Diana Nyad,” *Reader’s Digest*, Trusted Media Brands, 15 April 2016, <https://www.rd.com/article/the-unsinkable-diana-nyad/>.

⁵ Charlotte Carroll, “Open-Water Swimmer Sarah Thomas Didn’t Let Cancer Stop Her in Record-Breaking Quest,” *Sports Illustrated*, Authentic Brands Group, 30 September 2019, <https://www.si.com/more-sports/2019/09/30/sarah-thomas-swimmer-english-channel-four-times-breast-cancer-survivor>.

mosquito bites, bruises from jumping off the couch — in his experience they're always gone in seven days. I've learned that sometimes pain stays, when you least expect it to. I don't think time is the great healer. I think it's the slow destroyer.

If you follow Hawthorne down to Palos Verdes Drive and take that highway south, you'll reach the part of the peninsula that's sliding into the ocean. The road is incredibly bumpy, patchworked from the constant fight between shifting earth and human construction. The sea is winning that tug of war, slowly dragging the coastline down. The wildly-fluctuating landscape makes for a wonderfully-exciting backseat experience.

Let's all get in our cars and drive to the sea!

Before COVID-19, my mother planned to take our family back to Taiwan for the summer. When she talked about it, you saw the excitement, but also the undercurrent of antsiness, the restless urge to be halfway across the world. Time was stealing something from her even then.

29 miles into the swim, Diana Nyad lets herself be touched. Her body is wracked with jellyfish stings, her shoulder aching with pain, her breathing heavy. The lights of Florida's shores are slipping away as she lets herself be helped into the boat, body lifting out of the black and cold water. It's her third attempt to swim from Cuba to Florida. It's been two years since she decided to pursue this distance.

Epeli Hau'ofa writes, "The ocean is not merely our omnipresent, empirical reality; equally important, it is our most wonderful metaphor for just about anything we can think of."⁶ I agree. Unchangeable, well — frantic, calm, vast, unknowable, totally familiar, incredibly beautiful, drab, spreading beyond imagination, frighteningly deep, encompassing feelings of panic, danger, freedom; the sea is the cure for my weakness, the answer to happiness, the silence in the things that have no description. It's an ending place: *We have reached the ocean!* — and a beginning: *Many, many more miles to go.*

My senior year of high school, the theme of our yearbook is "making waves." The Editors-in-Chief explain it to us and there's some literal handwaving involved — it's something about making an impact, the ripple effect, creating good change — the metaphor is rather vague, but we all get it. The cover of the book is a calming wash of watercolor and there are two delicate, curving lines inscribed on the glass. We are a school of wave-makers. Everyone wants to make a wave.

Every time I write a new personal statement or have to offer my career goals, I cringe a bit: "I just want to make a positive impact." I long to make a wave too, or to give into one. *To be simply carried away* —

⁶ Epeli Hau'ofa, *We Are the Ocean: Selected Works* (Honolulu: University of Hawai'i Press, 2008): 55.

During the pandemic, the only places I visit regularly are Trader Joe's and the beach. On the days when I realize I haven't been out of the house in a week, I get up early in the morning and go sit above the Strand. On the afternoons when I'm tired of sitting and staring at a screen in the same black chair I've had since elementary school, I park in my car by the sea. In the nighttime when I'm feeling restless and need to escape where I am, I run beside the ocean, hearing the faint noises of water ahead and behind me.

Many years prior, my grandparents decided for their 50th anniversary that they would take the entire family on a cruise to Alaska. I first learned about this when I was 12. I remained incredibly excited about it up to the day I boarded the ship, at 15. The last time our entire family would ever gather as a whole is a memory on the dark expanse somewhere between here and Vancouver.

It turns out that waves don't last. They're incredibly fast to disappear, pulling back into the greater deep. The ocean is a monolith with no point of weakness. I want to be as such, letting the worries of today fade into the greater whole. Instead, what seems to recede into myself are all attempts to break free, to become someone new.

I've grown to be less absolute in my thoughts, and more soft. I am comfortable with incremental growth. I hold myself back from plunging into desire. Time and the sea are acquainted. Both inevitably heal, or hurt. I won't let myself be tricked easily by a quick fix. I expect change to be slow — trails of earth running down the slopes into the sea will one day carve a new coast in my home.

In 2019, Greta Thunberg takes a yacht to cross the Atlantic Ocean from Sweden to New York for the 2019 UN Climate Action Summit. The carbon neutral journey is to demonstrate her belief in the importance of reducing carbon emissions. The second leg of her trip to the UN Framework Convention on Climate Change has to be improvised; two Australians offer to ferry her to Spain on their catamaran, a four-week journey. Her trips across the sea seem to have made an impact. In 2019, Sweden reported a 4% decrease in domestic travel.⁷

When I was 16, I was more desperate and wanted to feel like before. I read somewhere online that your joints feel less impact in the sea. The water cushions, supports, wraps, and in my head, cools. In that summer, when I was in the water I secretly bounced up and down against the sand, testing my knee, pretending I was whole, feeling the give of the sand and the joy of being weightless, letting my legs dangle and move with the water with measured recklessness. I count: 1, 2, 3, 4...all the way to 15. If I can do 15 hops without pain, I'm getting better, healing. As I spring up and down in time with the waves, I wonder. Is this what it feels like to jump without fear?

⁷ "Sweden sees rare fall in air passengers, as flight-shaming takes off," BBC News, British Broadcasting Corporation, 10 January 2020, <https://www.bbc.com/news/world-europe-51067440>.

“What makes that ship drive on so fast? / What is the Ocean doing?”

— Lines 417–418 of “The Rime of the Ancient Mariner” by Samuel Taylor Coleridge⁸

I read a quietly-engrossing poem for an English class freshman year. The Mariner, enduring his hellish ocean journey, encounters both horror and salvation. The ocean to him is both alien and familiar — at various times it appears painted, blood-red, green, a space for supernatural experiences to spring out of the wind, rain, sun, and moon — objects that interact to move and transform the Mariner’s space and mind. The Mariner has power too. He lies on his ship alone in the middle of the sea and dreams of dew filling the buckets on the deck. When he awakes, it rains. In the ocean, agency is a fluid concept. I am stuck on the dream of rain.

In Oceania, agency is through fluid. According to Jaimey Hamilton-Faris of the University of Hawai’i, Manoa, getting in the water is an important action for activists that represents futurity, survivance, and solidarity, the creation of a picture that refuses “mournful images of inundation and drowning.”⁹ Pacific Climate Warriors stand in the water, holding signs: “We are not drowning. We are fighting!!”

Sarah Thomas was diagnosed with Stage 2 breast cancer during her training for the channel swim. Afterwards, the endeavor became more than a physical journey. It was a representation of surpassing her diagnosis and proving that she wasn’t limited by an identity as a patient. This is for “all the Survivors out there,” she said, before getting into the waves.¹⁰

The ocean calls because it’s unconquerable. A space to lose yourself in, a space to dump the trials and helplessness of the human self. A place to escape both the trials of time and nature, and the work of humans. The ocean has never looked any different when I view it from a distance. The water is cold when you get in but I always acclimate quickly.

On the other hand, there isn’t anything more satisfying than conquering the unconquerable. There isn’t anything more unmoveable than something standing firm in the sea, or as unbreakable a connection as the one formed by the flow of water. Hau’ofa writes, “The ocean is ever-flowing...The water that washes and crashes on our shores is the water that washes and crashes on the coastlines of the whole Pacific Rim from Antarctica to New Zealand, Australia, Southeast and East Asia, and right around to the Americas.”¹¹

Connected by the sea, two women from two islands halfway across the earth call one another, “Sister.” They’re linked by the desire to rise, to respond to colonization and their urging of the world to respond to climate change. One says to the other:

⁸ Samuel Taylor Coleridge, “The Rime of the Ancient Mariner,” in *Wordsworth and Coleridge: Lyrical Ballads* (London: Routledge Classics, 2007): 51–78.

⁹ Jaimey Hamilton-Faris, “Post-Imperial Oceanics,” (lecture, University of California, Berkeley, Berkeley, 5 November 2020).

¹⁰ Charlotte Carroll, “Open-Water Swimmer Sarah Thomas Didn’t Let Cancer Stop Her in Record-Breaking Quest,” *Sports Illustrated*, Authentic Brands Group, 30 September 2019, <https://www.si.com/more-sports/2019/09/30/sarah-thomas-swimmer-english-channel-four-times-breast-cancer-survivor>.

¹¹ Epeli Hau’ofa, *We Are the Ocean: Selected Works* (Honolulu: University of Hawai’i Press, 2008): 55.

“I welcome you
to the land of my ancestors
– to the land where they sacrificed their lives
to make mine possible
– to the land
of survivors”¹²



My mother calls her father frequently. She doesn't speak to her mother, because it will make my grandmother anxious when she doesn't remember who my mother is. I stand by the stove in the kitchen when my mother tells me this, stirring the soup. My chest is tight and also cracking. The distance between my mother and her mother is a multiplication of time and space — it's oceanic.

During quarantine, I decide to become a runner. I quickly learn that the sport is hard on the legs. I get ankle pain, shin splints, then runner's knees. I feel the impact of the concrete through my knees especially, gravity holding me down, the air in my lungs forced out in ungraceful spurts. Simply, I am a heavy body. I want to be light. In my journal, I write that I want to run in the rain. By the sea, in the rain. I imagine it makes you feel clean.

On the Easter of my 19th year, I am dunked under the waves of the San Francisco Bay. I picture how I look, hoisted up out of the icy water by strong loving cold arms, smiling as bright as I can for the cameras, crystalline rivulets pouring down my face and body. Later I sit on my dorm room floor alone staring at a small collection of flowers and cards gathered by the floor, hair wet, mind tracing back to the instant of the plunge. I don't really feel any different, but it's one of the best days of my life. I've just taken a bath in the biggest tub in the world.

It's September 2, 2013, 1:55pm. Diana Nyad is 64 years old. It's her fifth attempt to swim from Cuba to Florida, her first one being when she was 28. She steps onto the sand at Key West. The lights are bright. It's not a dream. "If you say to yourself 'find a way,' you'll make it through," she later says, standing on the land she longed to reach for so long.¹³

I've never seen my great-grandfather's face, only his grave — a stone in America for a man born in China. In my mind, my great-grandfather swims on, arms slipping in and out of the water, somewhere beyond the wooden pier, lost in the natural rhythm of the water. He's strong. His will has carried his family to this land. His body moves himself through the water. My aunt's voice has a tinge of awe. I watch them both in my mind, an image that won't change.

¹² Kathy Jetřil-Kijiner and Aka Niviāna, "Rise: From One Island to Another," 350.org, <https://350.org/rise-from-one-island-to-another/#poem>.

¹³ Todd Pitcock, "The Unsinkable Diana Nyad," *Reader's Digest*, Trusted Media Brands, 15 April 2016, <https://www.rd.com/article/the-unsinkable-diana-nyad/>.

Ireland Having an Existential Crisis on Alphabetization

Leah McMillan

The people that crawl around on my back had heard stories of newcomers who granted themselves power over us, who dilute the powers of spoken, memorized, recycled words and messages. They bring voices two dimensionalized and captured in worm etchings on thin sheets, laid together to be flipped through and bound like a box. It feels magical at first to capture those voices until you realize the winds have been snatched from them, the words that used to be fed with life by being spoken over and over again now are captured, impaired, and severed from the voices that spawned them. I heard them chatter, how they'd rather fall than submit to Protestantism and sobriety. The people that lived on me, I stored their memories, and so did the sea.

The ocean was a library of memories, the entire past lived there, absorbed after it was relayed since the first ship found where the blue turned into green. Voices were stored in the bubbles of the water, in the sand shimmying across itself at the seafloor, the seagrasses sliding across one another and the entire array of various sounds provoked by the water being pushed around, by force of exhale or a startled fish and the endless ticking clock of waves. Their pulsating clapping crashing on my edges, throwing themselves entirely at my etched cliffs, clawing away piles of sand just to land outstretched onto them. The winds laced through my bountiful forests and blew curious songs around my leaves and wiry flowers, filling each drop of space between dense mossy grasses. When air is forced to fill whatever shape is in front of it, traveling as sheets with cutouts of shapes of branches and trees and their ornaments, the whistles vary in tone from the ground to the sky. These whispers of the sea and land and birds were the rhythms to the souls that lived on my back, the mutterings from the first voyagers' lips matched their tones and notes, living and sleeping in sound communication.

It used to be just the water playing with me, nudging up to me just to run right away and immediately turning around to do it again, the waves holding hands in a ring around me, dancing and swaying and pushing one another down, rolling around and getting back up to sway and fall again. They haven't left but the birds came, why I nearly forgot about the first birds; the first screech I heard rang in my head for days, had such a distinct tone, but it since has gotten lost in the whole of my memory. Not because they've been here so long; really most of my life was free of mutterings from beaks or lips. I felt all types of claws and hooves and toes and bellies on top of me, but something more curious happened as all the heartbeats fell into patterns and I could feel the trees and lips inhale each others' exhales. But it has not taken long at all since the humans' arrival for the footsteps upstairs to press much harder; I didn't mind the boots but the steel machines and suffocating concrete have marked my demise.

The invasion took centuries. It started when England sent people like birds to my coasts in the childhood years of colonization, when the world was endless and conquests were neighborly. The first visitors with intentions to colonize their destination in turn colonized themselves. Their antagonism was quickly absorbed and reflected by the Gaelic, indigenous Irish and the Anglo visitors began speaking and dressing Irish and practicing paganism by choice. They inhaled the fierceness of my wind beaten lands and were even more malicious to the English than those who welcomed them onto my back.

A sensitive chord was plucked when England heard of their missionaries' newfound love for the land they were supposed to conquer. In the following centuries, I saw their boats come to my shores more and more frequently in search of more than just our fish.

There were still some forests on my back, but most of the trees had been sawed and transformed like clay into boats and houses and spoons. These forests used to protect my skin and the creatures that lived on it from relentless wind and rain, but they needed a new form of protection. Castles blossomed on my coasts, made from the same flesh as me, facing the enemies whose imperial heartbeats were quickening.

This imperialism was not foreign, as several Irish clans themselves were at each others' throats for power over the entire island. It is difficult to distinguish the different evils of wanting power over your own people and wanting power over other lands and their people. Maybe it is not even worthwhile to quantify these different evils, but just to recognize the threshold when the ferocity one has for preserving and protecting their own people is extended to invade and interfere with the same wishes of others.

These coastal castles were like the teeth that sit around a fleshy tongue, hard as nails before my soft moss belly. There was a girl in these castles, they called her Gráinne Ní Mháille. They used to say her name like "grownya" but now I rarely hear it said as such and she is normally called Grace, simplified like a victim of alphabetization. I had felt her clan before, they're the ones that built a section of these castles and had been sailing nearby for centuries. Her footsteps were always thoughtfully placed and certain once they pressed into my soil. I felt those steps carry her to the loading dock for one of the fleet her clan was about to take, and heard her father forbid that she partake, for her hair would get snatched in something and take her under. What happened next I've only heard through tales, for her locks falling on my land were softer than the air that always sits on it, and I hardly felt them land. But I heard her mother gasp and scold and the entire clan call her "Gráinne Mhaol" meaning Gráinne with cropped hair. She joined the fleets and like her hair, the English fell.

Several of my appendages are summits and islands separated by small inlets. My achilles, Achill island sits protected and shaded by thighous mountains. Achill's detailed anatomy is the routes of sheep and lamb and the survey of proud eagles that draw circles



with their flights, plucking those delicate animals off their treacherous ways about the perimeter of the summit. The folds of Achill's landscape pucker inwards and outwards. Inwards, they face an assortment of graves. There are circularly arranged boulders that were rolled into place by pagans when the world was just beginning to unravel. These lie near the grave of a giant, where "human bones of giant proportions" were carried away on a recent day.¹ That same night, a storm of analogous giant proportions swept down the western side of Ireland, drenching clans into fearsome councils calling for the bones to be returned immediately. Achill island was part of County Mayo, where the Mháille clan ruled the green seas and the lands they embraced. These were the soils that Gráinne grew from, the rains that watered her, the winds that blew voice into her vessel and out through her tongue. Even after fighting to join the sales, she was not able to lead fleets under her father.

She was finally able to sail by her own will once she married into the O'Flaherty clan, ordering shipfulls of men in the business of trading with neighboring islands and nations. This seafaring arranged match proved to be fertile for Gráinne's fearless leading spirit. She was recognized by all the O'Flaherty fleets as an honorable woman, and respect was paid not only to her, to her voice and ideas and direction. Upon the death of her husband, his estates were withheld from Gráinne despite Irish law which stated she, as a widow, deserved a portion of such. She revolted, rounded up her loyal fleets of men, and fled to the place she knew best: the sea. These were likely the years in which her infamous title as a pirate earned its accounts and fame. Over time, Gráinne built an empire of five castles and some islands in Clew Bay. She has her sights keenly placed on Rockfleet castle, which she would need in order to have control over the entire area. England was invading the neighboring clans' lands like a plague, seeping towards Gráinne's kingdom. That is why Gráinne knocked on the door and asked Richard of Castle Rockfleet for one year in marriage, suggesting that such a merge could withstand an invasion. She declared "I release you" after a successful year of self protection, but they lived in thrashing, seafaring love for another seventeen years together until his death in the early 1560s.

Of all the bipedalers on my back, I felt most of the palms of their feet severed from my surface in these years and the ones that followed. The sweet songs of air and water rushing all around me were the voice that used to frame ours, now it was jagged where it had been chopped like the forests and grainy where clouds of expansion were hanging. The voice was also disconnected as the syllables that had always been used to name and describe my people were simplified and deflated. With a program called "Summit and Regrant," Irish clans were dissolving as their leaders were encouraged or forced to sell their lands' in exchange for an English title.

England was growing like a cancer all over my body. Gráinne could preserve herself, but her brother and son were taken by the English on one of their raids. Gráinne knew she

¹ James Joyce, *A Forgotten Part of Ireland* (Tuam: 1910).

needed to face the Queen, eye to eye. After multiple correspondences, a date was set for the matriarchal faceoff, and Grace left fearlessly into a sea of man-led Anglo ships that would absolutely love to capture such a feared rebel, destined to retrieve her son by hook or by crooke.²

I imagine her floating between the grasp of the inky sky littered with star specks, and the soft pulsating pool of ink scattered with stains of moonlight. These two patterns of glitter upon blackness caress one another, sloppily but seamlessly. Sitting on this seam, sliding forward on it, land behind, and sea ahead. To the moon she must have looked like another ripple of glitter, where she rests on her back, or maybe just another smudge in the ink she floats on. Blending into the embrace of the two textured worlds. The earth is teasing the sun, hiding; she will show herself soon and bask, dissolve each glowing speck until they meet and infect the entire scene, glared at from the top of the sky, and glaring right back to my face.

The bleached blue swimming sky made everything so visible that it's hard to see, even when you close your eyes. She reaches her fingers down and pet the sea's back, it coos, rains up onto her palm, relieving the sun's breath. Puncturing the sea's embrace with the sky just a moment, the sea taking a gasp while the sky takes a gulp. But I wonder what she saw on her journeys. I wonder what drew her to my sea initially, before she could speak with it and use it like a tool.

Upon meeting, the dagger in Gráinne's hand was constantly grasped and she refused to bow her head to Elizabeth for even a moment. But when the two women met, their discussion did not erupt in flames nor disrespect. It seems that each woman saw some of themselves in the other, and they must have in such a male dominated world. At one point, Gráinne sneezed and a member of the court handed her a royally expensive lace handkerchief. Gráinne blew her nose then tossed the handkerchief into the fire. Elizabeth remarked on how rude Gráinne's act was, burning such a fancy gift, and Gráinne made a statement that the Irish would never be so disgusting as to put a soiled tissue back into their pocket. A silence followed, in which the room must have thought that Elizabeth would have the seawoman executed, but instead she roared out in laughter.

This proved to merely be a peaceful moment in the conquest of my land. Fewer and fewer clans had sovereignty over themselves, and the people I had grown to love.

Gráinne was captured several times, and was eventually imprisoned with an execution date set. She was ready to be murdered publicly and her pride was still lingering fiercely. Her head pointed to the wide sky as she was moving closer to her moment of death, bound in chains but ascending nonetheless as her son in law volunteered himself as prisoner in exchange for her release. She returned to fight the powers that were spreading manipulation to the world. England was playing tug or war with France and Spain

² "By hook or by crook" is a saying meaning by any means necessary. It originates from the two cities, Hook and Crooke, which are on either side of the river that enters the southern face of Ireland, the River Suir.

at this point, and although Gráinne fought maliciously well into her 50s and ended her life in the hillside peace of farming, my land was not protected. I was soon submerged in England's pee.

I had grown to love the people that crawled around on my back, my love was planted in their lineages and grew through their generations, strengthening across all the different souls that I felt embrace me in return. I loved their winds, I loved how they lived intertwined with the soils, growing new life under my surface and under theirs too. The air was always perfectly balanced. There was violence, but all blood and tears shed were the complement of the unstoppable bounty of omnipresent growth.

These people I loved were still people, but they were no longer endemic to my land, and the changes they had experienced were merely influences from other humans. So when I wonder what I have truly lost, I tried to tell myself that it was still the essence of life that was atop me. Then my sights return back to the eagles drawing spirals in the sky and snatching a young lamb, one with fur that appears soft but is wiry to the touch. I mourn the forests that used to filter and braid the wind, securing all life in a matrix. I flashback to the scene of Gráinne delivering a child on the shipdeck of a rocking ship, holding the new life to her breast and the pair inhaling that balanced air as if they were both newborns, and I remember what was lost.

When did England's heart start beating imperialism and their rushing blood pushed by the dissatisfaction of their own self and power? Maybe another historian can tell me when England began acting like a destructive, denursed person that was never shown love as a child and searches for it by misplacing rage and seeking power. Of course this isn't endemic to England, and not even just to Europe, as conquests are nearly synonymous with human history. And it is difficult to separate where such imperialism turned the world monotone and when the level of manipulation of others became so destructive that we find ourselves in our current death-obsessed, colonized world. Possibly it was when the atlantic slave trade turned the middle passage into a graveyard, or when the doctrine of discovery was written. Prosperity changed its meaning from a world driven by creation and life into a self-validating idea of spreading self- through imperialism or domination, and erasing others. I mourn the balance that once sustained me.

Now I dream of detachment often, but I didn't always. I am nobody's umbilical cord, but I am the umbilical cord of all the people that live upon me, because if I am severed, so are they.

I envy the movement of plants, their ability to reach and disintegrate. I used to envy their death until I realized I have never witnessed it. I have seen the sea grasses around me travel the entire landscape of my sight, not all at once but by seed and sprout, shriveling in a pulpy death only to reappear a few steps ahead of the last one, then a few more, covering the floor in a patient gradation.

I think of twisting all the crystal lattices that compose me, squashing their grids into meshes and knots, deconstructing their flawless linkage of layers to the seafloor, needing only one to turn to dust so I can be unbounded. Or I dream it happening by calling the water in a ring around me to rotate faster, brush closer against me, saw away at what connects me to the floor. It must happen eventually, most of me is submerged, like everyone else I know. Won't we all be disintegrated soon, untied from the source? The tug of the hurricanes used to make me think my detachment was coming. Now, though they are the only voices that could wake me, if I am awake I hardly notice them.

I will miss the whispering sea grasses at my base that graze one another and my sides; I will miss the security of my attachment to the earth, deeper than any root, connecting into a radial web of rushing lava and a rotating pool; melted on one end of the route and solid on mine, but the same course nonetheless, and of the same blood. I was liquid too once, when I was closer to the earth's swallowed sun, before I diverged from that central pool and then from those vascular routes and although I stayed in the body, I lost my movement. I ran inside myself until I escaped, and I changed but am still that molten rock, petrified. Now there is time, there is change, there are surroundings that I know are not just an extension of myself.

My detachment should happen. Only the ocean knows the weakness of land, and the smallness of it, and now I know the ocean. The dry land is a mere sliver: the crest of the land's spine as it leans over itself, or perhaps its crown poking out from the submergence. It's endless up there, on that dry curious sliver with animals trotting all about it, building houses just to knock them down. But it's more endless down here. My life's been longer than all those on land combined, I hold the memories of the land's past forms in my pocket. The birds screeches that got lost in laughter only to be turned to metallic shrieks. The footsteps used to kiss my crown, now they treat their earth like it's in their way instead of their path. And I learned that things change but moments still feel petrified until they are shelved in your memory. I envy their metamorphoses while forgetting I was once as fluid as the tides around me. So I think back to what I was before that.



Rogue Wave

Jaden Rosenthal



In the early 1920s, maritime travel had become popular and mostly safe, yet much of the Pacific coastline was still unexplored. Decades prior, the US announced in a news article that they had successfully acquired the northernmost region of North America as a territory: Alaska.¹ Exploration of the area was fully underway for years from the water, mostly consisting of large military steamships and research vessels. Militarization of the area wouldn't happen for another half century, and most ships were tasked with marking the ocean depths and landmark islands close to the coastline.

Some ships had fallen victim to the adverse ocean conditions that can occur in the Alaskan sea as many giant ocean swells form in this area. Although, this was a little known fact at the time. One particular research ship had run aground 100 miles off the southern tip of Alaska. The SS Santa Cruz was a beautiful and newly equipped research vessel that was tasked with exploring the Alaskan coast, as much of it is still unknown and somewhat uncharted, making it dangerous for other ships to pass through. The crew had apparently been researching a small shallow bank they found when large seas came and bashed the side of their ship from nowhere. The crew barely had any time to react, and after a mayday call, the ship sank in minutes. The crew, stranded in the ocean depths, without land in sight, floated in the angry seas until they could swim no longer. Humans can only survive in water this cold for a matter of minutes as the water temperature usually plummets below 50 degrees regularly. You can only imagine what they might've been going through: lost, cold, and no land in sight — only a dark, angry ocean for miles. And water so cold that it feels like 1,000 needles injecting themselves into your skin at once.

Although the SS Santa Cruz was unfortunate to not have any other ships nearby, one military ship patrolling the area was close enough to make the journey to the bank. The SS Halisco, led by captain Erwin Fitz was a large military patrol ship with a large crew. The crew of this ship, however, would not know that the story of this ship would be written in history as one of the most deadly and famous shipwrecks in history. The research vessel had hundreds of people on board, and it had accidentally discovered waves that the human race seldom thought were possible. Waves the size of the tallest buildings in the world, taller than the largest redwood trees along the California coast. Waves this size lived only in our deepest and darkest nightmares. The only waves ever seen were the small ones that broke directly onto our coastlines, usually pushing three feet high, and hardly much bigger, except for during the largest storms. Sometimes, the waves on the coastline break much bigger, big enough to spook most anyone from venturing into the water for fear of drowning in the white water. Various shipwrecks were unexplained

¹ Dane Hartgrove, "Seward's Folly: A New Look at the Alaska Purchase," *Journal of American History* 104, no. 3 (2017): 777, <https://academic.oup.com/jah/article/104/3/777/4655112?login=true>.

throughout history sparking some complex and unbelievable theories that many deemed as impossible: rogue waves. Waves more than one hundred feet in height, breaking in water hundreds of feet deep. No one can imagine the force applied from waves of this size.

One cubic meter of water has a weight of around a ton. If a wave was 10 meters high and 20 meters long, that would mean a moderately sized ocean swell would weigh about 410 tons.² This is among the largest size of waves that had been seen in the early 1900s, as true big waves had not been hardly discovered yet, and the thought of surviving or even encountering waves larger than this were mostly just in nightmares. This weight grows rapidly as the size of the swell grows. One could only imagine how a wave that is over 100 feet high would do to a person swimming underneath the lip.

The ship's call had been heard across the radio, but only a few capable ships were nearby, and none were close enough to rescue the crew in time. The SS Halisco was headed in the direction of the distressed ship, but the crew was unaware that the ship there was no longer floating. Stationed in San Francisco, we were a long way from home and many of our crew members were tired, not prepared for this journey. After hearing word of the sinking research vessel, our crew members, under the direction of captain Erwin Fitz, headed in the direction of the recently discovered bank. Sadly however, our arrival would be too late for these men. With the exact location of the ship unknown precisely, and taking more than a day to travel to the bank, we would only see remnants of the lost ship.

My name is Jeremy Von, and I am a crewmate working aboard this military ship from San Francisco. Although I am proud of my work, I can't help but feel like a prisoner aboard this ship with no say in where we go or what we do. I regretted joining the military as I should've attempted work elsewhere or furthered by studies. I could've gone to UC Berkeley or Stanford across the bay where I grew up, and had a long term path to success. But, instead, I chose a quick path to work: the military. This is something I would regret. But no matter, my life aboard this ship will be done soon, as we are soon heading back to the harbor and I can look for other work. My mother and father were both happy for me to be in the military and proud of my work. They liked to brag to their friends and neighbors. They did not want me to stop work, but I wasn't sure I cared. The work here was, although fulfilling, dangerous. And I always thought of myself as a coward. I shouldn't be a military person. It doesn't fit my personality, I thought.

I had one close friend aboard the SS Halisco, James Johnson, a crewman who started work weeks before me. We both shared the same view of the military, though he was more fond of sticking out the difficult work to save up to buy a house in the hills. He

² "The weight of a wave," SurferToday.com, <https://www.surfertoday.com/surfing/the-weight-of-a-wave>.

didn't necessarily care what he was doing so long as he had a consistent source of income. "What do you think is out there?" asked James, as we both made jokes about sea dwelling monsters that took a massive bite out of the ship's hull. "Obviously the crew members were in some sort of a delirium," I joked. "It was obviously a large sea monster that ripped at the ship's hull." Our jokes were not necessarily placed correctly. They covered up the fact that we both had an uneasy feeling about traveling out to this place. Why would a ship travel out to a spot where another ship and its crew met its demise? Of course, we did not yet know this. Our ship and its crew could meet the exact same demise. This area is not to be traveled to.

James and I began to tell the many tales of the ocean, a large unexplored space. James told stories of unnatural sea beats that lurked in the ocean depths. I told stories of shipwrecks from waves hundreds of feet high. Waves bigger than the biggest tsunami you could imagine. Breaking, then disappearing without remnants. Is it possible a wave struck the SS Santa Cruz after it ran aground, I thought? How big would such waves need to be for it to sink the ship? The research vessel was a large ocean liner ship that would be hard to sink. It would take a massive ocean swell to even threaten the integrity of the ship at all. Many large ocean liner ships have survived massive ocean storms, constantly throwing white water over the bow of the ship, and punching through walls of white water waves. I have witnessed ships even become temporary submarines while punching through massive ocean waves. The swells out there had to have been massive. Well it's hard to imagine what our crew saw upon arrival just 36 hours after the ship's call.

I had heard tales of shallow banks far off the coastlines but had never run into one. They were dangerous, and we were advised to keep a lookout. Not much was known about large ocean swells, but stories of massive swells breaking over top of these banks are common. In San Diego, while surveying the coastlines on the Pacific coast of California in the late 1800s, another navy ship had run aground at a Bank they were researching since named Cortes Bank.³ They found the shallow bank to be roughly 40 feet deep when, unbenounced to them, they found themselves scraping their hull on the bottom. The strong ocean currents had dragged their ship to a shallow point across the reef judged to be roughly six feet deep.⁴ This crew somehow managed to nurse the ship back over 100 miles to San Diego where they could undergo repairs and report the findings of their expedition. Their survival was lucky. If they were to have taken on any bigger gash along their hull, they would not have been able to keep the ship afloat. They would find a new home along the bottom of the ocean floor.

This is what I was afraid of, heading in the direction of a shallow bank off the coast of Alaska, with waters more rough and more frigid than the calmer waters of Southern

³ Chris Dixon, *Ghost Wave: The Discovery of Cortes Bank and the Biggest Wave on Earth* (San Francisco: Chronicle Books, 2011): 13.

⁴ *Ibid.* 18.

California. Far lesser amounts of ships are close by. Shouldn't we play it safe and not go anywhere near this bank and save ourselves? This is what I thought, but it didn't matter. I was not the captain of the ship and had hardly any say in our maneuvers. My fate lies in the hands of our captain. He was an old, experienced man: Captain Erwin Fitz. There have been few interactions between him and I throughout the years, but from my understanding, he knew how to pilot a ship well. And I mostly trusted his guidance (as did most of the others aboard). For some reason, however, I did not feel the same way about our trip to this bank: a bank that had yet to be explored or even named. James and I began to name it Cruz Bank, after the apparent damaged research ship. The journey to the bank would take hours of travel aboard this military ship. Our task is simply to survey the area and save any survivors, but at what cost?

We knew we reached close proximity to the broken ship when we began noticing various floating metal scraps in the water. I had walked from my quarters to the deck of the ship and rested my elbows over the metal railing. I noticed the water around us was calm. It seemed out of place that the seas this cold and deep were calm. There was hardly any wind affecting the water's surface; unusual for the Alaskan seas which usually had wind affected surfaces all the time. Upon slowly motoring closer to a more concentrated area of debris, I, along with the other crew members that began to funnel in alongside me, noticed the scattered field of floating debris. Metal scraps, clothes, and pieces of wood were all scattered amongst the area. One crew member pointed out a floating life jacket. But where was the ship?

In the distance, the calm ocean sea was disturbed by a slowly moving hump, barely noticeable, still miles away. Just as I was about to alert the others around me to its presence, I thought against it. What's the difference, we were aboard a large military ship. There was no way any wave could threaten us. Upon finally motoring even closer to the center of the debris field and beginning to fish through the various scattered objects out of the water, I noticed many broken objects. These were objects that were strong and hard to break. What could have broken something like this? Just as my mind began to ponder the possibilities of their shipwreck, a crew member aft of my position screamed with an obviously startled tone.

I was then suddenly shocked by a sudden weightless feeling before promptly being thrown down to the floor with a strong shove. I feared looking out towards the horizon for what was to come next. My mind began to wander to the worst possible situations. Could it be the massive sea monster John and I joked about? How would we survive that? I shook that thought out of my head. That's impossible. The sea had been completely calm, and they seemed to remain that way. But upon finally looking out over the railing, my worst nightmare was realized. There were sets of massive waves, difficult to discern their height, but massive - big enough. Each wave was bigger than the last, and each

more threatening to damage our vessel and eliminate any chance of getting home. The first wave of the set had rolled in underneath our ship, seemingly only alerting us of its presence and harshly throwing crew members onto the deck, but one of these waves would take us down. It seemed that the ocean had tricked us into a trap. Why were we so foolish to tread into this water directly after another ship had sank?

The ship's captain obviously noticed this too, because I was soon greeted with the unfamiliar sound of creaking machinery as the engines had been pushed to their redline and the ship was turned and pointed directly towards the wave. We were attempting to outrun the breaking wave. And what other choice did we have? All I could do was select a spot with something sturdy to grab on to and wait it out. Would this be my final moments? What a way to go, one hundred miles out to sea and thousands of miles away from my home. A cold and dark, miserable sea.

The SS Halisco started cresting and creaking towards the sky. That familiar feeling started wafting over and through my gut: that weightless feeling that you only feel on the steepest roller coasters. Except this — this was no rollercoaster. This was a rusty ship that was about to break apart at the seams. It was creaking with every second of strain the waves threw at it. Large pieces of furniture and loose metal sheets started breaking off of their holding points and were thrown off the ship. Some sailors were unlucky enough to be caught in the path of these objects and narrowly missed them.

Just as the SS Halisco began tilting back to the point where it felt like we would be thrown backwards directly into the cold water behind us and thrashed by the massive wave carrying millions of pounds of water with it, the large barge creaked and cresting forwards over the back end of the wave. This also came with the weightless feeling converting swiftly to a shove down back onto the deck. A wrong landing could have broken ankles and knocked people unconscious. But we were through to the other side, and upon peering over the bow of the ship, we were going to easily crest the rest of the set's waves.

The SS Halisco had lived to tell the tale of rogue waves, I thought — a tale that many boats had fallen victim to. It is obvious now what had created a dangerous situation for the research vessel that went down here, and it is obvious now that that ship exists at the bottom of the ocean and now in its final resting place. The fish, now keen to make a new home amongst it's shelter. The sailors aboard, trapped inside the sinking ship. The sailors aboard the SS Halisco were deeply saddened about this. These waves we encountered, however, did not seem like rogue waves. They came barrelling through in order, in sets, each one bigger than the last. And another set was looming on the horizon, thankfully much further in, we could see how these sets were barely visible in the deep water ahead, but apparent and strong as they jet up against the shallow reef. These

weren't rogue waves, these were large ocean swells. They were waves. Waves bigger than anyone had ever seen before, but they were waves.

We had survived one of the most threatening, and seldomly seen, things in existence. These waves, like the ones closest to shore, were in some ways very similar to the ones close to shore. They were beautiful from a distance, but dangerous up close. They were invisible until coming close to shore and surfacing fast with the introduction of an ocean floor. The waves out here, however, were in most ways, nothing like the ones anyone had ever seen before. I have watched large waves break out at Ocean Beach, San Francisco for years, sometimes as large as 10 or maybe 15 feet during the biggest storms. But these waves in the middle of the Pacific towered over the boat, threatened to completely knock it out in one fell swoop, and they were much bigger than 10 or 15 feet. If anyone were unfortunate enough to be under the lip when this wave broke, I believe they would never be seen again.

Little known to the crew, the discovery had sparked the interest of surfers around the world, for the sport was first starting to become known around the world. In areas like Hawaii, surfers were beginning to surf waves along the coastline that pushed what humanity thought was possible at the time.⁵ Little did anyone know that in years time, someone would harness the energy of these massive waves. Waves in Mavericks in California and Waimea Bay in Hawaii were the first big waves that people began to harness.⁶ Each make proved it possible to the rest of the world, and humans began pushing the limitations of the big wave surfing world. Recently, the first ever 100-foot wave was surfed, and surfers are looking for more. Now, finally understanding what deep ocean banks have to offer: maybe the biggest waves on this planet, or the same waves the SS Santa Cruz and Halisco encountered. The world of big wave surfing had just begun. But for James and Jeremy, they would never understand why anyone would risk their lives like this. Is it really worth it?

⁵ Chris Dixon, *Ghost Wave: The Discovery of Cortes Bank and the Biggest Wave on Earth* (San Francisco: Chronicle Books, 2011): 84.

⁶ *Ibid.* 85.

A Sanguine Stain in the Sea: Diving Into Legal Dolphin Hunting in Japan

Kouki Tamura

Shouts and cries of dismay fill the humid Japanese air while crimson tides crash onto the beach-front. A light rain falls from the grey clouds in the sky, and the drizzle of rainfall intermixed with the blood-stained water from the sea gently land onto the faces of all those present that day. The distinction between onlookers and vehement protestors become indistinguishable as they muddle together while rallying and leaning against the ice cold railing on the cold September morning. 6:03am on 1 September 2019, the first week of the dolphin hunting season is underway in Taiji, Japan, a city along the coast of the Kansai region in southern Japan, and groups of people naturally align to their respective sides in opposition of the other: one demanding for the end of the dolphin drive hunt that takes place every seasonal year that sees the killing of dolphins in mass droves and the other group determined to ignore their wails and roars to focus on the impending hunt.

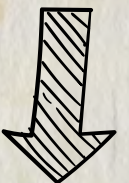
In the present day, many may associate the hunting of whales, dolphins, and other crustaceans as an archaic, if not abandoned, practice throughout many parts of the world. However, what may appear as an utter violation of animal rights from all eyes and ears that pay close attention to the droves of dolphins being hunted down and slaughtered in the small, coastal town of Taiji, Japan, has been a legal practice for over five centuries in this particular coastal region of Japan.

Whaling in Japan, as a practice, was first introduced by Wada Chubei Yorimoto during the 16th century. With methods that utilized small fishing boats and hand harpoons to hunt the whales, the small village of Taiji began relying on the hunting and killing of right whales, famous for their extremely high and robust blubber content, spurring around the year 1606.¹ While Wada's contribution to the beginning stages of Japan's whaling industry are the earliest documentations of organized whaling activities, earlier records illustrate that unorganized whaling activities took place over 40 years prior to the advancements that Wada introduced to Taiji during the 1570s, and this whaling history coincides with the hunting of right whales in the Bay of Biscay of the corresponding time period.²

The whaling trade provided a great economic boon to the people of Taiji, as the great source of blubber harvested from the whale would prove useful to the same uses that

¹ Akito Kawamura, "Whaling and Research," *Oceanus* 30, no. 1 (1987): 23–26, <https://archive.org/details/oceanusv30o1wood/page/22/mode/2up>.

² *Ibid.*



blubber provided throughout the Western world. In addition to what would be used to make candles and large amounts of fuel for their oil lamps, the Japanese utilized whale blubber in a multitude of ways such as functioning as an insecticide in rice-growing fields, a staple to Japanese diets for the last several centuries. Additionally, the high production of whale products that has resulted from whale hunting has led researchers to believe that even some dietary habits and different traditional cultures that have continued to exist in Japan today originated from the trade.³ What initially drove the people of Taiji to pursue the hunting of whales has resulted in changes that have endured for several centuries and spread throughout the nation of Japan.

In fact, these lasting consequences that have resulted from the whaling trade are what some Japanese officials and defendants of Taiji's current participation in dolphin hunting have cited as why the practice should continue uninterrupted and even be respected by their opponents in the international community. While Taiji's participation in whale hunting has persisted since its inception in the late-16th century, Japan joined the International Whaling Commission in 1951, which was established to regulate and oversee the practice of whaling while conserving whale stocks.⁴ However, in a decision made only two years ago on 26 December 2018, Japan announced its withdrawal from the IWC to resume commercial whaling in the following summer. This decision generated an outrage amongst those belonging to the IWC, the international community concerned with the hunting of dolphins, and environmentalists everywhere. In defense of Japan's departure from the Commission, Democratic Party Secretary General Toshihiro Nikai stated, "The IWC has changed as an organization and its anti-whaling members don't have the slightest consideration toward the livelihoods of the fishermen who depend on whaling...We have no choice but to pull out. This decision is a dream come true for the many Japanese people who have long awaited the resumption of commercial whaling."

Years prior to Japan's pulling out of the IWC, former Prime Minister Shinzo Abe had even gone as far as to cite the historical and cultural significance of the impact that the whaling industry has had in Japan's development, specifically in the village of Taiji. In a statement with CNN, Abe has acknowledged the criticism saying, "In every country and region, there are practices and ways of living and culture that have been handed down from ancestors. Naturally I feel that they should be respected."⁵ From distinguished politicians of the highest echelon to those leading the hunts about the grounds of Taiji, the influence that whaling has had in Japan is evident in its staunch, unapologetic proponents for the controversial trade. Naturally, the villagers of Taiji are hostile towards the voices of censure, as they heavily rely upon this industry just as much now as they have been for the last four centuries. However, does this suggest that all those who live

³ Akito Kawamura, "Whaling and Research," *Oceanus* 30, no. 1 (1987): 23–26, <https://archive.org/details/oceanusv30o1wood/page/22/mode/2up>.

⁴ Shigeo Nakazono, "Prospects for Japanese Whaling: Dealing with the Impacts of Western Methods and Technology," Japan Forward, *Sankei Shimbun*, 18 September 2020, <https://japan-forward.com/prospects-for-japanese-whaling-dealing-with-the-impacts-of-western-methods-and-technology/>.

⁵ "Abe asks for understanding of Japanese dolphin hunting," *Mainichi Shimbun*, Wayback Machine, 25 January 2014, <https://web.archive.org/web/20140202103148/http://mainichi.jp/english/english/newsselect/news/20140125p2g0omodm1350ooc.html>.

in Taiji and even those involved in the business are devotedly committed to the hunting of these defenseless mammals?

Streaks of smeared sanguine run across his forehead as the sweat and grime intermixes with the residue of crimson blood from this early morning's catch. Cries for help echo from one end of the rocky beach to the other, and the wails reverberate through the brisk air in Taiji, and while nobody seems to bat an eye or even attempt to quell these harrowing howls, Masakuni can't help but wince at the horrible noise. "Hurry up and bring me those carcasses!" a demanding shout comes from behind his shoulders, and stumbling the bloodied, maimed body of a dying dolphin in his arms, Masakuni gently lowers the terribly injured mammal onto the ground and hastily stumbles over to where the pile of dead porpoises lay. Though not having stepped foot into the ocean water, as he was assigned to the examining of every dolphin tossed his way, Masakuni is drenched in an abundance of blood soaking through his coveralls. Amidst the chaos of the scene with fins, tails, whole corpses, as well as the shouts and admonishments from his superiors being thrown through the atmosphere, one could not make out the disdain that Masakuni harbors in his heart after every passing hunting season. Only 19 years old, and he's been taught for more than half of his life the trade of hunting and capturing live dolphins and removing the fins of dolphins unfit to be sold alive to the markets in China and other black markets abroad. He sees his father in the distance aboard a fishing boat, almost a dozen fallen dolphins sharing the tight space of the boat's surface, and his father commands his fellow whalers for greater efficiency as they hoist another dolphin onto the vessel while tossing the dead overboard one after the other.

Fists firmly clenched and lips pursed tightly together, the commotion begins to slowly drown away from his senses; he shuts his eyes and, barely remembering the dying dolphins right at his feet, kneels over to provide a caressing touch to the almost lifeless creatures. The coldness of his fingers meets the warmth of the dolphin's surface, and he opens his eyes to share a deep gaze into the peripheral view of the mammal in front of him. A faint squeak escapes the dolphin's mouth; the squeak rattles in Masakuni's head. "MASAKUNI! We need you here now!" a deafening shout emerges from his rear. The reverberating noise of the dolphins quickly dissipates from his mind, and the chaos instantly floods his senses from all perception. He returns to his duties. Unable to properly lament his and the porpoises' helpless situation, his thoughts fixate back to the work of dispatching the dozens of dolphins surrounding him.

Cultural reasons aside, why has the dolphin and whaling trade persisted so strongly in Japan and specifically in Taiji with dolphin hunting? Unlike European whaling countries of today, Japanese whaling makes total utilization of whale meat in addition to whale oil, which is why whaling in the country has long profited from the business among many other fisheries and has since been able to continue its activity despite catch quotas that have been in place via the IWC in the past several decades.⁶ Similarly, Japanese officials

⁶ Akito Kawamura, "Whaling and Research," *Oceanus* 30, no. 1 (1987): 23–26, <https://archive.org/details/oceanusv3001wood/page/22/mode/2up>.

cite the country's departure from the IWC in 2018 as purely for the dolphin's meat.⁷ However, *The Cove*, a documentary filmed in 2010 showcasing the hunting and slaughter of dolphins in the village of Taiji, believes that the reasons for the continued investment into the dolphin industry to be more insidious than what their officials claim. Ceta-Base, a website that tracks captive cetaceans and documents the transportation of Taiji dolphins once they're captured, reveals these astonishing statistics regarding the sale of live dolphins to aquariums and zoos that display them for entertainment. The website records the following: "92 dolphins were transferred to Japan, 36 went to China, 20 to Ukraine, 11 to Russia, six to South Korea, and five to Vietnam. Worldwide, 105 facilities in about 20 countries import or display dolphins obtained from Taiji."⁸ David Kirby, publisher of the book, *Death at Seaworld*, frankly states regarding the sale of dolphins from Taiji: "Live dolphins are far more lucrative than dead ones. Taiji fishermen can earn \$150,000 or more from selling a single live animal, while one butchered for meat fetches only \$500 or \$600, an economic reality that keeps the drives in business."⁹

According to the documentary, *The Cove*, dolphins unfit to be sold into captivity are brought to a hidden cove to be slaughtered and sold in supermarkets. What is alarming about this discovery is that local governments in Japan have a hand in the concealing of the hunting, and this information, prior to the release of this documentary, was not available for the Japanese public to be aware of.¹⁰ While perhaps shocking to the world whose eyes are all watching Taiji and their hunting of dolphins, amongst the greatest proponents of the clandestine activity are the residents of Taiji. For Taiji, "the dolphin hunters — and the local people who support them, the politicians who protect them, the dolphin traffickers and yakuza gangsters who profit from them, the marine parks that buy dolphins from them—anyone coming to protest the hunt falls somewhere on a sliding scale between irritant and terrorist."¹¹

In direct response to the outright slaughtering and capturing of the dolphins in Taiji, activist groups rally to the forefront of the dolphin hunt in Taiji every hunting season, lasting about six whole months from September until March of the following year, in an attempt to shed light and combat the Taijia practice. Ric O'Barry, one of the pioneers in exposing the hunting of dolphins in Taiji, records the response by those impassioned in halting the efforts of the Taiji trade:

After the mammals were driven into the Cove, several began to panic, suffering gruesome injuries in their attempts to escape. One mammal appears to have suffered grievous injuries to its upper (and possibly lower) jaw, bleeding profusely

⁷Jon Haworth, "Dolphin hunting season begins again in Japanese cove made famous by bloody documentary," *ABC News*, American Broadcasting Corporation, 2 September 2019, <https://abcnews.go.com/International/dolphin-hunting-season-begins-japanese-cove-made-famous/story?id=65341312>

⁸David Kirby, "This Map Shows Where Dolphins Captured at the Cove in 2013 Were Sold," *TakePart*, 12 September 2014, <https://participant.com/article/2014/09/12/map-shows-where-dolphins-captured-cove-2013-were-sold/>.

⁹*Ibid.*

¹⁰*The Cove*, directed by Louie Psihoyos, (2009; Los Angeles, CA: Participant).

¹¹Susan Casey, *Dolphins: Voices in the Ocean* (New York: Delacorte Press, 2018).

as a diver roughly pulls it off the rocks to its slaughter. This is EXACTLY why we need to keep a small crew on the ground 24/7 for the entire six months of the Taiji dolphin killing season. This level of extreme cruelty is screaming to be exposed. We can never allow it to be hidden from the public – especially from the Japanese consumers.¹²

While condemnable in their actions to reignite and further commercial whaling in Japan as well as the hunting activities in Taiji, the only legal course of counteraction appears to be demonstrating and shedding increasing light to the horrors done to the dolphins. However insignificant the response may seem in this situation, the Dolphin Project, O'Barry's group that seeks to bring awareness to the captivity of dolphins, encourages this exact type of recourse to expose the illicit trade in Taiji: "On December 1, our team was joined at the lookout by a group of university students who were visiting for the weekend to learn about the dolphin and whale hunts that take place in Taiji...Cove Monitors had an open discussion about the reasons for Dolphin Project's presence in Taiji and of the organization's views," and their overall efforts have led to the return of local activism in Japan against the hunting. O'Barry states of the resurgence of local activists and protests within the coastal town: "The powerful and moving words of the activists reverberated throughout the Cove and could be clearly heard on our livestream as the pod endured a captive selection and slaughter."¹³ The power of educating the public of the activity in Taiji may very well be the driving force that enacts legal change in the way that Japan conducts the hunting and capturing of dolphins and whales in the future.

Heading back from the cove, Masakuni witnesses an array of people lined against the ice cold railing. The protestors' cries to stop the killing of dolphins is familiar to Masakuni, but this year, this hunting season, the shouts reverberate more loudly in his skull just as the helpless yelps from the dolphins had clamored in his mind earlier that morning. With blood still stained on his forehead and hands, he feels the burden of his actions weighing heavily on him. While his coworkers file alongside Masakuni and pass him by, Masakuni eyes the demonstrating crowd. A warmth pervades his once cold hands and feet; he slowly walks towards the crowd with a determination on his face. As he sheds his coveralls and washes his hands in a nearby water stream, he drops his knife and bucket on the ground and sees a discarded picket sign with the words "Stop the slaughter" written in emboldened Japanese. Knowing what to do, he distances himself from his fellow coworkers, picks up the sign, and holds it high above his head as he makes his way towards the protest.

¹² Ric O'Barry, "Taiji's Dolphin Hunting Season Has to Come to a Close," Ric O'Barry's Dolphin Project, 29 February 2020, <https://www.dolphinproject.com/blog/taijis-dolphin-hunting-season-has-come-to-a-close/>.

¹³ *Ibid.*

The Epilogue

Julia Wang

“Excuse me, have you seen any ships around here?”

“Ships?” The Inuit woman was shocked by my appearance and the question. She didn’t speak English, and I didn’t know her language at all when I was alive. However, what she said was comprehensible. We were both ghosts, after all. “If you want to see ships go towards the coast,” she pointed to one direction, “I’m in a hurry. Got to reincarnate soon.”

“I hate to bother you, but could you guide me to the ships? It’s too hard for foreigners to navigate the poles—the snow and ice everywhere look the same to me.”

“...fine,” she hesitated and turned back, “they’re not that far so hopefully it won’t take too long.”

My companion marched across the blinding white landscape. I felt sorry for delaying her business, but I could not forgo such a precious chance. Soon a dark line of sea water appeared on the horizon. However, the ships were not like the ones I expected.

“What are these ships? They look so shiny, and huge.” I was surprised.

“Don’t you recognize them? You white men use them to carry cargoes.”

“Cargoes? So they’ve found the Northwest Passage at last?”

“I don’t know about this name, but I guess you mean the route that links the north Pacific and north Atlantic Oceans. As sea ice progressively retreats each summer, this route is more and more popular with transportation. Although people would consult us for areas of cultural or environmental significance to avoid when they draw shipping corridors, I still think they are disrupting our local lifestyles.” She seemed displeased by the ships in front of us. “They’re out of luck this week. Those dark clouds behind them signifies storms that will soon approach.”

I had a hard time keeping up with her words, which only fueled my confusion, “...but have you seen a wooden ship with three masts and sails?”

“Wooden ships?”

“Yes. In fact, I’m looking for Sir John Franklin’s ship. It is a wooden ship with 129 men on it. Our journey began in May 1845, in order to find the Northwest Passage. The first year was great. The wind was strong, pushing us north rapidly, and we felt like we definitely would be the first one to penetrate this area and get the reward from the Queen. However, as the second winter approached, our food supply ran out and we got stuck in ice. People fell ill and died and there was no way to keep moving forward...”

“Oh, you should have told me earlier! I am familiar with Sir Franklin’s ship. I know it well. My grandfather served as the white men’s guide and he knew exactly what happened to them. In fact, I recently just pointed out the location of the shipwreck to some foreigners and they were exhilarated. Of course, I can take you to that ship.” She cut me off and proudly poured out a whole lot of words, before she slowly processed the remainder of what I just said. Her eyes widened, “Wait, you were on Sir Franklin’s ship?” I shrugged. “Not a doubt.”

“Why are you still around here? Why didn’t you reincarnate?”

“I don’t know about reincarnation,” I shook my head, “when people die, they go to either heaven or hell. But I didn’t leave because I had to find our ship. I have to know what happened to my shipmates.”

She seemed confused, “Weren’t you a part of the voyage?”

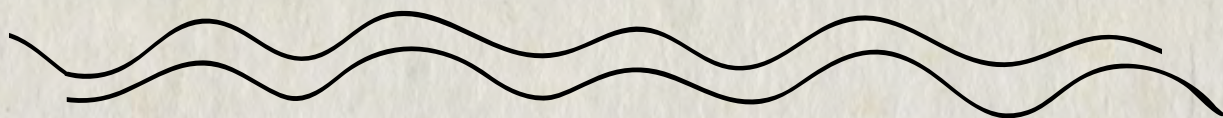
A wry smile crawled onto my face, “I was among the first who died. When I regained consciousness, I was in this ghostly form in the middle of nowhere. Everything was white and still. It took me several days to recount what had happened, and since then I’ve been wandering around.”

“Sorry I didn’t realize that. Upon careful observation your dressing indeed looks a little different from the people I’ve met. However, you all smell the same. The white men smell.” She sniffed.

I shrugged. I used to fail to distinguish Asian faces as well. They didn’t look much different.

She looked at the sun, pondered a bit and pointed to a direction, “Go all the way down, pass the igloos and we will be there.” She started walking.

I had no idea how she managed to find the way on the complete flat, bare icesheet. Anyways, she seemed reliable and I caught up with her, “I know you are in a hurry to reincarnate. Thank you for taking the time to lead the way.”



“That’s okay,” she slowed down and we walked side by side, “I have to head back to my family to reincarnate anyways, and I should not ignore a soul that has already been haunting this area for 160 years. Besides, I am curious about what happened to your voyage as well.”

“I didn’t live till the end, you see. But I can tell you everything I know. I haven’t spoken to anyone for so long. It feels weird but great to have company.”

She smiled compassionately, “Then tell me about why you decided to join the exploration, to such a cold and unfamiliar place?”

“It’s hard to admit but I joined the exploration because of a dream. My brother and I had the same dream telling us that if we follow Sir Franklin, we will gain money and fame. We thought this must be destiny’s call, so together we applied to become crew members.” I sighed, “but it turned out that dreams are not trustworthy.”

She agreed. We changed a few more questions and the chatting went on smoothly as we walked across the landscape. Soon, a community of igloos could be spotted on the horizon.

Suddenly, a very strange blow stroked us. Its voice grew higher and higher, like an impatient invitation. Goosebumps ran up my arms, but my companion was extremely calm, even a little excited.

“What is that sound?”

“It must be one of our shamans conjuring spirits! I have to go and see what they want.”

She hurried up to the source of the sound, an Inuit man sitting on skins in the largest igloo. Other Inuit hunters surrounded him. When we entered the igloo, the blowing sound immediately paused as if to announce our arrival. The hunters exchanged an excited look. Although the shaman didn’t open his eyes nor his mouth, we clearly heard a voice speaking. It was in their native language, but again I understood. He asked whether the weather would be good for hunting tomorrow.

“Don’t go hunting in the next few days, for there is a storm approaching.” My companion reported the dark clouds we saw near the cargo ships. She also added that more and more willow bushes were uncovered as the snow melted. It might be hard for sledges to run.

The shaman gratefully thanked her for the information. After we stepped outside the igloo, a hissing sound rose and did not dissipate until the shaman let out a loud yell, signifying that his soul had merged back with his body.

“That was an experience. Do you often conjure spirits?”

“Much more 50 years ago than now. We would go to the Shaman to request information like this. It turned out to be fairly accurate. While foreigners, like you, appreciated the magical phenomenon, we merely use it as a tool to enlarge our knowledge base.”

We left the dwellings and kept heading towards the ship. We did not go far until we came across a pile of broken bones and some wooden remains of a sledge, or a lifeboat.

“Looks like a group of explorers died here. Their poor bodies must have been eaten by the polar bears.” My companion bent down and examined the bones. “There are also carvings on the wood, you see,” she pointed to a wry “H” and guessed, “Maybe it’s in memory of the deceased. Why don’t you come closer?”

I stayed where I was and refrained from looking at that pile. “... Just leave it there. Let’s not waste time on it. Let’s go find the ship.”

My companion caught up and threw me a weird look, “What’s wrong? Do you know these people? Do you recognize the ‘H’?”

“That ‘H’,” I signed, “Could be either me or my brother.”

She staggered for a second but still carefully asked, “What happened?”

“I don’t know what happened to him in the end, but I hate him. He and the other crew men abandoned me just because I had a stomachache. I would definitely live until the end if they didn’t,” I paused and hesitated, “if they didn’t kill me.”

“What good does that do, to kill a companion?” She seemed obfuscated.

“You saw it.” I turned around. “You saw those bones. It was not polar bears nor seals, at least the first bite. It was humans. How did my flesh taste?” A cold smile crept up my face, “I’ve been wandering around this region for years to haunt their souls.”

She signed and didn’t say anything.

As we walked, the sky grew dimmer and dimmer. It was easy to lose track of time when the sun was not as bright and the night not as dark.

“We’ve entered a new lunar month,” she told me, “The longest night is not far.”

“I don’t like the winter solstice,” I replied. “It reminds me of the days when we were

locked in the ice. We left the boat and wandered deep into the ice shelf, surrounded by complete wilderness and a deathlike silence. We were searching for a way out, but nothing animate could be found. Some of us even began to lose the sense of self under this uncanny solitude.”

“It must be hard to live in such an unfamiliar place.” She agreed compassionately.

“Well, I guess people cannot control their curiosity for the unknown.” A blinking light dot appeared on the horizon. As we approached, it turned out to be several dwellings that looked quite different from the igloos. They were made out of materials that were similar to the cargo ships we’ve saw. “Are these people natives?”

“No,” she shook her head. “They are also guests to this land. This is one of the scientific expedition crews that came here to excavate Sir Franklin’s ship.”

My heart pounded. We walked closer and peeked through a window. On the wall there was a large map with many marks and notes on it. Pens, photos and notebooks scattered on a table. Beneath the table were boxes that were full of exquisite equipment that I could not name.

“Look at the photos,” she pointed, “They were taken near the shipwreck. Some of them were even taken under water, but of course, it was dark and the ship had long been eroded by waves and living creatures. You probably could not recognize its figure anymore.”

I stood there in silence. I could not recognize anything from the pictures, but I knew this was the truth. Sir Franklin’s ship was trapped in the Arctic ice and sank. It was not found until 160 years later.

“You are not angry,” she seemed confused.

“No, I am not,” I frowned.

“You are crying.”

“Th...that’s weird,” my voice came out shaky. I tried to pull my facial muscles to make a laugh but failed. Tears dropped from my eyes, froze before they reached the ground, and landed as ice droplets on the soft snow, not making a single sound. “My brother said they would head back to see if the ship can still travel or not as soon as the weather improved. Now I found our ship,” I closed my eyes, “He didn’t make it home.”

“...I am sorry that he didn’t.”

The second of silence between us was broken by people chatting as they entered the room. One white man stepped in front of the map and started lecturing loudly in front of several others. He spoke fluent English, which immediately caught my attention.

“Okay I think it’s important to prepare you with some background knowledge before you guys actually witness the miracle of nature,” the man knocked on the wall as if he was knocking the blackboard in a classroom. His audience smiled and listened. “Aurora, or the northern lights, are natural light displays, often in a combination of blue, green, red, yellow and orange color. I’m sure all of you have seen pictures like this,” he showed a screen to his audience.

“I’ve seen those lights many times with my friend and other crew members.” My spirits returned as I saw something familiar, “in fact, watching the Northern lights dance in the sky was our best memory. I wish we could return to that time and enjoy the miracle of nature together.”

“The aurora is created by the solar winds, which contain electrically charged particles that leave the sun’s surface and travel to Earth.” The man started speaking again, “Earth’s magnetic field drives most of these particles away so that they don’t mess up with our atmosphere. However, a few of them get caught briefly in regions around Earth’s geomagnetic poles. They collide with oxygen and nitrogen from the atmosphere, which releases energy that forms this colorful glowing halo...”

“Hey Henry, cut your boring lecture short!” Another man strode into the room as he waved to Henry’s audience, “The aurora appeared! Come out and see!”

As the scientists grabbed their clothes, we simply turned around and looked up. The sky was covered by dancing light bands. A large portion of green waves like curtains, with ribbons of orange and red shimmering around.

I heard footsteps. People hurried out of the dwelling and stood beside us. All humans stared at the sky in the same fashion.

“Absolutely beautiful,” she said piously.

“Agree.” I nodded. As the light dazzled around, I contemplated for a second and said, “You know, when I first stepped on the polar ice sheet, I thought the aurora was ephemeral. It only lasts for 15 minutes. If you missed it, it’s gone. It composes such a tiny fraction of my life.”

“But no,” my eyes settled back on the dazzling lights again, “it is still here hundreds of years after I deceased. It is not ephemeral. It is eternal.”

“No, your soul is eternal as well. You just reincarnate and reborn in a new body.” She stared into my eyes seriously and explained, “We have two souls. A double-soul, which is a miniature of yourself, and a name-soul, a psychic principle that encompasses all experience and knowledge possessed by everyone who held that name. While your double-soul becomes your eternal replica upon death, your name-soul can enter a new cycle of life by getting into a fetus.”

“So you are the name-soul that has been passed down for many generations?”

“That’s right. So are you.”

I shook my head and looked away. I gave up arguing that Christians only have one soul. It didn’t matter.

“You said your brother and your name both start with an ‘H’.”

“Yes.”

“That’s wonderful,” she smiled, “You two might have been watching the northern lights together, just now.”

“.....” My eyes widened for a second, and then I grinned, “That’s not bad. I’ll take it.” Turning back to her, I asked, “What do you want to be for your next life? The bears?”

“Not polar bears,” her spirits lowered, “They are not doing great now. There are fewer and fewer of them. When the ice melts they have no platform to hunt. They cannot find enough food, either, because the ocean is becoming more acidic.”

“Acidic? That’s unimaginable,” I exclaimed, “Well, I guess it’s the best to live as a human again.”

“For sure. I want to be reincarnated through my daughter, so that I can be her family member again. If she goes out from her igloo to the bathroom, I will try to catch her attention.”

“What if she doesn’t notice you? She cannot see souls.”

“Then I will touch her loosened belt, or any cord-like objects to pull me into her womb. When she urinates, her body is open for souls to enter.”

“That sounds like a promising plan.”

“What about you? Where are you going?”

“Well, I guess I will follow the expedition team and complete my Arctic exploration. After all, I’m still an explorer.” For the last time, I turned to her, looked at her sincerely and held out my hand, “It was nice meeting you.”

She grabbed my hand and shook it firmly. Her hand was large and warm.

“Many thanks to all your help. I wish you the best of luck in your next life.”

“Same to you,” she smiled genuinely.

“Goodbye.”

Bibliography

“Aurora,” October 9, 2012. <https://www.nationalgeographic.org/encyclopedia/aurora/>.

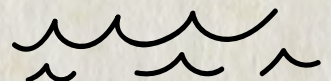
Bernard Saladin d’Anglure. *Inuit Stories of Being and Rebirth : Gender, Shamanism, and the Third Sex*. University of Manitoba Press, 2018. EBSCOhost, search.ebscohost.com/login.aspx?direct=true&db=nlebk&AN=1948156&site=eds-live.

Byard, Roger W. “Death in the Arctic – the Tragic Fate of Members of the Franklin Expedition (1845).” *Forensic Science, Medicine and Pathology*, 2020, p. 1. EBSCOhost, doi:10.1007/s12024-020-00305-5.

Dawson, Jackie, Natalie Carter, Nicolien van Luijk, Colleen Parker, Melissa Weber, Alison Cook, Kayla Grey, and Jennifer Provencher. 2020. “Infusing Inuit and Local Knowledge into the Low Impact Shipping Corridors: An Adaptation to Increased Shipping Activity and Climate Change in Arctic Canada.” *Environmental Science and Policy* 105 (March): 19–36. doi:10.1016/j.envsci.2019.11.013.

Demuth, Bathsheba. “How the Warming Arctic Is Creating a Worldwide Transformation - The Boston Globe.” *BostonGlobe.com*. *The Boston Globe*, April 21, 2019. <https://www.bostonglobe.com/ideas/2019/04/20/the-arctic-present-with-all-its-uncanniness-likely-future-everywhere/mAXxGJqxy2Ue7dlhyX9N6K/story.html>.

Shane McCorristine. *The Spectral Arctic : A History of Dreams and Ghosts in Polar Exploration*. UCL Press, 2018. EBSCOhost, search.ebscohost.com/login.aspx?direct=true&db=nlebk&AN=2295461&site=eds-live.



FILM 194

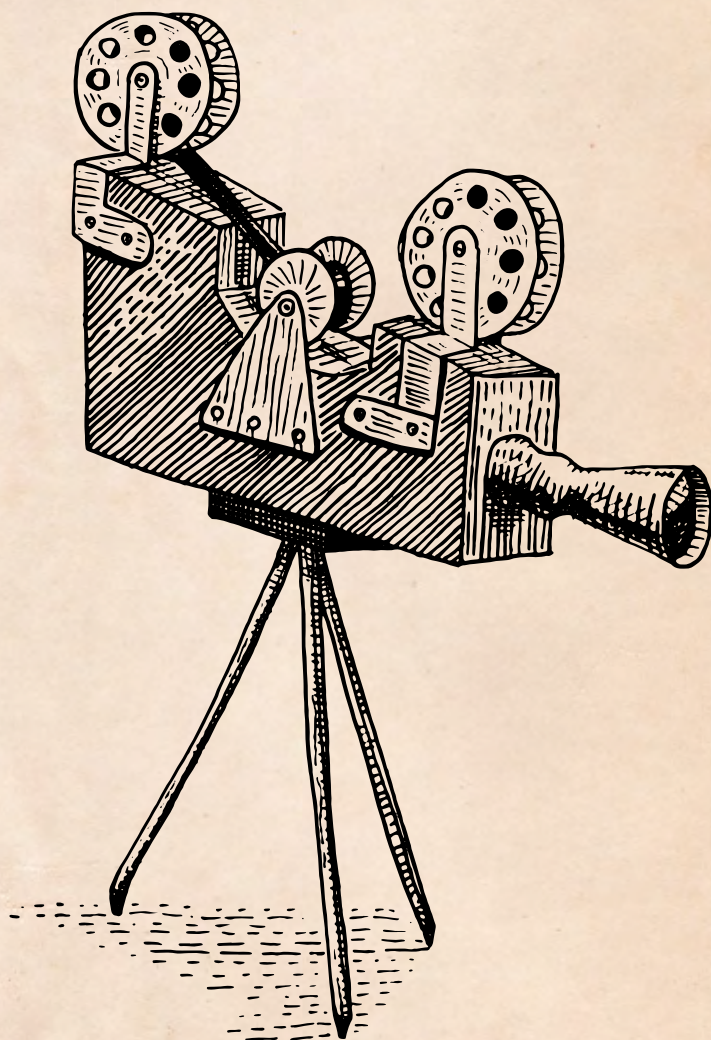
Words and the Moving Image

*Mark Alley
&
J. G.*

Words and the Moving Image

Mark Sandberg & Lisa Jacobson

The assignment: to watch a film, sample three published program notes that accompanied an archival or festival screening in the past, and to write a “Fourth Program Note” that captures the student’s current viewing experience and promotes the value of the film to other viewers. Students could either choose one of their own favorites or from a set of pre-selected films, but they were asked to limit their word count and to compress several functions (historical background, narrative preview, critical evaluation) into a small gem of parafilmic writing.



Holy Motors

Leos Carax, 2012

Raina Young

Leos Carax's fantastically eerie film follows its protagonist, Monsieur Oscar (Denis Lavant), as he travels by limousine around Paris for a series of radical transformations. As Oscar takes on various shocking and challenging roles beyond banal imagination, acting out the perverse fantasies of his clients, the film engages itself in almost every genre you can think of, monster film to film noir to romantic drama to musical. "It's trying to have the whole range of human experience in a day," said Carax about the totality of the film — a meta-commentary on the manufacture of identity in both cinema and the real modern world. Visually extravagant and conceptually provocative, *Holy Motors* promises to awaken its audience with its powerful narrative combustion.

House of Flying Daggers

Zhang Yimou, 2004

Andrew Lathrop

For all lovers of looking, Zhang Yimou has again curated a kaleidoscope of spectacles sure to dazzle at every turn. Following the success of *Hero* and pulling from the chromatic arrays of his Fifth Generation films, *House of Flying Daggers* indulges us in an exhilarating wuxia martial arts performance that finds harmony in the clash of graceful dynamism and chaotic elegance. With exquisite displays of ballet in combat and movement in calm, daggers pierce through the four seasons with flying color. Yet life for our characters is not as beautiful as we see — this is a story of puppets in a game much larger than themselves, a story of individuals when the individual means nothing. Here, coexistence unravels into isolation as the balance between love and loyalty is overthrown by the lethal glance of beauty.

Killer of Sheep

Charles Burnett, 1977

Jana Curcenco

Charles Burnett's *Killer of Sheep* offers the paradox of a sublime yet crude poetry. Shot in the 1970s for Burnett's MFA thesis project at UCLA, this gem struggled to achieve its public release. Its shoestring budget couldn't secure rights for the soundtrack (featuring the *Unforgettable* Dinah Washington), reserving its screening to a narrow and privileged audience for many years. The vignette-like almost documentary film revolves around Stan and his existential unease, portraying the Black community of the southern Los Angeles Watts neighborhood. Burnett's camera remarkably aestheticizes starkness. The simplicity of the storyline reveals Stan's dignity, despite daily deprivation and alienation. Inscribed in the American Library of Congress as a national treasure, recipient of the Critic's Award at the Berlin International Film Festival, *Killer of Sheep* has equally been nationally and internationally acclaimed for its hope and humanity, of which we need, now more than ever, a reminder.

Juwan Rashaad Howard

"Did you hear about the rose that grew from the crack in the concrete?" This sentiment, penned by LA legend Tupac Shakur 20 years after the release of *Killer of Sheep* epitomizes the film's spirit. Stan, the film's rose, is a vulnerable man who everyday must claw his way towards survival in the concrete jungle of LA. Labeling this as a "masterpiece" misconstrues the purpose of Burnett's intentions and defiles the purity of this slice of the African-American experience. Crafted with grace, Burnett's film presents a saturated silhouette of a community where love and frustration permeate the surface, and the people conjoined to this environment. The film's independence is palpable: this isn't a project getting greenlit by major studios. So, the allure of *Killer of Sheep* doesn't rest upon its narrative and technical prowess, but rather on a sense of responsibility towards the depiction of a criminally underserved community.

Man with a Movie Camera

Dziga Vertov, 1929

Natalie Candelaria

Artful and cathartic, *Man with a Movie Camera* will validate futuristic digital obsessions and activate cinematic exploration. Director Dziga Vertov wrote in his famous manifesto, “I am an eye. A mechanical eye. I am the machine that reveals the world to you as only the machine can see it.” *Star Wars* and *Inception* fans may be creatively seduced by the stylistic techniques and special effects decades after this cinematic art was produced. Be prepared for self-reflection — this is no ordinary film. Vertov’s camera shots and the keen philosophical perspectives may make you feel jealous.

Martin Ribas Martins

Embark on this historical journey to the end of the silent era: the 1929 Soviet production directed by Dziga Vertov and edited by his wife Yelizaveta Svilova just passed its 90th birthday but still possesses the attributes of a fresh production in its astonishing variety of innovative cinematic techniques. For this film, Dziga developed the influential “Cine-Eye” concept, the montage method later integrated into *cinema vérité* and documentary styles. Avant-Garde, experimental, or documentary — scholars still do not agree how to classify it. The film’s unexpected camera angles offer impossible point of views never seen by human eyes. Nevertheless, it represents the Soviet social vision of an industrialized world, hurtling into the future and overflowing with everything from the captured simple moments of everyday life to the complex machinery that builds it. This self-reflexive production opens our minds to the ineffable possibilities of modernity.

Janan Mostajabi

As vibrant and germane today as in 1929, Dziga Vertov’s *Man with a Movie Camera* is rich with innovative, self-reflexive cinematic techniques that do not cease to captivate. Experimenting with montage, camera angle, shot duration, and superimposition, Vertov — a pioneer of documentary film — not only captures the dailiness of life in a Soviet city (or three) but cleverly imbues each sequence with a tone and pace that is distinct from other films of the era. *Man with a Movie Camera*, a celebration of Vertov’s cinematic virtuosity, opens our eyes to the different versions of what we consider “reality.” In Vertov’s own words, “My path leads toward the creation of a fresh perception of the world. I can thus decipher a world that you do not know.” Come (re)experience the Vertovian shift!



Singin' in the Rain

Stanley Donen and Gene Kelly, 1952

Finnegan Edwards

Set at the dawn of the age of “talkies,” Stanley Donen and Gene Kelly’s romantic comedy/musical gives the audience a glimpse into the changing Hollywood film industry. By poking fun at the hypocrisy of the industry and its changing of the guard, the directors are able to create an undeniably fun look at a young woman’s rise to stardom. The romantic chemistry and misguided acts of affection between the two leads tie fantastically choreographed song and dance numbers seamlessly into the narrative. Theatrical world building then allows the audience to drift into the setting, while perfectly ignorant of the extravagance used to tell a fairly niche story. There is no improper way to enjoy this piece of cinema, as the lighthearted film lulls the audience into a romanticized world where they can watch giants of the newly outdated industry fall.

Jake Klawans

Truly great films — the ones that wiggle into the crevasses of our minds and build our collective cultural imagination — are glorious anomalies. Too many things have to be in sync: narrative, timing, talent, and just plain luck. *Singin' in the Rain* (1952) is one of those rare movies. Gene Kelly frolicking in an artificial monsoon is inarguably a part of America’s shared celluloid cache. Indeed, that proud plasticity is where *Singin'* thrives. Whereas most early 1950s Hollywood tried to escape a legacy of over-the-top showmanship, Kelly went against the grain and venerated it. The ingenuity and excess of movie magic is on full display, whisking us through a story that allows a superpowered cast work to their hearts’ content. Kelly, O’Connor, Reynolds, and Hagen deliver truly extravagant performances. *Singin'* is a film that knows how to play to its full potential; its sunny confidence remains delightful.

The Trial of the Chicago 7

Aaron Sorkin, 2020

Ashley Futterman

Peaceful protests that turn into violent riots, courtrooms that are meant to serve justice but bleed obscene corruption, and a culture so polarized many wonder if America will ever return to civil normalcy. What could be a summary of the US today is also the plot of the *The Trial of the Chicago 7*, the Netflix film that interweaves the 1968 Chicago DNC chaos with the notorious five-month trial that followed. A plethora of household names — Sacha Baron Cohen, Jeremy Strong, and Eddie Redmayne — star as the leaders of anti-Vietnam War groups that descended on Chicago and later became either the poster children for radical riot incitement or victims of American neo-fascism...depending on whom you asked. Aaron Sorkin returns to his role as CEO of emotional American political dramas with a film that will please *A Few Good Men* enthusiasts and lovers of *The Social Network*. The portrayal of timeless history propelled by witty banter is cinematic versatility at its best, at once political immersion and escapism.

LEGALST 107WI

Theories of Justice

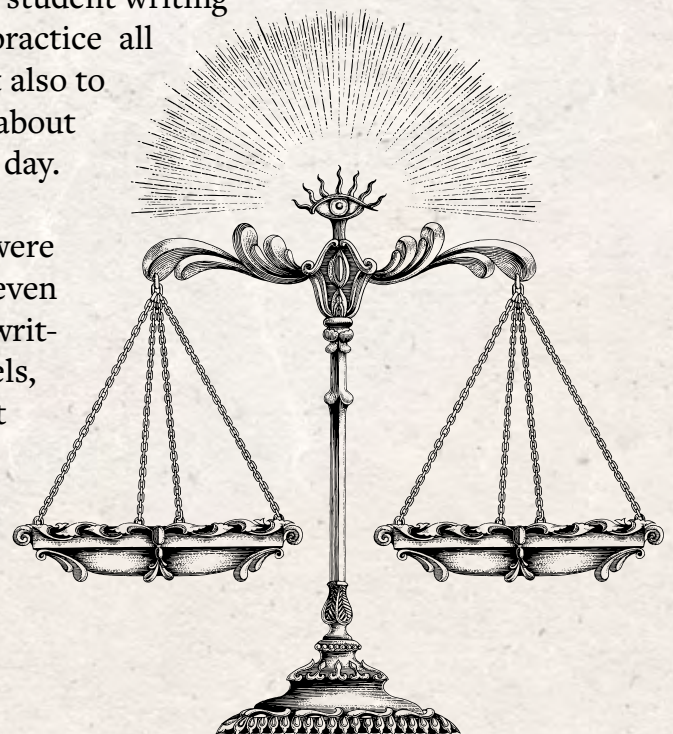
Charlotte Kutz
+ *Anna Zaref*

Theories of Justice

Christopher Kutz & Anna Zaret

This Art of Writing class was itself an experiment to see if a pedagogic model that works so well in small seminars could be integrated into a larger lecture class, in which one self-selected section would apply the intensive and iterative techniques necessary for teaching writing (and generally infeasible at a large scale). Chris gave the lectures in Theories of Justice, a course focusing on liberal democratic theory and the claims of equality. Anna taught the “Writing Intensive” section, which had an extra hour of class time, and offered an extra hour of credit. This course seemed especially apt for the experiment, because our goals for the course as a whole were to teach students how to apply abstract philosophical theorizing about justice to concrete social issues, including increasing economic inequality, racial and gender hierarchy, and controversies over the freedom of speech. Moreover, the assignments for the class as a whole involved a variety of written forms from standard analytical essays to policy advice to editorials — all forms of professional and “public” expression. The discussion section was organized around the goal of making writing visible in the classroom. We carried this out through daily quick writes, collective writing assignments, reading drafts out loud, responding to writing in small groups, and presenting finished written work. Students also wrote informal memos after finishing each major paper where they reflected on how their writing changed and developed. Centering the class around student writing allowed students not only to practice all stages of the writing process, but also to deliberate together thoughtfully about the pressing public issues of our day.

The students in the WI section were tremendously active in the class (even in a Zoom semester), and their writing, which started at different levels, matured significantly in almost every case. The students have selected here some of the written assignments of which they are most proud.



Covid-19: The Great Unequalizer

Bea Dinsmore

This piece was written in response to a prompt about justice and the pandemic. This topic had been weighing heavily on mind since the pandemic began, and I thought this assignment was the perfect opportunity to write about it. While at times it may feel like we are all in the 'same boat' with this pandemic, it is important to recognize the inequalities this pandemic has both revealed and created.

When CNN reporter Chris Cuomo revealed he had tested positive for COVID-19 on March 31st, his brother, New York Governor Andrew Cuomo released a statement in response describing the coronavirus as “the great equalizer.”¹ In April, Madonna released a video of her from her bathtub where she too described the pandemic as “the great equalizer.”² Even my own mother, who prides herself on her empathy and her liberal politics, upon reading an article in the *New York Times* said “Isn’t it so interesting how this pandemic affects us all equally?” She was of course referring to the fact that anyone can contract the virus. While that is not technically untrue, what really about this pandemic has been equal?

Nothing. Instead, it has amplified and deepened the racial and economic inequalities that have existed since the birth of this nation. In New York in the first few months of this pandemic, black and Hispanic neighborhoods had a disproportionately high number of cases and fatalities. Black individuals make up 34% of the fatalities in New York despite only being 29% of the total population.³ For Hispanics, it’s much the same, as they comprise 28% of fatalities and are 22% of the population. Data from Michigan tells a similar story as blacks comprise 33% of total cases and 40% of total fatalities despite only comprising 14% of the population.⁴ Notably, data for white individuals is the inverse as they tend to have fewer fatalities than would be expected based on how much of the population they make up.⁵

While the CDC recommended social distancing and staying home for all American citizens in the first few months of the pandemic, that wasn’t an achievable reality for many. Due to historic and ongoing inequalities, racial minorities are disproportionately more likely to be living near or even below the federal poverty line.⁶ They are often working in low-income service jobs without the option to work from home.⁷ Many did not have the economic resources to be unemployed for several months and so they had to continue

¹ Bethany L. Jones and Jonathan S. Jones, “Gov. Cuomo is wrong, covid-19 is anything but an equalizer,” *The Washington Post*, Nash Holdings, 5 April 2020, <https://www.washingtonpost.com/outlook/2020/04/05/gov-cuomo-is-wrong-covid-19-is-anything-an-equalizer/>.

² Toyin Owoseje, “Coronavirus is ‘the great equalizer,’ Madonna tells fans from her bathtub,” CNN Entertainment, Warner Media, 23 March 2020, <https://www.cnn.com/2020/03/23/entertainment/madonna-coronavirus-video-intl-scli/index.html>.

³ Stephen A. Mein, “COVID-19 and Health Disparities: the Reality of ‘the Great Equalizer,’” *Journal of General Internal Medicine* 35, no. 8 (2020): 2439–2440, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7224347/>.

⁴ *Ibid.*

⁵ *Ibid.*

⁶ *Ibid.*

⁷ *Ibid.*

working, risking their lives every day. Housing in these communities is often crowded and many individuals rely on public transportation to get to work.⁸ When individuals in these circumstances do contract COVID, they can't always afford access to adequate healthcare. Furthermore, the hospitals in these communities, because of the disproportionately high rates of COVID, are overworked and overrun.⁹

These are the communities that Tommie Shelby wrote about in *Justice Deviance and the Dark Ghetto*. As he argues, these communities are systematically put in a situation of compounding inequality by an oppressive societal structure that does not allow them to climb the socioeconomic ladder. When Shelby wrote *Justice Deviance and the Dark Ghetto*, he argued that the inequality was emblematic of the fundamentally unjust nature of society. Anyone who disagreed with Shelby prior to the pandemic should surely reconsider their stance today. The pandemic has pulled back the curtain on the stark economic and racial inequalities that have existed for centuries.

Tommie Shelby's work is a response and in many ways a refutation of John Rawls' *A Theory of Justice* as he evokes the question of what to do when Rawls's framework for a just society fails. Rawls famously argued that a just system would employ the difference principle, that "social and economic inequalities are to be arranged so that they are reasonably expected to be to everyone's advantage." (Rawls, 277) While it is true that this pandemic has exacerbated our inequity making the downsides far more extreme, I ask how can our society be just when inequality is leading to disproportionate deaths in specific communities? In 2020, because of this pandemic, the consequence of economic and racial inequality has become death.

For the two or so weeks that Chris Cuomo and his family were battling COVID-19, Dr. Fauci, the Director of the National Institute of Allergy and Infectious Disease, called every day to check in on the health of the Cuomo family.¹⁰ Cuomo's bout with COVID-19 was early in the pandemic, so there was no real semblance of a cure or even medicine to help him through, but if there had been, I am sure he would have had access to it. When Madonna spoke from her rose petal laden bathtub, saying "The thing about COVID is it doesn't care about how rich you are, how famous you are, how funny you are, how smart you are, where you live, how old you are, what amazing stories you can tell" she rubbed many people the wrong way. Madonna was speaking from her mansion where she would be "cooped up" for the next few months, not having to worry about money or food. Her statement was little consolation to the millions of Americans who lost their jobs and struggled to feed their families. Even my own mother, who was speaking earnestly and without malicious intent, was overlooking the fact that she was able to stay home safe because so many Americans couldn't afford to stay home.

⁸ Stephen A. Mein, "COVID-19 and Health Disparities: the Reality of 'the Great Equalizer,'" *Journal of General Internal Medicine* 35, no. 8 (2020): 2439–2440, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7224347/>.

⁹ H. Patricia Hynes, "COVID-19: The 'great equalizer?'" *Greenfield Recorder*, Newspapers of New England, 19 May 2020, <https://www.recorder.com/my-turn-hynes-COVID-19TheGreatEqualizer-34315640>.

¹⁰ Tom Tapp, "CNN's Chris Cuomo Was Much Sicker With Coronavirus Than He Appeared, Says Dr. Anthony Fauci," *Deadline*, Penske Business Media, 4 May 2020, <https://deadline.com/2020/05/cnn-chris-cuomo-much-sicker-coronavirus-anthony-fauci-1202926023/>.



The Moral Responsibility of Deviance

Jacqueline Ghosh

In the first eight months of 2020, police killed 164 unarmed Black Americans. Black Americans are three times more likely to be killed by police than White Americans. Those responsible for police brutality almost never face legal consequences. The officers that beat Rodney King in 1992 were acquitted. The neighborhood watchman who murdered Trayvon Martin in 2012 was acquitted. The officer who knelt on the neck of George Floyd for eight minutes made bail and is out of prison. The men who murdered Breonna Taylor have yet to face legal charges. The perpetration of police brutality must be resisted, but how? Race riots over the 20th century have most often been met with more police brutality and violence. In the 21st century, organized movements like Black Lives Matter have taken center stage. Nonetheless, there remains a small faction who seek visceral vengeance and retributive destruction. According to *Time Magazine*, 93% of Black Lives Matter protests in 2020 have been peaceful. Yet images of burning buildings, smashed windows, and ACAB graffiti tags dominate popular imagination and the media's perception of a largely peaceful movement.

This distortion of facts is pervasive and dangerous. National sentiment towards the movement has become, “yes, Black lives matter, but property destruction is wrong,” as if Black human lives carry the same weight as property. While this debate speaks to the enduring issue legacy of slavery in the US and reflects a fraction of the movement, for the sake of my argument I am arguing a philosophical justification for such destruction. Property damage and theft in response to systematic injustice and police brutality can be justified under specific circumstances. First, I will prove how the United States has failed to be what political philosopher John Rawls calls, a “well-ordered society.” This fundamental lack of justice pushes the disenfranchised to extreme measures of protest to express their anger and incite seismic reform. I will then discuss how criticism of those who engage in destructive protest is often hypocritical and belies the quintessential ethos of American revolution and patriotism. After, I will delineate what Rawls refers to as natural duties from civic obligations in order to establish what kinds of property damage and theft are morally permissible. I will end by discussing how this debate over property destruction harmfully digresses from the issue of systematic violence that Black and Brown communities regularly experience.

John Rawls argues that a just society is one that is egalitarian, enforcing the equal rights of every citizen. If institutions are well-ordered and just, Rawls says: “then it is of great importance that the authorities should be impartial and not influenced by the personal, monetary, or other irrelevant considerations in their handling of particular cases”.¹ If fundamental equality and impartiality are prerequisites to justice, then the United States

¹ John Rawls, *A Theory of Justice: Revised Edition* (Cambridge: Harvard University Belknap Press, 1999), 51.

has already failed, and it failed a long time ago. By examining the history of the US, we can see that the country does not meet the standards of a well-ordered society. American law enforcement has been one of the most corrupt, racist, and lethal entities in history. In 1702, South Carolina established slave patrols, armed groups of able-bodied white men who sought out and returned runaway enslaved people to their masters, who were often killed or tortured upon return. Even after the 13th amendment abolished slavery in 1865, police were used to maintain an apartheid-state of segregation called Jim Crow. While police brutality, along with discriminatory housing, mortgage, and employment practices have improved since 1865, by no means have they disappeared. In 2020, Black men are incarcerated at 5.6x the rate of white males. Black Americans are 80% more likely to have their mortgage denied than white Americans. White supremacy is still alive and well, pervading every aspect of our lives and igniting large-scale movements like the self-identified neo-Nazi, neo-Confederate, Klansmen rally in Charlottesville in 2017.

Many Americans find it easy to criticize the impoverished Black Americans for engaging in “deviant,” criminal behavior — selling drugs, prostitution, joining gangs, and theft. However, as Tommie Shelby observes in *Justice, Deviance, in the Dark Ghetto*: “when people criticize the ghetto poor for failing to play by the rules that others honor, they are assuming, if only implicitly, that these rules are fair to all who play. As we have seen, however, the fairness of the scheme is open to doubt.”² Here, Shelby asserts that the “ghetto poor” live in an environment with a fundamentally unjust basic structure. Thus, criticisms of the ghetto poor’s involvement in crime reveal the stratification of privilege in the US. While laws criminalizing prostitution, drug dealing, gang activity, and theft are often considered reasonable, African Americans, and especially those living in ghettos, are systematically discriminated against and disproportionately policed while trying to maintain a basic standard of living. What pushes the ghetto poor to this so-called “deviant” behavior is the need to compensate for what society has failed to provide: adequate wealth, job opportunity, and protection from violence.

So, what are we to do with a system so broken and inherently unjust? Rawls, inspired by Martin Luther King Jr., advocates for civil disobedience when society is well-ordered and just. He says, “To be completely open and nonviolent is to give bond of one’s sincerity.”³ When people criticize violent protests in response to police brutality, they often use this notion as a rebuttal — that protest is only sincere if it is nonviolent. However, Rawls carefully specifies that this “theory is only for the special case of a nearly just society, one that is well-ordered for the most part but in which some serious violations of justice nevertheless do occur.”⁴ The United States is not a just society whose violations of justice are mere afflictions. At its foundation, the United States has systematically commodified Black humans as slaves, invented Jim Crow to prevent Black Americans from accessing freedom, kept Black Americans from moving to white neighborhoods through redlining, continues to deny Black Americans fair employment, and incarcerates Black people at

² Tommie Shelby, *Dark Ghettos: Injustice, Dissent, and Reform* (Cambridge: Harvard University Belknap Press, 2018), 144.

³ John Rawls, *A Theory of Justice: Revised Edition* (Cambridge: Harvard University Belknap Press, 1999), 321.

⁴ *Ibid.* 319.

nearly 6x the rate of whites. The racial hierarchy is consistently upheld by American institutions. As Shelby assesses: “we judge that the society is fundamentally unjust and will require radical reform to bring it in line with what basic justice demands.”⁵

Moreover, criticisms of Black Americans who engage in violent protest belie the very foundation of our nation. The US simply would not exist if it were not for violent protest. When boycotts, tax evasion, and intimidation tactics weren’t enough to stop the British Empire from exploiting the 13 colonies, the Continental Congress took matters into their own hands, armed the people, forged militias, and declared war on Britain on July 4, 1776. To that end, civil disobedience has simply not been enough to end police brutality and blatant racism in our institutions. Like Britain in the 18th century, the American society is implementing systematic methods of discrimination in order to keep Black Americans subjected to the empire. America continuously bestows vast privilege upon the natural aristocracy, the wealthy, and the predominantly white majority while simultaneously belittling those who they have been denied education, who are oppressed by poverty, who were not given a choice as to how society subjugates them on the basis of skin color. Shelby writes, “As has so often been true in human history, the oppressed must play a large role — sometimes they have to be the principal agents — in ending the unjust practices they are subjected to.”⁶ The persecuted must often play the “principal” role in confronting the injustice that afflicts them. The ethos of colonists in 1776 is the same as the ghetto poor in the 20th and 21st centuries, except we call one revolutionary and patriotic, and the other deviant and criminal.

When talking about the moral permissibility of looting and property destruction, we must look at how we define morality, specifically natural duties and civic obligations. Natural duties apply to us unconditionally and compel us to act humanely. They are not dependent on institutions, rather, they inform the structure and rules of society. Civic obligations are morals determined by the state. They “are rooted in the political value of reciprocity...each citizen has an obligation to fulfill the requirements of the basic institutions of his or her society when these institutions are just.”⁷ Civic obligations oblige us to adhere to schemes of mutual cooperation. This principle is informed by Rawls’ duty of fairness, which obligates anyone who is benefited by a cooperative scheme to uphold its values. Those in the ghetto, however, are not given their fair share in the “cooperative” scheme of democracy. While all people should be expected to follow natural duties, the ghetto poor are not obligated to an institution that does not follow through on its obligations to them as citizens.

The deeply flawed American system requires a radical transformation, and radical action is necessary to incite it. Property destruction and looting can be justified, though narrowly. As Rawls says, we have a “natural duty not to be cruel.”⁸ I would consider

⁵ Tommie Shelby, *Dark Ghettos: Injustice, Dissent, and Reform* (Cambridge: Harvard University Belknap Press, 2018), 144.

⁶ *Ibid.* 154.

⁷ *Ibid.* 145.

⁸ John Rawls, *A Theory of Justice: Revised Edition* (Cambridge: Harvard University Belknap Press, 1999), 98.

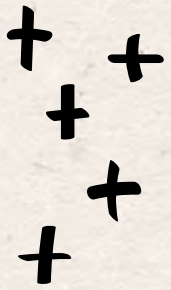
destruction of personal property, homes, and small businesses as cruel because it often victimizes members of the community who have nothing to do with the subject of the protest. However, I think that the destruction of property that belongs to an unjust state or large corporation does not violate natural duty because these entities often contribute to injustice and can easily repair damage with their vast resources. While civic duty obliges us to uphold institutions that function reciprocally, in an unjust state where capitalism and consumerism reign, these entities are fundamentally engineered to take advantage of the lower class. Thus, the impoverished individuals who loot or destroy such property have no civic duty to a society that does not value them in the first place.

Moreover, the short-term effects of destructive protest are outweighed by its potential to incite lasting change. True, employees of destroyed establishments may find themselves out of the job for a brief period, but I struggle to see the immorality in property destruction when buildings can be rebuilt and stolen items can be replaced.

Human life, though, cannot be rebuilt or replaced. Breonna Taylor, George Floyd, Ahmaud Arbery, Elijah McClain, Trayvon Martin, Rayshad Brookes, Daniel Prude, Atatiana Jefferson, Aura Rosse, Stephon Clark, Philando Castille, Eric Garner, Tamir Rice, Michael Brown, and innumerable others will never walk this earth again. Never again will their friends see them, their fiancé propose to them, their mothers and fathers hold them, their children kiss them. What so often becomes forgotten in debates over the moral permissibility of looting and property destruction is the very reason it is occurring in the first place. When the ghetto poor burn down a Target, destroy police stations, loot CVS, or vandalize the Gucci Store, they are fighting against a system that has treated their lives as disposable for over 400 years. "We've got no other way of showing people how angry we are," admitted a man looting a CVS in Santa Monica to the *LA Times* in June 2020. The greatest issue is this: when we criticize the ghetto poor for destroying, looting, and vandalizing, we are placing greater importance on material goods than actual human life. Americans have become so indoctrinated by capitalism and materialism that we literally value material goods more than the human beings whose unlawful deaths cause protest. This ethos of consumerism is deeply embedded within the American psyche. When protestors destroy property and loot, they are attacking a fundamental aspect of our national capitalist identity. This is so powerful that White America feels personally victimized when a Target across the country is burned down after a police officer kneels on the neck of a black man for eight minutes while he begged for mercy and cried for his mother. What this debate demonstrates more than anything is the sheer indoctrination of Americans into capitalism. Americans have a much easier time reconciling the violent death of Black human beings than compromising, or even recognizing, their inherent obsession with materialism and unspoken loyalty to white supremacy. When protest is sparked, America is more sympathetic to the broken windows, vandalized facades, and looted stores, than to the Black Americans who have been murdered and who are actively fighting for their right to live.

Defunding the Police and Society's Basic Structure

Max Hanson



Electoralism occupies an outsized place in the discourse of American politics. Our infatuation with elections — and what wins and loses them — too often takes priority over what should be considered the point of politics: the basic structure of our society. Nowhere has this been more evident than the discourse over the movement to defund the police.

As the demand to defund the police emerged out of this summer's protests, strong denunciations of the idea have emerged from both Democrats and Republicans. While coming from the latter such denunciations are no surprise, the Democrats' position commands a more nuanced analysis. Long embroiled in a battle between its centrist and left flanks, only members of "The Squad" have stood by the phrase. Those at the top of the party, by contrast, have dismissed the idea in unison.

President-elect Joe Biden, in response to questions about defunding the police, has countered that police need more funding, not less. Bernie Sanders, the runner-up in the Democratic Party's primary, rejects the idea as well, instead favoring a set of reforms intended to "modernize and humanize" police departments. And most recently, Barack Obama, in an interview promoting his new book, warned against the use of "snappy slogans" like "defund the police."

The opposition of these top Democrats is less about preserving public safety than preserving a tenuous electoral advantage. The Democrats, rather than engaging with the moral substance of the idea, have exposed an obsession with political triangulation. For famed 20th century philosopher John Rawls, the basic structure of society — the institutional arrangements comprising a liberal democracy — is the principal concern of justice. In other words, justice is only to be attained through a just basic structure. The basic structure, according to Rawls, is the domain in which society's benefits and burdens are realized. Rawls's theory, which included a set of principles he believed would ensure a just basic structure, compels us to envisage a moral society. Political triangulation stands as the inverse of the sort of society-level thinking Rawls embodies.

The practice of political triangulation, data-driven attempts (in the broadest possible sense) at capturing and adjusting to public opinion, tends to redirect our attention from the injustices of our basic structure. We can see this effect in the American obsession with polling and punditry. Our ceaseless quest for optimized policy platforms and sharp

political branding inevitably leaves us favoring a particular sliver of the electorate over larger questions of moral progress. How can we grapple with the benefits and burdens of the basic structure — that is, the fundamentals of our democracy — when all political discourse is colored by electoral concerns?

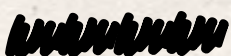
If we continue to reduce our focus to the ephemeral world of electoral politics, justice will remain a secondary concern. Social movements — by introducing demands like defunding the police — can force us to reorder our core priorities. Such demands deserve substantive engagement, not smug dismissals. When faced with demands of a social movement, our central consideration should not be whether it may be off-putting to swing voters. Instead, we should be asking whether it would make our institutions, and thus our society, more just. This sort of reckoning is badly lacking in our political discourse.

A substantive engagement with calls to defund the police would address the social problems we could address with a portion of the funding currently allocated to police. It would address the complex streams of funding received by the police at the local, state, and federal levels. It would address the concerns of Black people, the group police are most likely to both neglect and perpetrate violence against. It would address why the share of public funding going to police has steadily risen while crime has fluctuated. And most importantly, it would address the overtly racist nature of policing in America. Instead of blaming social movements, politicians should take their ideas, engage with them, and do their best to translate them into governance.

As the political philosophy of John Rawls suggests, the basic structure, and how it distributes benefits and burdens, is the primary domain of politics. In this sense, budgetary choices — how funding is distributed by government — reflect not just bureaucratic bargaining, but a view of justice. Budgets show what is valued and what is not. Budgets show who has power and who does not. Once this perspective is adopted, it becomes critical to interrogate the exorbitant funding received by police departments across the country and relate it to our broader priorities.

Of course, elections are important. Political branding matters. Voter data can be useful. But our political discourse shouldn't be beholden to these things.

The call to defund the police is a challenge to the injustice of our basic structure, and like Rawls's philosophical account, confronting injustice should be at the center of our political discourse.



Property Damage and Looting as a Response Against Systemic Injustice

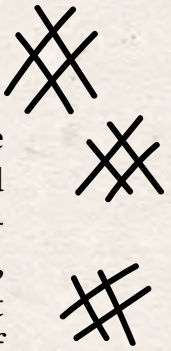
Farah Nanji

On May 25, 2020, George Floyd, a 46-year old Black man, was arrested by Minneapolis police officers after a store owner called 911 alleging that Floyd bought cigarettes with a counterfeit \$20 bill. Three police officers pinned him to the ground and after panting that he could not breathe and was struggling, George Floyd died. African American communities in the United States have been struggling in a fight against police brutality and systemic injustice for decades now, where countless similar examples could be named, such as Breonna Taylor and Ahmaud Arbery. The aftermath of the George Floyd killing was global — the Black Lives Matter (BLM) movement spread around the world alongside protests, lootings, and the destruction of colonial and racist monuments. All of this occurred during the height of the coronavirus pandemic, where large group gatherings were advised against.

This essay assesses arguments for and against legitimizing the destruction of property and theft of merchandise during street protests, and more specifically, in the context of the BLM Movement and the injustices faced by African American communities in the United States. Drawing upon John Rawls' *A Theory of Justice* and Tommie Shelby's *Justice, Deviance, and the Dark Ghetto*, I argue that the permissibility of property destruction should be based on whether or not society is delivering basic principles of justness to the group committing the destruction. This framework could prompt government action instead of perpetuating the stigma that these communities are undeserving of support.

To establish the basic principles of justice in a society, I refer to Rawls' first principle, the principle of equal liberty, and the second part of the second principle, the principle of fair equality of opportunity, as he discusses these two in relation to deviant behavior. Rawls' overall theory — justice as fairness — is the idea that an impartial thought experiment of what the distribution scheme of a society ought to look like would lead to objective conclusions about social justice. Everyone lives under the basic structure, or the social, political, and economic institutions, and thus have a "legitimate claim that these institutions treat us fairly," Shelby highlights.¹ The principle of equal liberty is the right to extensive liberty, or the same level of liberty as others. The principle of fair equality of opportunity is the idea that citizens with the same talent and willingness to use them should have the same educational and economic opportunities, regardless of their economic status in society. As I will demonstrate, Shelby's discussion of the poor ghetto highlights how, for this particular group, the basic principles of justice are violated.

¹ Tommie Shelby, *Dark Ghettos: Injustice, Dissent, and Reform* (Cambridge: Harvard University Belknap Press, 2018), 129



The conditions that Shelby sets out to characterize the poor ghetto is crucial because it is a specific distinction within the larger group of African Americans in the United States and clarifies which communities are and aren't justified when committing property destruction. The three characteristics that define ghettos are race, urban location, and poverty.² The focused distinction on high poverty urban neighborhoods and not poor people everywhere is due to the association between the high concentration of poverty in inner city neighborhoods and "attitudes that are not only deviant...but also widely perceived as a threat to the freedom, property, and safety of others."³ The consequences of the actions by this specific group are significant because it leads "some to regard many in such neighborhoods as not deserving of further government attempts to improve their lot."⁴

The problem with this view is that the injustice they are facing is systemic and in violation of Rawls' basic principles of justice. High-poverty neighborhoods have few good employment opportunities and low-quality schools, resulting in the trend towards securing income through illegitimate means and/or crime. When people from the ghetto choose crime, thus, it is under "conditions of material deprivation and institutional racism," and so the criminal activity is not a simple character flaw or disregard for morals.⁵ Institutional racism "exists when the administration or enforcement of the rules and procedures of a major social institution...is regularly distorted by the racial prejudice or bias of those who exercise authority within the institution."⁶ This is a clear violation of equal liberty and equal opportunity because Black Americans in poor urban neighborhoods simply do not have the same liberty and opportunities as, for example, White Americans living in a wealthy suburban neighborhood. Thus, for the ghetto poor, institutional racism creates conditions that are inherently, systemically, and cyclically unjust, which then raises two questions. The first is whether or not one is obliged to comply with laws. The second is regarding the appropriate response to this injustice.

Even John Rawls, who believes in "the duty to comply with an unjust law", has an exception to this. For Rawls, "when the basic structure of society is reasonably just...we are to recognize unjust laws as binding provided that they do not exceed certain limits of injustice."⁷ The underlying assumption here is that in a reasonably just society, such as a representative democracy, there are mechanisms in place to correct the imperfections and errors of the system. Thus, over time, the injustices would be fixed, and the occasional error is a small price to pay for a reasonably just society. However, as Shelby has demonstrated, the injustices faced by the ghetto poor in America are systemic, and in the case of George Floyd, explicitly exceeds limits of injustice, putting into question what obligations one has, if any.

² Tommie Shelby, *Dark Ghettos: Injustice, Dissent, and Reform* (Cambridge: Harvard University Belknap Press, 2018), 134.

³ *Ibid.*, 135.

⁴ *Ibid.*

⁵ *Ibid.*, 136.

⁶ *Ibid.*

⁷ John Rawls, *A Theory of Justice: Revised Edition* (Cambridge: Harvard University Belknap Press, 1999), 320.

Shelby does not contend that because the ghetto poor live in unfair conditions, they are allowed to disobey every law. He distinguishes natural duties from civic obligations in order to determine what obligations the ghetto poor has in a society with an unjust basic structure. Civic obligations are legal duties that “exist between citizens of a democratic polity” and are tied to a nation.⁸ They are rooted in the value of “reciprocity” and thus each citizen would be obliged “to fulfill the requirements of the institutions...when they are just.”⁹ Natural duties, on the other hand, are moral duties that are “unconditionally binding” and apply to all human beings, unbound by institutions.¹⁰ The significance is in the difference between obligations as citizens and as a moral person. Under this distinction, killing a person would never be permissible, but property damage in response to a Black man being killed at the hands of a state institution is, I argue, because it qualifies as what Rawls refers to as “so extreme” and thus “there may be no duty to use first only legal means of political opposition.” Having established that the basic structure is unjust and that different obligations exist, the question of what an appropriate response to this systemic injustice is still remains. I posit that Shelby’s interpretation of the difference between civil disobedience and militancy in tangent to the BLM Movement corroborates that property damage is permissible and a small price to pay.

Rawls defines civil disobedience as “a public, nonviolent, conscientious yet political act contrary to law usually done with the aim of bringing about a change in the law or policies of the government.”¹¹ He is conceptualizing it in a “nearly just society” and thus, the acts are in respect of the law, nonviolent, non-secretive, or conducted in public, and usually take the form of legal demonstrations because the goal is to bring changes within the government and existing institutions. Militancy, on the other hand, “is not within the bounds of fidelity to law but represents a more profound opposition to the legal order.” The militant hopes for radical or revolutionary change because he believes that the majority’s sense of justice is wrong and is thus “[attacking] the prevalent view of justice.”¹² It is important to note that while Rawls is not considering these events, he acknowledges that in “certain circumstances militant action and other kinds of resistance are surely justified.”¹³ Do lootings in response to systemic injustice constitute civil disobedience or militancy?

The lootings that occurred during the BLM protests are a hybrid of both civil disobedience and militancy. In regards to BLM, there are aspects of civil disobedience, as the lootings occurred during organized protests. In addition to equal liberty and opportunity being violated Rawls posits that if “legal means of redress have proved of no avail” and “legal protests and demonstrations have had no success...there may be no duty to use first only legal means of political opposition.”¹⁴ This cannot be more true than for

⁸ Tommie Shelby, *Dark Ghettos: Injustice, Dissent, and Reform* (Cambridge: Harvard University Belknap Press, 2018), 144.

⁹ *Ibid.*

¹⁰ *Ibid.*

¹¹ *Ibid.*, 320.

¹² *Ibid.*, 323.

¹³ *Ibid.*

¹⁴ John Rawls, *A Theory of Justice: Revised Edition* (Cambridge: Harvard University Belknap Press, 1999), 327.

the African American community in the United States. Protests over Black deaths at the hands of police brutality has been recurring for more than two decades, and a police officer has yet to be held accountable. Thus, when the widely held beliefs regarding justice are deeply flawed, as they only serve the interests of the ruling elite and “sustain an oppressive regime,” more drastic measures, like what Rawls refers to as militancy, is warranted.¹⁵

Shelby highlights that the best way to assess the United States post-Civil Rights Era is a “mixed assessment” because the Civil Rights Movement did establish constitutional rights for Black people.¹⁶ Thus, if resistance were to be militant, it would have to consider the social scheme and act accordingly. For this reason, and because practically in the modern world maintaining just institutions is difficult, Shelby contends that “preserving the reasonably just components of an overall unjust system while pushing insistently for broader reforms may ultimately be a better strategy than abrupt reconstruction.”¹⁷ This is exactly what the BLM Movement seeks to do — it is a fight against systemic racial injustice and for the most part was conducted through organized protests. Thus, even though the concerns of the movement warrant a militant reaction, as they qualify as extreme injustice, the BLM movement is not one and the lootings are a small price to pay. Especially, considering that the anxiety and frustration came from the economic crisis from COVID-19, where Black people in Chicago, an urban city with high crime rates amongst black communities, were hit the hardest (Chicago Tribune). As a Black person reiterated during a BLM protest and in response to the looting of high-end retail stores “that is not ‘our’ city and has never been meant for us,” (Chicago Tribune).

By applying Rawls’ abstract theories of justice to the specific conditions experienced by the ghetto poor in the United States of America, property damage and looting in response to systemic and racial injustice is justified because the basic principles of justice do not hold. Laying out the conditions faced specifically by the ghetto poor corroborates that lootings in response to the George Floyd killing and during BLM protests are justified because the injustice is so extreme it warrants a militant reaction. Understanding specifically the conditions under which it is and isn’t justified to commit property damage is a critical step towards destigmatizing the most disadvantaged community and could encourage the government to take action.

¹⁵ Tommie Shelby, *Dark Ghettos: Injustice, Dissent, and Reform* (Cambridge: Harvard University Belknap Press, 2018), 157.

¹⁶ *Ibid*, 158.

¹⁷ *Ibid*, 159.

The Indeterminacies in Mill's and Kant's Moral Theories

Susie Shu

In *Utilitarianism*, John Stuart Mill argues that the pursuit of happiness and the avoidance of pain do and ought to govern human action. However, in *Groundwork for the Metaphysics of Moral*, Immanuel Kant argues that the basis of morality is our moral duty which is conceived *a priori*. In this paper, I will first introduce their moral theory in turn. Next, I will explain why Kant's consideration of the indeterminacy of happiness is a strong objection to Mill's utilitarianism, and I want to raise an objection of indeterminacy against Kant's own moral theory. Lastly, I want to argue that Kant's theory should certainly govern the realm of individual morality but can be doubted as to whether it should be applied to policymaking as well. Mill states that happiness is the only thing that is desirable in and of itself, and other things that we desire in life are means for us to attain happiness. He points out that "no reason can be given [as to] why" such is the case, "except the fact that"¹ humans desire happiness. Mill seems to be suggesting that the goodness of happiness is "without proof."² As long as we use life experience like "self-awareness," "self-observation," and "observation of others"³, we should see that fact. Since it is the only thing that is desirable for its own sake, we ought to act in a way that either promotes happiness or prevents pain. Thus, Mill states that happiness is not just the "only end of human action"⁴, but also the "sole criterion"⁵ of morality.⁶

Kant, on the other hand, offers a different account of morality. He argues that morality is derived *a priori* or from pure reason. Kant states that human beings possess the faculty of reason. By assuming that everything exists in nature has some purposes, he argues that the purpose of reason must be to "have influence on the will" (Ak 4:396).⁷ So "a good will" (Ak 4:393)⁸, as opposed to happiness, is the only thing that is good in and of itself, or "good without limitation" (Ak 4:393). Given that the purpose of the faculty of reason is connected to the will, we are able to reason and determine *a priori* what will is good (Ak 4:408) and act for its own sake, and that is what he calls duty. Kant believes that morality is duty and argues that an action has genuine moral worth when it is done "solely from duty" (Ak 4:398).⁹ Since duty is derived through reason alone, morality must also be *a priori* and apply to all human beings unconditionally.¹⁰

¹ John Stuart Mill, *On Liberty and Other Essays* (Oxford: Oxford University Press, 1991): 24.

² *Ibid.* 3.

³ *Ibid.* 26.

⁴ *Ibid.*

⁵ *Ibid.* 24.

⁶ More specifically, Mill argues that "the basis of morals is utility" (5), that is, how useful and effective a thing is to bring about happiness or to avoid pain.

⁷ Kant argues that if the human's faculty of reason were designed to serve some other means, then reason would be a bad or weak candidate compared to instinct in fulfilling those means (Ak 4:395).

⁸ By a good will, Kant essentially means an action that is done from duty. Such a will, he argues, is good under all circumstances and is absolute.

⁹ It is important to note that Kant makes the distinction between the action that is done "in conformity with duty" and the action that is done "from duty" (Ak 4:398), and he argues that only the latter has moral worth.

¹⁰ Kant argues that if morality is not absolute or is derived from experience, then it would lead to "a chaos of uncertainty, obscurity, and inconstancy" (Ak 4:404).

Kant's concern of indeterminacy of happiness is twofold. First, Kant argues that people do not always know what makes them happy. Since "[t]he ingredients of happiness are very various"¹¹, it is implausible to say that people, among the multitude of choices they can make, always know and are never once mistaken on what makes them happy.¹² However, we shall put aside for now whether that would be a genuine objection against utilitarianism, since Kant's other claim of indeterminacy is a more direct attack to the conception of happiness.

Before going straight into that, it would be helpful to first briefly unpack Mill's responses and arguments in light of a general case. For example, we can easily think of cases when lying would create a better outcome (in terms of general utility) for the people involved.¹³ Mill would respond that in those cases, the best course of action is to lie because he is most concerned about the happiness of the greatest number of people. Thus, the utilitarian answers on whether one should lie to others vary and are dependent on the context.¹⁴ That is, "[we] do not know beforehand" whether we should lie or not "until the condition is given to [us]," (Ak 4:420). Mill's conception of morality essentially involves *a posteriori* assessment of pleasure and pain.¹⁵ And insofar as Mill's utilitarian theory derives from *a posteriori* knowledge or is context dependent, Kant argues that it fails to give an account of what one ought to do at all times and thus cannot provide a foundation of morality. According to Kant, morality has to provide us with universal rules. Since *a posteriori* knowledge, in general, does not give us "complete certainty" (Ak 4:407) in guiding our action, Kant believes that "[a]ll moral concepts have their seat and origin fully a priori in reason" (Ak 4:411).¹⁶ Thus, Kant's concern on the indeterminacy of happiness is a strong objection to Mill's utilitarianism insofar as the conception of happiness essentially rests on and is derived from *a posteriori* knowledge.¹⁷

One can object to Kant by questioning whether his own theory is indeterminate in the formulation of the maxim. In order to present that objection, I first need to lay out his Formula of Universal Laws, which says that an act is morally permissible if and only if its maxim can be universalized.¹⁸ His universalization test can be generally summarized as follows: 1) formulate a maxim¹⁹ X on how one intends to act, and 2) universalize X and see if everyone can act on the same maxim. He argues that an act would be morally permissible when universalizing it would not create a contradiction within itself and would not be

¹¹ John Stuart Mill, *On Liberty and Other Essays* (Oxford: Oxford University Press, 1991): 25.

¹² In fact, individuals often disagree on what makes them happy, especially in the context of policymaking.

¹³ It can be achieved by either generating a greater amount of happiness or avoiding a greater amount of pain.

¹⁴ If we are considering cases when lying creates a worse outcome, that is, it decreases general utility by either preventing greater happiness or inflicting greater pain, then Mill would say that one should not lie in those cases.

¹⁵ The assessment of utility necessarily involves 1) the number of people who are involved or would be affected by the action and 2) the quantity of pain and pleasure that the action generates.

¹⁶ For this reason, Kant would say that lying is always morally impermissible, so one must always choose not to lie to others, and that is independent of the consequences it would lead to. I will elaborate on it in the next paragraph.

¹⁷ It might be worthwhile to note that Kant also argues that there is a distinction between what makes a person happy and what makes a person good (Ak 4:442), but I will not go into it given the shortness of the paper.

¹⁸ This is one of the formulations of the categorical imperative (the principle that gives us commands on what we must do unexceptionally), which can be put as follows, "act only in accordance with that maxim through which you at the same time can will that it become a universal law," (Ak 4:421).

¹⁹ By maxim, Kant means a "subjective principle of volition" (Ak 4:401) or a subjective rule in which we ought to act on, and its basic form is "I will do Action-A in order to achieve Purpose-P," (xviii).

such that one is impossible to will the given maxim into a universal law (Ak 4:423-4:425).²⁰ However, it seems that the same action can lead to incompatible results depending on how one formulates the maxim. For example, a person Q is terminally ill and cannot afford the life-saving medicine M. When deciding whether he should make a false promise to get money from the lender,²¹ he formulates his maxim as such: “I will lie to get money whenever that serves my own interest.” And such a maxim clearly can never be universalized, because if everyone acts on that, then the concept of promise-making would collapse or be made impossible.²² But, if Q narrows down and specifies his maxim to “I will lie to get money *only* when I am terminally ill and in a desperate need of a life-saving medicine M,” then it seems that universalizing such a maxim would not lead to a contradiction in that concept and can be willed by others.²³ How Q formulates his maxim yields him a different answer as to whether he should make a false promise in the case above. So, one can argue that Kant’s moral theory is indeterminate insofar as he does not provide us an account that tells us how *specific* or *general* we should be in the formulation of maxim, which would lead to different action-guiding conclusions.²⁴ I believe that Kant’s theory should apply in the realm of individual morality. When it comes to policymaking, I am reluctant to make the same call due to the concerns of his theory, which are 1) it is not clear what merits it yields, 2) it is not as attractive as other approaches, and 3) it has more difficulties in resolving moral disagreement than other approaches. Now I want to briefly lay them out.

In cases where we think that Kant’s moral theory should be adopted in guiding policymaking, a rule-utilitarian²⁵ can provide us with an equally satisfactory answer on what action we should perform. Suppose rule-utilitarianism advocates for the same set of moral rules as Kant’s theory would, then what merits would it yield in choosing the latter? In fact, rule-utilitarianism might seem more appealing insofar as it is concerned about the general welfare,²⁶ and Kant’s moral theory appeals only to reason and moral duty, and it asks us to do what is *right*, which seems too abstract and hard to predict. And in cases where there is a moral disagreement, rule utilitarianism usually has a way of deciding which actions we ought to perform by adhering to the greatest happiness principle, but Kant’s theory would encounter greater difficulties in resolving the disagreement. For if two groups of people all claim that they are using the faculty of reason yet they reach a

²⁰ Kant lays out two kinds of maxims that would fail the universalization test, 1) a maxim which would create an internal contradiction when it is universalized (I will talk about it more in the later passage), and 2) a maxim which would not create a contradiction within itself but one would not will it to be universalized. For 2), an example that Kant gives is that we should help others, because although it is possible to conceive of a world where no one helps others, it does not seem that anyone would will or desire to be in that world (Ak 4:423).

²¹ This example is given by Kant (Ak 4:402-4:403), but more details are added in this paper.

²² In other words, it cannot be conceived without contradiction because we would not know whether others are making a genuine or a false promise when lending money, and there would be no such thing as making a promise.

²³ The reason is that the occurrences of that maxim would be so low that it would not undermine or violate the value of truth or promise-keeping, and we would see no trouble in willing it as a universal law. Following Kant’s logic, we can universalize such a maxim too. However, that would be a universal law that Kant himself would reject.

²⁴ I believe that this indeterminacy objection would be a genuine worry against Kant’s moral theory because it seems that there is only one correct way in formulating the maxim (as opposed to saying “there are many ways to formulate a maxim, and an act is morally permissible if all or some the formulations pass the universalization test”).

²⁵ Note that rule-utilitarianism would say that there are certain rules (e.g., no lying) that we should follow in all cases and without exception, on the basis that these rules in general tend to increase the overall utility in the long run.

²⁶ It follows our commonsensical idea of why we should adopt certain policies, which rests on the consideration that they would tend to be good for the public in general and in the long run.

different or incompatible conclusion, Kant would say that at least one of the groups is not reasoning correctly, yet it is not clear how to tell which group it would be.²⁷

However, Kant's moral theory in guiding individual morality seems to be more agreeable and promising than Mill's approach. It seems that in many cases we do not just care about *how* we are being treated by others but more importantly, we care about *why* we are being treated in such a way.²⁸ And while Kant argues that we ought to treat others as having an intrinsic value²⁹ in themselves, Mill says that we should treat others as all having an equal value but such a value is only evident in the utilitarian calculation of the general utility³⁰ which is distinct from the value in moral worth. Since what many people are essentially concerned about is *why* or the motive lies behind one's action, I believe that we are better off and would prefer to live in a society where his theory is practiced.

In this paper, I have presented Mill's and Kant's moral theories and explained the reason why Kant's concern of the indeterminacy of happiness is a strong objection against utilitarianism. Since Mill's conception of happiness rests on *a posteriori* knowledge, it fails to be the basis to account for morality. Kant believes that morality should be derived *a priori* and must be absolute at all times. However, we might think that Kant's theory is indeterminate too in the sense that different formulation of the maxim seems to generate incompatible results in action guiding. Lastly, I have argued that Kant's moral theory should apply in the realm of individual morality since it is more promising, yet his theory seems too abstract and idealized in policymaking.



²⁷ Now that seems to involve an epistemological question, namely, how do we know if we are reasoning correctly.

²⁸ Consider two societies where people behave in the exact same manners towards others: in the society A, they are acting in this way only because they are afraid that otherwise others would cause harm to them (this is not what Mill has in mind but is more straightforward in helping me make the claim), and in society B, people are acting in this way because they see each other as having the same moral worth as themselves and thus deserving the same level of respect. Most people would prefer to live in society B although people in both societies would act the same towards others.

²⁹ Kant argues that human beings have absolute, unconditional, and intrinsic moral worth insofar as we are rational and autonomous beings. Another formulation of the categorical imperative, The Formula of Humanity as End in Itself (Ak 4:429), rests on such an idea.

³⁰ That is, every individual counts for the same when assessing whether it is morally permissible to do X. But that would justify foregoing one's interest (or even one's life) for the sake of general utility in some cases.

Race, Justice and Property Rights

Esther Smith

As a response to the national uprising in the wake of the killings of George Floyd and Breonna Taylor, the following paper explores how political philosophers should think about race, justice, and property rights in the face of systemic injustice.

The presence of property destruction and looting in response to the police murdering of George Floyd and Breonna Taylor presents political philosophers with a challenging question: when is it permissible to engage in property damage and theft rather than traditional nonviolent civil disobedience? To answer this question, I will draw from Rawls and Shelby's theories of justice as fairness to present the specific circumstances in which the destruction of property and theft would constitute a morally appropriate response to systemic injustice. In this paper, I extend Shelby's framework of natural and civic duties to argue that property damage and theft of merchandise are permissible if they are done by individuals living in unjust communities and if they are motivated by that individual's moral duty to create or support just institutions. After presenting Rawls' justification for civil disobedience and Shelby's theory of the Dark Ghetto, this paper will lay out the limitations of permissible acts of disobedience.

In part three of his book, *A Theory of Justice*, Rawls sets the foundation of individual duties in an ideal society and then lays out the process in which nonviolent civil disobedience is a justifiable response to serious violations that occur in an otherwise relatively well-ordered society. Rawls' principle of justice requires institutions to promote equal opportunity (First Principle) and allow for inequalities so long as they are to the benefit of the least well-off members of society (Second Principle). Assuming we are in a just society, Rawls' principle of fairness asserts that individuals have a natural duty to "support and to further just institutions" in particular because of the distributional advantages presented to participants in his ideal theory.¹ When confronted with egregious injustices, however, Rawls asserts that our "right to defend one's liberties and the duty to oppose injustice" trumps our "duty to comply with laws enacted by a legislative majority."² For racial minorities in a democratic society, Rawls advocates for civil disobedience as a "public, nonviolent, conscientious yet political act"³ aimed to get the majority to "acknowledge the legitimate claims of the minority" and reform pervasive systemic injustices.⁴

Shelby draws from Rawls' discussion of moral duties to differentiate civic from natural obligations, in which he emphasizes that the former duty should not apply to individuals

¹ John Rawls, *A Theory of Justice* (Cambridge: Harvard University Belknap Press, 2005), 293.

² *Ibid.*, 319.

³ *Ibid.*, 320.

⁴ *Ibid.*, 321.

living in unjust social arrangements. Shelby begins his discussion by focusing on the Dark Ghetto, in which “racism and extreme poverty combine to create a uniquely stigmatized subgroup of the black population”⁵ whose conditions of injustice impede their ability “to conform to mainstream norms”⁶ and laws set by the legislative majority residing outside the ghetto. Although Shelby argues that our *natural* duties to act as moral agents are “unconditionally binding,” *civic* duties differ because they are “rooted in the political value of reciprocity” and thus are only binding for those who benefit from the basic structure of social advantages.⁷ Given that the Dark Ghetto “with its combination of social stigma, extreme poverty, racial segregation...and shocking incarcerations rates” is comprised of residents who are excluded from receiving *any* of the benefits of the basic structure, they should arguably be exempt from civic obligations that are aimed towards maintaining the social cooperation scheme that oppresses them.⁸

Combining Rawls’ justification for disobeying unjust policies and Shelby’s differentiation of moral duties, the first condition that must be met in order for property damage and merchandise looting to be permissible is that the individuals engaging in these forms of dissent must reside in pervasively inequitable communities. Although Rawls advocates for civil disobedience as a form of nonviolent dissent, he acknowledges its limitations as he writes, “the effectiveness of civil disobedience as a form of protest declines beyond a certain point.”⁹ In the case that African Americans, especially those residing in impoverished inner cities, are unable to appeal to the “public’s sense of justice”¹⁰ and thus amend the police’s systematic targeting of Black lives, Rawls would arguably say that racialized policing poses a severe endangerment to the Black community to warrant “well-framed militant acts of disruption and resistance.”¹¹

Here, I affirm that looting and property damage are two forms of militant acts because they are designed to disrupt and resist oppressive policing practices. Furthermore, since these acts of militant resistance are a clear violation of Shelby’s civic duties, they should only be reserved for residents living in extremely unjust communities such as the Dark Ghetto.¹² African Americans, particularly those residing in impoverished inner cities, meet the first requirement because they are disproportionately persecuted when interacting with law enforcement. As Shelby writes, “taking the property of others, especially when these others are reasonably well off, may be legitimate,”¹³ this paper contends that

⁵ Tommie Shelby, *Dark Ghettos: Injustice, Dissent, and Reform* (Cambridge: Harvard University Belknap Press, 2018), 139.

⁶ *Ibid.*, 140.

⁷ *Ibid.*, 144.

⁸ *Ibid.*, 150.

⁹ John Rawls, *A Theory of Justice* (Cambridge: Harvard University Belknap Press, 2005), 328.

¹⁰ *Ibid.*, 320.

¹¹ *Ibid.*, 320.

¹² This paper acknowledges that the Dark Ghetto is not the only unjust community in the United States; however, I refrain from commenting on other communities (i.e., African Americans in rural areas, Latinx and Asian Americans who are targeted by racialized policing) harmed by a systemic injustice due to the constraints of the paper’s focus on the urban rioting following the murders of Floyd and Taylor.

¹³ Tommie Shelby, *Dark Ghettos: Injustice, Dissent, and Reform* (Cambridge: Harvard University Belknap Press, 2018), 152.

looting corporations such as Target are morally appropriate because they benefit from the economic exploitation of Black labor.

Stealing from small businesses, however, constitutes a violation of an individual's natural duty especially if they are Black-owned businesses and thus are not permissible as a response to the systemic injustice of police brutality and institutional racism. The second condition that would make theft and destruction of property an appropriate response to severe injustice is if they are calculated to generate improvements and reform to their society. Despite seeming paradoxical, an individual can engage in militant protest while abiding to Rawls' second duty of justice (what Shelby calls the natural duty of justice), which is "to further just arrangements not yet established."¹⁴ Categorizing the duty of justice as an unconditionally binding natural obligation, Shelby claims this duty calls for "the ghetto poor [to] take on a good deal of the burden in reforming their society."¹⁵ If individuals of the Dark Ghetto or other communities living in unjust social arrangements engage in property damage or theft with the intent to gain national attention and plead their case for systemic reform, then they have only violated their civic duty but not their natural duty to support the creation of just institutions and can therefore be considered as morally appropriate.

Applied to the case of racialized policing, the media coverage of the violent protests has contributed towards the public's acknowledgement of George Floyd and other victims of police brutality including Breonna Taylor and Rayshard Brooks. Furthermore, they have pressured Democratic lawmakers to legislate police reform to an extent that has not previously existed during prior years of nonviolent civil disobedience for the same cause. In order to abide by the second condition, protesters must strategically burn or destroy buildings that symbolize the racialized oppression of African Americans such as a police station or the city hall of a racially hostile government. Because the goal of protesters should be to contribute towards the betterment of their community, I argue that burning local diners or other mom-and-pop shops should not be condoned as a morally appropriate response to police brutality or other injustices.

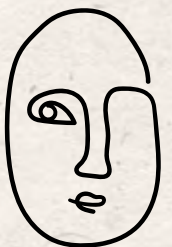
A valid point of contestation to the assertion that we must consider the special circumstances that permit an individual to participate in property damage and theft is the argument that these activities operate within the realm of Rawls' definition of civil disobedience. Therefore, there is no need to apply Shelby's differentiations of natural and civic duties of justice to determine morally appropriate forms of protest. As Rawls was inspired by Martin Luther King Jr. when writing about civil disobedience, I will use King's definition of civil disobedience as the breaking of an unjust law "openly, lovingly, and with a willingness to accept the penalty," (King 1994). Although theft and property destruction can be considered as a form of civil disobedience if the perpetrators willingly accept the state's punishment (i.e., break the law and wait for officers to arrest

¹⁴ John Rawls, *A Theory of Justice* (Cambridge: Harvard University Belknap Press, 2005), 99.

¹⁵ Tommie Shelby, *Dark Ghettos: Injustice, Dissent, and Reform* (Cambridge: Harvard University Belknap Press, 2018), 154.

them), I argue that it is unlikely for individuals to commit a crime during a riot with the intent to be arrested. Rather, people loot, burn and destroy stores and police stations to generate disruption and resistance to the system of racialized police brutality, which is what differentiates theft and property damage from other forms of nonviolent civil disobedience. Shelby's theory plays an invaluable role in furthering the philosophical conversation of discussing the natural duty of people living in conditions of pervasive systemic injustice to protest in a morally appropriate manner.

When questioning whether acts of rebellion and disobedience can be justified from a philosophical standpoint, this paper has made the case that militant protest is morally appropriate if it (1) comes from individuals living in extremely unjust circumstances and (2) serves as a politically calculated strategy to create and further just institutions in their community.



Continue to Homogenize Hispanics, and You'll Reap the Same Outcome of Prop 16

Juliette Tafoya

This past election season, political pundits and op-ed writers were worried about the Hispanic voting bloc not voting towards a certain ideology, persons, or proposed pieces of legislation en masse. LA Times columnist Gustavo Arellano's explanation as to why Hispanics voted on split lines against affirmative action measure Prop 16 in California demonstrates just that: the misunderstandings and misrepresentation of the diverse ethnicities and cultures that are encompassed under the Hispanic label.

Arellano describes the loss due to *rancho libertarianism*. A term that starts with a word that only associates to one culture: the Mexican culture. Arellano, in his article about Latino Republicans, explains his newly coined phrase as,

"...People aren't reliant on government. They just take care of each other...that's how most of the rural Mexicans I grew up with feel. I even have a nickname for it: rancho libertarianism. We grumble at tax increases, have a soft spot for strong men real and imagined, and smirk at the excesses of political correctness."¹

In his other article about Latino ambivalence towards affirmative action, he interviewed a Mexican American woman who said, "It's our culture to work hard and earn our living...I'm going to support the guy who sells oranges rather than give a dollar to the one with the sign."²

Arellano's term to describe this cultural, conservative political orientation among a significant number of Latinos³ shows similarities to political philosopher Robert Nozick's entitlement theory.⁴ In a just state, under the entitlement theory, if you acquired holdings (wages) in a just manner (by working hard), then you are entitled to that asset and if you acquire your assets in a just transfer of holdings, then you are entitled to them. Taxation and redistribution of your assets are seen as forced labor and theft. Like the Mexican American woman described in Arellano's article, there is a cultural mindset to work hard for your earnings. This includes a dislike towards taxes since you have the right to spend your earnings how you want,

¹ Gustavo Arellano, "Column: Latino Republicans face a tough task: turning blue Orange County red again," *Los Angeles Times*, Nant Capital, 13 October 2020, <https://www.latimes.com/california/story/2020-10-13/latino-republicans-randall-avila-orange-county-gustavo-arellano>.

² Gustavo Arellano, "Column: Latino ambivalence about affirmative action could doom Prop. 16," *Los Angeles Times*, Nant Capital, 30 October 2020, <https://www.latimes.com/california/story/2020-10-30/proposition-16-affirmative-action-california-latinos>.

³ Lydia Saad, "U.S. Conservatism Down Since Start of 2020," Gallup, 27 July 2020, <https://news.gallup.com/poll/316094/conservatism-down-start-2020.aspx>.

⁴ Robert Nozick, *Anarchy, State, and Utopia* (New York: Basic Books, 2013), 151.

“The man who chooses to work longer to gain an income more than sufficient for his basic needs prefers some extra goods or services... whereas the man who chooses not to work the extra time prefers the leisure activities to the extra goods or services he could acquire by working more... it would be illegitimate for a tax system to seize some of a man’s leisure (forced labor) for the purposes of serving the needy...”⁵

What’s important to notice is that this shared mindset has developed within the multicultural Hispanic community from different factors and experiences that individuals from other cultures have developed from their own struggles, be it growing up in a totalitarian state, escaping dictatorships, or surviving guerrilla warfare.^{6, 7, 8}

Growing up, my mother would tell me stories of what it was like in Peru — living in a country where guerrilla-style warfare was rampant. She experienced domestic terrorism where the guerrillas would bomb the electrical power sources of the country, leaving people in blackouts for weeks. The government was corrupt, and military backed.⁹ Around her, South American countries, like Argentina, Chile, and Brazil, had dealt or were dealing with military coups and totalitarian governments.¹⁰

Mexico’s history is different than other Latin American countries. The difference in experience and history can either lead to a distrust against government involvement in our lives or gratefulness towards obtaining rights of liberty (the American Dream) where many Latinos, who emigrated to this country, did not have before. Arellano homogenized Hispanics as one cultural group by branding a shared political philosophy under a rural Mexican term.

As someone who is multiethnic (half-Mexican, half-Peruvian), reading this term rubbed me the wrong way. I grew up in the Mexican culture, so I understand where the “rancho” lingo derives from when referencing heritage and culture: you come from the rural areas of Mexico or are a part of those rural communities and culture, where the *machista* (sexist), *machismo* (masculine pride) ignorance mentality runs deep.¹¹ But I was also raised in a South American household, and nowhere in our dialect do we reference the term *rancho* when describing others. It’s just not part of our identity, nor is it for Central Americans or for Hispanic Caribbeans.

⁵ Robert Nozick, *Anarchy, State, and Utopia* (New York: Basic Books, 2013), 170.

⁶ Bethany Bond, “America’s Dirty Wars: Latin America in the 1970s.” American Empire, University of Kansas, 21 April 2016, <https://americanempire.ku.edu/uncategorized/americas-dirty-wars-latin-america-in-the-1970s-2/>.

⁷ *Reagan’s Wars in Central America* (1982; Boulder: Our Hidden History, 2017), online, <https://www.youtube.com/watch?v=gjg3Y8qE6M>.

⁸ *Crisis in Central America: a conversation with Vernon Walters*, performed by Peter F. Krogh and Vernon A. Walters (1984; Washington DC: Georgetown University), online, <https://repository.library.georgetown.edu/handle/10822/552530>.

⁹ Philip Bennett, “Guerrilla Warfare Intensifies in Peru,” *The Washington Post*, Nash Holdings, 24 August 1982, <https://www.washingtonpost.com/archive/politics/1982/08/24/guerrilla-warfare-intensifies-in-peru/56fecbe3-e2f5-43a6-9a36-62686a4a0891/>.

¹⁰ Roberto Malta, “Latin American Military Dictatorships,” Rise to Peace, 2018, <https://www.risetopeace.org/2018/09/14/latin-american-military-dictatorships/rmalta/>.

¹¹ Culturally, *rancho*, *ranchera/o* is a term that can be thrown to demean those who are thought to be of “low quality” because of their lack of education and/or ignorant mindset. The best translation I could give is calling someone a redneck or hillbilly for the sake of demeaning the other person. *Campesino* is another word similarly used like *ranchera*. (Lopez, Fernando M. “En la lógica sojera de Buryaile, los campesinos no merecen nada.” *Diario Contexto*)

Political philosopher John Rawls' Original Position thought experiment can be a great guide to disseminating the stereotype that Latinos are only Mexicans. In the original position,¹² a term like Arellano's would have no place because you wouldn't know what ethnicity you are. His personal biases from his own experiences as a Mexican-American would not be included. Under a veil of ignorance,¹³ there would be no room to homogenize a group of individuals under a one-sided dominating cultural force because no one would know their race, respective culture, national origin, or place in society. In the OP, since the parties are confident that racial discrimination is unjust, the parties can propose an equal representation model for society that represents the diverse coalition of Hispanic cultures because no one knows what race or ethnicity they may be coming out of the OP. Only then can the resulting society be just and present respect towards Hispanics.

Currently, the majority of Hispanics in the US are of Mexican descent.¹⁴ Of course, their cultural views will have more influence on society. However, a Cuban is not going to vote the same way as a Peruvian, and a Peruvian is not going to vote the same way as a Mexican. Until all Americans realize this, our vote will always be taken for granted.

¹² John Rawls, *A Theory of Justice* (Cambridge: Harvard University Belknap Press, 2005), 15-19.

¹³ *Ibid.*, 11, 118-123.

¹⁴ About 36.6 million Hispanics of Mexican Origin live in the United States, according to the Pew Research Center.

Luis Noe-Bustamante, Antonio Flores, and Sono Shah, "Facts on Hispanics of Mexican origin in the United States, 2017," Pew Research Center, 16 September 2019, <https://www.pewresearch.org/hispanic/fact-sheet/u-s-hispanics-facts-on-mexican-origin-latinos/>.

Prison Break: Punishment Doesn't Work

Courtney van Dusen

Looking at race and recidivism statistics for our nation's carceral system reveals two stark facts:

- 1) Black men are disproportionately represented¹
- 2) Recidivism rates are astronomical with around 87% of released inmates rearrested within 9 years of their release²

You can deny facts, but denial is not equivalent to invalidation. Instead of flat-out calling our criminal justice system and law enforcement racist, I would instead like to invite you to consider the correlation of poverty and prison as it relates to the over-policing of low-income communities and the overrepresentation of minorities in low income communities. If black people are overrepresented in prisons, then it follows that black people are overrepresented in prison release and then again in reincarceration. Though overall reform is what we truly need to introduce racial equity and eradicate racial injustice, contemporary society is not quite progressive enough. In the hope that true change is on the horizon, I will focus on advocating away from retributive justice (punishment) and toward restorative justice (restoring the relationship between victim and perpetrator). “How does that work?” you might be wondering. Glad you asked. By arguing that punitive justice is ineffective, unjust, and racially skewed toward black people. Instead of making criminals “pay their debt to society,” I encourage society to “pay partial debt on behalf of society” for those it has systematically injusticed by diverting 20% of law enforcement’s budget into rehabilitative programs for the formerly and currently incarcerated to reduce recidivism.

“Black men are clearly more prone to criminality than white men since they are so over-represented in prison, so why should I care?” If we simply look at a statistic and focus on the numbers without factoring in other variables, our analysis is incomplete because without context, statistics are simply numbers associated with a data set. Context can tell you that poor neighborhoods aren’t poor because they are lazy, criminal or any other unsavory stereotype that we negatively associate with the lower socioeconomic classes. Poor neighborhoods are poor because our government has abandoned them in protection and economic support by isolating, othering and treating them unjustly as a malady of society with the police as the cure. Jobs are hard to come by, they’re racially segregated, schools are woefully underfunded, and they are over-policed.³ If our government created these pockets of racialized poverty and our society allows them to continue, Tommie

¹ Ashley Nellis, “The Color of Justice: Racial and Ethnic Disparity in State Prisons,” The Sentencing Project, 13 October 2021, <https://www.sentencing-project.org/publications/color-of-justice-racial-and-ethnic-disparity-in-state-prisons/#11.%20Overall%20Findings>.

² Dora M. Dumont, et al., “Public Health and the Epidemic of Incarceration,” *Annual Review of Public Health* 33 (2012): 325–339, <https://www.annualreviews.org/doi/10.1146/annurev-publhealth-031811-124614>.

³ Tommie Shelby, *Dark Ghettos: Injustice, Dissent, and Reform* (Cambridge: Harvard University Belknap Press, 2018), 150.

Shelby holds that we cannot continue to punish black people in impoverished areas for being victims of systemic racism. If people are oppressed by the government that is supposed to protect them, they are part of an unjust society that nudges them toward criminal acts of desperation, and we cannot justly allow this to persist. Furthermore, Charles Mills argues the conditions of racialized poverty wouldn't even be in existence if the "racial contract," an agreement between white, European descendants to maintain global white supremacy and deliberately exclude all nonwhites, was not the pervading unspoken social norm. Mills explains white justice as "just us"⁴ in that it points to the root of black oppression in the first place. We must care about black people now because history shows that we haven't cared enough for them throughout.

Punishment as a means to reduce crime doesn't work.⁵ If punishment was an effective crime deterrent, crime rates would bottom out and recidivism rates would follow, but neither of those instances have occurred. Statistics have shown rehabilitative justice in the form of teaching inmates vocational skills, further providing them education and helping them find jobs post-release are huge factors in reducing recidivism.⁶ You may think, "well that's great, but who is going to pay?" Local law enforcement! Reducing the budget for paramilitary weaponry and training, which we wouldn't need if prison was an actual effective deterrent, would fund programs to increase success in reintegration programs. Reentry starts in prison. By providing poor families the ability to visit their incarcerated loved ones, inmates are able to stay connected to their social and familial network while incarcerated. Active engagement in their life outside of the carceral system tends to reduce the odds of recidivating.⁷ Additionally, providing education to inmates has shown tremendous reduction in reincarceration as well. Helping inmates attain their GEDs, a basic requirement for many "gainful" job opportunities, enables them to surmount the hurdle while they are incarcerated and increases opportunity for employment post release. Additional job training and vocational skill building help bridge the experience gap as well and provide stable employment.

Long-term, we need to equitably reconstruct our criminal justice system in the image of the pluralistic and diverse society that we are and stop forming it in the image of the society white supremacy advocates. We need to stop over-policing black and brown bodies and punishing them for the cruel system that victimizes them. Until we have affirmative action, reparations and a national understanding and commitment to racial equity, we need to begin the healing process with baby steps, and we need to begin right now. I believe that by taking funding from an institution that bleeds red, white, and racist and using that funding for positive justice, inmates are given the tools they need to reenter society as contributing members. They are not being "rewarded" for the behaviors that got them arrested in the first place, society is simply recognizing their worth and treating them as if they were human.

⁴ Charles Mills, *The Racial Contract* (Ithaca: Cornell University Press, 1997), 122.

⁵ "America's prisons are failing. Here's how to make them work," *The Economist*, 27 May 2017, <https://www.economist.com/leaders/2017/05/27/americas-prisons-are-failing-heres-how-to-make-them-work>.

⁶ Mark T. Berg and Beth M. Huebner, "Reentry and the Ties that Bind: An Examination of Social Ties, Employment, and Recidivism," *Justice Quarterly* 28, no. 2 (2011): 382-410, <https://www.tandfonline.com/doi/full/10.1080/07418825.2010.498383>.

⁷ *Ibid.*

SOC 190

Writing Across the Partisan Divide

K - V - + Jd

Writing Across the Partisan Divide

Kim Voss & Tyler Leeds



This seminar centered on moments of political contention, topics where social science is quite useful and frequently resented. We studied not only the arguments scholars make but also *how* they make those arguments using the written word. The course touched on racial protests and Black Lives Matter, the birth of the Tea Party, police reform, homelessness, and more. Throughout, we considered how social scientists write about data, both quantitative and qualitative, and how they frame their own position, background, and agenda. Additionally, we contrasted the approach of academics with journalists, weighing and considering the strengths and weaknesses of different styles. We noted that if social science is to be useful, it must be able to convince non-specialists of its merits.

The class was designed to teach students to communicate complicated ideas accurately, elegantly, and forcefully. In addition to weekly reading reflections and an essay about their Berkeley experiences, students completed three “translating research” assignments. Their task for these translations was to rewrite social science research so that its findings could be persuasive and impactful in the public realm. This posed a number of challenges. First, social science research can be complicated, so students’ first task was to make sure that they deeply understood the argument being made. This entailed reading the assigned article, and possibly looking at some of the sources it cited. Students then had to judge which parts of the argument to include in their translation so that a popular audience could both follow the argument and be convinced it was backed up by evidence. At the same time, they couldn’t bog the reader down with too many details. Further, they had to motivate the reader to care about the research. Finally, they had to write in a way that made the academic research more clear and powerful than it appeared in its original home. We gave students a strict and short word limit, so every letter counted. We told them that they would not be able to write this in one sitting. Instead, they had to embrace the never-ending back-and-forth between editing and writing. We gave them comments on their translations and then they revised them again. To gain further experience in editing, students were also required to peer edit one classmate’s assignment for each translation.

The first set of translations included in this collection are of an article by Anna Boch, “The Limits of Tolerance: Extreme Speakers on Campus,” published in *Social Problems* in 2020. The last three are translations of Julian Go, “The Imperial Origins of American Policing: Militarization and Imperial Feedback in the Early 20th Century,” an article that appeared in the *American Journal of Sociology* in 2020.

Speaking of Identity

Sarah Bhaskaran

Every time a conservative college group invites an extreme-right speaker to campus, the same debate sparks and blazes into a fire of controversy. “Campus Speaker Silenced,” announce conservative news sources as they frame the issue as a question of free speech.¹ Their narrative is that liberals pretend to be tolerant, but this tolerance is trivial since it only extends to others with liberal viewpoints. Liberals say protestors are “stamping out bigoted speech.” Focusing on the content of the speakers’ views, they maintain that tolerance of intolerance goes against the whole point of tolerance.² It is nothing like the 1960s when conservative administrators tried to repress liberal students’ speech, and not only the times have changed, but the people as well. In “The Limits of Tolerance: Extreme Speakers on Campus,” Anna Boch builds a case that liberals are indeed less willing to hear out extreme conservative speakers, but liberals also base their decision on practical considerations aside from the matter of free speech.

Boch gathered data from two surveys involving 3,116 people total representing adult Americans. The experiment’s factorial design meant that each respondent was asked about a scenario, and all the scenarios represent every possible combination of factors studied in the experiment. There were four examples of extreme conservative speakers and four examples of extreme liberal speakers. The other variables were whether the students at the school wanted to allow the speaker, and how dangerous the police predicted it to be. Each survey respondent was asked about two cases, an extreme liberal speaker and an extreme conservative speaker, in a random order. The respondent answered whether they thought each speaker should be allowed, to what extent, and which of the suggested factors influenced their decision. Boch grouped respondents by their leaning (liberal vs. conservative) and party identification (Democrat vs. Republican), but often used party identification as the measurement of a respondent’s “side.”³

So, what patterns emerged? First, let us humor the chief conservative gripe. Liberals preach “tolerance,” they say, and yet when faced with those they truly dislike — Ben Shapiro, say, or Charles Murray — they try to close their doors. Conservatives see an ironic 180-degree shift from the days of the Free Speech Movement, when liberals tried to convince them to support all speech regardless of the content. Now liberals are attempting to silence speech based on its content, which appears to invalidate their earlier ideal of free speech.

Boch’s paper does provide some confirmation for this viewpoint, in addition to the confirmation conservatives receive repeatedly on the campus stage. Democrats are less likely

¹ Anna Boch, “The Limits of Tolerance: Extreme Speakers on Campus,” *Social Problems* (2020): 1, <https://academic.oup.com/socpro/advance-article-abstract/doi/10.1093/socpro/spaa019/5859206>.

² *Ibid.*

³ *Ibid.* 6.

to say they would allow an extreme speaker of the opposite side on campus. Moreover, young (born after 1982) Democrats, regardless of their degree of education, were less likely to allow extreme speakers than older respondents who were college-educated. This validates the conservative narrative that college is no longer teaching a desire to hear a wide range of views.⁴

However, statistics are notoriously manipulable, and slight differences quickly redeem some of these liberal trends. Republicans are “more partisan,” we can say, citing the fact that Republicans, beyond being more tolerant of extreme speakers, were even *more* tolerant of extreme right speakers than of extreme left speakers.⁵ Furthermore, when the questions were asked of a Democrat in a particular order — first *would you allow this extreme left speaker?* then *would you allow this extreme right speaker?* — then they were more likely to allow both. This suggests that liberals do want the principle of free speech to be applied fairly, but this is not always on their minds when they decide to disallow conservative speakers.⁶

Follow-up questions asked respondents about their reasons for disallowing speakers. Democrats often related their choice to the extreme-right speaker threatening safety. As Boch mentions, this can be a real concern: if riots and violence accompany the speaker to campus, the students can be in physical danger as they walk between classes and home to their dorms. Democrats were also concerned about the “societal” threat of increasing tensions on campus, which students pay for with peace-of-mind. And while Boch also provided the sample reason of risking offending people, neither Democrats nor Republicans tended to choose this option, which negates the “snowflake” stereotype to some degree.⁷

A final disclaimer to the basic idea that “conservatives are more tolerant” is that the average conservative may be closer to the extreme right than the average liberal is to the extreme left. Boch ensures with a separate small experiment that people view these sample speakers’ profiles as equally extreme on both sides.⁸ If we assume this to be accurate, then it may indeed be reasonable to say that conservatives are further to the right than liberals are to the left and have shifted in this direction since the early days of the Free Speech Movement. Boch points out that various conservative politicians have voiced some version of the extreme-right views, whereas no liberal politician has voiced any of the extreme-left views.⁹ In some ways, then, I found it counterintuitive that these extreme-but-popular conservative views are less welcome on campuses than the less-widely-espoused far left views. One could argue that liberals are even more exclusionary, as their resistance to the far-right views could bar officials despite their greater

⁴ Anna Boch, “The Limits of Tolerance: Extreme Speakers on Campus,” *Social Problems* (2020): 10–11, <https://academic.oup.com/socpro/advance-article-abstract/doi/10.1093/socpro/spaa019/5859206>.

⁵ *Ibid.* 9.

⁶ *Ibid.* 10.

⁷ *Ibid.* 11.

⁸ *Ibid.* 8.

⁹ *Ibid.* 14.



degree of “legitimacy.” Or one could argue that as the far-right viewpoints have wider platforms elsewhere, restricting them from college campuses has no negative impact on their freedom of speech. But without further research, it is not useful to speculate how this asymmetry would affect views; it simply reminds us that liberal and conservative perspectives are not mirror images of each other.

Along the lines of questioning the differences between the two sides, I also did not feel convinced that the extreme-right and extreme-left viewpoints¹⁰ were comparable. While they all focused on identities, the extreme-right viewpoints seemed to express lack of respect towards either a higher number of people in the audience, or to a greater degree. For example, there would be likely be fewer Israeli people in the audience than Muslims, non-white-men, white women, and gays. There could be many religious people, but while the speaker is described as “militant,” they don’t express a desire to bar religion as a private choice. Open borders with Mexico could harm many people, but not directly. To be sure, abortion is extremely violent if fetuses are assumed to be people, but this is only one of the left profiles. I suppose there is no better method than just verifying that the profiles balance out, and of course they have to have qualitative differences to feel realistic; however, the differences I saw made the results seem less generalizable.

Beside the main conservative-liberal focus of this paper, Boch found some other interesting trends in tolerance. Men were consistently, and significantly, more willing to allow extreme speakers than women, and this gender gap was even wider among Democrats than Republicans.¹¹ The possible explanations for barring speakers did not seem to account for this difference, so further research would be needed to explore this trend further. Less dramatically, but equally important to note, there were not significant differences between races, family income levels, or generational levels, other than a higher average tolerance among whites.¹²

Boch’s paper holds few surprises for those who have kept up with the current political climate on campus. Whether they see extreme speakers as upholding the right to free speech or as spreading hate and tension, conservatives and liberals would all agree that attitudes towards extreme speakers have changed since the original Free Speech Movement. Even just the designations of “conservative” and “liberal” mean different things than they used to. It is understandable, then, that past research finding liberals to be more tolerant than conservatives is out of date.¹³ Still, both sides can gain from acknowledging this cultural transition and reflecting on why it happened. Old principles may no longer apply, or they might have been cast aside too soon.

While it can be dangerous to make strong assumptions about demographics, it is also

¹⁰ Anna Boch, “The Limits of Tolerance: Extreme Speakers on Campus,” *Social Problems* (2020): 7, <https://academic.oup.com/socpro/advance-article-abstract/doi/10.1093/socpro/spaa019/5859206>.

¹¹ *Ibid.* 10.

¹² *Ibid.* 11.

¹³ *Ibid.* 2.

compelling to note how people react differently to extreme speakers between different genders, ages, and education levels. And in this age, political alignment is often our strongest identity, as we can see from this paper and from our lived experience. Speech is an act of advocating for one's identity, and sometimes against the identities of others. The right to speech has implications for the right to think, to choose identities, to exist. It makes sense that it is difficult to talk about such an issue itself.

Untitled

Elaine Huynh

George Floyd was the spark, and social media was the bomb holding the highly explosive content of a centuries-long history of racism against Black Americans in this nation. The current Black Lives Matter Movement is its detonation, hurling a rupture of graphics and information regarding Black activism at our fingertips. Most notably, footage of police brutality towards individual Black Americans and BLM protestors have circulated, spotlighting the issue of police militarization. The past few months have exposed us, either firsthand or through our networks, to police carrying military-grade weapons and harassing protestors and Black Americans with militant aggression. The footage and stories horrified those of us protected from police violence by quiet suburbs. But, for many who regularly witness these atrocities, the footage and stories seemed like the beginnings of a long-anticipated reckoning. Such attention has brought forth the question of how we've allowed our local police forces to become the aggressive and controversial military machines that we're witnessing on our social media feeds, news channels, and headlines.

Our nation's democratic foundation highlights the peculiarity and contradiction of our present state of local police militarization. Overlooked in its antiquity, the Third Amendment often gets overshadowed by its more contentious Second and Fourth Amendment neighbors. The inconspicuous Third Amendment prohibits the quartering of soldiers in any house without the consent of the owner. It came forth as a response to the Quartering Act, which required the American colonists to feed and house British soldiers that continued to live in the colonies as a standing army after the French and Indian War. This act was extremely unpopular among the American colonists, especially after a British soldier shot into a civilian crowd during the 1770 Boston Massacre, resulting in the death of five people. In the wake of police action against BLM protestors, these American colonists' reactions sound uncannily relevant.

The Declaration of Independence listed quartering as one of many grievances against British rule. After the American Revolution, our Founding Fathers decided that, in order to uphold the new nation's democratic ideals, a standing army could not enforce law against citizens (Radko, 2013). So, how did we go from a country of strict democratic principles against the use of a federal army to enforce local law to a country whose local police forces so closely and problematically resemble our federal military troops?

Julian Go attempted to answer this question in his study titled "The Imperial Origins of American Policing: Militarization and Imperialism in the Early 20th Century", where he proposed the theory of imperial feedback to local police militarization. The imperial

feedback theory posits that “foreign intervention, overseas endeavors, or colonial rule in turn redound to impact metropolises in transformative ways.”¹ Essentially, the theory claims that imperial-military practices employed in colonial pursuits are transported back to the domestic society to shape various domestic institutions. Go extended the impact of imperial feedback to include local police forces, tracing the militarization of local police to the age of American imperialism at the turn of the 20th century. Veterans of imperial-military projects took jobs as local police chiefs and adopted imperial-military methods of social control from abroad. He explained imperial feedback as one of many possible mechanisms towards the militarization of local police forces, and he credited military veterans as the vehicles of military knowledge between colonial and domestic sites, calling them “imperial importers.” He tested his hypothesis by delving into the history of local police militarization in America using secondary and primary sources such as histories of policing, newspaper accounts, quotes from the annual meeting of the International Association of Chiefs of Police (a leading police reform organization at the time that included politicians and police chiefs), government reports, hearings, and annual reports of police departments. To fortify his historical findings with statistical proof of causation, Go employed a regression analysis, a method of predicting causal relationships between two variables.

His historical research found that by the early 20th century, police departments began adopting the same culture, organization, and operations and tactics as the concurrent US imperial-military regime. The early 20th century marked the age of American imperialism during which the US pursued multiple colonial and counterinsurgency projects that required a heavily fortified military. Simultaneously, local police forces in America underwent a reform movement in which reformers compared the role of local police forces to that of the military and subsequently adopted congruous training, weapons instruction, and tactical and operational strategies. In cities with prominent minority populations, police and public officials described nonwhite civilians with similar language used by American imperialists, characterizing native populations as “prone to criminality and disorder, and thus a persistent social and moral menace, or inherently violent and verging upon revolution.”² From these observations, Go predicted that local police in militarized forces, especially if they were veterans, analogized colonized and domestic people and situations and accordingly adopted imperial-military strategies originally used against native populations for their domestic nonwhite populations. A close examination of five local police forces, the veteran status of their local police chiefs, and the density of racial minorities in their populations supported this hypothesis. He reinforced his historical findings by using a regression analysis to prove that both veteran status of police chiefs and the racial composition of a city had significant effects on local police militarization. Thus, Go’s hypothesis was correct. Veterans characterized racial

¹ Julian Go, “The Imperial Origins of American Policing: Militarization and Imperial Feedback in the Early 20th Century,” *American Journal of Sociology* 125, no. 5 (2020): 1198, <https://www.journals.uchicago.edu/doi/full/10.1086/708464>.

² *Ibid.* 1212.

minorities at home with the same racially hierarchical framework constructed abroad in their imperial-military projects. Consequently, they understood their local cities to be homologous to colonial populations and acted as imperial importers, transporting military practices to exert social control over seemingly uncivilized racial minorities.

By answering the question of when, how, and why local police militarization occurred in the US, Go's findings reveal damning consequences for the nature of American policing and, more generally, American society. First, race shapes police action. Police forces do not behave in a nonracial vacuum. Secondly, imperial feedback could not have occurred without the existence of similar conceptions of racial hierarchy abroad and at home. Domestic racial dynamics mirrored racial dynamics between American colonizers and the colonized, which local police forces understood to necessitate the adoption of an imperial-military regime. Lastly, the theory of imperial feedback can be applicable to multiple contexts, including the present. Go identified the emergence of SWAT units in the late 1960s as a potential instance of imperial feedback beyond the 20th century. John Nelson, a veteran of American counterinsurgency campaigns in Vietnam, helped found the Los Angeles SWAT unit in response to riots of African American resistance in Watts.

Historical moments like these parallel current racial tensions following George Floyd's murder. Understanding the racial element of police militarization helps us discern how we've come from the Third Amendment's strict delineation between the federal army and local law enforcement to the abundant footage of local police officers injuring crowds of civilians with military-grade weapons. The racial dynamics that undergird local police militarization are part of a larger reckoning with the identity of this nation and its democratic ideals. We see such a valiant upholding of democratic ideals when our founding fathers drafted our constitution. With closer scrutiny, we see that they drafted that constitution as participants of a slave society, and examining current events with this historical knowledge reveals that remnants of that racial hierarchy persist to this day. Sober confrontations with our nation's racist history through research like Go's may disillusion and dishearten. However, only through an honest reckoning with our history can we move forward as productive social actors in shaping our history for future generations.



Polarized Politics: a Democracy Divided

Lavie Lee

I remember thinking to myself, *This isn't normal*.

The stillness of the streets. The ominous cement barricades blocking off Telegraph Avenue, which on a normal day of the week, is infamous for its terrible congestion. The thunderous, rhythmic chants of indignant anti-fascist protestors touting flamboyant “F*** Trump” signs as they clashed with a sea of now-iconic red “Make America Great Again” caps that shouted “Stop Liberal Intolerance” right back at them. The throngs of UC Berkeley police officers, heavily clad in paramilitary-style riot gear, standing at attention, ready to interject at the slightest provocation or indication that partisan hostilities were on the brink of exploding into violence.

The late September air was stifled by a tension so thick that it was hard to breathe. Even as a freshman in her first month as a Berkeley undergrad, I knew that nothing about this was business as usual. As did the rest of the student body and campus administration. Berkeley had become a national spectacle for contentious politics, and the whole world was watching and holding its breath.

UC Berkeley in September of 2017 is just one instance in a growing trend of controversy surrounding college campuses and their role in facilitating academic discourse on contemporary partisan politics. We live in an era of growing sociopolitical division, where a single tweet by the executive can ignite both sides of the political aisle into a frenzied partisan spectacle; where the battle for political control has inextricably and saliently infiltrated both the physical and psychological landscape of America. College campuses are no exception as they grapple with their dual commitments to both free speech and campus safety that, at times, seem to work at odds. All the while, administrators scramble to adjust to the transformation of the university space into yet another battleground for American politics. For instance, in order to mediate the animosity surrounding the arrival of Ben Shapiro and Milo Yiannopoulos, both slated lecturers for a “free speech” series hosted on campus, UC Berkeley spent close to \$4 million on security in just one month of 2017 in response to violent rallies (Dinkelspiel).

These high cost expenditures to facilitate controversial “free speech” symposiums and the growing intolerance of far-right speakers on college campuses reflects a significant contention regarding the roles and limits of free speech and the degree to which tolerance is actually upheld as a guiding value in our politics. We live in a world where half of the American electorate is experiencing severe anxiety due to the offensively racialized and misogynistic rhetoric made by the conservative right and President Trump (as it

errs on the side of majoritarian politics) while the other half sees him and his cohort as America's last-ditch hope to self-correct back onto the path of global preeminence. With our politics becoming more polarizing,

“... it is difficult and subjective to distinguish between insulting someone's dignity, and thereby their equality as a human, and merely saying something that others find disagreeable.”¹

Despite disagreements among academics on how to best measure tolerance, according to some interpretations of civil liberties data gathered through the General Social Survey, the level of tolerance in the United States has not exhibited much change in over 40 years.² However, breaking down this holistic generalization reveals significant changes in the trends, behaviors, party attitudes, and discourse associated with tolerance across time in the last few decades.³ In her recent work tracking the limits of political tolerance in public opinion regarding extreme speakers on college campuses, Anna Boch explores contemporary instantiations of tolerance (or lack thereof) as they coincide with the “increasing ‘fear and loathing’ between those on the political left and right; the asymmetric polarization of the Republican party; and the growing symbolic polarization between parties and real life echo chambers.”⁴

The survey questions utilized by Boch are designed to prompt participants to make a choice between allowing or restricting free speech using information about the speaker, security threat, and student opinion in order to discern the effect that the participants' own value alignment has on their conception of tolerance.⁵ This survey randomly presents participants with two out of eight tropes of extreme speakers — one from the far left, one from the far right — in a randomized order and presents the participant with information on the discussed speaker's description, the students' opinion on allowing speech, and risk assessment from local police.⁶ From there, the participant indicates their support for said speaker to speak on a 7-point Likert scale and is then asked about three potential mediating variables that allude to the possibility of harm — physical, psychological, and societal — sparked by their speech.⁷

In regard to how political identity in turn shapes our tolerance of extreme speakers, perhaps Boch's findings that, “[on] average, Republicans are almost always more tolerant than Democrats of extreme ideological speakers, even when the speaker is liberal,”⁸ may surprise you. But Republicans and conservatives alike shouldn't pop the champagne corks just yet. This clear reversal of previous literature propounding Democrats as

¹ Anna Boch, “The Limits of Tolerance: Extreme Speakers on Campus,” *Social Problems* (2020): 14, <https://academic.oup.com/socpro/advance-article-abstract/doi/10.1093/socpro/spaa019/5859206>.

² *Ibid.* 3.

³ *Ibid.*

⁴ *Ibid.* 5.

⁵ *Ibid.* 6.

⁶ *Ibid.*

⁷ *Ibid.* 7.

⁸ *Ibid.* 8.

being the more tolerant party can be better explained by how responses of self-identified Democrats evince a strong order effect in their tolerance toward speakers from the fringes of the outgroup — a phenomenon absent from Republican respondents. The fact that Democrats are more willing to tolerate an extreme right speaker scenario after first being shown an extreme left speaker not only speaks volumes regarding the impact of perceived partisan identity; but also, toward the Democrats' tendency to favor equality and reciprocity.⁹ Moreover, the mean tolerance scores used to generalize Democratic and Republican perspectives on tolerating controversial speech tends to obscure the fact that Republicans demonstrate tolerance in a heavily partisan manner for extreme right speakers — which is to be expected.¹⁰ Additionally, a discernible psychology oriented toward the avoidance of harm—as manifested through physical harm or increased social tensions — ideologically drives Democrats to be less tolerant of extreme right speakers than Republicans are of those from the extreme left.¹¹

Asymmetric polarization of the right, where the Republican party has taken more extreme policy stances over time, presents further context for the cementing of Democrats' tolerance toward their partisan counterparts. This is perhaps reflected in how two out of the four profiles that Boch uses to characterize the rhetoric of the extreme right are legitimate policy stances in the Republican platform — opposition to same-sex marriage and special scrutiny of people from countries associated with Islamic terrorism.¹² By contrast, the Democratic party does not actively endorse any of the views expressed by the extreme left speakers in Boch's study. This perhaps casts some doubt on how accurately one can claim that Republicans are more tolerant, given that, in relative terms, there are no extreme left speakers in the Democratic party.¹³ Nevertheless, these far-right shifts in the Republican platform have made it more difficult for the Democrats to abide by a more liberal stance on tolerance and freedom of speech, given what they perceive to be at stake: that affording space for controversial speakers to voice their extreme politics is synonymous with allowing the possibility of harm to be inflicted onto certain groups.¹⁴

For better or for worse, we are living in a polarized society, yet the impacts of this are not restricted to our political preferences. Polarization has not only seeped its way into the ways in which we inform our opinions on the efficacy of unrestricted free speech and each other; but has also changed how we perceive basic social norms that construct our society. Many questions remain unanswered about the dynamic construction and reconstruction of partisan identities and ideologies: what opinions have we decided are worth sharing, and which ones are better left outside politics and outside the pulpit? To

⁹ Anna Boch, "The Limits of Tolerance: Extreme Speakers on Campus," *Social Problems* (2020): 5, <https://academic.oup.com/socpro/advance-article-abstract/doi/10.1093/socpro/spaa019/5859206>.

¹⁰ *Ibid.* 8.

¹¹ *Ibid.* 11.

¹² *Ibid.* 14.

¹³ *Ibid.*

¹⁴ *Ibid.* 2.

what extent has the discursive nature of democratic political debates become co-opted as a platform to provoke the outgroup?

The divisiveness of American politics as they manifest on college campuses and the broader political landscape of this nation reminds me of the pulling of a rubber band, hands on either end pulling the elastic farther and farther apart. The elastic is taut, and as it wears thinner and thinner, we hold our breath and wonder just how much farther in either direction our hands can move before that inevitable *snap*.

It's been three years since September 2017, and we're *still* watching in horrific anticipation for that moment in which this tenuous strain on the social fabric of college campuses and society tears them asunder. I'm still holding my breath. And I, for one, can't breathe.



Bringing the Military Home: Imperial Feedback in American Policing

Salem Sulaiman

In July 2020, 35-year-old organizer Bev Barnum took to the streets of Portland in solidarity with the Black Lives Matter movement (Lang 2020). On the night of her first protest, Barnum, a member of the peaceful Wall of Moms group, linked arms with other women around protestors in an attempt to protect them from violent law enforcement officers. Her attempt was met with stun grenades, rubber bullets, and tear gas; the officers sprayed what felt like “rock salt” into the crowd, causing Barnum’s lungs to constrict before she eventually vomited from the pain. Barnum was traumatized for weeks after the fact — a feeling that she shared with countless other protestors who faced police violence in Portland and beyond.

The scene at Portland is an extreme example of the excessive force that police used across the United States in response to the 2020 Black Lives Matter protests. The movement was broadcast across the world, and much of the public was shocked to see **the police respond to protests so aggressively**. However, when we consider these events in their historical context, this aggression may not be so surprising after all.

The protest events of 2020 highlight a trend that has been a century in the making: the militarization of civilian police. Civil policing began in the United States as an alternative to armies — a way to manage public disorder without the use of militaristic forces. **Yet**, modern civilian police departments resemble the very same military that they are meant to be distinct from. How did the police reach this level of militarization? When did this process of militarization begin? More importantly, why did it begin?

These are some of the questions that **University of Chicago** sociologist Julian Go aims to answer in his study, “The Imperial Origins of American Policing.” Using qualitative and quantitative evidence, Go **argues** that police militarization began in the reform era of the early 20th century when people who he refers to as “imperial importers” brought overseas methods of militarization into American policing, resulting in a police force that is strongly influenced by the American imperial-military regime.

Go refers to this process as “imperial feedback” — the effect that occurs when the practices that a metropole employs overseas in imperial endeavors become incorporated into the country’s own power structures domestically. In this case, Go argues that imperial feedback is what led to police militarization, and he explains which conditions in the United States allowed imperial importers to bring methods of social control from colonial sites into domestic social fields.

From empire to policing: The origins of police militarization

By the end of the 19th century, the United States was a far-reaching imperial power, and it had a set of practices and institutions that it used to sustain its empire — practices that Go refers to as its “imperial military regime.” **To more effectively manage its territories, the US military centralized power within its organizational structure, instilled a sense of professionalism by teaching military science and strategy, and innovated ways to subdue dissenters in colonial fields.** By the turn of the 20th century, America had developed an “army for empire” that expertly suppressed colonies abroad — an army that would end up serving as the blueprint for American policing.

In transforming their police departments at the beginning of the 20th century, police reformers drew upon the organizational, cultural, and operational aspects of America’s imperial-military regime. In terms of organization and culture, the reformers centralized power within their departments by switching the leadership from a board of police officers to a single chief, and they professionalized their forces by implementing higher standards for employment and a new sense of discipline. Regarding operations and tactics, the police reformers increased surveillance across their cities and cracked down on criminals by deploying mobile units of officers throughout the city.

All of these innovations are direct reflections of the military’s behavior in colonies and territories abroad. Former veterans knew that methods like centralizing power and surveilling criminals were effective in maintaining colonial power, so they imported them into police departments in an effort to achieve the same sense of power at home.

Why imperial-military models? Conditions and mechanisms of imperial feedback

While it’s clear that modern militarized policing has its roots in imperialism, what remains unclear is *why* this is the case. Previous research has suggested that imperial importers bring methods of social control from the peripheries of the empire to the home country, but these analyses leave out important details regarding the mechanisms of this process.

Go agrees with the previous research that, in many cases, veterans imported the imperialist ideas that they learned abroad into American police departments. However, according to Go’s research, having a veteran as police chief is neither a sufficient nor necessary condition for militarization. Rather, Go posits that the most important factor that facilitates imperial feedback and subsequent militarization is the presence of what he calls “field homologies.”

Field homologies are similarities between the colonial or imperial space abroad and the domestic field at home, specifically regarding the racialization of specific populations. American imperial fields abroad have a racial hierarchy: colonizers have the most power



and privilege, and the colonized are seen as uncivilized, degenerate, and in need of coercive control. Go proposes that if **an American** city had large numbers of minorities who were racialized as inferior (in the same way that colonized peoples were racialized abroad), then the city's police would be more susceptible to importers' imperialist ideas.

Why would racial analogies between colonized and domestic populations matter? According to Go, imperial importers "see domestic populations just like peripheral populations: as a threat to order," and they respond to that threat using the same imperial methods. Those in power saw racial minorities as being at the bottom of the social hierarchy.

Across America, the police reinforced these racial hierarchies. Evidence shows that police viewed minorities as lawless, morally backwards criminals who **needed to be controlled**, much like the colonized populations abroad. The police openly promoted the use of imperialist tactics to control these populations, with police chiefs at the International Association of Chiefs of Police encouraging colleagues to drill policemen "in the school of the soldier."

Go further explores the importance of homologous racialization in the process of militarization by looking at which police departments were the first to adopt militarized reforms and what factors led to these reforms. Go shows that in cities with high minority populations such as Berkeley and Philadelphia, former veterans who served as police chiefs militarized the cities' police departments earliest in an effort to crack down on minority crime. Go further proves that the racialization of minorities is an essential prerequisite to militarization and that the presence of former veterans alone is not sufficient to prompt imperial feedback by pointing to Washington DC. **Despite not having a veteran chief**, the DC Police Department became militarized due to the high percentage of minorities in the city. Furthermore, cities like Savannah — which did have a veteran police chief — did not militarize early on, likely due to the lack of threat from racial minorities (although Savannah had a significant Black population, the population was decreasing at the time, resulting in a lessened threat).

To further explore the notion that racial homologues and imperial importers were the factors that led to militarization, Go conducts a quantitative analysis of the cities that had been militarized by 1915 and investigates whether these cities had veterans as chief and/or were racially homologous with colonial fields. In support of his hypothesis, Go finds that having veteran police chiefs is positively correlated with militarization, and that the percentage of nonwhite citizens is also a significant predictor of militarization. In short, imperial feedback is more likely to happen through the presence of veterans in the police department, a large nonwhite population in the city, or both.

A legacy of imperialism and racism: Implications of Go's findings

Though Go's study is concerned with what happened over a century ago, his findings remain significant in the present. Go's research underscores the importance of race relations (and the racialized use of colonial methods) in the development of police militarization — an essential factor that researchers hadn't considered previously.

As Go's findings suggest, the metropole and the colony cannot and should not be analyzed independently of each other. An imperialist country's oppressive power structures abroad are reflected at home, and they often apply to the country's most vulnerable domestic populations. America's military-imperialist regime laid the groundwork for a racist, militarized policing system that continues to disproportionately target minority populations to this day. The police's hostile response to the 2020 Black Lives Matter protests may have shocked the public, but such a response was almost inevitable considering the long history of militarization in America's policing system.



Liberals Are Not Against Free Speech: They Hold it to a Higher Standard, and America Needs a Higher Standard

Xiantao Wong

Chanting and marching with linked arms and riot police in the background, hundreds of protestors gathered¹ at UC Berkeley in November 2019 and attempted to block Ann Coulter's scheduled speech. Coulter is a right-wing pundit controversial for her stance² on a wide range of issues, including abortion, immigration, and LGBT rights. Clashes³ broke out between protestors and the police, with "six or seven" arrested.

The incident is not the first of its kind at UC Berkeley, one of the landmark college campuses known for left-leaning progressiveness. Three years ago, some protestors set a barricade on fire⁴ when Milo Yiannopoulos, a provocative *Breitbart* editor, was scheduled to speak at UC Berkeley. In view of intense demonstrations, the campus administration canceled the event at the last minute, a move that Yiannopoulos and President Trump quickly capitalized on by accusing⁵ the campus of "not [allowing] free speech."

What happened at UC Berkeley and President Trump's response epitomize a larger debate over what free speech means on college campuses. There has been a concerted⁶ effort on the conservative side to frame liberals as emotional protestors who are unable to tolerate dissenting political views and who hence desecrate the spirit of free speech. But is this delineation accurate?

Liberals are less tolerant, in a bipartisan fashion.

A recent paper⁷ published by Anna Boch, a sociologist at Stanford University, shows that the framing of liberals supporting the Democratic Party — intolerant of conservative ideas — is overly simplistic. Drawing upon nationally representative data on American adults, Boch finds that Democrats, compared to Republicans, are less tolerant of not only extreme right speakers on college campuses but also extreme left ideas.

¹ Ali Tadayon, "Hundreds protest Ann Coulter event at UC Berkeley, some arrests made," *The Mercury News*, MediaNews Group, 16 January 2020, <https://www.mercurynews.com/2019/11/20/uc-berkeley-braces-for-protests-against-ann-coulter-event/>.

² "Homepage," AnnCoulter.com, <https://anncoulter.com>.

³ Tracey Taylor and Natalie Orenstein, "UC Police report multiple arrests related to Ann Coulter appearance on campus," *Berkeleyside*, Cityside, 20 November 2019, <https://www.berkeleyside.com/2019/11/20/uc-police-report-several-arrests-on-campus-related-to-ann-coulter-protests>.

⁴ Frances Dinkelspiel, "One day, one night: The fuse that lit the Battles of Berkeley," *Berkeleyside*, Cityside, 31 January 2018, <https://www.berkeleyside.com/2018/01/31/one-day-one-night-fuse-lit-battles-berkeley>.

⁵ Madison Park and Kyung Lah, "Berkeley protests of Yiannopoulos caused \$100,000 in damage," CNN US, Cable News Network, 2 February 2017, <https://www.cnn.com/2017/02/01/us/milo-yiannopoulos-berkeley/index.html>.

⁶ William Davies, "The free speech panic: how the right concocted a crisis," *The Guardian*, Scott Trust, 26 July 2018, <https://www.theguardian.com/news/2018/jul/26/the-free-speech-panic-censorship-how-the-right-concocted-a-crisis>.

⁷ Anna Boch, "Increasing American Political Tolerance: A Framework Excluding Hate Speech," *Socius: Sociological Research for a Dynamic World* 6 (2020): 1–12, <https://journals.sagepub.com/doi/pdf/10.1177/2378023120903959>.

Meanwhile, Republicans' levels of tolerance indicate a strong tendency towards partisanship. Republicans are significantly more tolerant of extreme right speakers than they are of extreme left speakers. While Democrats also show partisanship by being more tolerant of extreme left speakers than of extreme right speakers, the strength of partisanship is weaker and statistically insignificant.

Liberals are less tolerant, for good reasons.

Besides being bipartisan when deciding whether college campuses should allow extreme speakers, Democrats care about the repercussions of these speeches. Boch demonstrates that concerns about physical violence and increased tension in society account for much of why Democrats are in general less receptive of extreme views on campus. Republicans, on the other hand, do not share these concerns. Democrats also pay attention to the fairness of presentation of views, which is made evident by the finding that they are more tolerant of extreme right views if they are asked about extreme left views first. In contrast, the order effect does not apply to Republicans.

The nature of the political views being compared is another important component. For instance, it would be absurd to ask someone to be as tolerant of the Holocaust as of Jewish nationalism because the two ideologies are fundamentally asymmetrical. By the same token, Boch argues, it is understandable that extreme right views face more backlash because they have become more radical than extreme left views. Furthermore, under the Trump administration, extreme right views are more likely to be translated into mainstream policies that bring imminent, ponderable harms.

"Free speech" is an absolute term in the American context, but it should no longer be.

When far-right activists claim that limiting extreme right views betrays freedom of speech, they are making an underlying assumption that their views, even those that incite hatred and bigotry, still fall under the category of free speech and, as a result, are protected by the First Amendment.

The Constitution of the United States and its First Amendment were meant to provide absolute protection for speech. The Founding Fathers of this nation kept a fresh memory of how the English monarch muzzled his royal subjects and, therefore, were determined to enshrine freedom of speech in the Constitution so that citizens would no longer have to fear the tyranny of the state.

During World War I, Supreme Court Justice Oliver Wendell Holmes, Jr. established the "clear and present danger"⁸ principle, whereby laws that limit evidently subversive or disruptive speeches are constitutional. Nevertheless, the narrow interpretation of "clear

⁸ "Schenck v. United States," Oyez, Illinois Institute of Technology Chicago-Kent College of Law, <https://www.oyez.org/cases/1900-1940/249us47>.

and present danger” has historically precluded the court’s intervention into almost any type of speech other than business advertisements, obscenity, inciting crimes, etc. The protection of political views is especially strict.

Europeans seem to be doing a better job than Americans when it comes to balancing freedom of speech with other important qualities in society. Germany is a good example. Rising from the debris of Nazi Germany was a new West Germany, where legislators remembered how state socialism once prevailed among the “free trade of ideas.”⁹ They vowed not to repeat the ravage upon humanity under Adolf Hitler. Article 1 of the German Basic Law¹⁰ proclaims that “human dignity shall be inviolable.” Article 5 further stipulates that freedom of expression “shall find [...] limits in the provisions of general laws, in provisions for the protection of young persons, and in the right to personal honor.” Over the years, the Federal Constitutional Court of Germany has accumulated abundant legal precedents, where the court balances the right to free speech and the obligation to respect human dignity.

In this sense, liberals in Anna Boch’s research are doing the same thing, though in a preliminary form. Their lesser tolerance of extreme speeches on college campuses results from weighing the benefits of free speech against the potential risks of physical violence and societal polarization. They are holding free speech to a higher standard, a standard that is more qualified and prudent.

Some might argue against treating “free speech” as a relative — as opposed to absolute — term on the grounds that it would open up space for the state to intervene in the sphere of private debates. This could be a valid point. The Constitution was meant by our Founding Fathers to be a public law that protects non-state individuals from the state by rigidly separating the public sphere from the private one. It was meant to limit the state and empower individual rights.

However, the context that the American people are experiencing today is very different from the context of the Founding Fathers. New technologies and ways of life are increasingly blurring the boundary between the public and the private, and the nation is facing evolving challenges, including race, immigration, and inequality. Boch’s research suggests that some Americans are already thinking about the costs and benefits of free speech. It is time to reevaluate what free speech means today in 21st century America, in the era of Black Lives Matter and in an age of polarization that has shaken many assumptions about our nation and democracy. It is time to reposition freedom of speech in the changing legal, discursive, and societal fields in America.

⁹ “Abrams v. United States,” Oyez, Illinois Institute of Technology Chicago-Kent College of Law, <https://www.oyez.org/cases/1900-1940/250us616>.

¹⁰ “Basic Law for the Federal Republic of Germany,” Bundesministerium der Justiz und für Verbraucherschutz, Bundesamt für Justiz, <https://www.gesetze-im-internet>



Untitled

Marissa Wu

On May 25, 2020,¹ a Black man named George Floyd was pinned down on the pavement in front of a convenience store by three Minneapolis police officers. On video, one officer named Derek Chauvin wedged his knee into the man's neck. Minutes later, George Floyd was dead.

The country watched, horrified, and then erupted in the streets.

While most demonstrations began peacefully, violence broke out in multiple cities. Images showed police forces clad in riot gear advancing upon protestors with batons, tear gas, flash-bang grenades, and rubber bullets. In at least 21 states,² the National Guard was called in, and President Trump threatened to “deploy the United States military.”³ The line between local police and military forces blurred, their uniformed officers standing together behind shields and armored vehicles. As scenes of violence played out night after night, it became increasingly difficult to distinguish between the two.

The militarization of police departments across the nation is nearly a given at this point. However, as sociologist Julian Go writes, it wasn't always this way.

The first modern police departments emerged in the 19th century. Unlike the military, police were responsible for domestic issues, focused on addressing public disorder and providing social services. Meanwhile, the US military at the time was fighting to expand and sustain the American empire, occupying the Philippines, multiple Caribbean islands, and pushing Native Americans out of their homelands.

These colonial conquests led to a range of important changes in the military that Go identifies as three key aspects: organizational, professional, and operational. First, the military restructured into a centralized, hierarchical chain of command, enhancing efficiency with streamlined communication and leadership. Secondly, officer training ramped up with the advent of military academies and colleges, creating a more disciplined force. Lastly, and perhaps most consequentially, military tactics shifted to address counterinsurgency and guerilla warfare that was unique to these imperialistic battles. This was achieved through the development of “open order” mobile units that could deploy quickly and covertly to raid and ambush insurgent forces. Additionally, new intelligence innovations helped the US military collect and keep information, track rebels, and ultimately predict enemy moves.

¹ Evan Hill, et al., “How George Floyd Was Killed in Police Custody,” *The New York Times*, 1 November 2021, <https://www.nytimes.com/2020/05/31/us/george-floyd-investigation.html>.

² Derrick Bryson Taylor, “George Floyd Protests: A Timeline,” *The New York Times*, 5 November 2021, <https://www.nytimes.com/article/george-floyd-protests-timeline.html>.

³ Katie Rogers, Jonathan Martin, and Maggie Haberman, “As Trump Calls Protesters ‘Terrorists,’ Tear Gas Clears a Path for His Walk to a Church,” *The New York Times*, 1 June 2020, <https://www.nytimes.com/2020/06/01/us/politics/trump-governors.html>.

Go argues that these changes in the military, spurred by American imperialism, also became adopted in the US police when army veterans took top positions in domestic police departments. Acting as “imperial importers,” these veterans applied their knowledge from abroad to the local context. Indeed, the changes that were enacted in police departments through “imperial feedback,” as Go terms this implementation of veteran leadership and experience, mirror those that had already occurred in the military. Previously led by multi-person boards, police forces adopted a single, long-serving chief who headed a tightened chain of command. Much like army generals, police chiefs were able to act with power and independence, with officers below deferring to them. The bar to become a professional police officer also became formally higher, as they were required to pass new standardized tests. They also received more rigorous training at police academies, featuring military science education on strategy and weapons training. Additionally, police departments expanded beyond a reactive force into a preventative one. Through technologies like fingerprinting, criminal profiling, and spatial analysis, police tracked crime in order to predict it and subsequently boost surveillance in anticipated regions. They were able to increase manpower through mounted police units which were no longer confined to travel by foot, allowing for wider and more efficient area coverage, as well as quicker response time. Through these organizational, professional, and operational changes, proposed and implemented by veterans of imperial wars and spread across the country through cross-department communication, the police came to resemble a domestic military.

Crucially, this story isn’t simply generous speculation on Go’s part. Using qualitative data on police departments in six cities across the country, Go found that police departments with war veteran chiefs were the earliest to militarize their forces, backing up his theory of imperial feedback. However, one city — the District of Columbia — militarized similarly early without a veteran in charge. To explain this, Go uses the concept of “field homologies,” stating that the subjects of imperial military control abroad were analogous to the domestic subjects of policing through a racialized lens. Overseas, the military’s goal was to colonize new territories and gain control over the people there, who were seen as uncivilized and prone to disorder, necessitating military management. Similarly, in the US, people of color are deemed inherently threatening and criminal, justifying the need for heavier policing. In his qualitative analysis, DC was an exception to the seemingly requisite veteran chief of police because it had large Black and Chinese populations that mirrored colonized subjects abroad, creating a perceived need for militarized control. In fact, the other militarized cities in the dataset also contained large domestic nonwhite populations, while the cities without militarized police early on lacked both veteran chiefs and field homologies.

Go further supports this theory through a quantitative analysis of over 200 cities. Controlling for a city’s physical location, area, and population size, Go tested police militarization levels against factors of veteran status, racial demographics, economic class,

progressive politics, and levels of crime. While all elements showed some effect on police militarization, the analysis confirmed both veteran chiefs and nonwhite populations to have more significant impacts than the other factors. In short, cities with veteran police chiefs and/or larger populations of color had more militarized police forces than other combinations of factors.

If we are to understand Go's findings as evidence that, both abroad and domestically, the police and military share the common function of maintaining white supremacy through state-sanctioned violence, it is unsurprising that the streets in American cities this summer looked eerily like warzones when heavily armed police clashed with anti-racist protestors.

Following George Floyd's death, declarations that "Black Lives Matter" echoed alongside cries to "Defund the Police." The public, it seems, already largely understands how racial injustice at home and militarized police are intrinsically intertwined. But, we're still missing half of Julian Go's claim — that this racial injustice administered by police is connected to our military colonialism. In order to truly liberate people of color and end discrimination, America's racial reckoning must also come with a recognition of our imperial history.

DATA 88

Writing Data Stories

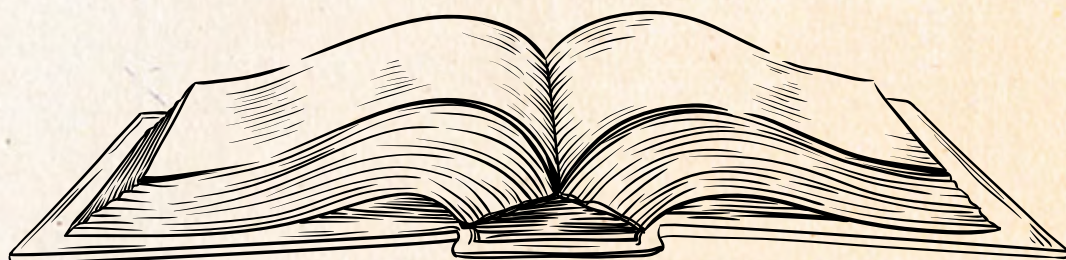
*Deborah Nolan and
Adam Andersan*

Writing Data Stories

Deborah Nolan & Adam Anderson

Communication is a critical yet often overlooked part of data science. The goal of Data 88 is to teach students how to write about data insights in a way that is both compelling and faithful to the data.

Those in the course gain an “ear” for writing by reading the work of others. They learn how to distill findings into an accessible story, and organize and revise the story. They also gain experience writing clearly, concisely, and precisely for broad audiences. The exercises they work on include: writing captions for figures, data descriptions, and annotations for storyboards; editing statistical statements for simplicity and accuracy; and drafting and revising short data stories.



Data 88 Portfolio

Chloe Y. Cho

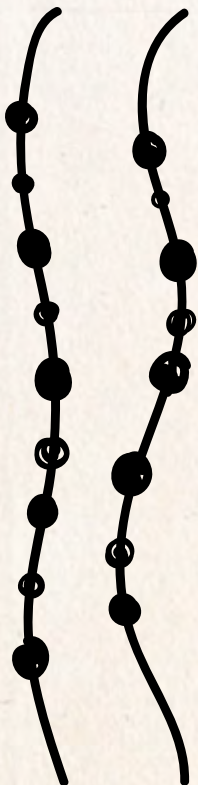
Introduction:

Hello! My name is Chloe Cho and I am a graduating senior at the University of California, Berkeley double majoring in Genetics & Plant Biology and Data Science and minoring in Food Systems. My main interests include agroecology, plant-insect interactions, pollinator conservation, and ecological data analysis. I am always looking for opportunities to tie together ecology, biology, and data science and am passionate about science communication and outreach. I believe that accessible and transparent science and research is the key to informed decision-making and a safer, more just, and more sustainable food system.

Table of Contents:

1. **README:** This document! Find out about me and the work that I've included in my portfolio.
2. **Storyboard:** Provides a visual walkthrough of key aspects of my paper, the motivations behind the research being done, and a preliminary walkthrough of the analysis of the dataset.
3. **Draft:** An introduction to agroecology and ecological pest management that transitions into an analysis of a dataset that illustrates a Bay Area case study of pest management in local community gardens and urban farms. Although this is presented in a slideshow format, my vision for this would be to put the text and images on gallery walls in an exhibit.
4. **Video:** A presentation of a distilled version of my draft that describes the field, highlights key points of analysis, and emphasizes the importance of this work for both the scientific field and the general public.
5. **Slides:** The slides used in the video.
6. **Analyzing a Data Visualization:** Data visualization is an essential part of communicating data. Being sure that data is presented clearly ensures that the takeaways from research are conveyed properly. This piece breaks down a plot and suggests ways the message can be made more clear.

7. **Synopsis on Motivations for Change:** Background information on the state of the food system under conventional production and reasons for researching and implementing agroecology as a new framework for food production. This is a synopsis of a paper framed around the ways that the COVID-19 pandemic has highlighted the structural issues of the food system.



Data 88 Portfolio

Patrick Guo

Hi, I am a senior at the University of California, Berkeley majoring in Data Science with a domain emphasis on Molecular Biology and Genomics. I work on building data dashboards and geospatial mapping. My research interests include sustainability, public transit networks, and conversational AI.

Welcome to my Data 88 Portfolio!

Overview:

This portfolio was built for Data 88 Spring 2021 connector course and follows closely with *Communicating with Data: The Art of Writing for Data Science* by Deborah Nolan and Sara Stoudt. The course provides an opportunity to write about scientific findings with a focus on presenting the results of a data analysis. This portfolio shows the multiple forms of communicating a data story.

Portfolio Directory:

1. **README** (11.7.1): An overview about me and what I am presenting in my portfolio .
2. **Synopsis** (1.8.1): Synopsis of the research article: “August’s child is... favored by fortune” by Lauren M. Brewer and James J. Cochran. The synopsis encapsulates the goal of the analysis, the findings, and key features of the study. Knowing how to read a technical article helps me learn how to write well and correctly represent my findings.
3. **Analyzing a Data Visualization** (4.8.1): Identifying and deconstructing a problematic graph about CSR compliance from the National CSR Portal and then reconstructing it to a form that better conveys the story.
4. **Storyboard** (6.7.1): A visual representation of the central message of my draft about Inequity in mandated CSR in India. The storyboard helps organize information to make the data story easily accessible and compelling. It provides insight into the behind-the-scenes decisions made when planning on how to communicate a data story.
5. **Draft** (7.8.2): Paper on mandated Corporate Social Responsibility in India with an analysis on the geographic and sectoral distribution of CSR funding.
6. **Video**: A lightning talk of the draft. The video enables the audience to review the key concepts of my draft in a short space of time. Alternative formats of writing enable the data story to be communicated to a broader audience.
7. **Slides**: The slides used in the video.

Data 88 Portfolio

Lulu Kao Taguchi

Introduction:

Hi! My name is Lulu Taguchi. I am an alumni of U.C. Berkeley, majored in Political Science and Oriental Languages (Japanese). Currently, as a visiting student, I am taking a course on Writing Data Stories (Data 88).

First, let me tell you my story.

I was born in Taiwan, but spent my childhood in Hong Kong. My family immigrated to the US when I was a teenager. After college graduation, I was recruited by a Japanese company and worked in Tokyo for several years before moving back to the US.

While in Japan, I also earned a Master of Arts Degree from Sophia University's Graduate Program in Comparative Culture, majoring in International Business.

As a multilingual and multicultural person, my main interests include languages, inter-cultural studies, digital technology, and teambuilding across nations and disciplines. I am always looking for ways to leverage and maximize the research and experience of scholars from different countries. I believe such joint efforts are vital to mutual assistance and betterment in the quality of life for all.

Table of Contents (Folders):

A. README - Introduction and explanation of works included in this portfolio.

B. Writing Data Stories - A collection of papers written for Data 88

1. Data analysis (Child Obesity research)
2. Writing clean codes (DRY KIS)
3. Analysis of a Press Release (MIT/Toyota)
4. Balance between words and data (Rhyme & Reason)
5. Storyboarding ("Mobility as a Solution")
6. Synopsis of a scientific article (Nature Magazine)
7. Wikipedia stat edits (Japan's life expectancy rate)

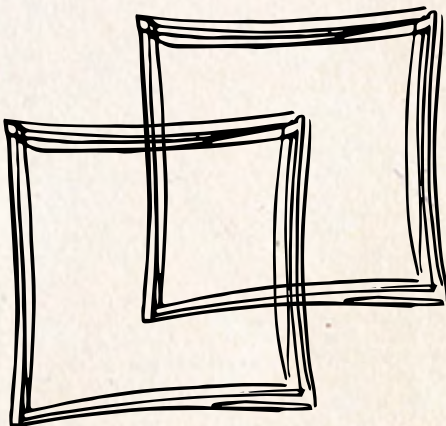
C. Translation Sample - Translated from Japanese into English (HONDA)

D. YouTube videos

1. Team Building Seminar for multicultural groups (16:00)
2. Introduction to Computer Hardware for beginners (3:11)

E. Mobility as a Solution

1. Lightning Talk (video) on how Digital Mobility may be the solution to Japan's aging and competitive issues (3:59)
2. Full content of the slides and references for the Lightning Talk



JOURNALISM 130

Finding the Narrative in the Science

MARK SCHAPIRO
& Chad Clark

Finding the Narrative in the Science

Mark Schapiro & Ansel Olive Klein

In this course we introduce science students to the art of narrative writing through the journalistic lens. The class is aimed at both providing greater facility in understanding the significance of scientific findings and in the skills necessary to identify, and then build upon, the compelling narratives contained within them. We unpack the essential ingredients of story-telling — grounding readers in a place and circumstance, luring them in with an intriguing lede, establishing the frame, and then moving forward, with a sense of rhythm and pacing, to animate science-based narratives.



Bee a Lover of Insects

Lia Keener

I survived my freshman year of college and all I got was a box of bodies — insect bodies, to be precise. This shadow box, reeking of ethanol and glue, contained 100 collected insect specimens, each insect corpse meticulously pinned with wings splayed as if the bearers of said wings were still alive and in mid-flight. Insects of all colors — the iridescent blue cuckoo wasp, the dewy green leafhopper, the vibrant yellow swallowtail butterfly, and 97 others — all lay peacefully at rest in the confines of my shadow box, the end result of many hours of my own hard work. It was the culmination of an entire semester's worth of bush-whacking, net-swinging, and vial-toting, all in the name of entomological learning.

ESPM 140, or General Entomology, is one of the best classes I have ever taken. Taught by the venerable Kipling Will, resident beetle specialist of UC Berkeley, this class was deeply rigorous but simultaneously deeply fulfilling. In the process of learning about insects and completing the semester-long lab assignment (to collect and display representatives of at least 100 different insect families), my understanding of the vulnerability and plights of some of the least-appreciated organisms on the planet underwent its own metamorphosis. I was launched into the world of arthropods, a world brimming with excitement, danger, tragedy, and intrigue in every way imaginable and then some, and my view of the natural world was changed forever.

Insects are six-legged, (usually) four-winged, antennae-bearing¹ underdogs of all the world's critters. People love to hate them, but in reality, insects and the functions that they perform form the foundation upon which all of human society and most natural ecosystems are built. As the most diverse² group of multicellular organisms in the world, insects contribute to the pollination of plants, nutrient recycling within ecosystems, control of other insect species, and much more. In 2006,³ researchers from Cornell University and Portland, Oregon analyzed the economic value of just four of the many known ecological services provided by insects. Although the researchers noted that ascribing economic value to ecological services is a difficult process, they estimated that, within the United States, those four ecological services alone were worth over \$57 billion USD.⁴ Without insects, life as we know it would be utterly inconceivable.

¹ "Basic Insect Morphology," University of Nebraska—Lincoln Department of Entomology, University of Nebraska—Lincoln, <https://entomology.unl.edu/scilit/basic-insect-morphology>.

² John E. Losey and Mace Vaughan, "The Economic Value of Ecological Services Provided by Insects," *BioScience* 56, no. 4 (2006): 311–323, <https://academic.oup.com/bioscience/article/56/4/311/229003>.

³ *Ibid.*

⁴ *Ibid.*

Of course, insects are not universally beneficial. Swarms of locusts⁵ numbering, at times, in the billions are notorious for laying waste to agricultural fields, and many insects such as the mosquito are widely recognized as vectors⁶ for deadly infectious diseases such as malaria and yellow fever, which claim the lives of hundreds of thousands⁷ of people every year. Insects can also be terrible nuisances — they bite, sting, and buzz, and are often despised by many. However, the consequences of insects on human lives are much more tangible and much more easily quantified and understood than the benefits that insects bring to ecosystems and ultimately to humans. This mismatch in the perception of the pros and cons of insects contributes to the general belief that insects are antagonistic entities, which then has cascading effects on the amount of research done and the level of conservation efforts devoted to insect species. The public's perception of insects therefore ultimately impacts the survivorship of insect taxa threatened by extinction.

Insects have been facing extreme rates of extinction in recent years with research from 2019⁸ pointing to a 2.5% drop in total insect biomass each year, and trends suggest that over one third of all insects are endangered with 40% of all insect species in decline. Researchers from this study also noted that (if the current trends continue), within 100 years,⁹ all insects could be gone from the face of the Earth. While most people may not notice or may even rejoice at the absence of the insects themselves, all people will be directly and negatively impacted by the ecological collapse brought on by the absence of insects. Insects have been overlooked for too long, and we are starting to see the consequences.

Already, insect pollinators are in short supply, but need for pollinators is going nowhere, particularly in areas with lots of monoculture crops, where the need for pollinators is concentrated within a shorter time frame and magnified across countless fields of identical plants. To meet these demands, trucks¹⁰ stuffed with commercial honeybee hives are brought to agricultural sites for the sole purpose of artificially instigating the very ecological functions that the same insects would be doing naturally in a healthy environment. Meanwhile, wild honeybee populations are themselves declining by around 30% each year,¹¹ largely as a result of pesticide use and the impacts of widespread agriculture.

In addition to contributing to the health and well-being of ecosystems and communities worldwide, insects are also, in my opinion, some of the most fascinating animals to exist

⁵ Pranav Baskar, "Locusts Are a Plague of Biblical Scope in 2020. Why? And...What Are They Exactly," National Public Radio, 14 June 2020, <https://www.npr.org/sections/goatsandsoda/2020/06/14/876002404/locusts-are-a-plague-of-biblical-scope-in-2020-why-and-what-are-they-exactly>.

⁶ "Vector-borne diseases," World Health Organization, United Nations, 2 March 2020, <https://www.who.int/news-room/fact-sheets/detail/vector-borne-diseases>.

⁷ "Malaria," World Health Organization, United Nations, 6 December 2021, <https://www.who.int/news-room/fact-sheets/detail/malaria>.

⁸ Damian Carrington, "Plummeting insect numbers threaten collapse of nature," *The Guardian*, 10 February 2019, <https://www.theguardian.com/environment/2019/feb/10/plummeting-insect-numbers-threaten-collapse-of-nature>.

⁹ *Ibid.*

¹⁰ Martina Donaldson-Matasci, "Honeybees and Monoculture: Nothing to Dance About," *Scientific American*, Nature America, 7 June 2013, <https://blogs.scientificamerican.com/guest-blog/honey-bees-and-monoculture-nothing-to-dance-about/>.

¹¹ *Ibid.*

on this planet. From the deceptively beautiful jewel wasp,¹² known for injecting mind-altering neurotoxins into cockroaches in order to exploit them, to the conniving kidnapper ants,¹³ known for trespassing into the colonies of other ant species then stealing other ants' larvae, insects have evolved and diversified over millennia to form the incredible assemblage of species we see today (there are estimated to be 900 thousand species of insects, making up 80% of all known species).¹⁴ The complexity within insect species is seemingly limitless, and there are still up to 30 million¹⁵ insect species that remain to be identified. As extinction continues to threaten the insect taxa of the world, countless unidentified species could go extinct long before scientists recognize their existence. It was interesting and sometimes rather sad to be a student new to the field of entomology, learning about insects for the first time while simultaneously learning about the ways countless insect species continue to flicker out of existence forever. Charismatic megafauna species get most of the attention, research money, and species-sustaining support while the rest of the world's life forms are left in the dark, underappreciated and misunderstood, racing towards extinction as the world turns its back.

¹² Christie Wilcox, "How a Wasp Turns Cockroaches into Zombies," *Scientific American*, Nature America, 1 May 2017, <https://www.scientificamerican.com/article/how-a-wasp-turns-cockroaches-into-zombies1/>.

¹³ Josh Cassidy, "Kidnapper Ants Steal Other Ants' Babies — And Brainwash Them," KQED, National Public Radio, 24 September 2019, <https://www.kqed.org/science/1947369/kidnapper-ants-steal-other-ants-babies-and-brainwash-them>.

¹⁴ "Number of Insects (Species and Individuals)," Smithsonian Institution, <https://www.si.edu/spotlight/buginfo/bugnos#:~:text=In%20the%20world%2C%20some%20900,percent%20of%20the%20world's%20species>.

¹⁵ *Ibid.*



Saving the “Ghost Cats” of the Dolpo

Jemma Paradise

Sonam Choekyi Lama’s first snow leopard encounter came when she least expected it. Amidst a bitter February snowstorm, the conservation journalist had ventured out to check on one of her camera traps in a small cave by Phoksundo Lake, supporting her sister Tsiring’s research on the elusive species. “I turned around, and six meters away from me was this huge cat, curling his tail as he looks me in the eye,” she recalls. “We were both face to face. I was surprised and scared and overwhelmed. But soon my happiness at seeing this beautiful creature overcame my fear. It was a beautiful and happy moment that I still carry in my heart.”

While such sightings have always been rare, Nepal’s snow leopards are in danger of disappearing completely. According to a report from the IUCN Red List, only 300–400 remain, endangered primarily due to poaching and conflict with local yak herders. The Lama sisters aim to reverse these trends, working at the forefront of promising community-driven initiatives that may hold the key to conserving the species for future generations.

With their local experience and insight, Sonam and Tsiring bring a unique perspective to their conservation work. They were born and raised in Tso, a small village on the shores of Phoksundo Lake, deep within the remote Nepali state of Dolpo — near perfect snow leopard habitat. Surrounded by frozen Himalayan peaks and craggy valleys, they grew up hearing the species’ yowling cries echo from the mountaintops above, yet as with most in their village, they never saw the leopards in the flesh. The species lived up to its nickname: the “ghost cat,” known so for its elusive nature, haunting the highest elevations of the Himalayas and only venturing down once winter descended upon the valleys. However, for the sisters, the leopards were never truly invisible, marked by pawprints that occasionally wandered nearby...or the yaks that would disappear from the village herders’ corrals.

As climate change and anthropogenic activities slowly chip away at the mountain environments, snow leopards, struggling to subsist on wild food sources, are increasingly turning to livestock predation. According to a 2017 study¹ published in PLOS One, livestock comprises 27% of an average snow leopard’s diet in Nepal. This has severe repercussions for the welfare of local communities — a separate 2020 study² suggests that herders lose around 12% of their animals annually to snow leopard predation, costing up to half of their yearly income. In response, the herding communities often retaliate, attacking or poisoning the perpetrating leopard, with deadly consequences: retaliation killings are one of the leading factors driving the snow leopard’s decline. The village of

¹ Madhu Chettri, Morten Odden, and Per Wegge, “Snow Leopard and Humalayan Wolf: Food Habits and Prey Selection in the Central Himalayas, Nepal,” *PLoS ONE* 12, no. 2 (2017): <https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0170549>.

² Gopal Khanal, Charudutt Mishra, and Kulbhushansingh Ramesh Suryawanshi, “Relative influence of wild prey and livestock abundance on carnivore-caused livestock predation,” *Ecology and Evolution* 10, no. 20 (2020): 11787–11797, https://onlinelibrary.wiley.com/doi/10.1002/ece3.6815?fbclid=IwAR32yy41E_UG1iefMbp5GFS-tlLoLJ42qpKx41DCqspT-1cgfKMVWe6UlpE.

Tso was no exception — growing up, the sisters often witnessed ongoing retaliation firsthand. As Tsiring recounts, “when I was young...I saw traps for Blue Sheep and snow leopards. It was sad to see and hear about this. It disturbed me.”

These experiences shaped the sisters’ passion for conservation, driving them to harness their individual skills in the fight to save Nepal’s snow leopards. Tsiring decided to tackle the issue from a scientific approach, working to further understand the species’ behavior and develop conservation solutions — she’s currently studying the leopards for her masters in conservation biology. Sonam, on the other hand, pursued science storytelling and is now a successful journalist and filmmaker, often documenting her sister’s snow leopard research and discoveries. However, both remain committed to grounding their work with a local focus, emphasizing that conservation must start within communities. As Sonam explains, “I think one of the main solutions that I see as a local is how can we support both the community and the snow leopard, such that locals benefit from the snow leopard.”

With this in mind, the pair set up an ecotourism business called Snow Leopard Journeys, with the aim to create local economic opportunities and transform community perspectives on the species. However, before truly developing the initiative, they first needed to answer the all-important question of any tourism venture: would travelers make the multi-day trek across the Dolpo, entirely on-foot in the coldest months of winter, all in the hope of spotting one of the most elusive animals on Earth? To find out, they decided to try it themselves, staying in Tso for three months over the winter of 2020. While there, Tsiring worked to track the snow leopards, while Sonam documented the process and set up camera traps, activated by motion to record any passing animals remotely. Even more remarkable, they were also entirely alone — each year, the villagers migrate to lower altitudes, so as to avoid the harsh Himalayan winter. With only a small team, the sisters endured white-out blizzards that blanketed the landscape, daily sub-zero temperatures, howling icy winds, and the constant threat of avalanches.

However, according to Sonam, “though there were many challenges — the weather, the steep cliffs, and most of all, we were all on our own — we didn’t feel like these were the challenges, because the most difficult challenge was whether we would see the leopard.” When the pair were finally rewarded with camera trap footage, Sonam filmed the moment of their success: nestled on an icy ledge above Lake Phoksundo, Tsiring shrieked with joy as she played their footage back, overcome with emotion as a leopard wanders gracefully past the camera. However, it was far from their last sighting — over the winter’s course, they saw four different snow leopards, photographing them with remote cameras and spotting them from afar. With her footage, Sonam even produced a documentary called *Snow Leopard Calling*, which has since been featured at film festivals around the world. “It was a product of my long-time dream to see, experience a snow leopard one day, and later, when I was asked to join Tsiring to document the reserves and expedition, I was overjoyed,” she says. “It was my personal effort to help her, the snow leopard, and my community by telling this story.”

LEGALST 190WI

**Crime and Punishment
in America**

Christoph Kurtz
+ *Anna Zaref*

Crime and Punishment in America

Christopher Kutz & Anna Zaret

Our seminar, “Crime and Punishment in America” looked at the theory and modern practice of criminal punishment in the United States, focusing on the philosophical, historical, and political forces that explain (or fail to explain) the contemporary American singularity in the developed world of mass incarceration, capital punishment. Although our course featured a great deal of reading (and writing!), and despite the impossibility of conducting field visits because of the pandemic, we were able to take advantage of the virtual presence in our seminar of a wide range of distinguished guests, notably the formerly incarcerated, award-winning poet and Yale Law doctoral candidate Reginald Dwayne Betts, San Francisco District Attorney Chesa Boudin, pioneering civil rights lawyer and Federal Judge Thelton Henderson, and criminal justice expert Professor Malcom Feeley. These were wonderful sessions, but the real richness and depth of our seminar experience came from the contributions of an extraordinary, and extraordinarily diverse, class of students, many with direct or indirect experience in the criminal justice system.

One of the ways students learned most from each other was a central practice in our seminar, of peer editing (as well as comments from the instructors). Students submitted either short weekly writing assignments that reflected upon the reading or proposals and drafts of the three main writing assignments. We, the instructors, were repeatedly struck by the quality and depth of the comments students provided for each other. In turn, many students remarked that one of the most valuable effects of the seminar was to demonstrate the value of serious peer-review, for both reader and writer, and that they hope to continue these working relationships into the future. For this anthology, students have submitted their final writing product, which was a short editorial, which was meant to bring argumentative focus to topics they had discussed and sometimes written about in longer assignments during the term. We have found that culminating the course in such an assignment provides a good way for students to recognize the progress they have made across the term as thinkers and writers.



Lessons About Healthcare in Prison (Brought to you by COVID-19)

Laura Malfavon Alvarez

As we face a global pandemic, national conversations surrounding the right to healthcare have been reenergized. The conversations about healthcare reform that have come about as a result of COVID-19 rarely include citizens currently residing in prisons and jails. This is despite the fact that those who are incarcerated are being disproportionately impacted by sickness and death as a result of COVID-19. The gross, neglectful mismanagement of COVID-19 in prisons is yet another example of the inhumane and unjust treatment of prisoners. The poor and inadequate response to stop the spread of COVID-19 in prisons shed light on a bigger issue; prisoners are not provided the healthcare they need and are constitutionally and morally entitled to.

COVID-19 has had a disproportionately negative effect on incarcerated citizens that needs to be discussed. While the national death rate has been 29 deaths per 100,000, the death rate of incarcerated U.S. citizens has been 39 per 100,000. Additionally, incarcerated people are infected by the coronavirus at a rate more than five times higher than the nation's overall rate, according to findings cited by the Equal Justice Initiative. Not only are incarcerated people more likely to be infected, but they are also at a greater risk of death. The numbers speak for themselves, clearly showing continued, neglectful mismanagement of COVID-19 in prisons; on average, over the past year, there have been 1,400 infections and seven deaths reported each day in correctional and detention facilities.¹

There are a variety of factors that put incarcerated people at a higher risk of infection and death from COVID-19. First, the overcrowding in prisons which has occurred as a result of mass incarceration has made social distancing in prisons pretty much impossible. The Equal Justice Initiative reports that in 2018 “the prison custody population in 25 states and the federal Bureau of Prisons had a total number of prisoners in custody that met or exceeded their minimum number of beds.” This overcrowding has resulted in cramped bunks only inches apart, and an inability to quarantine the high amounts of infected prisoners.

Additionally, another factor that puts prisoners at a higher risk of sickness and death from COVID-19 is their pre-existing conditions. Older people, who are at a higher risk of health complications from COVID-19, make up a larger share of the state prison population.² Additionally, according to the Prison Policy Initiative, incarcerated people

¹ Eddie Burkhalter, et. al., “Incarcerated and Infected: How the Virus Tore Through the U.S. Prison System,” *The New York Times*, 10 April 2021, <https://www.nytimes.com/interactive/2021/04/10/us/covid-prison-outbreak.html>.

² Covid-19's Impact on People in Prison,” Equal Justice Initiative, 16 April 2021, <https://eji.org/news/covid-19s-impact-on-people-in-prison/>.

are “disproportionately likely to have chronic health problems including diabetes, high blood pressure, and HIV...” These health problems are then worsened by correctional healthcare, which is low-quality, difficult to access, and expensive.³

Given that two main factors putting prisoners at a higher risk of infection and death have been overcrowding and vulnerable populations, the solutions might seem obvious. A number of recommendations for decreasing the prison population, including early release, were made by advocates to mitigate the issue of overcrowding. Yet, the Prison Policy Initiative saw population increases from May 1 to July 22. Another quite obvious recommendation has been prioritizing prisoners for vaccination, yet state plans for vaccinating prisoners have been unclear and not specific. Many states are prioritizing correctional staff before prisoners, and some states, such as Missouri, have even put prisoners in the last phase of their rollout plan.⁴ This shows the state’s willful neglect of the health of its prisoners, who are legally under the government’s care.

The willful neglect of the health of prisoners is nothing new, and America has ignored the healthcare crisis happening in prisons for far too long. Even though prisoners are more likely to have chronic health problems, “correctional healthcare is low-quality and difficult to access.”⁵ Not to mention, it can be expensive; most prisons charge co-pays.⁶ This can deter prisoners from seeking medical help when they need it, as most prisoners lack access to financial resources.

The public health crisis in American prisons has been worsened as states have outsourced prison healthcare to private companies, whose neglectful treatment of prisoners has placed them on the receiving end of lawsuits. Horror stories about the abysmal healthcare of prisoners by these companies include treating prisoners with cancer “with nothing more than Tylenol,” and medical staff assuming prisoners were lying about their symptoms.⁷ It is not a mystery how this neglect has led to preventable deaths.

The idea that prisoners are entitled to quality healthcare is refuted by those who ask, “why should prisoners get free quality healthcare when there are law-abiding citizens who do not have it?” The answer is simple. Prisoners are wards of the state, making their health a responsibility of the state. “Incarcerated individuals are one of only two populations...whose access to care is constitutionally protected.”⁸ In the *Estelle v. Gamble* decision, deprivation of health care was ruled as constituting cruel and unusual punishment. Since prisoners lack the means and resources to get their own healthcare, quality

³ “Health,” Prison Policy Initiative, <https://www.prisonpolicy.org/health.html#:~:text=People%20in%20prisons%20and%20jails,use%20and%20mental%20health%20problems.&text=It's%20also%20expensive%3A%20oAstonishingly%2C%20most,co%2Dpay%20for%20doctor%20visits>.

⁴ Katie Rose Quandt, “Incarcerated people and corrections staff should be prioritized in COVID-19 vaccination plans,” Prison Policy Initiative, 8 December 2020, <https://www.prisonpolicy.org/blog/2020/12/08/covid-vaccination-plans/>.

⁵ “Health,” Prison Policy Initiative, <https://www.prisonpolicy.org/health.html#:~:text=People%20in%20prisons%20and%20jails,use%20and%20mental%20health%20problems.&text=It's%20also%20expensive%3A%20oAstonishingly%2C%20most,co%2Dpay%20for%20doctor%20visits>.

⁶ *Ibid.*

⁷ Ian Greenblatt, “America Has a Health-Care Crisis — in Prisons,” *Governing*, e.Republic, 29 July 2019, <https://www.governing.com/archive/gov-prison-health-care.html>.

⁸ Chandra Bozelko, “Prisons are long-term care facilities. So why don’t inmates get priority for Covid-19 vaccination?” *STAT*, Boston Globe Media, 17 March 2021, <https://www.statnews.com/2021/03/17/prisons-long-term-care-why-dont-inmates-priority-covid-vaccine>

healthcare is a constitutional right of prisoners. It is also a moral duty, as it is inhumane to deny healthcare to a person who has been placed under your care, possibly causing their death.

The mismanagement of COVID-19 in prison has made it increasingly clear that though inmates are constitutionally entitled to healthcare, they are not getting it — now what? We must increase oversight over the healthcare of prisoners, and hold the state, as well as the private healthcare companies they outsource to, accountable.

As long as our prison system still exists, we need to stop viewing prisoners as “the other,” and ensure that they are cared for as fellow citizens — this includes providing them with quality healthcare. The coronavirus shed light on the public health crisis in prisons, but this public health crisis in prisons existed before the global pandemic and will continue to exist if we do not ensure prisoners have adequate healthcare.

The Evolution of Execution: Capital Punishment in America

Elaine Arriola

Capital punishment is *never* justified even for the most heinous crimes. There is no civilized way to execute a person despite the United States' continued efforts of trying to do so. Capital punishment is state-sanctioned *murder*. It rectifies nothing and deters no one from committing capital crimes. So, what good does it do? Nothing, it merely serves as a power play for exerting the states' potency over those who it deems insufficient and unworthy of life.¹

Of all the troubling distinctive features of the criminal justice system, capital punishment is the worst. I am not going to try to convince you that the death penalty should be exerted in a more civilized way, nor am I going to argue for the abolition of capital punishment alone. I will, however, be making the case that the abolition of the death penalty is a feasible and necessary penultimate goal for prison abolition.

Today, first-degree murder begets the criminal sanction of death, which was not the case historically. Although the argument has been made that capital punishment is the only fair punishment for capital crimes, it is not right for the state to take a life for a life. For a society that condemns murder, it has gone to extreme lengths to try to justify its right to kill. A convicted perpetrator of a capital crime is still a human being, and their execution is murder.

As a society, we have to ask ourselves two important questions when assessing the potential fairness and righteousness of the death penalty. Who is being sentenced to die? And how is the death penalty being systematically applied?

In regard to who is being sentenced to die, it should not be forgotten that the movement to eradicate capital punishment is a part of the fight for racial justice. In the documentary series, *Death Row: A History of Capital Punishment in America*, Professor of Sociology at the University of Colorado, Boulder, Michael Redelet, Ph.D., says that in the 20th century we saw increasing restrictions in executions as well as increasing racial disparities in their implementation. According to Professor Redelet, between 1930 and 1967, there were 3,857 people executed of whom 54% were Black — an obvious racial disparity.² In the modern era yet still, The Marshall Project, a non-profit journal about criminal

¹ French philosopher, Michel Foucault, in his study of Western penal systems' practices of punishment, *Discipline and Punish: The Birth of the Prison*, obeys four general rules of which regarding punishment as a political tactic and a way of exercising power is one of four.

² *Death Row: A History of Capital Punishment in America*, episode number, "400 Year of Capital Punishment in America," directed/written/performed by Ron Meyer, aired in 2016, on Mill Creek Entertainment, https://www.amazon.com/Last-Meals-and-Words/dp/B01FLI7PFS/ref=sr_1_1?dchild=1&key-words=capital+punish+ment&qid=1620441502&s=instant-video&sr=1-1.

justice, has found that of the more than 2,500 people on death row around the country, 41% are Black.³ The numbers come to show that the death penalty is another facet of the country's prejudice against its Black citizens. Capital punishment further demonstrates the United States' most extreme acts of dehumanization against its most vulnerable citizens, especially Black people, people with mental disabilities, poor people, and people of color.

Although there is declining support for the death penalty generally, there is still a failure to acknowledge existing racial disparities in the condemned. Support for the death penalty in America in the modern world is still widely prevalent, even if it is not as prevalent as it had been in the past. In a national 2020 survey, global analytics and advice firm, Gallup, polled and asked U.S. voters if they supported the death penalty as a punishment for someone convicted of murder. Gallup found that support for the death penalty was measured at 55% — a 1% drop from previous polls in 2018 and 2019.⁴ Gallup also concluded that many more Americans, about 50%, supported life imprisonment without parole as a more appropriate form of punishment.⁵ Although there is still a majority in favor of the death penalty, there are also a substantial number of people in support of life imprisonment rather than execution. Gallup's numbers seem to assure society has come far in the capital punishment debate, but not far enough. It seems people are more concerned with capital punishment as a moral question rather than one about systemic racism when really it is equally a question about both.

In the 20th and 21st centuries, we have seen a series of moratoriums on executions due to the questioning of the justness of the death penalty. Additionally, a total of 22 states, as of 2020, have already eradicated the practice in their criminal legal systems. As a collective, American society has to agree to abolish capital punishment from our criminal legal system to begin to redress the fact that the death penalty has been systematically applied unfairly and unrighteously.⁶ In doing so it would be a step towards creating life-affirming institutions that value human life as opposed to the vice-ridden prison and its troubling features. The abolition of the death penalty and, subsequently, the prison is not intangible like it is made out to be. We need to stop locking up, killing, and essentially failing the most vulnerable people in our country.

Jay Grossman, defense attorney for Dora Luz Buenrostro, a woman who was sentenced to death in 1998, during her trial said that "saving a life shows human beings at their

³ Maurice Chammah and Keri Blakinger, "Death Penalty for Mass Shooters? Depends On Where They Strike." The Marshall Project, 5 April 2021, <https://www.themarshallproject.org/2021/04/05/death-penalty-for-mass-shooters-depends-on-where-they-strike>.

⁴ "Gallup Poll: Public Support for the Death Penalty Lowest in a Half-Century." Death Penalty Information Center. Accessed May 8, 2021. <https://deathpenaltyinfo.org/news/gallup-poll-public-support-for-the-death-penalty-lowest-in-a-half-century>.

⁵ Jeffrey M. Jones, "Americans Now Support Life in Prison Over Death Penalty," Gallup, 25 November 2019, <https://news.gallup.com/poll/268514/americans-support-life-prison-death-penalty.aspx>.

⁶ In a 2019 article on California Governor Newsom's executive order for a moratorium on the death penalty for the 737 inmates on death row, "at least 18 of the 25 people executed in the US in 2018 had one or more of the following impairments: significant evidence of mental illness; evidence of brain injury, developmental brain damage, or an IQ in the intellectually disabled range; chronic serious childhood trauma, neglect, and/or abuse."

"Governor Gavin Newsom Orders a Halt to the Death Penalty in California," Office of Governor Gavin Newsom, State of California, 13 March 2019, <https://www.gov.ca.gov/2019/03/13/governor-gavin-newsom-orders-a-halt-to-the-death-penalty-in-california/>.

best,” right before he asked the court the following question:

“Do you think killing Dora will make up for the killings? If the answer is yes, then the jury should sentence her to death.”⁷

Yes, is the answer society has been conditioned to hear, but it is not true. Nothing can make up for a life lost. Saying no to capital punishment is a yes for collective accountability for our worst social problems.



⁷ “Dora Luz BUENROSTRO,” Murderpedia, <https://murderpedia.org/female.B/b/buenrostro-dora.htm>.

US Needs Prison Reform, Not Abolition: Why Prison Abolition Doesn't Work

Christine Choi

The criminal justice system in America is broken. Approximately 5% of the world's population live in the United States, yet the US is home to 20% of the world's prison population. In this country, one in a hundred people are incarcerated and one in three young African American males are expected to live behind bars at some point in his lifetime.¹ The system is broken, and it needs to be fixed — not abolished. For my paper, I will first go over the difference between prison abolition and prison reform. Then, I will explain why we need prison reform rather than abolition by refuting the claims made by McLeod. Finally, I will briefly go over the types of prison reforms needed to fix the broken system.

There is a stark difference between prison abolition and prison reform. According to Merriam-Webster, the verbatim definition for abolish is “to end the observance or effect of (something),” and to “completely do away with (something).” Similarly, the verbatim definition for reform is “to amend or improve by change or form or removal of faults or abuses.” Prison abolitionists call for the total removal of prisons and believe that incarcerations in general cause more harm than good to society.² Prison reformers, on the other hand, advocate for systemic change within the broken system and believe that major improvements need to be made.

Allegra McLeod's *Prison Abolition and Grounded Justice* explores the ideas of prison abolition through preventive justice, with abolition ultimately rendering prisons “obsolete” by creating a society that prevents crimes from happening in the first place.³ However, McLeod's stance is not as simple as it sounds. First, creating a society where crimes don't happen in the first place is impossible, especially in a capitalistic society fueled by inequality. According to *Inequality and Crime* by Morgan Kelly, violent crimes are associated with inequality. People are more likely to lash out with violence if situated in unequal, unfair, and vulnerable positions.⁴ Hence, in order for this, McLeod's idealistic society, to be possible, we need to eradicate every form of inequality there is in this country. Racial inequality, socioeconomic inequality, ethnic inequality, gender inequality, the list goes on and on. Prison abolition can only come after all these inequality issues are addressed and fixed, however, these issues are deeply embedded within our

¹ Allegra M. McLeod, “Prison Abolition and Grounded Justice,” Georgetown University Law Center, Georgetown University, 30 June 2015, 1159, <https://scholarship.law.georgetown.edu/cgi/viewcontent.cgi?article=2502&context=facpub>.

² John Washington, “What Is Prison Abolition?” *The Nation*, 31 July 2018, <https://www.thenation.com/article/archive/what-is-prison-abolition/>.

³ Allegra M. McLeod, “Prison Abolition and Grounded Justice,” Georgetown University Law Center, Georgetown University, 30 June 2015, 1168, <https://scholarship.law.georgetown.edu/cgi/viewcontent.cgi?article=2502&context=facpub>.

⁴ Morgan Kelly, “Inequality and Crime,” *The Review of Economics and Statistics* 82, no. 4 (2000): 530–539, <https://direct.mit.edu/rest/article/82/4/530/57217/Inequality-and-Crime>.

society and will not go away anytime soon (nor in the near future). Hence, a preventive justice system that McLeod mentions is unrealistic and fails to consider the bigger societal problems embedded within.

McLeod also argues for prison reform by stating that the dangerous “violent few” are vastly outnumbered by the non-dangerous majority in prison. However, according to an FBI report on crime statistics, a total of 1,203,808 cases of violent crimes were reported in 2019. Minimizing these cases as “vastly outnumbered” is extremely misleading. We don’t live in a utopian world; people murder, rape, assault, kidnap, and harass. If prisons don’t exist, how will these people be punished and how can justice be served to the victims?

According to *The Nation*, prison abolitionists believe that a solution for this would be to implement “restorative justice.” Through this system, offenders can “account for their behaviors” by working with the victims and affected groups to repair the damage done.⁵ Furthermore, McLeod states that justice can be served to the victims by making them “whole” by forming a “collective vulnerability” so that the victims won’t get hurt again.⁶ However, both of these proposed solutions are naive, vague, and idealistic. The key point of restorative justice involves the perpetrator to work with his or her victim(s), yet studies illuminate that merely testifying in court can be a traumatic experience for the victims.⁷ This solution kills the victims twice, disregards the psychological impact crimes have on the mental health of the victims, and idealizes progressive reconciliation.

Furthermore, McLeod’s argument for abolition is centered around the idea that any form of human confinement is dehumanizing since it deprives people of their basic liberties and puts their safety at risk. She argues that improper use of solitary confinement, physical force exercised by prison guards, and physical and sexual violence between prisoners are inevitable outcomes that are produced by the structure of the prison system in the United States. Although it’s true that these issues are problematic and need to be addressed, the solution for these problems is not through prison abolition. Instead, we need to advocate for reforms to combat these issues separately through prison reform.

Set standards and regulations to limit and thus eliminate the use of solitary confinement, regulate the use of physical force exercised by prison guards through publicizing and recording the reports on every physical action taken, and provide prisoners with basic human liberties and necessities necessary to minimize violence within bars. By improving the conditions of prisons, we can strive to fix the broken system to uphold the justice system in the US.

⁵ John Washington, “What Is Prison Abolition?” *The Nation*, 31 July 2018, <https://www.thenation.com/article/archive/what-is-prison-abolition/>.

⁶ Allegra M. McLeod, “Prison Abolition and Grounded Justice,” Georgetown University Law Center, Georgetown University, 30 June 2015, 1171, <https://scholarship.law.georgetown.edu/cgi/viewcontent.cgi?article=2502&context=facpub>.

⁷ Jim Parsons and Tiffany Bergin, “The impact of criminal justice involvement on victims’ mental health,” *Journal of Trauma Stress* 23, no. 2 (2010): 182–188, <https://pubmed.ncbi.nlm.nih.gov/20225265/>.

The Case for Abolishing Mandatory Minimums

Kenzie Chrudimsky

In 1992, 18-year-old Joseph Settembrino was handed a ten-year minimum sentence. A close friend of his, secretly acting as an informant, talked Joseph into selling him some LSD. Despite his lack of criminal record, the mandatory minimum meant that Joseph's brief dalliance with dealing would land him in prison for at least the next ten years of his adult life.¹ Joseph's case gained recognition because he was a young, white student; however, cases like his are exceedingly common. Mandatory minimums are unfair, excessive, and ineffective and as such, getting rid of them is necessary.

Mandatory minimums, as they are currently used, began in 1986 with the passage of strict sentencing reform intended to specifically target drug sales and drug use.² About 22% percent of incarcerated people are serving sentences which carry a mandatory minimum. Of those serving drug sentences, that number is two-thirds.³ Instituting mandatory minimums served several purposes; one of which was to "ameliorate unwarranted disparity" in sentences as a result of factors like race and gender which have no place in sentencing.⁴ With a mandatory minimum, the baseline sentence is already concretely established through quantity and type of drug being used or sold. Mandatory minimums also come with a built-in "safety-valve," which allows judges to ignore the minimum if the defendant meets certain conditions. One of these conditions is that the defendant is "cooperative" and agrees to help law enforcement bring down others participating in the use and sale of drugs or others higher up in their organization.⁵ This tool was widely used in the 80s and 90s to trap people into acting as informants by threatening them with an unreasonably long sentence. This was the case with the informant who turned Joseph in.

Despite claiming to address sentencing disparity, mandatory minimums, as part of the War on Drugs, have dramatically greater impacts on communities of color. The Federal Bureau of Prisons reported that 57.6% of the prison population is white; however, only 27.2% of those serving sentences with mandatory minimums are white.⁶ Prosecutors

¹ "Two Cases — Joey Settembrino," *Frontline*, Public Broadcasting Service, <https://www.pbs.org/wgbh/pages/frontline/shows/snitch/cases/joey.html>.

² Richard D. Hartley, "Sentencing Reforms and the War on Drugs: An Analysis of Sentence Outcomes for Narcotics Offenders Adjudicated in U.S. District Courts on the Southwest Border," *Journal of Contemporary Criminal Justice* 24, no. 4 (2008): 437–461, <https://journals.sagepub.com/doi/pdf/10.1177/1043986208323264>.

³ "Quick Facts: Mandatory Minimum Penalties," United States Sentencing Commission Office of Public Affairs, United States Sentencing Commission, https://www.ussc.gov/sites/default/files/pdf/research-and-publications/quick-facts/Quick_Facts_Mand_Mins_FY20.pdf.

⁴ Richard D. Hartley, "Sentencing Reforms and the War on Drugs: An Analysis of Sentence Outcomes for Narcotics Offenders Adjudicated in U.S. District Courts on the Southwest Border," *Journal of Contemporary Criminal Justice* 24, no. 4 (2008): 437–461, <https://journals.sagepub.com/doi/pdf/10.1177/1043986208323264>.

⁵ *Ibid.*

⁶ "Quick Facts: Mandatory Minimum Penalties," United States Sentencing Commission Office of Public Affairs, United States Sentencing Commission, https://www.ussc.gov/sites/default/files/pdf/research-and-publications/quick-facts/Quick_Facts_Mand_Mins_FY20.pdf.

are also twice as likely to issue charges that carry mandatory minimums against Black people than white people in similar circumstances.⁷ Prosecutorial discretion means that sentencing disparities are still being carried out; they're simply being carried out by prosecutors more often than judges. In addition to still being racially biased and unfair, people serving for crimes with mandatory minimum sentences serve almost five times longer on average than people serving for other offenses.⁸ Bribing voters or setting fire to an unoccupied car would both provide shorter sentences than selling your friend some shrooms.⁹

Mandatory minimums don't work. Caulkins and Rydell conducted a study wherein they compared methods of reducing cocaine consumption. Drug treatment programs for heavy users decreased the amount of cocaine consumed per law enforcement dollar spent by more than double what mandatory minimums did. Treatment programs also decreased the amount of property crimes and violent crimes committed in connection with drug users and dealers fifteen times more than the alternatives.¹⁰

Still, proponents of the mandatory minimum believe that, because of the built-in safety-valve which allows for the option of disregarding the punishment, the mandatory minimum can be a fair and useful tool to bring down high-level drug traffickers or dealers. However, less than 40% of people serving mandatory minimums received sentencing relief as a result of these safety measures, and even those who received relief still had more than double the average sentence length when compared to those convicted of non-mandatory minimum sentence carrying offenses.¹¹

This mindset also carries with it ethical conflicts. Making the enforcement of the mandatory minimum contingent upon helping investigators catch someone else means that an enforced minimum sentence punishes twice. It punishes once for the drug offense, and a second time for not assisting law enforcement — which is not a crime — and therefore should not add to a sentence. Additionally, mandatory minimums fail to carry through principal ideas like proportionality. Beccaria asks that we deliver, “the least possible in the case given; proportioned to the crime.”¹² A sentencing system that weaponizes extremely long sentences to force those with a smaller role in drug crimes to aid police in catching those with a bigger role evidently exceeds “the least possible” and punishes a variety of crimes and circumstances with the same sentence. The judge has no ability to behave with mercy or discretion by considering which punishment will bring about the most good at the cost of the least harm.

⁷ “Report to the United Nations on Racial Disparities in the U.S. Criminal Justice System,” *The Sentencing Project*, 19 April 2018, <https://www.sentencingproject.org/publications/un-report-on-racial-disparities/>.

⁸ “Quick Facts: Mandatory Minimum Penalties,” United States Sentencing Commission Office of Public Affairs, United States Sentencing Commission, https://www.ussc.gov/sites/default/files/pdf/research-and-publications/quick-facts/Quick_Facts_Mand_Mins_FY20.pdf.

⁹ Christopher Reinhart, “Crimes with Mandatory Minimum Prison Sentences—Updated and Revised,” Connecticut General Assembly, State of Connecticut, 13 November 2008, <https://www.cga.ct.gov/2008/rpt/2008-R-0619.htm>.

¹⁰ Jonathan P. Caulkins, “Are Mandatory Minimum Drug Sentences Cost-Effective?” RAND Corporation, 1997, https://www.rand.org/pubs/research_briefs/RB6003.html.

¹¹ “Quick Facts: Mandatory Minimum Penalties,” United States Sentencing Commission Office of Public Affairs, United States Sentencing Commission, https://www.ussc.gov/sites/default/files/pdf/research-and-publications/quick-facts/Quick_Facts_Mand_Mins_FY20.pdf.

¹² Cesare Beccaria, *On Crimes and Punishments* (Toronto: University of Toronto Press, 2009).

The criminal justice system can continue to utilize sentencing guidelines in assigning punishments, but mandatory minimums are an unnecessary part of this. They carry a hefty history of racial bias, they do not address drug consumption as effectively as other methods, they result in excessively long sentences, and the way they are weaponized by law enforcement to create informants stands in ethical contrast to punishing principles our criminal justice system should be striving for. As such, they have no place in the future of our justice system.



Combating Police Unions

Tejas Dhindsa

In the wake of George Floyd's death and countless other police murders, activists have been attempting to actualize demands for police reform. Implementing reforms has proven difficult despite widespread support, due in large part to the coercive power of police unions. As reform-minded politicians and grassroots activists across the country jockey for concessions from their local and state governments, police unions have protected violent police officers and undercut well-intentioned reforms. To weaken the coercive power of police unions, activists must amend state law to change union contracts and increase accountability measures.

Police unions currently use union contracts with state governments to protect violent police officers from fair punishment. Unlike other labor unions, which negotiate for fair wages and working conditions, police unions seem to focus on hiding evidence of misconduct. A 2017 Reuters investigation of police union contracts found a plethora of dangerous provisions: the erasure of disciplinary records, the ability to replace suspensions with vacation time, and a brief statute of limitations on police misconduct allegations.¹ Furthermore, union contracts empower police departments to control disciplinary reviews themselves, meaning officers are rarely held accountable for their actions. For example, the Office of Police Conduct Review in Minneapolis, which processed 17 misconduct complaints against Derek Chauvin before the murder of George Floyd, has decided nearly 3,000 allegations and handed down only 12 disciplinary actions, the most severe of which was a 40-hour suspension.² In some states, union contracts supersede state law, meaning there is no enforcement mechanism outside the police department itself. These powerful union contracts are a major reason that police officers often return to work after killing someone in the line of duty.

Police unions also act as a powerful lobbying group, using their funding and political clout to intimidate local political actors. There are countless examples of this conduct. Last year, the Association for Los Angeles Deputy Sheriffs "spent more than \$3.5 million fighting [police reform], and Sheriff Alex Villanueva warned Angelenos to oppose the effort 'if you don't want your streets to look like a scene from Mad Max.'" In San Antonio, the Police Officer's Association spent \$1 million on an advertising campaign to threaten a city manager who proposed police reform.⁴ During a State Assembly election, the California Correctional Peace Officers Association (CCPOA) targeted a Black

¹ Reade Levinson, "Across the U.S., police contracts shield officers from scrutiny and discipline," Reuters, Thomson Reuters, 13 January 2017, <https://www.reuters.com/investigates/special-report/usa-police-unions/>.

² Shaila Dewan and Serge F. Kovaleski, "Thousands of Complaints Do Little to Change Police Ways," *The New York Times*, 8 June 2020, <https://www.nytimes.com/2020/05/30/us/derek-chauvin-george-floyd.html>.

³ Jessica Schulberg, "Police UNions Spent Millions To Beat Back Reform In Los Angeles. They Lost Big Time," *The Huffington Post*, BuzzFeed, 14 November 2020, https://m.huffpost.com/us/entry/us_5faf0cb0c5b6c5f3d2f75b29/amp.

⁴ Reade Levinson, "Across the U.S., police contracts shield officers from scrutiny and discipline," Reuters, Thomson Reuters, 13 January 2017, <https://www.reuters.com/investigates/special-report/usa-police-unions/>.

lawmaker who had proposed criminal reform by releasing a video with gun crosshairs over his image.⁵ The CCPOA also donated over \$1 million to his opponent's campaign.⁶ In conservative areas, an endorsement from the local police union can be necessary for electoral victory, making it difficult for reformers to gain political power without compromise. The lobbying efforts by police unions suggest that their coercive power extends beyond forgiving their own violent members to negating helpful reforms.

Reformers should capitalize on widespread support for change and amend state law to weaken police union contracts. This is a unique moment for activists to overcome the lobby of police unions, as support for reform has never been stronger. According to a 2020 survey from Gallup, 76% of Americans strongly support harsher punishments for police misconduct and 83% believe officers should be fired in the case of multiple misconduct allegations.⁷ Reformers should capitalize on movement by lobbying state legislators to establish independent review boards for police misconduct. These independent review boards should remove violent police officers over time and change the makeup of police departments. Furthermore, legislators must adopt a tougher stance in contract negotiations with police unions. The provisions that erase disciplinary records and provide legal funds to violent officers should be removed from union contracts, as they provide dangerous leverage to officers like Derek Chauvin. By electing reform-minded legislators and amending state law, activists can remove the ability of police unions to protect dangerous officers and supersede the will of the majority.

Despite police misconduct, there are many who believe weakening police unions is a violation of labor rights. This is evident in the fact that police unions are still included in AFL-CIO and other labor coalitions. Proponents of police unions generally argue that they are necessary to ensure fair wages and treatment from the state. However, concerns about labor rights are an insufficient justification for the violence of police officers. Police unions cannot be understood as a traditional labor group, as they are the only union empowered to protect murderers with state funds. The evidence bears this out. According to a University of Chicago study of police departments in Florida, "collective bargaining rights led to a substantial increase in violent incidents of misconduct..."⁸ Police officers deserve basic labor protections, as all workers do. However, that is not the function of police unions. Police unions work instead to entrench the institution of police brutality and racialized violence.

In the aftermath of George Floyd's murder, an unprecedented number of people took to the streets to protest police brutality, yet the killings have continued. During Derek

⁵ Marisa Lagos, "State Prison Officers Union Under Fire for Video Showing Crosshairs on Face of Black Lawmaker," KQED, National Public Radio, 17 September 2020, <https://www.kqed.org/news/11838409/state-prison-officers-union-under-fire-for-video-showing-crosshairs-on-face-of-black-lawmaker>.

⁶ "Campaign Finance: California Correctional Peace Officers Association Political Action Committee," Office of Secretary of State Dr. Shirley N. Weber, State of California, <https://cal-access.sos.ca.gov/Campaign/Committees/Detail.aspx?id=1035434&view=late%203&session=2019>.

⁷ Steve Crabtree, "Most American Say Policing Needs 'Major Changes,'" Gallup, 22 July 2020, <https://news.gallup.com/poll/315962/americans-say-policing-needs-major-changes.aspx>.

⁸ Dhammika Dharmapala, Richard H. McAdams, and John Rappaport, "Collective Bargaining Rights and Police Misconduct: Evidence from Florida," *The Journal of Law, Economics, and Organization* (2020), <https://academic.oup.com/jleo/advance-article/doi/10.1093/jleo/ewaa025/6054285>.

Chauvin's trial alone, police officers killed 64 people in the line of duty.⁹ To deliver on promises to defund police departments and hold violent officers accountable, police unions must be weakened. This can be done by using grassroots support to overcome police lobbyists and amending state law to break dangerous police union contracts. By diluting the power of police unions, reformers are much more likely to deliver the changes that the public is demanding.

⁹ John Eligon and Shawn Hubler, "Throughout Trial Over George Floyd's Death, Killings by Police Mount," The New York Times, 30 November 2020, <https://www.nytimes.com/2021/04/17/us/police-shootings-killings.html>.

Editorial

Madeline Flores

The penal system has been around for a long time in the United States and has a significant need for improvement. Racial inequalities, poor conditions, and high recidivism rates are all examples of ways the prison system can be improved. Along with these, I argue that better drug treatment programs should be put in place. In line with my previous research on this subject, I argue that the barriers present for treatment programs are limited training for staff and coercion issues. These barriers keep treatment programs from performing to their full capacity and lead to lower success and recovery rates.

Limited training for staff played a key role in the poor quality of treatment programs in prisons. Redonna K. Chandler highlights the important role that criminal justice employees have in the treatment process. She highlights that, in order to provide adequate care for these individuals, those administering the treatment should have certain training skills. “Criminal justice professionals must develop an understanding of addiction-signs and symptoms, treatment and relapse and their role in facilitating recovery.”¹ While this article shows how important this training is, further research that shows many prisons do not have well-trained staff.

A study published in *The Prison Journal* identifies recruitment and training of treatment staff as a major barrier in providing adequate treatment for drug addiction. “Limited human resources and typically high turnover rates for drug abuse treatment counselors make staffing a perennial problem for prison-based treatment administrators.”² This limited staff is due to the remote locations of prisons. This study offers training “lifers” or inmates who are sentenced for life as additional counselors and treatment providers.

This issue alone shows the significance of training staff to provide adequate treatment for inmates. A large part of treatment improvement could come from a more organized curriculum for staff. A group of trained psychologists and psychiatrists in addiction can provide training for the staff. The staff could be paid for attending these trainings as an additional incentive in order to encourage attendance. Using trained professionals is important in the focus of addressing addiction as a disease. Showing addiction as a disease does not provide excuses for the user, it provides accountability. This framework provides accountability for both the user to seek and adhere to treatment and for society to ensure that these treatments are available.

¹ Redonna K. Chandler, Bennett W. Fletcher, and Nora D. Volkow, “Treating Drug Abuse and Addiction in the Criminal Justice System: Improving Public Health and Safety,” *Improving Public Health and Safety* 103, no. 2 (2009): 188.

² David Farabee, et al., “Barriers to Implementing Effective Correctional Drug Treatment Programs,” *The Prison Journal* 79, no. 2 (1999): 150–162, <https://journals.sagepub.com/doi/10.1177/0032885599079002002>.

Another main barrier that is present is the issue of coercion and convincing members to take part in treatment programs while incarcerated. “Many inmates with substance abuse problems are unwilling to volunteer for treatment because of the stigma associated with substance abuse treatment, the additional structure and rules of a treatment program, the loss of institutional seniority and reduced job opportunities.”³ In life, the activities most people are successful in are the ones they are passionate and excited about. Excitement is what drives people to work hard and motivates them to reach their goal. For these programs, a strong incentive for treatment while incarcerated can be the possibility of being released into a somewhat normal life.

A main resolution to this issue could be the “framing” of the treatment programs that are offered in prisons. Framing is a way of structuring a problem in a context that interests your target audience. Framing the treatment program as a pathway to early release or better opportunities when released could be a solution to this issue. A main deterrent for inmates is the feeling of hopelessness and isolation. They do not feel incentivized to do these programs because they foresee the struggles they will face once they are released. Framing this treatment program as an opportunity to help improve inmates’ experience when they are released could be a solution to the issue of coercion. Program organizers could invite potential employers to see the inmates’ progress after completing the program in hopes of employing them.

Studies show that voluntary participation in these programs is very successful. The Forever Free program had success in utilizing the Gorski curriculum which has helped clients identify the symptoms of post-acute withdrawal and taught clients strategies and skills they could use to successfully deal with them.⁴ The individualized planning and additional services provided in the Forever Free program proved to be much more effective in encouraging participation and recovery.

Prioritizing the recovery and care of incarcerated individuals should be important to all. The stigma around the justice system currently is one of the main factors contributing to high rates of recidivism. Investing time and resources into these treatment programs can benefit society as a whole by giving these individuals the tools to succeed post-release. The more we put in, the more we can gain from reintegrating them into our communities.

³David Farabee, et al., “Barriers to Implementing Effective Correctional Drug Treatment Programs,” *The Prison Journal* 79, no. 2 (1999): 150–162, <https://journals.sagepub.com/doi/10.1177/0032885599079002002>.

⁴Elizabeth A. Hall, et al., “Treating Drug-Abusing Women Prisoners: an Outcomes Evaluation of the Forever Free Program,” *The Prison Journal* 84, no. 1 (2004): 85, <https://journals.sagepub.com/doi/10.1177/0032885503262456>.

Shackled to the Blaze: California's Inmate Firefighter Program

Max Francis

At 3:00am on November 9, 2018, I sat upright in my dorm bed, talking on the phone with three other students as our neighborhood of Oak Park burned in the Woolsey Fire. It was terrifying — I had been in contact with my mother and sister, but my dad had stayed behind to help keep our house from burning down, and I wasn't able to contact him. I didn't sleep that night. Eventually, the fire was extinguished, after having torn through the Santa Monica Mountains and burned nearly 100,000 km of land. Though I was ecstatic that my house had been spared, I was disturbed to learn that California had used incarcerated labor to help put out the Woolsey Fire, sending "close to 1,400 inmate firefighters" across the state to help extinguish both the Camp Fire and the Woolsey Fire.¹ Though often framed as a beneficial program for prisoners, the inmate firefighter program is deeply exploitative, designed to secure the state a compliant labor supply that can undertake the dangerous task of putting out wildfires without ever being justly compensated for their efforts.

At heart, the inmate firefighter program is the closest thing California has to a legalized system of slavery. Inmates are given the choice between remaining incarcerated or fighting fires for nearly nonexistent pay: "prisoners are paid \$2.00 per day plus \$1.00 an hour when fighting an active fire."² The wages are so low as to be virtually useless, suggesting that the state may have decided to pay inmates these measly wages in order to avoid accusations of using literal slave labor. The inmate firefighter system is also an inherently exploitative practice — prisoners are presented with a choice between the tortuous environment of prison and the option to become an inmate firefighter. Though it presents innumerable dangers, prisoners are seduced by the promise of better food and a degree of freedom unknown to the average prisoner. The decision is thus more a reflection on inhumane prison conditions than a testament to the benefits of the inmate firefighter program.

Though often construed as a program intended to give prisoners the opportunity to learn a valuable trade and provide a pathway to a career after their release, it is more accurate to see it as an abuse of the state's power to take the most economic route to dealing with the state's wildfire problem. The state takes advantage of the authority it has over the incarcerated to secure a cheap labor supply to deal with California's wildfires, using

¹ Ted Goldberg, "More Than 1,000 Inmate Firefighters Are Helping Battle Camp, Woolsey Blazes," KQED, National Public Radio, 15 November 2018, <https://www.kqed.org/news/11706219/more-than-1000-inmate-firefighters-are-helping-battle-camp-woolsey-blazes>.

² Chad Marks, "High Risk, Low Pay for California Prisoners Who Fight Fires," Prison Legal News, Human Rights Defense Center, 4 February 2019, <https://www.prisonlegalnews.org/news/2019/feb/4/high-risk-low-pay-california-prisoners-who-fight-fires/>.

the inmates to “save the state up to \$100 million a year.”³ The economic benefit to the state underscores the potential incentive to keep up the practice of mass incarceration, securing a cheap labor supply in order to avoid having to hire more civilian firefighters who earn an average salary of \$73,860 a year and “receive benefits not available to CCP volunteers, including workers’ compensation and health insurance.”⁴ This comparison underscores the manner in which inmate firefighters are treated as subhuman compared to a non-incarcerated citizen, as they are paid a fraction of what civilian firefighters make without getting any benefits. This is not a program designed to benefit incarcerated individuals and provide them a pathway to a job upon reentry into society — this is a means by which the state can save money by exploiting vulnerable individuals with no better option than to become inmate firefighters.

Some would argue that the inmate firefighter program is one of the few beneficial programs offered to prisoners, arguing that it is better than remaining stuck behind bars and citing the potential pathway to a firefighting job upon release. However, this claim only holds up in theory. In reality, “recently-released felons...must wait 10 years” to apply for an Emergency Medical Technician license, preventing them from even applying to work in a fire department for an extended period of time.⁵ Furthermore, the National Registry of Emergency Medical Technicians is able to deny EMT certification to anyone with “felony convictions related to assault, property crimes or sexual abuse,” and can even deny certification “based on the nature and seriousness of any other offenses, plus the length of time since they were committed.”⁶ These restrictions create extreme difficulties that can prevent newly-released prisoners from pursuing a career in firefighting. Out of the “62,000 active EMTs in California, just over five percent...have a criminal record,” revealing the near impossible road to achieving EMT certification upon release from prison.⁷ More often than not, prisoners are unable to work at a fire department after leaving prison, meaning that the state uses them for cheap labor while they are imprisoned and then discards them upon release.

Ideally, the inmate firefighter program would be a part of a larger rehabilitative overhaul of the American criminal punishment system, one that allows inmates to engage in work that can help them reintegrate into society, all the while being paid sufficient for their work. However, as it currently stands, this practice is deeply exploitative, as it allows the state to use prisoners as virtual slave labor. Until inmates are compensated on par with civilian firefighters, given a pathway to a guaranteed firefighting job upon release, and presented with a breadth of rehabilitative pathways — rather than being forced to choose between fighting fires or remaining confined in a cell — this practice must be abolished.

³Ted Goldberg, “More Than 1,000 Inmate Firefighters Are Helping Battle Camp, Woolsey Blazes,” KQED, National Public Radio, 15 November 2018, <https://www.kqed.org/news/11706219/more-than-1000-inmate-firefighters-are-helping-battle-camp-woolsey-blazes>.

⁴ Chad Marks, “High Risk, Low Pay for California Prisoners Who Fight Fires,” Prison Legal News, Human Rights Defense Center, 4 February 2019, <https://www.prisonlegalnews.org/news/2019/feb/4/high-risk-low-pay-california-prisoners-who-fight-fires/>.

⁵ *Ibid.*

⁶ *Ibid.*

⁷ *Ibid.*

The Possibility of Implementing Norway's Prison System in the United States: From Correctional to Rehabilitation, the United States Should Follow Norway's Steps

Maria Garcia

The United States Prison system does not give a lot of trust to its prisoners. Prisoners are locked up, not given enough sunlight per day, heavily supervised, and are not given enough personal space. What is portrayed on television is typically how prisons are reflected in the country. However, countries like Norway have decided to focus on rehabilitation rather than correction. Prisoners have access to cook their own meals, there are no life sentences, and prisoners have more freedom than inmates in the United States. The United States should learn from Norway and move towards rehabilitation rather than correction by modeling after Norway's current system because it would prevent prisoners from falling into the same cycle and would be more cost effective to implement rehabilitation in the long term.

By implementing a rehabilitation system, it would better prepare prisoners for life outside of prison and how they would reintegrate back into society. Depending on one's experience in prison, it can affect their future actions. Depending on if an individual has a positive or negative experience, it can "highly correlate to his or her future attitude and behavior."¹ If someone has a rather bad experience in prison regarding how they are treated or equipped for the outside, the chances are higher that they will come back. If someone has a relatively good experience in preparing them for jobs and reintegrating back into the community, they are less likely to come back. Based on a study in 2020, two out of three people are likely to be arrested and more than 50% are likely to be incarcerated again.² What this shows is that prisons do not invest in the rehabilitation portion to prevent recidivism. This statistic shows that it is important to help prisoners reintegrate back into society to avoid them going back into prison.

By implementing Norway's system in the United States, it would be more cost-effective in the long run. Prisoners, when sentenced to prison, can be prisoned for a short time period or up to a life sentence. However, in Norway the maximum sentence a prisoner

¹ Meagan Denny, "Norway's Prison System: Investigating Recidivism and Reintegration," *Bridges: A Journal of Student Research* 10, no. 10 (2016): 25, <https://digitalcommons.coastal.edu/cgi/viewcontent.cgi?article=1032&context=bridges>.

² "Incarceration," Office of Disease Prevention and Health Promotion, United States Department of Health and Human Services, 2020, <https://www.healthypeople.gov/2020/topics-objectives/topic/social-determinants-health/interventions-resources/incarceration>.

can receive is typically 21 years. In rare cases it can be more than that. While it might seem expensive to rehabilitate prisoners, if the United States were to "...incarcerate its citizens at the same low rate as the Norwegians do...it could spend that much per inmate and still save more than \$45 billion a year."³ It may appear more expensive when inmates are given freedom and resources to do what they want to do in prison, but if it prepares them to reintegrate into society after being in prison for a long period of time, then it would be cheaper than having them back in prison again.

Individuals might be hesitant to implement a system like Norway's because of the different populations in each country. The United States is described as the melting pot while Norway has a most white population. About "8 % of the Norwegian population are not members of what traditionally has been referred to as the white race..."⁴ You cannot compare two countries that have little in common. The population, history, language, economy, and culture of both countries are very different. It is known that low-income people of color are more likely to end up in prison which cannot be compared to Norway. Although both countries are completely different, the United States can take small steps towards implementing what Norway has. Rather than start reformation in the prison system immediately, they can focus on youth in communities that need the resources to prepare them later in life. Just like how Norwegian inmates are prepared for reintegration into society, youth are prepared for years ahead to ensure that they avoid the prison system altogether.

Another issue that individuals might have with this is that individuals who have committed murder or other extreme crimes should be punished for life. In Norway, the death penalty is completely abolished, and people spend an average of 21 years in prison.⁵ However, it can be an issue when families of victims have a probability of seeing their murderer in public. Victims' can never be brought back to life, so it only makes sense to punish murderers by sending them to prison for a long time. If the victims cannot have a normal life, then their murderers should not either. However, what is important is that prisoners who committed murder should receive rehabilitation, because they need to understand what they did is wrong and how to move forward to prevent that from happening again. If a prisoner needs more prison time, it should be because they do not understand what they did was wrong and is still being evaluated by a professional. If they cannot understand why what they did was wrong, they need to be moved to a facility that specializes in that.

³ Jessica Benko, "The Radical Humaneness of Norway's Halden Prison," *The New York Times Magazine*, *The New York Times*, 26 March 2015, <https://www.nytimes.com/2015/03/29/magazine/the-radical-humaneness-of-norways-halden-prison.html>.

⁴ Jon Røyne Kyllingstad, "The absence of race in Norway?" *Journal of Anthropological Sciences* 95 (2017): 1-9, <http://www.isita-org.com/jass/Contents/2017vol95/Kyllingstad/Kyllingstad.pdf>.

⁵ Jessica Benko, "The Radical Humaneness of Norway's Halden Prison," *The New York Times Magazine*, *The New York Times*, 26 March 2015, <https://www.nytimes.com/2015/03/29/magazine/the-radical-humaneness-of-norways-halden-prison.html>.

By the Norwegian prison system, it would be more cost-effective in the long run and help individuals reintegrate back into society. But it is also important to take small steps to ensure that it is effective by focusing on the youth and carefully evaluating individuals. Overall, implementing the system in the United States would save time, money, and resources.

A handwritten signature in black ink, consisting of a series of loops followed by a long horizontal stroke ending in an arrowhead.

Political Theater: A National Response to Black Death — How Do the Killings of Black People Continue to Result in Bipartisan Performance and Zero Improvements for the Black Community

Aaron Harvey

The murder of George Floyd resulted in a historic outcry against the killing of Black people by law enforcement. Hundreds of thousands of Americans poured into the streets in protest, mainstream corporations produced statements regarding the value of Black lives, and Democratic lawmakers kneeled, dressed in Kente cloth. Yet, what the murder of George Floyd did not spur is real action to save Black lives. The state-sanctioned murder of Black people continues to serve as a political opportunity for both national parties. Republicans fundraise around racist tropes of angry and threatening Black people. Democrats announce, “Black Lives Matter” and score high marks from their white liberal base, never producing substantial reforms or changes to keep Black people safe. However, the growing movement for abolition is making this political theatre more tenuous, and politicians need to reimagine safety for all communities.

In early March, the House of Representative passed the George Floyd Justice in Policing Act.¹ Across party lines, the legislation passed 220–212, with no Republicans voting for the bill. At the Joint Session speech to Congress on April 28th,² President Joe Biden requested the bill to be sent to his desk, however there is no sign of the Senate considering the legislation.

Originally introduced in 2020, the George Floyd Justice in Policing Act presents various reforms as an attempt to curtail police violence. None of these proposals are new, and in fact, many pieces of the legislation echo various reports commissioned over the past hundreds of years. As Mariame Kaba³ reminds us, the Lexow Commission undertook an investigation of the police in New York City in 1894. The most common complaint was bludgeoning of citizens. Much like the Lexow Commission, the George Floyd Justice in Policing Act addresses the ways in which law enforcement can exert violence on citizens. In response to two of the more recent, public murders of Black people, the bill bans no-knock warrants, which led to the murder of Breonna Taylor, and chokeholds and carotid holds, which some argue led to the murder of George Floyd. Others disagree.

¹ 117th United States Congress, “H.R. 1280,” (house resolution, United States House of Representatives, 24 February 2021), <https://www.govinfo.gov/content/pkg/BILLS-117hr1280ih/pdf/BILLS-117hr1280ih.pdf>.

² “How to Watch the Livestream of President Biden’s Address to the Joint Session of Congress,” White House, 28 April 2021, <https://www.whitehouse.gov/briefing-room/blog/2021/04/27/how-to-watch-the-livestream-of-president-bidens-address-to-the-joint-session-of-congress/>.

³ Mariame Kaba, “Yes, We Mean Literally Abolish the Police,” *The New York Times*, 12 June 2020, <https://www.nytimes.com/2020/06/12/opinion/sunday/floyd-abolish-defund-police.html>.

The bill prohibits federal officers from using deadly force unless all “reasonable” alternatives have been exhausted, including de-escalation techniques, nonlethal force, and at least one verbal warning and prohibit the transfer of a number of weapons and vehicles, including bayonets, grenades, and drones to local law agencies.

That is correct, we need federal legislation to curtail the use of grenades in our communities. Yet, if one studies the history of policing in this country, none of these proposals come as a surprise. Evolved out of slave patrol, police’s duties are rooted in the protection of property and control of marginalized people. As Alex Vitale explains, “We have to understand policing as fundamentally a tool of social control to facilitate our exploitation.”⁴ Many Americans have been sold what Vitale calls as the “big myth.” That police “solve every problem; they catch the bad guys; they chase the bank robbers; they find the serial killers.” Instead, the reality is that “The vast majority of police officers make one felony arrest a year. If they make two, they’re cop of the month.”

While “defund the police” became a well-used slogan the summer of 2020, divestment from policing is not a new or even radical idea. In fact, in 2017 a member of the Obama administration’s Task Force on 21st Century Policing, Tracy Meares, stated “policing as we know it must be abolished before it can be transformed.”⁵

Many powerful organizations, leaders, and celebrities are in support of the George Floyd Justice in Policing Act. Their perspective is this legislation could improve policing. Damon Hewitt, the executive vice president of the Lawyers’ Committee for Civil Rights Under Law told Vox reporter Sean Collins, “I will tell you this, the George Floyd Justice in Policing Act is certainly no worse than current law,” Hewitt said. “It’s far better.”⁶

And “far better” may have been acceptable in 1894 after the Lexow Committee or in 1931 after the Wickersham Commission or 1967 after the Kerner Commission or in 2017 or even after the final report of the Obama administration’s President’s Task Force on 21st Century Policing.⁷ Or maybe after the Rodney King beatings, or the killing of Mike Brown, or the death of Eric Garner, or the shooting of Jacob Blake. But it sure does not feel acceptable today.

As Mariame Kaba says, the goal is not divestment, it is to make police obsolete. The vision — one that a wise politician would cling to and plan for — is to build resources within communities to address the root of harm. Economic and job security would lead to a drastic decrease in property crime. Mental health services would lead to a reduction in violence and drug use. While these ideas seem bold, they are straightforward and common sense solutions that would guarantee the saving of Black lives for generations to come.

⁴ Alex S. Vitale, “Policing Is Fundamentally a Tool of Social Control to Facilitate Our Exploitation,” *Jacobin*, 8 June 2020, <https://jacobinmag.com/2020/06/alex-vitale-police-reform-defund-protests>.

⁵ Tracey L. Meares and Vesla M. Weaver, “Abolish the Police? Is policing a public good gone bad?” *Boston Review*, Massachusetts Institute of Technology Press, 1 August 2017, <https://bostonreview.net/articles/tracey-l-meares-vesla-m-weaver-policing-must-be-abolished-it-can-be-transformed/>.

⁶ Sean Collins, “The House has passed the George Floyd Justice in Policing Act,” *Vox*, 3 March 2021, <https://www.vox.com/2021/3/3/22295856/george-floyd-justice-in-policing-act-2021-passed-house>.

⁷ Mariame Kaba, “Yes, We Mean Literally Abolish the Police,” *The New York Times*, 12 June 2020, <https://www.nytimes.com/2020/06/12/opinion/sunday/floyd-abolish-defund-police.html>.



Editorial Assignment

Timothy Jun

I believe that cash bail and pretrial detention should be entirely abolished because these features of the carceral system perpetuate racial injustice among pretrial defendants who are waiting for their court date and subsequently sustain mass incarceration. Despite the ostensibly legitimate purpose for these processes, abolishing and replacing them with more specialized institutions would go a long way for modern racial justice while having little to no effect on public safety and court appearances.

Cash bail allows defendants to enjoy pretrial freedom while also guaranteeing their court appearances.¹ Defendants are released pretrial on the condition of paying a monetary amount as collateral, set by the presiding judge.² Bail amounts vary since they are entirely up to the judge, but the lower end of the spectrum nears a couple thousand dollars, while upper limits go to hundreds of thousands and perhaps even millions, depending on the severity of the charge.³ Commercial bondsmen make a business out of this, paying the full amount for defendants who can afford to pay them a fee, a percentage of the whole amount.⁴ The bondsmen pay the full amount and take the defendant's agreed upon asset as collateral to ensure that they will appear for their court date; if they don't, the full amount is forfeit to the government at the expense of the bondsmen who then use the collateral asset to restore the money lost.⁵

This presents the obvious problem of being oppressive against the indigent, and consequently affects minorities on a large scale. Those who cannot afford the services of the commercial bondsmen are left to pretrial detention until their court date.⁶ This unfairly favors wealthier defendants and abandons the poor despite everyone being charged with crime. Also, minorities are more largely affected by cash bail because Hispanic and Black minorities are historically from impoverished areas, with less wealth and fewer work opportunities, so paying high amounts of cash bail for many minority individuals is unimaginable. The unfairness of this racialized problem is exacerbated by the ambiguous nature of judges setting bail amounts, seeing nationally that Black and Hispanic defendants are required to pay 35% and 19% higher bails, respectively, than white defendants.⁷ This presents even greater reason to abolish this feature of the carceral system.

¹ William Ahee, et al., "Moving Beyond Money: A Primer on Bail Reform," Harvard Law School Criminal Justice Policy Program, Harvard University, October 2016, <https://www.prisonpolicy.org/scans/cjpp/FINAL-Primer-on-Bail-Reform.pdf>.

² Adureh Onyekwere, "How Cash Bail Works," Brennan Center for Justice, New York University, 24 February 2021, <https://www.brennancenter.org/our-work/research-reports/how-cash-bail-works>.

³ "Average Bail Amounts by Crime," Bail Agent Network, <https://www.bailagentnetwork.com/portfolio/average-bail-amounts-by-crime/>.

⁴ Adureh Onyekwere, "How Cash Bail Works," Brennan Center for Justice, New York University, 24 February 2021, <https://www.brennancenter.org/our-work/research-reports/how-cash-bail-works>.

⁵ *Ibid.*

⁶ *Ibid.*

⁷ Alex Emslie, "Kamala Harris and Rand Paul Introduce National Bail Reform Bill," KQED, National Public Radio, 20 July 2017, <https://www.kqed.org/news/11577944/kamala-harris-and-rand-paul-introduce-national-bail-reform-bill>.

For minority defendants who are unable to pay, cash bail results in pretrial detention, along with its unfavorable outcomes. Pretrial detainees are four times more likely to be sentenced to prison than their bailed counterparts.⁸ They are also quicker to plead guilty after experiencing horrendous conditions and time, thus submitting to smaller charges and years in jail rather than risking receiving greater charges through trial, despite the chance of winning.⁹ By giving people of color no way out, the system incentivizes them to go through it. As shown, pretrial detention perpetuates mass incarceration, and by categorizing which defendants should be detained based on wealth and consequently race, cash bail facilitates it. Minorities' societal progress is constantly being stood still by carceral institutions that simply do not care about their wellbeing, a reality made abundantly clear by the lack of reform. Thus, to create a more equal environment for all people and roll back the national embarrassment of mass incarceration, a good first step is to abolish cash bail and pretrial detention.

There is the counterargument that cash bail enables defendants awaiting trial to be free and abolishment would take that liberty away from them. I agree that pretrial defendants should be able to be free before trial, but cash bail is not the way to do it. My rebuttal is that the effects of cash bail and pretrial detention on minorities are just too great to be justifiable. To be stained with the mark of "ex-convicted felon" is too heavy a title to bear today.

In *The New Jim Crow*, Michelle Alexander shows that the rhetoric of criminal justice has changed from explicitly racist, to "discrimination against criminals."¹⁰ Americans have never been very forgiving of criminals, hence our punitive system, and over time, the powers in government have obscurely changed the narrative for the title of "criminal" to encompass skin tone. "Once you're labeled a felon, the old forms of discrimination — employment discrimination, housing discrimination, denial of the right to vote, denial of educational opportunity, denial of food stamps and other public benefits, and exclusion from jury service — are suddenly legal."¹¹ It is laughable to compare these racial injustices, in any way, to a monetary slap on the wrist allowed through cash bail.

I argue that the carceral system should release pretrial defendants and implement programs more accommodating to ensure court appearances. A big argument against pretrial release is public safety since "criminals" on the street would make communities more dangerous. However, studies show that four states, as well as nine cities and counties, that implemented pretrial reforms had decreases or negligible increases in crime compared to before, showing that abolishment is a solution in itself.¹² Also, the point of "innocent until proven guilty" is that people do not endure punishment before their

⁸ Lauren-Brooke Eisen and Inimai Chettiar, "Criminal Justice: An Election Agenda for Candidates, Activists, and Legislators," Brennan Center for Justice, New York University, 2018, https://www.brennancenter.org/sites/default/files/publications/Criminal_Justice_An_Election_Agenda_for_Candidates_Activists_and_Legislators%20.pdf.

⁹ *Ibid.*

¹⁰ Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York: The New Press, 2010).

¹¹ *Ibid.*, 2.

¹² Tiana Herring, "Releasing people pretrial doesn't harm public safety," Prison Policy Initiative, 17 November 2020, <https://www.prisonpolicy.org/blog/2020/11/17/pretrial-releases/>.

ruling. Thus, getting rid of cash bail and pretrial detention is a viable solution and should be replaced with services financed by state allocated funds that would otherwise go into pretrial detention, perhaps, services that keep in touch with and remind the defendants of court dates, and even provide or facilitate the transportation for getting to the court, if court appearances are the main concern.



The Punishment Is in the Pudding: In Prisons and Jails across the US, Food Has Become Another Source of Daily Punishment

Robyn Kazemaini

The COVID-19 crisis has triggered widespread concern over physical and mental well-being. For many Americans, this has inspired a desire to eat healthier, knowing that food has profound effects on physical, psychological, and emotional health. But while we contemplate the pros and cons of meatless meat and organic produce, there are 2.3 million incarcerated people¹ who have no say in the dreary, monotonous, damaging, and downright disgusting food they're fed day in and day out. As wards of the state, incarcerated people deserve to be treated with dignity, which includes having access to food that is both physically nourishing and life-affirming. It is of the utmost urgency that prisons and jails across the US improve their food-related policies and practices so that our entire population — including both free and incarcerated people — can collectively progress toward better physical and mental health.

Forcing inmates to consume meals that are high in salt, sugar, and refined carbohydrates and low in essential nutrients has significant effects that are felt both inside and outside prison walls. A recent report produced by Impact Justice, a research and advocacy organization, perfectly characterizes prison food as “the hidden punishment” of our carceral system.² Spending time behind bars is punishment in itself, but prison food has become another form of daily punishment for those serving prison sentences. And, like most of the other unintentional hardships of mass incarceration, “prison food harms people while they are incarcerated and potentially for the rest of their lives, with ripple effects that impact us all.”³

Inside prison walls, inmates are fed meals that are incredibly unappetizing, often to the point of being inedible. According to Christopher Velthuysen, an inmate confined in a Michigan state prison, the prison served him spoiled hamburger meat, moldy bread, rotten fruit, and warm milk.⁴ From a series of surveys and interviews, the Impact Justice

¹ Wendy Sawyer and Peter Wagner, “Mass Incarceration: The Whole Pie 2020,” Prison Policy Initiative, 24 March 2020, <https://www.prisonpolicy.org/reports/pie2020.html>.

² Leslie Soble, Kathryn Stroud, and Marika Weinstein, “Eating Behind Bars: Ending the Hidden Punishment of Food in Prison,” Impact Justice, 2020, <https://impactjustice.org/wp-content/uploads/IJ-Eating-Behind-Bars-Release1.pdf>.

³ *Ibid.*, 12.

⁴ Christopher Velthuysen v. Aramark Correctional Services, Inc., et al., 2 (United States District Court for the Western District of Michigan Northern Division 2017), https://www.govinfo.gov/content/pkg/USCOURTS-miwd-2_14-cv-00192/pdf/USCOURTS-miwd-2_14-cv-00192-3.pdf.



report documents “accounts of weevils in grits, rocks in turnip greens, maggots in meat, a rat tail buried in one day’s entree, and oatmeal ladled up with human hair, pieces of metal, or cockroaches.”⁵ Importantly, these accounts don’t offer anything new: one of the principal demands of prisoners during the Attica Prison uprisings in 1971, for example, was for “better food and sanitary conditions.”⁶

Efforts to improve the quality of prison food have often been challenged by those who believe that prisoners are not entitled to good food; essentially, their argument is that *beggars can’t be choosers*. US District Judge Gordon Quist presented a more specific version of this argument in his dismissal of Velthuysen’s legal complaint against Aramark, the former food-service provider in Michigan prisons: “The food need not be tasty or aesthetically pleasing, so long as it suffices to allow the prisoner to maintain normal health.”⁷

Judge Quist is right: The Eighth Amendment does not entitle prisons to anything more than a diet that is nutritionally adequate for the maintenance of normal health. The problem is rotten meat and spoiled produce do not promote *normal health*. Rather, this type of food results in long-term health consequences for inmates. Beggars aren’t being choosers when they ask for life-sustaining food.

From highly sweetened oatmeal to deep-fried meatloaf, prisons not only serve food that tastes bad but also, more importantly, they serve food that is so unhealthy it creates and exacerbates illnesses and diseases among inmates. “Nutritional standards at state and local facilities are governed by a patchwork of state laws, local policies, and court decisions.”⁸ For this reason, menus vary greatly from one facility to another; however, inmates throughout the country are notoriously malnourished.

A study conducted between 1981–2006 by Brian Houle of the Institute of Behavioral Science at the University of Colorado Boulder examined the effects of incarceration on body mass index and found a clear link between incarceration and weight gain.⁹ Increased weight gain and obesity are public health concerns, with increased health risks for diabetes mellitus, cardiovascular disease, and other conditions.

But that’s not all. “Along with declines in physical health, nutrient deficiencies contribute to a wide range of mental health and behavioral issues.”¹⁰ A study from 2002 that was published in the *British Journal of Psychiatry* found that a diet deficient in vitamins,

⁵ Leslie Soble, Kathryn Stroud, and Marika Weinstein, “Eating Behind Bars: Ending the Hidden Punishment of Food in Prison,” Impact Justice, 2020, 15 <https://impactjustice.org/wp-content/uploads/IJ-Eating-Behind-Bars-Release1.pdf>.

⁶ Heather Ann Thompson, *Blood in the Water: The Attica Prison Uprising of 1971 and Its Legacy* (New York: Pantheon, 2016).

⁷ Christopher Velthuysen v. Aramark Correctional Services, Inc., et al., 2 (United States District Court for the Western District of Michigan Northern Division 2017), https://www.govinfo.gov/content/pkg/USCOURTS-miwd-2_14-cv-00192/pdf/USCOURTS-miwd-2_14-cv-00192-3.pdf.

⁸ Alysia Santo and Lisa Iaboni, “What’s in a Prison Meal?” The Marshall Project, 7 July 2015, <https://www.themarshallproject.org/2015/07/07/what-s-in-a-prison-meal>.

⁹ Brian Houle, “The Effect of Incarceration on Adult Male BMI Trajectories, United States, 1981–2006,” *Journal of Racial and Ethnic Health Disparities* 1, no. 1 (2014): 21–28, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4010134/>.

¹⁰ Leslie Soble, Kathryn Stroud, and Marika Weinstein, “Eating Behind Bars: Ending the Hidden Punishment of Food in Prison,” Impact Justice, 2020, 15 <https://impactjustice.org/wp-content/uploads/IJ-Eating-Behind-Bars-Release1.pdf>.

minerals, and essential fatty acids leads to antisocial behavior, including violence, among prisoners.¹¹

Outside prison walls, inmates that are eventually released (and the communities they belong to) have to deal with the long-lasting physical and mental effects of malnourishment. For some, this means dealing with antisocial and violent behavior. For others, this means dealing with the financial burdens associated with their health problems, which is often borne by local public health systems. For many, it means both.

If Americans are serious about improving our collective physical and mental well-being, then we cannot continue ignoring our incarcerated population (and the abhorrent food they are forced to consume). Rather, improving the food-related policies and practices of prisons — so that incarcerated people are fed the dignified diet they deserve — would improve the well-being of us all, both inside and outside prison walls.



¹¹ C. Bernard Gesch, et al., “Influence of supplementary vitamins, minerals and essential fatty acids on the antisocial behaviour of young adult prisoners,” *The British Journal of Psychiatry* 181, no. 1 (2018), <https://www.cambridge.org/core/journals/the-british-journal-of-psychiatry/article/influence-of-supplementary-vitamins-minerals-and-essential-fatty-acids-on-the-antisocial-behaviour-of-young-adult-prisoners/04CAABE56D2DE74F69460D035764A498>.

Sex Offender Registries Are Not Protecting America's Children

Kian Maple

On the night of October 22, 1989, Jacob Wetterling, an 11-year-old boy living in a small town in Minnesota, was kidnapped while riding his bike home from the grocery store with two friends. The man who kidnapped, sexually abused, and subsequently murdered Jacob was a serial molester, a stranger to all of his victims, and had been striking in neighboring towns so often he was given a nickname — “Chester the Molester.”¹ This case was one of many national tragedies that led to the creation of federally mandated sex offender registries in all fifty states. However, this heinous crime and other stranger-perpetrated sex crimes are not the type of crime that make up a majority of sex offender registries. In fact, only 7% of reported sexual abuse against minors were committed by a stranger to the victim.² The stated goal of these programs at their creation was said to be to protect children against the predators that were out to hunt and abuse them. If this is still the goal of these registries, they have failed. They have failed not only because they have not prevented the sexual abuse of children, but also because they continue to punish people who have already served a punishment for their crimes and are not the likely perpetrators of further crime.

The idea of creating a database of people who have committed crimes against others is logical; however, the current inconsistent tendencies of sex offender registries is in need of repair. When someone is convicted of a sex crime in the United States, they are required to register as a sex offender where, based on the crime they committed, they are ranked in one of three tiers³ that determines the restrictions they must live under. Under current federal regulations, someone who kidnaps a child, no matter the circumstances, is a tier III sex offender, which requires their name, address, place of employment, license plate number, and a current photo of them to be posted on public sex offender websites in addition to living under other restrictions on their livelihood.⁴ A person convicted of criminal sexual conduct,⁵ however, is not even required to have

¹ In the Dark, 1, “The Crime,” performed by Madeleine Baran, aired on 7 September 2016 on APM Reports, <https://www.apmreports.org/episode/2016/09/07/in-the-dark-1>.

² “Children and Teens: Statistics,” RAINN, Rape, Abuse, and Incest National Network, <https://www.rainn.org/statistics/children-and-teens>.

³ Tier III is the most severe of the ranking system, with tier II being slightly less severe and tier I being significantly less severe. Tiers are set by national guidelines provided by the Department of Justice and determine the length of time an offender must be registered for as well as how often offenders must appear in person to update their personal information for the registry.

“The National Guidelines for Sex Offender Registration and Notification,” Office of the Attorney General, United States Department of Justice, May 2007, 24, https://www.justice.gov/archive/tribal/docs/fv_tjs/session_3/session3_presentations/Sex_Offender_Guidelines.pdf.

⁴ *Ibid.*, 28.

⁵ Examples of acts that can lead to a charge of sexual misconduct include exposing one's genitals, unwanted touching, performing sexual acts in public, or forcing someone to engage in sexual acts.

“Sexual Misconduct,” Justia, <https://www.justia.com/criminal/offenses/sex-crimes/sexual-misconduct/>.

their personal information published, as this crime only qualifies someone to be a tier I sex offender despite the variety of harmful acts that fall under this title.⁶

Sex offender registries are supported based on the idea that they prevent sexual predators from being able to blend into communities, which supporters believe will reduce the ability of abusers to harm others. This concern is not solved by registries though, as registries have actually allowed for more blending. There has been over a 10% increase in people charged with sex crimes pleading out to non-sex crimes, therefore avoiding any registries and being allowed to blend into the communities that want them to be registered.⁷ Registries also do not reduce the amount that sex offenders are harming others, as it has been proven that there is no change in the already low likelihood of sex crime recidivism⁸ regardless of the application of extremely punitive restrictions⁹ offenders currently have to live by.¹⁰

At least 34% of alleged perpetrators of sex crimes against children are family members and 59% are acquaintances.¹¹ The lawmakers who were tasked with protecting children from abuse chose to take a path fueled by the fear of constituents who believed their child was the next Jacob Wetterling, rather than one fueled by the goal of protecting the children who currently underreport the sexual abuse they face. Lawmakers chose to focus on punishing sex offenders who are, as now Senate Majority Leader Chuck Schumer put it, “on the restless and unrelenting prowl for children, innocent children, to molest, abuse, and in the worst cases, to kill,” rather than working towards a solution that addresses the environments where children are more likely to face abuse.¹² Through these registries, legislators took the path of putting the weight of preventing sexual abuse on possible victims and their families rather than possible perpetrators.

Our current path is damaging everyone involved, and to see change, America must reframe its perspective on handling sex crimes. Rather than continuing to ruthlessly

⁶ “The National Guidelines for Sex Offender Registration and Notification,” Office of the Attorney General, United States Department of Justice, May 2007, 24, https://www.justice.gov/archive/tribal/docs/fv_tjs/session_3/session3_presentations/Sex_Offender_Guidelines.pdf.

⁷ Elizabeth J. Letourneau, et al., “Evaluating the Effectiveness of Sex Offender Registration and Notification Policies for Reducing Sexual Violence against Women,” Office of Justice Programs, United States Department of Justice, September 2010, 4, <https://www.ojp.gov/pdffiles1/nij/grants/231989.pdf>.

⁸ There is less than a 5.3% recidivism rate for previously incarcerated sex offenders and a large majority of sex offenders are never arrested for another sexual offense.

Elizabeth J. Letourneau, et al., “Evaluating the Effectiveness of Sex Offender Registration and Notification Policies for Reducing Sexual Violence against Women,” Office of Justice Programs, United States Department of Justice, September 2010, 7, <https://www.ojp.gov/pdffiles1/nij/grants/231989.pdf>.

⁹ Restrictions of sex offenders vary by jurisdiction, but over 20 states have restrictions on where sex offenders are allowed to live, and many more have restrictions on who they can be around, the hours they are allowed to be out of their house, and whether they are allowed to consume alcohol or other drugs (King County Sexual Assault Resource Center; Norman-Eady)

“Frequently Asked Questions About Sex Offender Registration and Classification,” King County Sexual Assault Resource Center, <https://www.kcsarc.org/sites/default/files/Education%20-%20SOM%20-%20Frequently%20Asked%20Questions%20about%20sex%20offenders.pdf>.

Sandra Norman-Eady, “Sex Offenders’ Residency Restrictions,” Connecticut General Assembly, State of Connecticut, 23 May 2007, <https://www.cga.ct.gov/2007/rpt/2007-R-0380.htm>.

¹⁰ Elizabeth J. Letourneau, et al., “Evaluating the Effectiveness of Sex Offender Registration and Notification Policies for Reducing Sexual Violence against Women,” Office of Justice Programs, United States Department of Justice, September 2010, 4, <https://www.ojp.gov/pdffiles1/nij/grants/231989.pdf>.

¹¹ These statistics are likely too low because only an approximate 12% of sexual abuse against children is reported to authorities.

“Children and Teens: Statistics,” RAINN, Rape, Abuse, and Incest National Network, <https://www.rainn.org/statistics/children-and-teens>.

¹² “Tougher ‘Megan’s Law’ Would Require Notification,” Cable News Network, Turner Broadcasting System, 8 May 1997, <https://www.cnn.com/ALLPOLITICS/1996/news/9605/08/sex.offenders/index.shtml>.

punish people who have already served a sentence of punishment, it is time to take a more refined approach to sexual abuse prevention in the form of education and creating a safe space for those suffering from sexual abuse. Not only is sexual abuse seriously underreported in childhood, it continues to be unreported in young adulthood, as 90% of sexual abuse at colleges goes unreported while one in five women experience sexual assault in college.¹³ It is impossible to protect society from people looking to sexually abuse others if there are not safe and restorative ways for victims to report the crimes committed against them. These restrictions and databases are not preventing abuse or accurately tracking people who commit sex crimes, but rather tracking people who are not as likely to commit more crimes and not tracking a majority of offenders because they are not reported to authorities or convicted. Taking a proactive approach to preventing crime that begins with educating people on consent and abusive behavior seems like a much healthier, beneficial, and long-term solution compared to the life-long sentences of restriction for offenders that currently exist and are implemented after they have already been incarcerated for their crime.

¹³ "Statistics About Sexual Violence," National Sexual Violence Resource Center, 2015, https://www.nsvrc.org/sites/default/files/publications_nsvrc_factsheet_media-packet_statistics-about-sexual-violence_o.pdf.

Untitled

Alexia Ochoa

Given the continuous murder of marginalized groups by the hands of officers, it is clear that something needs to change. In this year alone, there have already been several unprovoked killings of young people of color, some of whom have mental illnesses. Although the US criminal justice system and president himself has recognized the police officer, Derek Chauvin, as guilty for murdering while on duty there is a lot that needs to be done to ensure that more people are not being unjustly killed by police.

There were “985 people [that] have been shot and killed by police in the past year,” and a majority of the victims were young African-American males.¹ There is a drastic difference in statistics when examining law enforcement officers killed in the line-of-duty as “48 officers died as a result of felonious acts.”² Police have to risk their lives on duty, yet they implement more of a risk to the lives of citizens while on duty.

When examining the number of shootings done by the hands of police, it is important to look into the training and academy at which they acquired their values. According to the US Department of Justice’s Bureau of Justice Statistics only 88% of academies provide 16 hours of training when it comes to nonlethal weapons. This is a much less amount of time and access when compared to 98% of academies providing 92 hours of training in firearms skills and use of force.³ Additionally, barely any time is spent on ethics and integrity training which is around eight hours.

The emphasis of police training and academies is on lethal weapons and use of force based on the drastic hours spent focusing on such. Yet, such a small amount of time is allocated towards nonlethal methods which could potentially save many civilians lives. What’s scarier is the miniscule moments that focus on ethics because the police are expected to reinforce society’s morals and ethics along with the criminal justice system but are spending 11.5 times more training on using lethal weapons as well as implementing them.

According to the National Institute of Justice, “there is no single, universally agreed-upon definition of use of force.”⁴ The ambiguity of the definition due to the variety of actions that possibly encompasses force could lead to the many hours spent on firearm use in training being the main way of implementing compliance in situations. The NIJ

¹ Julie Tate, Jennifer Jenkins, and Steven Rich, “Fatal Force,” *The Washington Post*, Nash Holdings, 22 January 2020, <http://www.washingtonpost.com/graphics/investigations/police-shootings-database/>.

² “FBI Releases 2019 Statistics on Law Enforcement Officers Killed in the Line of Duty,” Federal Bureau of Investigation, United States Department of Justice, 4 May 2020, <https://www.fbi.gov/news/pressrel/press-releases/fbi-releases-2019-statistics-on-law-enforcement-officers-killed-in-the-line-of-duty>.

³ “Training and Academy Life,” *Discover Policing*, 2013, <http://www.discoverpolicing.org/about-policing/training-academy-life/>.

⁴ “Overview of Police Use of Force,” National Institute of Justice, United States Department of Justice, 5 March 2020, <https://nij.ojp.gov/topics/articles/overview-police-use-force#amount-of-force-used>.

also stated that “Law enforcement officers should use only the amount of force necessary to mitigate an incident, make an arrest, or protect themselves or others from harm.”⁵ However, how can the right amount of force be implemented when so much of the police academy and training is focused on lethal force? Additionally, when stating “protecting themselves or others from harm” I would hope that “others” includes the suspects themselves since everyone should be under the presumption of innocence until proven otherwise. When police officers shoot civilians they are embodying the entirety of the criminal justice system themselves by denying them the right to trial.

Some may say that police have to use lethal force to protect themselves and others. Yet, there is too much of an emphasis on implementing lethal force to the point where it is used in instances where it is not necessary. It has come to the point where people of color have to train and prepare themselves for instances where they may be pulled over by a police officer and learn what to do to ensure that they can come home to their families. Oftentimes, people of color are under the threat of violence when interacting with police when it should be vice versa. Officers are expected to “protect and serve,” but to the African American and Latinx communities, the police strike terror knowing that one wrong move could lead to them being another victim of police brutality. According to the Law Enforcement Code of Ethics, “[police] will maintain courageous calm in the face of danger,” yet so little are calm in instances of danger as guns are drawn before methods of de-escalation are tried. There may be a need for lethal force, but it should not be the main method used which terrorizes communities.

There has to be a change, one with less emphasis on lethal force and more of a focus on ethics and nonlethal methods. Too many marginalized families have lost their loved ones by the hands of rash decisions. There needs to be a space of healing to integrate communities and police to the point where we can trust one another instead of harming one another.

⁵“Overview of Police Use of Force,” National Institute of Justice, United States Department of Justice, 5 March 2020, <https://nij.ojp.gov/topics/articles/overview-police-use-force#amount-of-force-used>.



A Case for Abolishing or Reforming Cash Bail

Samuel Perry

In 2017, Kenneth Humphrey was arrested for being suspected of stealing \$7 and cologne from his neighbor. A court set his bail at \$600,000, and later reduced it to \$350,000. Humphrey, of course, could not afford his bail, leaving him no other option but to remain in custody until his trial. For those wondering what bail is and how it works, allow me to explain. When someone is arrested and accused of a crime they are held in pretrial detention or jail, where they will remain until their trial. They are assigned a cash bail they can pay in order to be freed from pretrial jail. This money is refunded once the person shows up to their court proceedings. Humphrey is one example of the many ways cash bail is unfair and how it can force people to spend time in pretrial detention. A handful of states are currently working on addressing the issues posed by cash bail. For instance, following a lawsuit on behalf of Humphrey, the California Supreme Court ruled a person could no longer be held in pretrial custody solely because they cannot afford bail, and Illinois recently became the first state to begin eliminating cash bail altogether.¹ I believe more states ought to follow California and Illinois' lead and reform or eliminate their cash bail system.

Cash bail is detrimental and ineffective for pre-trial detention. The Prison Policy Initiative examined data from the Bureau of Justice and found people in pretrial detention account for nearly two-thirds of America's jail population. In 2017, a staggering 482,000 people were in pretrial detention.² This number is particularly alarming because people in pretrial detention are presumed to be innocent until they have been found guilty by the justice system. It seems contradictory for a country that prides itself on freedom to subjugate nearly half of a million presumably innocent people to unnecessary jail time. Jailing this amount of people is expensive and puts an enormous weight on the criminal justice system, costing taxpayers \$14,000,000,000 every year.³

Cash bail has many more devastating impacts than just its financial cost. When someone is forced to spend weeks or months in pretrial detention because they cannot post bail, they risk losing their job, housing, or even custody of their children.⁴ Consequently, people feel pressured to simply plead guilty in order to get out of jail more quickly. In fact, the conviction rate of people being held in pretrial detention because they could not post bail is 92%, nearly double the conviction rate for people who either posted bail

¹ Cheryl Corley, "Illinois Becomes 1st State To Eliminate Cash Bail," National Public Radio, 22 February 2021, <http://www.npr.org/2021/02/22/970378490/illinois-becomes-first-state-to-eliminate-cash-bail>.

² Wendy Sawyer, "How race impacts who is detained pretrial," Prison Policy Initiative, 9 October 2019, http://www.prisonpolicy.org/blog/2019/10/09/pretrial_race/.

³ "Pretrial Justice: How much Does It Cost?" Document Cloud, <http://www.documentcloud.org/documents/3439051-Pretrial-Justice-How-Much-Does-it-Cost.html>.

⁴ Nick Pinto, "The Bail Trap," *The New York Times*, 13 August 2015, <https://www.nytimes.com/2015/08/16/magazine/the-bail-trap.html>.

or had no bail set.⁵ Cash bail forces too many people into jails and pressures too many into pleading guilty. This creates a downward spiral of negative effects on an individual's life. Research has shown the more time a person spends in pre-trial detention, the more likely they are to be arrested again later in their life.⁶ This downward spiral is heightened if a person becomes a felon. If so, they will face discrimination in employment, housing, education, public services, and may even lose the right to vote.⁷ However, reforming or eliminating cash bail for those who cannot afford it can help countless people avoid this downward spiral. One's ability to afford an emergency expense should not have an impact on their jail time or sentencing. If cash bail were eliminated or reformed and people were trusted to show up for their trial, the amount of presumably innocent people behind bars, guilty pleas, and taxpayer expenses would decrease drastically.

One of the most common defenses of cash bail claims it is necessary to prevent people from leaving town or going into hiding in order to avoid their trial.⁸ However, this concern is greatly exaggerated. The New York City Criminal Justice Agency found 93% of people released pretrial in New York City in 2016 appeared in court voluntarily within 30 days of their scheduled court date.⁹ The notion that people are running away from court in order to avoid a guilty sentencing is simply a misconception. The reality of the situation is that people miss their court appearances because of transportation issues, confusion about complicated court orders, or the need to attend to work or child-related responsibilities.¹⁰

Therefore, it seems the best way to ensure people attend their court dates is by offering more community level support programs. One example of a practical support program is routine telephone and text message reminders about court dates to people who are pretrial. This alone could have a profound impact as one study found "implementing text message reminders reduced nonappearance rates by 26%."¹¹ Reminders are effective because they notify people they must make plans to be in court at a specific time. This greatly simplifies the planning process for people and gives them adequate time to make transportation plans, find child care, and accommodate their work schedule.

In conclusion, cash bail is an antiquated system that is clogging our jails with people who have yet to be convicted of a crime, often sending their lives in a downward spiral. States should help local counties set up text message reminders about court dates for people who are pretrial and then confidently abolish or reduce their use of cash bail.

⁵ Nick Pinto, "The Bail Trap," *The New York Times*, 13 August 2015, <https://www.nytimes.com/2015/08/16/magazine/the-bail-trap.html>.

⁶ Ram Subramanian, "Incarceration's Front Door: The Misuse of Jails in America," Vera Institute of Justice, February 2015, <https://www.vera.org/downloads/publications/incarcerations-front-door-summary.pdf>.

⁷ Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York: The New Press, 2020).

⁸ "Why Bail Is Important for Defendants and the Criminal Justice System," The law Firm of Krisor & Associates, 26 September 2017, <http://www.krisor-law.com/why-bail-is-important-for-defendants-and-the-criminal-justice-system#:~:text=Judges%20can%20release%20those%20who,interest%20of%20the%20public%20safety>.

⁹ Russel F. Ferri, Stephen Koppel, Lauren A. Wilson, and Raymond P. Caligiure, "New York City Criminal Justice: Agency Annual Report 2016," New York City Criminal Justice Agency, March 2016, http://www.nycja.org/assets/CJA_Annual_Report_2016-1.pdf.

¹⁰ Daniel Bernal, "Taking the Court to the People: Real-World Solutions for Nonappearance," *Arizona Law Review* 59 (2017): 547-571, <https://arizonalawreview.org/pdf/59-2/59arizlrev547.pdf>.

¹¹ "After Cash Bail: A Framework for Reimagining Pretrial Justice," The Bail Project, 4 March 2021, <https://bailproject.org/after-cash-bail/#easy-foot-note-bottom-44-39386>.

Untitled

Haley Ragan

Much of the discourse surrounding criminal justice reform in recent times has involved radical transformations of the prison system or even abolition of the system itself. While these transformations should be pushed for, activists and reformers should be wary to ignore solutions for the immediate issues prisoners face on a day-to-day basis. An often-overlooked aspect of prison reform, perhaps due to the varying policies each individual prison takes regarding this issue, is the concept of prison visitation. Prison visitation is viewed as a privilege — not a right — and it is further complicated by restrictive and inaccessible policies for visitors as well. I argue that prison visitation should be considered a right and that instead of creating restrictive policies that dissuade visitors, states should actively promote visitations.

By instating prison visitation as a right instead of a privilege, prisoners become empowered with consistent, reliable, and external forms of support. These three qualities together are important for the wellbeing of prisoners' and their friends' and families' relationships, as it allows them to be sustained and built stronger throughout incarceration. The bond-breaking toll of suspending prison visits was seen this past year as prisons across the country shut down their in-person visitation programs due to COVID-19.

In response to the news that visitation would be suspended, Ebony Underwood, the daughter of an incarcerated man and the founder of a nonprofit working to preserve in-person visits between children and their parents, stated, "I can't emphasize how important it was for a kid to be able to hug, kiss, and see their parent. Not over a phone, not over a video...That allowed my father to keep being a parent."¹

The ability to maintain relationships while incarcerated is central to many families across the country, as Ms. Underwood demonstrates. Just because someone is convicted of a crime, or even because that incarcerated person broke a rule in prison, their children and family should not pay the consequences by being unable to see their loved one. Visitation affects all parties involved in the incarcerated person's life, and the right to visitation would acknowledge this sentiment. Additionally, not only would prison visitation as a right seek to prevent unnecessary circumstances that hinder the ability of prisoners and their loved ones to continue their relationships, but, according to research that looked at the side effects of prison visits, it could also lead to significant decreases in recidivism.²

¹ Karina Piser, "The Devastating Emotional Toll of Suspending Prison Visits," *The Nation*, 20 April 2020, <https://www.thenation.com/article/society/prison-visits-suspension/>.

² Meghan M. Mitchell, Kallee Spooner, Di Jia, and Yan Zhang, "The effect of prison visitation on reentry success: A meta-analysis," *Journal of Criminal Justice* 47 (2016): 74–83, <https://doi.org/10.1016/j.jcrimjus.2016.07.006>.

Further, restrictive policies for visitors prevent accessible, reliable visits and their side-effects to be realized, and thus, should be dealt away with. Joyce Davis, a 64-year-old woman from Detroit, tried to visit her sons in prison, but she was denied from both of their visitation lists for having unpaid, four-year-old traffic tickets. Ms. Davis is on disability due to chronic pain from cancer, and the amount she receives is just enough to cover her living expenses, thus she is unable to see her boys for the foreseeable future.

She writes, “Not being able to see my children, with all this hanging over me, is devastating. For one, you never know what will happen to me with my condition, and it would be devastating to not be with them, to not hold them close, ever again.”³

Other reasons for being denied visits include minor dress code violations, as was reported by The Marshall Project in the case of Jodi Calkins, who drove 10 hours to visit her son but was denied entry because her dress contained black and khaki stripes, with khaki being a prohibited color.⁴ These restrictive policies often do nothing meaningful to protect visitors, prisoners, or prison operations. Often, these policies simply exacerbate everyday hardships and deny prisoners and their families the ability to continue fostering meaningful connections. The positives of prison visitation, even at the most basic and fundamental levels of community-building and maintenance of familial ties, but also with the knowledge that visits reduce recidivism, should convince states across the country to adopt policies that are conducive to reasonably accepting anyone to visit their incarcerated loved ones.

Some have cited safety concerns as a counter for including visitation privileges under the rights category instead. If every prisoner is given the right to have visitations, then even the most dangerous or the most deviant would have the right to have contact with the outside, which may have negative side effects such as an increase in contraband or violence directed towards visitors. Setting aside the fact that most contraband is provided by guards and not visitors,⁵ prisoners with a history of getting contraband from visitors, or being violent towards visitors, could simply take advantage of no contact visits for a period of time. This would preserve their right to have visitations, and the associated positive outcomes with such visitations, while also ensuring the safety of everyone involved.

While the Supreme Court in 2003 posited that “freedom of association is among the rights least compatible with incarceration,” when allowing highly restrictive policies on prison visits to be employed in the state of Michigan, the family members who experience the pain and loss of being unable to maintain connections with their incarcerated

³ Joyce Davis and Eli Hager, “I Can’t Visit My Sons in Prison Because I Have Unpaid Traffic Tickets,” The Marshall Project, 14 September 2017, <https://www.themarshallproject.org/2017/09/14/i-can-t-visit-my-sons-in-prison-because-i-have-unpaid-traffic-tickets>.

⁴ Beatrix Lockwood and Nicole Lewis, “The Long Journey to Visit a Family Member in Prison,” The Marshall Project, 18 December 2019, <https://www.themarshallproject.org/2019/12/18/the-long-journey-to-visit-a-family-member-in-prison>.

⁵ Bryce Peterson, Megan Kizzort, KiDeuk Kim, and Rochisha Shukla, “Prison Contraband: Prevalence, Impacts, and Interdiction Strategies,” *Corrections* (2021), <https://www.tandfonline.com/doi/full/10.1080/23774657.2021.1906356>.

loved ones know this to be untrue. By creating a system where prisoners have no right to a freedom of association, the courts have forgotten that they are infringing on the freedom of association for the loved ones of prisoners as well. To mitigate this, and to take advantage of the positive outcomes of prison visitations, states should adopt policies that promote prison visits. This will allow the monotony of prison life to be broken for the prisoner, the hole left by the incarcerated family member to be temporarily filled, and the future costs of the corrections facility to go down.



What to Do About Police Violence in the United States?

Sebastian Ramirez

Police-inflicted violence is an issue of severe nature in the United States. To many, it is a seemingly never-ending cycle, one that consistently targets minorities and is often met with the unfortunate death of an innocent unarmed civilian. Because of this, several social movements have mobilized to seek change and institute a norm of “defunded police.” However, for a movement to be effective its objectives must be straightforward and enactable. “Defund the police” can mean any number of things making its applicability into legislation rather difficult for bipartisanship. I argue that there are two initial answers to my titled question. Firstly, social movements should lobby to expand the requirements needed to become a police officer. Secondly, activists and social movements should attempt to win key offices related to criminal justice, by this I refer to district attorneys and judges. I believe these two options are a step in the right direction in answering this question.

For starters, what exactly does it take to become a police officer? This seems like a valid question to ponder when thinking about addressing police violence effectively. In California to put it simply, one must at least have a high school diploma or GED and have no felony convictions. The applicant must pass an oral board and undergo a background check that lasts up to one whole year. They then must undergo a polygraph and psychological/medical examination before being allowed to attend the police academy. The POST (Commission on Peace Officer Standards) certified academies are six months long; upon graduation a new hire is then paired with a Field Training Officer (FTO) for three months. During this stage, they will undergo several tests and eventually be cleared to work alone. Of course, this is an understated and simplified analysis, but it presents a staggering time frame from civilian to officer. If we simply focus on the training, new officers will be tasked with responding to stressful situations and enforcing the complexity that is the law with nine months of training.

If we compare the police training from California to that of Germany, it is clear that the US law enforcement system is completely broken. German police officers are required by law to spend between two-and-a-half to four years in the academy before they are allowed to begin their duty; German police recruits are also highly encouraged to receive a bachelor’s degree in policing.¹ This I believe can be shown in the statistics of police

¹ Yasmeen Serhan, “What the World Could Teach America About Policing,” *The Atlantic*, Emerson Collective, 10 June 2020, <https://www.theatlantic.com/international/archive/2020/06/america-police-violence-germany-georgia-britain/612820/>.

involved shootings. For example, in 2015, American police killed 19 black men in the first five months compared to that of Germany's 15 killed of any race in the span of two years.² It is staggering that we allocate so much responsibility to recruits that have less than one year of training. This is why I propose an expansion of academy attendance time and a requirement that recruits possess a college degree. These two suggestions will not solve the problem in a complete sense, but it will point the system in a more positive direction.

On another note, activists seeking police reform should also directly focus on winning key political offices such as district attorney or judge. This is important for two reasons, firstly, district attorneys have the responsibility of prosecuting those officers that enact an excessive use of force. Secondly, progressive judges possess the ability to try cases in a more bipartisan manner (at least in theory). As Stuart Scheingold argued in his book *The Politics of Rights*, social movements require political mobilization in order to become effective; the law is not the great equalizer when it is used independently. Addressing police violence requires the role of brave prosecution and progressive trials by politically motivated allies of this social movement. Police departments need systematically placed repercussions to their seemingly violent actions and only political elected officials are in a position to enact such pressure.

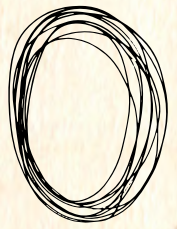
Proponents of a different argument might state that expanding law enforcement training is too expensive and the task of achieving political victory might yield unfavorable election results. To this I say that one cannot place a price on a human life; it is clear that police perpetrated violence is an issue. Black Americans are killed at twice the speed as white Americans even though the Black minority is only 13% of the population.³ These statistics are a prime example of why there needs to be reform in the way American policing is orchestrated. To the other argument I might say that if the social movement on police reform is mobilized effectively such as the United Farm Workers and the Civil Rights Movement were in the 1960s, this will not be an issue. Contemporary times have shown that younger voters are increasing every election, those with progressive agendas have the chance as never before to enact a competitive campaign. Plus, one election defeat does not signify an end all be all; it simply indicates that the next election cycle must be tackled with greater resources. To conclude, the ways in which the American public chooses to address police violence is diverse. However, I believe that increasing police training and requirements along with producing political allies is the most effective way at least in the short term. Addressing systemic imbalances is a different task but I believe these two suggestions are the most efficient in the current light.

² Jamiles Lartey, "By the numbers: US police kill more in days than other countries do in years," *The Guardian*, 9 June 2015, <https://www.theguardian.com/us-news/2015/jun/09/the-counted-police-killings-us-vs-other-countries>.

³ Julie Tate, Jennifer Jenkins, and Steven Rich, "Fatal Force," *The Washington Post*, Nash Holdings, <http://www.washingtonpost.com/graphics/investigations/police-shootings-database/>.

Torture of Solitary Confinement

Cameron Rebosio



Prison is already a highly debated penal system, but there is a more insidious punishment system within it. Solitary confinement exists inside the already isolating prison system, attempting to chip away at the remnants of personhood that prisoners are left with. The system of segregation creates lifelong distress with no meaningful change. Solitary confinement causes such harm to both the prisoner and society that it can only be seen as cruel and unusual, and the prison system should no longer utilize it.

Solitary confinement takes heavy mental tolls on the prisoner. According to Allegra McLeod in her article in the *UCLA Law Review*, the effects of solitary confinement are similar to the effects of physical torture. McLeod lists that “prisoners living in isolation suffered a constellation of symptoms including overwhelming anxiety, confusion, hallucinations, and sudden violent and self destructive outbursts.”¹ The likening of solitary confinement to physical torture is an appalling fact. These symptoms last lifetimes and are detrimental not only to one’s time in the institution but also to one’s ability to exist outside of prison and chance of recidivism. If solitary confinement intends to modify a prisoner’s behavior, then it is reworking an inmate’s brain to the opposite of the intended effect.

The previously stated violent and destructive outbursts are also reasons that people can be confined once again. This creates a cyclical process that worsens the symptoms and creates no meaningful change. According to James Dean’s article in the *Cornell Chronicle*, this cycle does not only exist in prison but rather outside as well. Short stays in segregation increase a prisoner’s chance of recidivism by 15% and decrease one’s chances of employment. When the effects of solitary confinement carry over to the outside, solitary confinement’s tendency to make people more prone to behaviors harmful to themselves and others creates greater danger both inside and outside of the penal system.

Solitary confinement even causes physical health defects, as shown by Sharon Shalev in her work *A Sourcebook on Solitary Confinement*. Shalev lists heart palpitations, insomnia, and deterioration of eyesight amongst several other health issues as a direct consequence of solitary confinement.² These physical effects are detrimental to the life of a prisoner once released from prison and create a poor standard of living within the system. The way that solitary confinement deteriorates the quality of life provided to prisoners goes against the most basic of rights since it affects not only the quality but

¹ Allegra M. McLeod, “Prison Abolition and Grounded Justice,” *University of California, Los Angeles Law Review* 62 (2015): 1178, <https://www.uclalawreview.org/prison-abolition-grounded-justice/>.

² Sharon Shalev, *A Sourcebook on Solitary Confinement* (London: London School of Economics Mannheim Centre for Criminology, 2008): 15, https://www.solitaryconfinement.org/_files/ugd/f33fff_18782e47330740b28985c5fe33c92378.pdf?index=true.

also the length of life. Some of the health effects, such as cardiac problems and insomnia, can decrease one's lifespan. The right to one's life is inarguable, especially when that was not an intended element of the punishment.

Some argue for solitary confinement with the idea that this is a method to prevent harm against other inmates or guards and create reform in volatile prisoners. The idea behind solitary confinement is that removing the inmate prevents them from causing harm. Time alone is supposed to allow prisoners to reconsider their actions when left alone with their own thoughts. Proponents even say that the goal is for prisoners to "tap into their conscience."³ However, it is not even functional in those aspects. In an empirical study done by Ryan Labrecque, he operated off of the assumption that solitary is utilized in order to "reduce prisoner misconduct," his study found the method completely unhelpful. Labrecque wrote, "The results of this study revealed that neither the experience of [solitary confinement], nor the number of days spent in [solitary confinement], had any effect on the prevalence or incidence of the finding of guilt for subsequent violent, nonviolent, or drug misconduct."⁴ If solitary confinement creates damage for prisoners without achieving what it sets out to do, there is no point in keeping it around. Those who argue for solitary confinement often believe that the good outweighs the bad and that the harm caused is okay when it keeps the innocent safe. This cannot be argued when there are no proven benefits to solitary and several demonstrated effects that harm prisoners and the society surrounding them.

Solitary confinement is cruel and unusual because of the incredibly harmful effects that the prisoners are left with. If solitary confinement can be so easily likened to physical torture, it should be viewed in the same way. The Eighth Amendment is broadly seen as prohibiting physical torture against all citizens, including prisoners. If that is essentially a unanimous interpretation of the law, solitary confinement falls under that judgment. Solitary confinement punishes prisoners in a way that is directly oppositional to the way that the constitution delineates acceptable punishment.

The psychological and physical effects of solitary confinement ruin both the quality and the length of one's life. Even if one would argue that it is a fair trade-off to keep civilians safe, it does not even do that. Solitary increases the likelihood of violent outbursts and recidivism, showing that it creates a more dangerous situation for the general public while depriving prisoners of their rights. There is no justification for the use of solitary confinement when it violates the right to avoid cruel and unusual punishment. Segregation should be completely done away with as a result.

³ "Solitary Confinement: The Pros and Cons," Pappalardo & Pappalardo, LLC., 26 October 2017, <https://pappalardolaw.com/2017/10/solitary-confinement-pros-cons/>.

⁴ Ryan M. Labrecque, *The Effect of Solitary Confinement on Institutional Misconduct: A Longitudinal Evaluation* (Cincinnati: University of Cincinnati Division of Research and Advanced Studies, 2015), 118, <https://www.ojp.gov/pdffiles1/nij/grants/249013.pdf>.

Trying Kids as Adults is Injurious to Safety, Our Values, and Our Future

Andrew Rodriguez

196 years ago, the United States recognized the idea that trying youths as adults was morally reprehensible and counterintuitive. Research, reform advocates, and sociologists recognized that the capacity for culpability differed widely among children and adults. These reformers were referred to as the “child savers” and recognized “adolescence as a developmentally distinct period of life” where reform and rehabilitation should supersede punitive punishment in adult prisons.^{1,2} Before this, in the 18th century, juveniles as young as seven were tried and convicted as adults.

Today, all states hold the option to transfer juveniles to adult court by either prosecutorial discretion, judicial discretion (waiver), or by state legislation.³ New York, along with North Carolina, set the minimum age of criminal court jurisdiction at 16. While eight other mostly southern states set the minimum age to 17.

The intent of the juvenile system focused on rehabilitative efforts to benefit adolescents and strike at the root of their delinquencies rather than just punishing. Shifts in the 70s and 80s to a “tough on crime approach” increased the frequency of juveniles tried as adults. Today, over 250,000 juveniles are tried as adults each year, most come from impoverished backgrounds and are persons of color.⁴

Trying juveniles as adults reflects a tough-on-crime policy that places youth in adult prisons causing irreparable harm, prevents rehabilitation and the allocating of juvenile-centric resources, fails as a deterrent to juvenile crime, and has increased recidivism rates. States should shift the focus back to and expand upon the original intent of juvenile facilities, focusing on rehabilitation of juveniles rather than punitive measures connected to a moral failing. Therefore, no state in the US should try any child (under the age of 18) as an adult.

Placing youths in adult prisons causes irreparable harm to the youth. The principle underpinning, the supervisory role of protecting children, *parens patriae* — “the state as a parent” — is negated when trying a juvenile as an adult. The first focus should

¹ “Keep Youth Out of Adult Courts, Jails, and Prisons,” National Juvenile Justice Network, accessed 25 April 2021, <http://www.njjn.org/about-us/keep-youth-out-of-adult-prisons>.

² “Stats — Child Or Adult? — A Century Long View,” Frontline, Public Broadcasting Service, accessed 25 April 2021, <https://www.pbs.org/wgbh/pages/frontline/shows/juvenile/stats/childadult.html>.

³ Nicole Scialabba, “Should Juveniles Be Charged as Adults in the Criminal Justice System?” American Bar Association, 3 October 2016, <https://www.americanbar.org/groups/litigation/committees/childrens-rights/articles/2016/should-juveniles-be-charged-as-adults/>.

⁴ Jennifer L. Woolard et al., “Juveniles within Adult Correctional Settings: Legal Pathways and Developmental Considerations,” *International Journal of Forensic Mental Health* 4, no. 1 (April 1, 2005): 1–18, <https://doi.org/10.1080/14999013.2005.10471209>.

be addressing the risk to safety faced by youths in adult jails and prisons. One report, by the John Locke Foundation, *Finding More Effective Options for North Carolina's Young Offenders*, found minors are at greater risk due to the differences in age, stature, and lack of maturity.

Extending this finding, the authors cite a jail survey where minors were subject 21% of the time to inmate-on-inmate sexual violence despite being 1% of the jail population.⁵ Forst et. al., contend minors are 50% more likely to be physically assaulted by an inmate with a weapon and twice as likely to be assaulted by staff.⁶ The effects of the certainty of imminent harm to minors has another disastrous effect — minors are 36 times likelier to commit suicide than juveniles in juvenile detention.⁷ The continued trying of minors as adults places an undue and imminent risk to their personal safety, where such direct consequences are never justifiable.

Some critics believe it's necessary to send a message of deterrence by setting standards for the treatment of serious crimes, thus warranting trying minors as adults. They argue that some violent crimes like rape, murder, sexual abuses are deserving of trying or transferring to the adult courts and penitentiaries. These critics would also be indirectly sanctioning the types of abuses discussed above as second-order punishment in addition to and exceeding that of regular adult offenders.

The CDC and the US Department of Justice concur that youth transferring does nothing to deter and in fact increases the likelihood of recidivism among juveniles once entering the adult system. In *Trying Juveniles as Adults*, supra, a study conducted by the Office of Juvenile Justice and Delinquency Prevention, reported, "There were counter-deterrent effects of transfer laws." Additionally, studies identified that transferred juveniles were 39% more likely to be re-arrested on a violent offense.⁸ These studies also found that juveniles transferred to the adult system and convicted reoffended sooner and more frequently.^{9,10} Thus, the major argument in favor fails to garner the results which advocates use to support such treatment.

The prosecution of children as adults denies children the type of resources that are available in juvenile programs, and alternatives to incarceration that are wholly absent

⁵ Leanne Heaton, et al., "Facility-level and Individual-level Correlates of Sexual Victimization in Juvenile Facilities," Bureau of Justice Statistics, United States Department of Justice, June 2016, <https://www.bjs.gov/index.cfm?ty=pbdetail&iid=5663>.

⁶ Martin Forst, Jeffrey Fagan, and T. Scott Vivona, "Youth In Prisons and Training Schools: Perceptions and Consequences of the Treatment-Custody Dichotomy," *Juvenile and Family Court Journal* 40 (1): 1-14, <https://onlinelibrary.wiley.com/doi/abs/10.1111/j.1755-6988.1989.tb00634.x>.

⁷ Dara Lind, "Teenagers in Prison Have a Shockingly High Suicide Rate," Vox, 17 June 2015, <https://www.vox.com/2014/10/10/6957497/suicide-prison-rate-juvenile-teenager-prisoners>.

⁸ "The Impact of Prosecuting Youth in the Adult Criminal Justice System: A Review of the Literature," University of California, Los Angeles School of Law Juvenile Justice Project, University of California, Los Angeles, July 2010, http://www.antonioscasella.eu/restorative/UCLA_july2010.pdf.

⁹ "Keep Youth Out of Adult Courts, Jails, and Prisons," National Juvenile Justice Network, accessed 25 April 2021, <http://www.njjn.org/about-us/keep-youth-out-of-adult-prisons>.

¹⁰ "The findings in this report indicate that transfer policies have generally resulted in an increased arrest for subsequent crimes, including violent crime, among juveniles who were transferred compared with those retained in the juvenile justice system. To the extent that transfer policies are implemented to reduce violent or other criminal behavior, available evidence indicates that they do more harm than good."

"The Impact of Prosecuting Youth in the Adult Criminal Justice System: A Review of the Literature," University of California, Los Angeles School of Law Juvenile Justice Project, University of California, Los Angeles, July 2010, 9, http://www.antonioscasella.eu/restorative/UCLA_july2010.pdf.

in adult facilities.¹¹ This ensures that youth will not acquire the skills and competencies necessary for adult life.¹² Instead, their primary teachers become other inmates. There can be no optimal balance between destroying a child's life and guiding them to a better path inside the adult system.

Instead by trying juveniles as adults, children will bear the burdens of irreparable harm. The denial of resources that seek to address the roots of delinquency and will continue to target communities of color disproportionately and punitively among marginalized communities. All of this runs contrary to the intent of juvenile courts and facilities and currently poses an adverse risk to public safety with every minor tried as an adult.

It is time to embrace the idea that our children are among the most redeemable among us. We should, as a nation, recognize and earnestly embrace the mantra of being child savers in the 21st century. Children are the future of this nation and we should not view punitive and carceral treatment as the solution to the failure of our systems and the failure of compassion and mercy more generally as a nation. If we choose to continue incarcerating the children of this nation as adults, we also cage our future, setting the precedent for the denial of mercy and redemption among some of the most deserving of a second chance.

¹¹ Citing the John Locke Foundation report, the types of resources absent in the adult's system are Parent, family, and interpersonal skill-building; tutoring, prevention programs, guided growth, and community Day Programs that include mentoring. Additionally, home-based clinical treatments for specific issues including family issues, restorative services including restitution, mediation, and conflict resolution or teen courts, minor-centric psychological services or group home, foster care, of shelter care, are absent

"The Impact of Prosecuting Youth in the Adult Criminal Justice System: A Review of the Literature," University of California, Los Angeles School of Law Juvenile Justice Project, University of California, Los Angeles, July 2010, 6, http://www.antoniocasella.eu/restorative/UCLA_july2010.pdf.

¹² "Advocates Try Again to 'Raise the Age,'" North Carolina Health News, Newspank, 1 April 2015, <https://www.northcarolinahealthnews.org/2015/04/01/advocates-try-again-to-raise-the-age/>.

Let Us First Educate Lest We Incarcerate

Courtney van Dusen

“Do the best you can until you know better. Then when you know better, do better.”

— Maya Angelou

Current prison rehabilitative models show less than a 20% success rate, according to a report released by the Bureau of Justice Statistics. When just over 80% of individuals released from US prisons each year will recidivate¹ within 9 years of release, we are failing more than rehabilitation, we are failing society. If only there were a wealth of knowledge based on extensive research and study amassed by leading experts in the fields of social and behavioral sciences that presented one consistently effective mechanism in reducing recidivism...oh wait, there is: education! Yet despite overwhelmingly positive evidence across multiple studies over several decades, there is no federal mandate that requires college programs to be available in prison, but there should be.

The federal government would have you believe that it wholly subscribes to the positive results of prison education, even releasing a report through its National Institute of Justice saying, “prison-based education is the single most effective tool for lowering recidivism.” The US Department of Education website regularly advocates for more education in prisons, calling for a wider variety of courses and a much higher quality of education. Every year more and more reports are released with everyone from the US Attorney General to the Secretary of Education advocating for the need of these programs. Yet here we are in 2021, and the US federal government still has not mandated free prison-based college education programs, leaving educational discretion to the states and funding to the incarcerated. States have widely varying policies making available or restricting access to college programs based on a variety of circumstances, from length of prison sentence to crime committed to record of institutional behavior. All of which further complicate access to these programs positively correlated with reductions in recidivism.

Are you wondering why it's so crucial to allow inmates access to a free college education? The Department of Justice found that inmates who enrolled in prison-based college programs were 43% less likely to recidivate than inmates who did not participate in the programs and had a 13% better chance of obtaining employment after release. Northwestern University's Prison Education Program has found that college education has a profound effect on the immediate prison surroundings. They improved staff/inmate relations, reduced racial tensions among inmates, and created a safer environment within the prison itself. The Urban Institute Justice Policy Center found that

¹ Subsequent arrest, conviction, or return to prison.

college education while incarcerated can lead to higher self-esteem, an increased ability to picture oneself as a contributing member of society, and a sense of personal accomplishment that reduces the likelihood of recidivating. A California Community College report highlights that not only were inmates 10% more likely than their on-campus student counterparts to complete the course of their studies, but they also had better GPAs.

Some fiscally minded critics of government spending might balk at the thought of paying for the college education of those who have been convicted of breaking the law. The nation hasn't even footed the bill for free college education or student loan forgiveness for non-incarcerated individuals, let alone those in prison. The good news is that this isn't an "either/or" situation, as it should be advocated for that everyone has access to free higher education, regardless of where you spend your days. However, the primary focus on prison-based free college education is that it is less expensive than incarceration and a much wiser investment in crime reduction. UCLA conducted a study that found a \$1 million investment in crime control prevented 350 crimes while that same investment in college education prevented 600 crimes. Additionally, a federally funded study done by the RAND Corporation found that, "a one dollar investment in prison education translates into reducing incarceration costs by four to five dollars during the first three years after release, when those leaving prison are most likely to return."

Congress voted in December 2020 to make Pell Grants available to all incarcerated individuals, but it's too soon to gauge the benefits of that bill and available federal funding is still not enough. The federal government needs to take sweeping and decisive action to mandate free college to inmates, period. Free prison-based college courses reduce recidivism which lowers crime and makes communities safer. It transforms inmates from line items on a federal invoice into educated, employed and tax-paying individuals. Our children are in a less violent world, states have more money to funnel toward free college education for all, and inmates are getting opportunities to make positive contributions to the society they harmed. We cannot arrogantly expect anyone to know better if we are refusing to allow them to be taught better. Victor Hugo said, "He who opens a school door closes a prison." Let us hone the cause so as to remove the need to mitigate the effects. Let us first educate lest we incarcerate.

Editorial: Marijuana Should Be Federally Decriminalized

Luke Vaughan

The “War on Drugs” has been a contest promoted by the American government for decades. While many drugs are indeed dangerous for both users and those around them, one drug has been unfairly caught in this war’s wake: marijuana. Historically, because of how marijuana was criminalized during the origins of the Controlled Substances Act in the 1970s, those arrested for using the drug had been sentenced to punishments that were equivalent to charges for possession and usage of much more dangerous drugs, such as DMT and heroin. The United States should federally decriminalize marijuana in order to open up a pathway for establishing retroactive justice for those unfairly punished for charges related to marijuana.

Based on its classification by the Controlled Substances Act, many people have unfairly spent time in jail for disproportionately long periods of time based on marijuana’s aforementioned low potential for abuse compared to other Schedule I drugs. Within the Controlled Substances Act, drugs are placed into categories known as “Schedules” ranked from I to V.¹ Drugs with the highest potential for abuse and with no safe medical use are placed in Schedule I, the most restrictive category.² Marijuana, despite being widely used medicinally to bring pain relief and to reduce inflammation, is categorized as a Schedule I drug.³ While people can develop an unhealthy dependence on marijuana just as with alcohol or other drugs, studies have shown that marijuana is significantly less likely to result in dependence than other drugs categorized within Schedule I.⁴ For example, marijuana is 15% less likely to result in dependence than heroin, another Schedule I drug, and is extremely less addictive than cocaine, a Schedule II, due to cocaine’s unique interactions with the brain’s neurotransmitters.⁵ Because marijuana’s potential for abuse is not nearly as high as other drugs, it is criminalized similarly to and because of its safe medical use — there is a scientific basis for it to be federally decriminalized.

In order for true criminal justice to be established in the lives of those who have unfairly been punished for charges related to marijuana, the disparity between the federal and state stipulations on marijuana possession must be remedied. As of June 2020, 40,000 Americans were incarcerated for charges related to marijuana.⁶ For comparison, there

¹ 91st United States Congress “Public Law 91-513,” (house resolution, United States House of Representatives, 27 October 1970), <https://www.govinfo.gov/content/pkg/STATUTE-84/pdf/STATUTE-84-Pg1236.pdf>.

² *Ibid.*

³ Kristeen Cherney and Alan Carter, “What Are the Benefits of Marijuana?” *Healthline*, Red Ventures, 6 January 2020, <http://www.healthline.com/health/medical-marijuana/benefits-of-marijuana#benefits>.

⁴ Alan J. Budney, Roger Roffman, Robert S. Stephens, and Denise Walker, “Marijuana dependence and its treatment,” *Addiction Science & Clinical Practice* 4, no. 1 (2007): 4–16, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2797098/>.

⁵ Eric J. Nester, “The neurobiology of cocaine addiction,” *Science & Practice Perspectives* 3, no. 1 (2005): 4–10.

⁶ Joan Oleck, “With 40,000 Americans Incarcerated For Marijuana Offenses, The Cannabis Industry Needs to Step Up, Activists Said This Week,” *Forbes*, Integrated Whale Media Investments, 26 June 2020, <https://www.forbes.com/sites/joanoleck/2020/06/26/with-40000-americans-incarcerated-for-marijuana-offenses-the-cannabis-industry-needs-to-step-up-activists-said-this-week/?sh=7a6f88c9c16f>.

are almost as many Americans currently incarcerated for charges related to marijuana as there were students at UC Berkeley in Fall 2020 (42,347).⁷ In other words, there are as many people currently in jail for charges related to marijuana as there are students at one of the 30 largest universities in America.⁸ Federally, someone who is charged with possession of marijuana for a second and third time must be charged with a *mandatory minimum* 15 and 90 days in prison, respectively.⁹ Meanwhile, medicinal use of marijuana is legal in 36 states and recreational use of marijuana is legal in 17 states.¹⁰ While they are increasingly rare due to increasing state marijuana legalization, federal marijuana charges greatly affect the lives of those hampered by them. For example, “Michael” was charged with two felonies in 2015 simply for receiving marijuana in the mail (in hopes that it would help relieve pain related to a kidney disease) because he lived in a state where marijuana was illegal.¹¹ However, despite marijuana being legalized and decriminalized in Virginia, “Michael” is still struggling to find a job because of the felonies on his record, as marijuana has still not been federally decriminalized.¹² Thankfully, some progress has already been made towards federal decriminalization with the Marijuana Opportunity Reinvestment and Expungement (MORE) Act being voted on in Congress over the last two years.¹³ Among other things, the two main results of the MORE Act would be removing marijuana from the Controlled Substances Act and erasing convictions related to marijuana from criminal records of ex-convicts. The bill has had support from both sides of the aisle in the House of Representatives.¹⁴ After passing the House in December 2020, the MORE Act was halted in Congress because of a lack of support, even from some Senate Democrats.¹⁵ However, in order for this bill to have a chance to pass in the Senate, it must get support from the highest level of the federal government. If President Biden were to speak in favor of the bill (instead of demonizing marijuana usage),¹⁶ much more support would be garnered from Senate Democrats. In fact, if presented as an initiative resulting in less government restrictions over the cannabis market, I could see some Senate Republicans voting in favor of the bill, mainly those who campaign on a more libertarian platform that desires smaller government influence (such as Rand Paul).¹⁷

⁷ “UC Berkeley Quick Facts,” Office of Planning and Analysis, University of California, Berkeley, <https://opa.berkeley.edu/campus-data/uc-berkeley-quick-facts>.

⁸ “The 50 Largest US Colleges and Universities,” CollegeXpress, Carnegie Dartlet, <https://www.collegexpress.com/lists/list/the-50-largest-us-colleges-and-universities/361/>.

⁹ “Federal Laws and Penalties,” NORML, 23 June 2020, <https://norml.org/laws/federal-penalties-2/>.

¹⁰ “Map of Marijuana Legality by State,” DISA Global Solutions, 14 April 2021, <https://disa.com/map-of-marijuana-legality-by-state>.

¹¹ Courtney Vinopal, “As More States Legalize Marijuana, People with Drug Convictions Want Their Records Cleared,” PBS, Public Broadcasting Service, 3 May 2021, <https://www.pbs.org/newshour/nation/as-more-states-legalize-marijuana-people-with-drug-convictions-want-their-records-cleared>.

¹² *Ibid.*

¹³ Kristine Blackwood, David J.M. Skillman, and Mickayla A. Stogsdill, “House Takes Historical Vote to Remove Cannabis from the Controlled Substances Act: Publications and Presentations,” Arnold & Porter, Arnold & Porter, Kaye, Scholer, LLP, 8 December 2020, <https://www.arnoldporter.com/en/perspectives/publications/2020/12/house-takes-vote-to-remove-cannabis-from-csa>.

¹⁴ *Ibid.*

¹⁵ Chris Roberts, “Chuck Schumer’s Marijuana Legalization Plan Has A Joe Biden Problem,” *Forbes*, Integrated Whale Media Investments, 3 May 2021, <https://www.forbes.com/sites/chrisroberts/2021/04/30/chuck-schumers-marijuana-legalization-plan-has-a-joe-biden-problem/?sh=48cec47f42a9>.

¹⁶ Chris Roberts, “Biden White House Admits Firing Staffers For Marijuana, But Still Employs Some Past Pot Users,” *Forbes*, Integrated Whale Media Investments, 19 March 2021, <https://www.forbes.com/sites/chrisroberts/2021/03/19/biden-white-house-blasted-for-punishing-staffers-for-using-marijuana/?sh=7650cf0b31a8>.

¹⁷ Steve Hartsoe, “Rand Paul on How Libertarian Philosophy Can Connect Divided Partisans,” *Duke Today*, Duke University, 9 November 2018, <https://today.duke.edu/2018/11/rand-paul-how-libertarian-philosophy-can-connect-divided-partisans>.

Now, there are those who would argue that decriminalizing marijuana federally would result in more illegal activity and more money being delivered to those who unlawfully traffic drugs. At first, this seems like a logical step. However, this does not seem to be the case. Some would claim that legalizing marijuana would actually result in less crime and illegal activity because doing so would result in a legalized and, thus, regulated cannabis market where money is only diverted to those who legally sell marijuana. While this might be true, studies show that crime in areas where marijuana has been legalized generally follows the same patterns of national crime rates in the months following marijuana legalization.¹⁸ Taking into account how long these studies were done (over the nine years since marijuana was legalized in a state for the first time), it is fair to say that crime rates do not go up as a result of legalizing marijuana. Additionally, as a result of a more regulated system, less money goes into the illegal drug market.

In conclusion, marijuana should be federally decriminalized as it has a much lower potential for abuse than that of drugs it is similarly prosecuted to. Federally decriminalizing marijuana would not only allow those who use marijuana to be fairly treated but would also clean up the records of those unfairly punished for charges related to marijuana, *ex post facto*. Hopefully, the federal decriminalization of marijuana can be the first step in righting one of the many wrongs of America's past.

¹⁸ Angela Dills, Sietse Goffard, Jeffrey Miron, and Erin Partin, "The Effect of State Marijuana Legalizations: 2021 Update," Cato Institute, 2 February 2021, <https://www.cato.org/policy-analysis/effect-state-marijuana-legalizations-2021-update>.

RH189/EN16

"Moments of Truth"

Narrating the Ending of Lies,
Disinformation, and Deceit

R NC +  + Anooj Kansara

"Moments of Truth"

Narrating the Ending of Lies, Disinformation, and Deceit

Ramona Naddaff
Jeehyun Choi
Anooj Kansara

*"Moments of truth are moments only,
Eyes burning on the brink of empty beds."*

— James Merrill, from McKane's Falls (1973)

What are the cultural forms that have sprouted up to describe life in this "post post-truth" age? How can we narrate the "truth" without rigid recourse to the dictates of objectivity? These are some of the questions we asked and wrote about during Spring 2021 as we read works on Black Lives Matter, #MeToo, social and people's movements, the pandemic, climate change, the "ethnic" memoir, and political disinformation. Together, we focused on instances and movements in the recent past and present when lies, dissimulation, and deceit had lost their privileged place as the primary epistemological, political, cultural, and social regime. We explored the theories and movements seeking to end lying's reign of terror and to create new representations of the world, opposing and resisting the oppressive and fatal universe of untruths.

During the semester, we experimented with a variety of styles — from letters, book reviews, investigative reporting, personal memoirs, critical essays — writing and rewriting our way towards a new way of thinking and of representing the present.



But I'm Paying Attention

Grace Adeyemo

It was quick when I realized. Mind drained from attempting and failing to comprehend anything my Math 16A professor is stating, yet frantically writing down every aspect of the lecture. I turn to look at the few people next to me. A girl smiling on her phone, perhaps texting a crush from the suggestive smile that took over her face all the way to her eyes, creasing and crinkling deep with joy. ***Damn, whoever she talking to must've got her sprung.***

The boy in front of me, dually writing notes on his iPad, while watching anime, and coding? for another class. ***Must be nice.***

I can't help thinking...I must be a dumbass, because how am I barely passing this class, taking notes with the utmost fervor and determination...Wait. Now I've missed the conversation, because I didn't really catch the last...shit. Twenty minutes, because of this thing called ***dissociation***. And here I am already rhyming because I've completely checked out at this point. I am readyyy for poetry 156AC. A class I have with all my friends, some of the coolest people I've met. So far. I mean, I'm still a freshman, so there's still time for me to meet more people and make new friends. Everyone is packing up around me, signaling it's time to leave. ***Damn this class goes by fast asf.*** Gathering all of my things, quickly I realize...I have not done my set of poems for that class, which is usually fine but I have a meeting today that completely cuts into my usual hour to work at the last minute before class.

Briskly walking — but not running — from my meeting in LeConte I

cannot run in these

shoes and I refuse to let people see my freshman ass trip and fall on my way to class of all places.

I head over to the computer lab and situate myself in front of a computer. 22 minutes. I notice a familiar smell,

Not to be weird but I recognize that perfume anywhere. And look up to see my friend Melissa, followed by about five other people from our class. ***Looks like we all had the same idea.***

.....It's silent for a bit, as I allow my mind to drift and wander, as I think about the topic for today, and what exactly it is I want to say.

....“Bitch”.....“Girl”... ***“Grace what the f*** are you staring at. You look creepy as hell.”***

Oh shit my bad. I probably do look weird asf.

I have no clue why I do that. 10 minutes? Damn where did the time go. Alright let's do this.

Fraternity Boys and Fallacies

Taylor Birdsong

Alex picked up smoking in Paris because she wanted to be able to control her own demise.

She didn't smoke anymore. Except when she did. And then she did.

When everything was falling apart, Alex found herself on a rooftop on the west side of campus, smoking and being indulgently melancholy. She was thinking about what a lover had recently told her and what he had done: contradicting actions which couldn't be rectified without revealing a terrible fallacy. Alex was beginning to think everything was a fallacy. She wasn't sure if it was due to her romantic state or all of the Debord and Baudrillard she had been assigned to read. *Maybe both.* These were her thoughts when Cole Carrey Anthony St. James in a denim blue jacket and khakis, stepped onto the roof.

Cole Carrey Anthony St. James used to kiss her under the flag of his fraternity and hold her hand while discussing Russian literature and art history. He had been the first person Alex had ever wanted to love. And the first person who had taught her how dangerous it was to want someone at all.

"Hi," he said. She stared at him, and he stared back. His eyes found the cigarette she had dropped on the ground, and he chuckled before saying lazily, "Don't worry. I won't tell." Alex eyed him warily.

"I saw you walking and called your name, but you didn't hear me. I wanted to talk to you," he paused. "I hope that's okay." She remained quiet. "Can I bum one off you?"

He said he had fallen in love with someone and been rejected. This had led him to realize that he didn't love himself, and when he looked at his past, he was ashamed.

"I'm sorry," he looked down. "I treated you very poorly. I realize that now." She looked at him. He looked like he did when they first met. Blonde and troubled. She said she forgave him even though secretly she didn't. He let out a sigh, exhaling all the disappointment they shared for the world and each other.

"I'm glad you are working on yourself. You deserve to be happy," Alex said. He said they all did and pulled out a piece of paper from his pocket.

The handwriting looked like a child's attempt at sophistication, with dramatic loops and flair. At the top read: *Everyone deserves to be loved.* Then beneath in smaller letters: *Lovely*

are the souls who love themselves. Brave are the ones who trust after pain. Happy are the fools who never give up the dream of loving and being loved.

Alex stared at the paper for some time. It had been folded neatly, but the edges were frayed and the paper wrinkled. It was obvious to her that he had written the words and carried the paper around with him. She handed the paper back and smiled. "I like it, especially the second part."

"I wrote it myself."

How dumb, Alex thought. She knew better than anyone the emptiness words could possess.

"I knew you'd understand," He scratched his head awkwardly and continued. "You and I are similar. Maybe too similar." A knot formed in Alex's stomach. She didn't want to be like Cole Carrey Anthony St. James; so uncertain of love that she had to carry a piece of paper around as a reminder that she was lovable.

But then he asked her, as if it had just occurred to him, why she was up on the roof in the first place. Alex remembered and began to cry. Maybe she and him weren't so different after all.

We Rise Amidst Bombastic Pandemics

Marwa Doost

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a pandemic with no schedule —
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as body-counts make world news.

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— more than a few¹
as ill-intended explosives muddy streets with skin and “flesh hanging from the electric-
ity wires,”
is this hellfire?

From within Kabul,
a pandemic in a city full of planted bombastics with no schedule —
publics persevere as we detour, trembling but with oxygenated bright red hues we stand
amidst rubble
in a powerful silence of solidarity.

we rise like the black, red, and green flying kites of Kabul.

Chapter One:

The pen twirled steadily between my two fingers, my gaze focused on the glimmering beams of sunlight gently caressing everything from the dark brown of my eyes, to the hummingbirds flying outside my bedroom window. Sitting criss-cross-applesauce in my room, quarantine day twenty-three, I could only blink at the world's pretend serenity. Behind my makeshift desks, too many hours were spent watching silent Zoom silhouettes behind their marble desks. Professors and lecturers spoke in monotone pitches on vaccine glitches, low-income parents and students fatigued in what seemed like never-ending corrections on the pandemic's consequences; fears and tears as households drowned under the melancholia of a pandemic-induced loss —

¹ According to *The Wall Street Journal*, “militants killed at least 50 people and wounded more than 100 in three explosions targeting girls outside a school in a predominantly Shiite neighborhood in Kabul...The blasts hit the Sayed Shuhada school in the Dasht-e Barchi area of west Kabul, an area populated largely by the Shiite Hazara community...The Sayed Shuhada school is home to male and female students studying in separate shifts. The explosions went off in the afternoon, as girls were leaving for the day.”

Sune Engel Rasmussen and Ehsanullah Amiri, “Afghanistan Bomb Attack Targeting Schoolgirls Kills at Least 50 People,” *The Wall Street Journal*, Dow Jones & Company, Inc., 9 May 2021, <https://www.wsj.com/articles/militants-attack-afghan-school-girls-killing-25-people-in-blast-11620486329>.

COVID-19, was
their response.

Therefore, white silhouettes whisk through the wind as a body is laid to rest. Crowds split, and we whisper denials or remorseful goodbyes. It's safe to say that neither I nor the makeshift desks withstood much of the mental anguish, knowing that it is death number infinity. I am in day forty-three of quarantine, and the Afghan funerals from Covid-19 are only increasingly seen.

Be resilient, a pandemic calls for perseverance.

Oh, you say?

Be resilient, is a phrase full of nothing but toxic positivity.

Chapter Two:

I sat idle, quarantine day number infinity, book and pen in hand as it seemed like everything from my family to the world collapsed hand-in-hand — an agony, as deaths plagued the Afghan community and Afghanistan's educational institutions were blown up into merciless shades of black and grey. Feelings of hopelessness, immobility, and paralysis had become an anthem in my own heart, as memories of falling Afghan bodies in the face of Kabul University's and Syed Shuhada's explosions devoured me. Images of schoolboys and girls alongside textbooks painted with red palms,

on sidewalks,
in pooling blood as voices call for mom.

Crimson red spattered

and hands tightly clasped together

Grief here feels like dark phantomic
silhouettes that force themselves into your
subconscious, serenity misplaced for
calamity.

All the way from Afghanistan, these fears and tears crying for their loved ones pierced my eardrums in what was definitely not serenity, but a calamity. The truth was the pandemic had trapped immigrant families into the confines of their own mind, seeing deaths that reawaken traumatic memories of militant imperfections. Staring at television screens with four walls, we rewind through flashbacks of foreign conflict as we see our communities plagued with new forms of death, old and new, every day.

And so like a tide,

I crash.

Afghans are not protected by the red, white, and blue of a nation focused on individuality rather than communality. My eyes focus on shattered TV screens, a static green, black, and red with monotone reportings of Afghan bombastic explosives caused by bright matchsticks. Afghan blood, leaking scarlet drops, is only a new form of pain. New promises of vaccines amid militant reconciliation, yet our tears are like droplets of rain on a cheer-less day — chalky cheeks consumed with gasps of cries and pains. And so, the question became,

“In quarantine, how do I
serve my people when I am
restricted to four walls and a
tv?”

Restricted to four walled television screens reflecting bloody remnants. Restricted to academics that have me rifling through leaflets about foreign publics that are all eccentric, all bombastic newspaper remnants. Restricted to such calls of inaction where neither academics nor news media within this pandemic speak on how to save the Afghan wound.

They	rather
have	battle
wounds	form
battle	scars.

Explosion number infinity,
Oh, you say?
Let me show you, resilient and community focused me.

Chapter Three:

The pen twirled purposefully between my two fingers as I stood overlooking the green hills of our bay. The gentle jazz blues of a cool night fading into lavender pastels and white, a dawn bleeding into a dazzling sunshine. A world of serenity, and yet clearly plagued in hypocrisy. Behind makeshift desks, I sit tall as I replace CNN with narratives of the Afghan voice. You and I have spent too long watching communities crumble under pandemics amidst militant bombastics. So now, my gaze focuses on reading through the last words of every Afghan victim to COVID-19 and educational terrorism, victims whose soul glimmers from beams of paradise white —

crystal clear tones

of all shades gently caressing everything from the brown, hazel, and blue eyes² of the

² Afghans carry various eye colors rather than just brown, in breaking apart the various eye colors, it is being emphasized that the brown, hazel, and blue eyes of all the Afghan people are being referenced.

passing Afghan hue to Afghanistan's melancholic, but shining, noor³. Behind my make-shift desk and side-by-side with Afghan silhouettes, I write to you, in the language of academic discourse you own, about the Afghans' commitment to communal empowerment in the face of historic persecution within the pandemic.

Be resilient, a pandemic calls for perseverance.
Oh, you say?

Quarantine day four-hundred and three
Yes, I do say.

Be or not to be resilient, let me introduce to you, a thesis with the Afghan voice:
"An Analysis of Afghan Identity Politics: Understanding the Influence of Afghan Values of Silence on Afghan Representation in Literature."

Sing to me in the silence of your heart and I
will rise up to hear your triumphant song.
— Rumi

³Means "light" in Arabic/Persian

In the Room

Max Garber

“Stay in the room,” I whispered to myself, “Just stay in the goddamn room.”

I take a lot of breaks when I write — to eat a snack, check my emails, stare out the window and brace for the existential dread that will wash over my body at any moment... You know, the usual kind of breaks. The other week, when I was asked to write daily gratitude journals for a meditation decal I am taking, the process was no different.

Whatever happens, just stay in the room.

The hardest part is getting myself in front of the computer. Lifting my limbs away from the warmth of my covers was like trying to unstick two pieces of duct tape that have been smashed together. I peeled myself off and plunked my tired, indignant ass in front of my computer. I opened it, turned it on, and was greeted by the ever familiar, ever taunting blinking line that exists on empty Microsoft Word documents. 80% of the battle had been won.

Kiese Laymon was rattling in my head. “I wanted to tell a lie.” I wanted to do well on this assignment — make it truly good — so I searched for things to be grateful about. I wanted to lie about how I was grateful for another day at Cal, grateful for my professors and my classmates. I wanted to lie about how grateful I was for food in the fridge, or that vaccines are deploying faster every day, or that we have a boring president again. I wanted to lie and say I was grateful for my family. I wanted to lie.

If you can’t be good, be honest. It makes the battle less of a battle.

I was tired. Tired of being told that this experience at Cal was going to be okay and graduation would be fine because they’ll have some stupid online commencement that no one cares about and I would find a job, no problem, once things open up again. I was tired of assignments. Tired of clicking my fat fingers on skinny keys, tired of the rat-a-tat-tat sound they made, tired of my girlfriend telling me that I hit the keys too hard and I was being too loud. I was not grateful.

I wrote about being robbed of my college experience, of working inhumane hours to get to where I am only to see it all ripped away. I wrote about being a returning student, 30 years old and surrounded by a cacophony of late teenagers and early 20-year-olds talking about high school graduation and asking if I could buy them beer. I wrote about beating addiction, about watching friends die when I was the age of the students around me. I

wrote about how difficult it was for me to learn how to go to school at age 28, how to take notes and sit still and go to office hours. I wrote about how awesome it was to go to school and actually want to be there. I wrote about the professors and classmates at community college that helped me get to Cal. I wrote about my parents, my siblings, my friends, my girlfriend...all people without whom I could never have succeeded as much as I have. I wrote, and I wrote, and I wrote, until my writing changed. My writing took me away from my room without ever having to leave the chair, and I accidentally wrote about gratitude without ever mentioning the word gratitude.



Untitled

Eva Hannan

I.

not quite sublimely
my home, perched
ringed with
half-massacred trees
(my home would have
perfect trees)
halfway between
downtown
and 580
second hill this way
out flat lands from
the lake
(but at least trees)
flanked by
weed whacked ivy
poorly painted
since the
1920s possibly
rotting but I
tremble imagine to
reach around
redwoods like
this carving's from

IV.

Nobody gets to discover
What's just around the corner
This spring it's all flowers
in other peoples' gardens
and they walk in still
streets to avoid you
No one is sick, but bored to death
THIS is what you're bored with now
used to be bored with magazines
hot summer nights, no one to talk to
not-bored by dreams

lure of hideous saints
Now and then they burst
How big was this one?
Will it or not normal,
is this the kind of place
anywhere that gets back to normal

V.

I have a hand sander
and only slice Ben Davis meat
all their knives are dull
your intensity's in tent cities
in ten stupid fucking cities
path to this house
fish much? Hugh Hefner's
head on a plate
my giant ass sander
must sanitize your hand
before it's placed under
another man's pleasure

VII.

A love for the expanse
eye's taste
glance
impression
a smart woman
and a snarl
a snare in the going
hard to predict ever
which skeleton will emerge
and dance with me tonight.

XI.

I went grocery
shopping
it took me two

hours to
wash everything
employers all
hiring now
silly shots
my friends
the cool of
the redwood tree,
the world has gotten
very small indeed
it is a spring
for the birds
do you have that
in robin's egg?

XVII.

the neighbor
the TV
what's going on
inside me
I spied
a butterfly
that rose's
scent
is nothing
to ET
home about
flashbacks of
bullets whose
reports not
heard by these
ears I must have
died a lot these
few centuries
but I've never
seen those
birds before
can someone
please call
my phone

XIX.

it's a wine colored
towel, it's casual
it's blood soaked
and casual

no george
bush left behind
you fuck though
george bush
george floyd
these people
despite their name
I have to sink
the song I want to sing
need to
decode and decide

Let's take the rail
out from under
this bluest eye train

XX.

sit in his tossing bark, amid the waves
a falling ash, a
breaking glass
A figure tied
by the cold
Everyone who has
ever tried has
been killed
looking for colors that aren't there

XXI.

Riding hard inside
at 98 miles an hour
discussing fascism
on the front porch
on k off orange
in oakland
did you think I said
fashion?

Metal needs oil
not that kind
I mean the kind
like how brainmatter
from any mammal
can tan its own hide
— my brain knows
but back to metal
protect it from the
other first lake — air
let the machine learning
take this one
hey sorry babe I'll
just be a phone call away

XXIV.

If I don't have friends
Awake at 12:19 am
I don't know who does.

Tuesday, it's pandemic
So who caters? Who cats!
Who cares?

XXVI.

the fruit's not real
but the
roses are fake
i'm done ingratiating
vogue
and interesting thing
about my back yard is
even when you
don't hear the
sirens you hear
the party and even
when you don't hear
the party you hear the
wind and even when you
don't hear the wind you hear
the traffic and when you
don't hear the traffic
you hear the leaves fall and
even when you don't hear the
leaves you hear the frogs that's all



Back and Forth

Ali Hasan

78,000 acres burned in Northern California. 180,000 people were uprooted from their homes and fled for and from their lives, faced by Sonoma County's Kincade Fire. This was months before the coronavirus, before the insurrection, before 2020. This was the month where entire cities went dark, then red.

The cause: overuse of PG&E's outdated and ill-protected power grid.

Millions of electric outlets feed into and rely upon PG&E grids every single day to power our lives. One of these sockets is next to my desk, with my lamp plugged into it.

My lamp is plugged into the second of three daisy-chained power strips that ring around the huddled clump of desks in the center of my room that my roommates and I dare to call a workspace. The lamp is IKEA to its core: designated with its own Swedish name coupled with a bare, utilitarian English subtitle and the veneer of sustainability sheathing its true impact.

I run my hand along the lamp and feel its cool surface. I look and see for the first time all its unnecessary components. There are two springs near the joint. I take them off, nothing happens. A protruding plastic alloy rod orients the shade. I've never used it. It's just intuitive to manually pull the shade toward my notebook or into my roommates' eyes. Why is the base so large, so heavy? The lamp certainly doesn't warrant it. I hang more and more weight on the most precarious part of the lamp: cords, lanyards, a mug, two mugs...nothing. I guess if I ever find myself using my lamp as a coat rack, I'll be thanking the unparalleled foresight of whoever designed this unreasonably substantial base.

How much unnecessary energy and material was used to make this one lamp? How much for its million siblings? For a company so proud of its sustainability, it is incredibly difficult to find environmental data on the manufacturing and production of IKEA's goods.

But the environmental burden of my Swedish lamp can't be placed on its maker alone. I insisted on bringing this lamp with me to Berkeley. For years, I ferried it back and forth across thousands of miles. This six-pound passport announces my arrival and departure from desk to desk, faster than the fastest Amazon Prime delivery option. Was this really necessary? Could I have just let go of the residual space in my bag and let my poor desk lamp, already so implicated in the environmental messiness of global production, rest in one place? I didn't really need to bring it everywhere. I chose to. That's the attitude that got me — got us all — to our environment today. How much fuel did these six

unnecessary pounds of luggage cost? Jet fuel — notoriously cheap and environmentally friendly — burning tarmac to tarmac all over the country just to suit my fancy. I have taken this lamp (which has probably visited more countries than I ever will) and made its already abysmal ecological record even more painfully destructive on a whim.

I'm the one who strains my room's lone accessible power outlet by plugging in this environmental behemoth of a lamp into a daisy chain of surge protectors. And I'm not the only one. Thousands of Berkeley students, millions of Bay Area residents, and one single Google headquarters do the same thing every day. And the cumulative insanity of our consumption — the electricity we use and the production of the devices that we use them for — will only bring us back to Sonoma again.

On Life

Andrew Lathrop

On losing

In life, there are only two irretrievable things to lose: time and people. Everything else can be replaced, restored, or forgotten in a meaningless way. But time, much like people, passes once and for all.

On waiting

At the moment, I'm reading Samuel Beckett's *Waiting for Godot*. I thought it would make me feel good to engage in such an academic endeavor with my spare time — but to be honest, the play's having the opposite effect on me. It makes me bored and sad. I think it makes me feel this way because Estragon and Vladimir are living a life not too different from my own. If you know the play, then you should understand my struggle. I haven't finished the work, and probably won't ever, so I'm not quite sure if Godot ever comes. My vested interest hinges on that moment, but I'm starting to think that it won't come. I never realized how painful waiting was.

On people

I haven't really lost anyone so far. Well, maybe my aunt's uncle's cousin, but she's not my loss to claim. It's just one less signature on the Christmas card and one more empty seat at the dinner table.

I hate that I could write it in three sentences. I'm sure it'd be quite different from my aunt's uncle's cousin's son's account.

On effort

I pay a lot of money to attend college, but I haven't the effort to warrant the cost. I used to rely on "my best," but it's hard when "my best" chronically manifests as a 30-minute commitment to half-assery. It makes me envy those who didn't leave effort behind in normal times — I'm just hoping it comes back the second Godot arrives. We'll just have to wait and see.

On walks

Have you ever been to Pasadena? It's stunning. I mean, there's a reason why all the

old money tycoons of early Los Angeles took up that particular locale to start their high society. There's not a more beautiful place in the country. Hills, valleys, creeks are interspersed with Spanish mansions and bungalow masterpieces. You haven't been to Pasadena then? Well, you've seen it in more movies than you could imagine. Green, lush, beautiful Pasadena.

Anyways, I poorly set this all up to tell you how much I enjoy my walks there. I would share, but my walks are a rather bodily experience — it can't be communicated, so you're just going to have to take my word for it. Pasadena walks are the godsend of our time.

On Waiting for Godot

I can't seem to read past this lengthy monologue on page 27. It's a character I care little about who spews a soup of incomprehensible words. I begin to read and my mind wanders. I've tried three times now. I'm so curious to know what happens after but I fear that I'll be stuck on page 27 forever. Perhaps, some semblance of effort would allow me to traverse this impasse, but I don't have the effort to spare.

As of now, Godot is yet to arrive, so if my fate matches my fear, does it mean that all the waiting prior was for naught?

On time

I wish I could call on my aunt's uncle's cousin to ask Stephen Hawking about the passing of time in this particular moment. Surely, it could be described in beautiful, poetic metaphor, but the truth of the matter most definitely distills into a simple scientific explanation. How boring.

Moments pass too quick, but time moves horribly slow. A day seems a second, a week an hour, and a month is but a matter of discontinuous memories poorly spliced together in a sequence the length of a moment; yet, tomorrow never comes.

How about: $Pt = 2020t - 2021$

Do I really care? No, but it would make my day to hear from Stephen Hawking.

On purpose

To wait.



Thank You for Speaking Up

Annabelle Long

My cousin, Jane, just had to help. It's always been in her nature to do her best for other people, and what she saw on Instagram seemed to be something of a calling. The posts trickled into her feed slowly but surely last summer, cloaked in the pastel pink aesthetic of modern Instagram infographics, and she became intrigued. She clicked around, searching. And then she became enraged. Naturally, she took to her Instagram story.

"Hey, friends," she began, her voice quivering with anger as she forced the words through her teeth, "there's something I want to discuss. There is really no awareness of this issue, and it's something we need to talk about. How many of you know about human trafficking? And how many of you know that *the elites* are involved? I'm learning more about this, and we need to do something for these kids."

Her words dripped with a furious sort of sadness. She seemed dejected, but at the same time, I'm not sure I've ever seen her look so determined. She hardly blinked as she continued her harangue. It seemed like a switch had flipped. She'd realized something. She was in the know and was desperate to share what she knew. It seemed that keeping it to herself was simply impossible.

Over the next week, she continued. Day after day, she raced through a list of terms and accusations that, to me, seemed disjointed and nonsensical — Hillary Clinton's trial for sex trafficking, adrenochrome, George Soros, Ellen DeGeneres on house arrest, Epstein didn't kill himself, and apparently most crucially, Wayfair.

According to her sources — which I suspect were just her Instagram feed — Wayfair, the furniture store, was involved in a nefarious plot to provide "the elites" (code for rich, famous, and liberal) with an endless supply of children to be used for sex and drinkable blood. The theory went something like this: Wayfair listed a normal looking cabinet for an unfathomably high price, named the product after the child it apparently contained, and then anyone who wanted could put the "cabinet" in their shopping cart, purchase it, and have a real, live child shipped straight to their door. If you ordered, say, the "Jane" cabinet, you were really ordering Jane herself.

The real Jane, the Jane on Instagram, was angry. But she wasn't surprised. Since the beginning of the pandemic, she'd grown increasingly distrustful of the government and how things *really* happened behind the scenes. She didn't think it made sense to shut down the economy for a virus that, in her experience, was no worse than the flu. Why should she be forced to live her life inside? It didn't make sense. There had to be some

sort of ulterior motive. The Wayfair theory, to her, began to make things make sense. If those people were terrible enough to wrest children from the arms of their mothers and sell them in the broad daylight of the internet, of course they would feel no remorse about ruining Jane's twenties. Of course, they would be thrilled to flex their power over their sheepish citizens. Of course, they would do this. So of course, Jane needed to fight back.

A few weeks later, armed with a DSLR and an armful of Sharpie-covered poster boards, Jane headed to the capitol building in Carson City, Nevada, only half an hour from the Reno suburb where she grew up. She joined a smattering of protestors outside the building and documented the day with her camera. The signs they held were similarly nonsensical to her Instagram stories to those unfamiliar with the rhetoric and iconography of QAnon, the Trump-centric millenarian conspiracy theory that Jane had, by way of the Wayfair conspiracy theory, found herself a believer of.

"Children don't just disappear!" read one sign, its borders decorated with colorful, child-sized handprints. "Epstein didn't kill himself #SaveOurChildren" read another, referencing the theory that Jeffrey Epstein, convicted sex offender and feature of elite social circles, was assassinated while in prison awaiting trial for more allegations of sex trafficking. In yet a third photo, Jane posed with three children no older than eight, all of them squinting in the sunshine. She held a sign that read "Children are NOT for sale!" and the little boys she stood with held signs reading "SAVE OUR CHILDREN."

At the end of the day, she updated her Instagram feed with photos from the afternoon. Her captions were long and agitated, and the comments sections soon flooded with supportive remarks: "THANK YOU FOR SPEAKING UP," one read. Another, posted months later in mid-January, commended her. "Lol! You were ahead of the trend! Stop the steal!!!" it read, and she replied with a simple, terse, "stop. the. steal. Yes." This is eeriest in my mind. To her, the Wayfair conspiracy was not a standalone issue but a beginning.

At the same time, thousands of people posted photos to #SaveOurChildren on Instagram, Twitter, and Facebook. The hashtag was innocuous looking but was eventually flagged and taken down by Instagram and Facebook for misinformation. Many of the posts were in the same vein as Jane's and alleged some vague conspiracy of so-called elites who had it out for the children of the world. At the point that the social media companies took action, though, it was arguably too late. The theories represented by #SaveOurChildren were truth to thousands already. The genie had already escaped its bottle.

Data collection in the world of conspiracy theory is difficult. It is tough to know how many people support QAnon because it is so hydra-like; it is not a belief but a many-headed

group of them, and believers need not believe the same quantity or combination of theories to consider themselves real and true believers. To be sure, the numbers are small. QAnon is a fringe belief. But for many believers, it is all-consuming. The artificial urgency of the posts in hashtags like #SaveOurChildren leaves little time or space to reflect on the veracity of the claims presented in them. The end is seemingly always nigh, and no one wants to be a bad believer when the day of reckoning arrives.

I find myself returning to Jane's "stop the steal" comment. Between August and January, she'd been quiet about politics. We bickered a few times over text about the validity of the election results, but our conversations went nowhere, and I eventually felt that trying to pull her out of the QAnon rabbit hole (a term that she embraces and encouraged my exploration of) was impossible. But her confirmation that her Wayfair-related activism was evidence of her being "early" on the QAnon belief train is still alarming to me.

I don't know, exactly, how one belief led to another. There was clearly an escalation, and it seemed difficult for Jane to remain a one-dimensional conspiracy theorist. There was always more to explore. There were always new enemies to have, new allies to find. And Jane was not alone. Her story is just one of thousands. Grappling with her descent into the world of QAnon often leaves me feeling very lost. I still haven't figured out how to make sense of her and what she believes.

Jane and I spoke for the first time since January 6 this week, on May 11, my 21st birthday. The ending of this essay was written already; I'd decided how the story ended and knew what I wanted to say. I considered lying here, sticking with the original ending for the sake of concluding in a way that felt final. But if I've learned anything from her — from this year, from the existence of QAnon, from studying history and conspiracy theory — it is that it is often more important to tell stories that don't fit within neat, easy narrative arcs.

Jane said she wants to see me this summer. I don't know what I'll say to her, but I'll go.

It's the COVID Virus Not the Chinese Virus: Racial Hate and Violence Against Asians during the Covid-19 Pandemic

Kiersten Rose Reyes

Someday society will look back at the historical event called the Covid-19 Pandemic. We will reflect on what happened so we may not repeat similar mistakes in the future. We will also forget things and learn to live with twisted truths. So, what are the truths of this pandemic? One of these truths that should not be forgotten has to do with the heightened racial tensions and violence against Asians that occurred because of this hate.

The COVID-19 virus originated in Wuhan, China with the outbreak officially reported in December 2019. Once the virus began spreading internationally, America banned travel from China and other Asian countries. While experts did support the idea of banning travel, this was to stop the quick rate of infection of the virus. We would learn that many of the initial COVID cases in America came from European countries, like England. This was only the beginning of targeted racial hate and prejudice to Asians from the American government.

One major catalyst that emboldened this hate and violence was through the words of America's own president. President Trump, infamous for his tweets, consistently called the COVID or coronavirus the "Chinese virus," adamant about changing his language. This language led to a rise of anti-Asian hashtags and rhetoric on Twitter and social media. This manifested itself into physical violence around the country. There is power in words. There is even more power in words said by a person in power. It is true that the virus originated from China, but using this label of the "Chinese virus" adds to this false racial undertone to a virus that doesn't discriminate against its victims. Trump and his supporters twisted the truth for their own gain while not caring if it put others in harm's way. The marginalized groups that were the victims of these words were Asians and Asian-Americans who had to endure the violence and prejudice in the months that followed.

Various videos of violence against Asian-Americans began to emerge. There were videos of random passersby calling Asian people racial slurs, cars running into Asian people on the street, and people vandalizing Asian owned businesses. One of the most infamous videos showed someone hitting an old Asian woman for no apparent reason. Asian hate has never been a new thing in America. Some of the first anti-immigration laws were created due to Asian and Chinese immigrants, such as the Chinese Exclusion Act of 1882.

Asian exclusion and prejudice were especially present in American history during times of war such as World War II and the Vietnam war. This Asian hate and violence during the COVID pandemic were encouraged by powerful forces such as the Trump administration. But that hate and prejudice has always been present in American society.

So how will history remember the COVID-19 Pandemic? In this era of mass panic and suffering, citizens began to see the limits of the government and institutions. This anti-Asian rhetoric so blatantly said by the American government only heightened racial tensions and violence already present in society. So, what can we do to combat this racial hate? Listening to the victims of racial violence is a first crucial step to battling injustice. The next thing is to act. You don't have to be the leader of a social movement, but you can be a supporter. Stand up for your friends, neighbors, and even strangers who may also be victims of racial hate. Then maybe one day we can have those truths we seek for racial equality become reality. So, we must not forget.



Reading Virilio in Quarantine

Jack Wareham

“This is the end of the outside world,” Paul Virilio writes in *Open Sky*. “The whole world becomes endotic.”

Half-theory and half-poetics, Virilio’s book studies the experience of space and time in contemporary western culture. As technological development accelerates, faster speeds of travel shrink our sense of place. The theoretical limit of light-speed becomes the model for a world increasingly premised on rapid transit and instantaneous communication over vast distances.

The main casualty of this drive for speed and immediacy is the *journey*, a notion which threatens to be obliterated as digital technologies install a kind of permanent presence. In a split second, we can speak to any of our friends or receive information from across the world. But space is viewed as an obstacle to be overcome, shrinking into nonexistence, trapping us in time.

How can we find a way out? Virilio leaves his answer characteristically vague, telling us that we will eventually have to stop, look up, and learn to “swim in the sky.”

At any other point in my life, this might have sounded excessively abstract to me. But in the year of the pandemic, it’s easier to find examples of what he means.

I’ve experienced quarantine as an endless procession of the present: now, now, now. Because I’m never going anywhere, it has become harder to imagine a clear picture of the future, and even more difficult to segment the past into memories. (*What did I do yesterday?*)

Digital technology eliminates differentiated space in the name of immediacy. I Zoom in the kitchen, in my bedroom, or at the desk, accessing the same websites. I work from home, or I live at work; the difference is no longer relevant.

Now that I’m vaccinated, the most pleasurable part of my day has been taking the subway. This is not because it forces me to “live in the present,” but because the subway is precisely wedged between a fixed sense of past and future. Knowing where I’ve been and where I’m going helps me recover a lost sense of space and time.

It’s hard to know what to do with an analysis like Virilio’s, cloaked as it is in a kind of comfortable nostalgia for what Walter Benjamin might call the ur-past, a phantom

pre-modern location free from technology in which humans had a supposedly natural relationship to their surroundings.

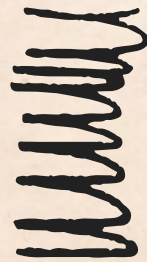
Still, I find myself longing for a world in which the “here” has a more meaningful connection to the “now.”

Walking around Central Park, I realize that mentally, I’m still in my bedroom. I gaze at the skyline, reminding myself of all the places that are still there even when I’m not thinking about them.

Virilio tells us that we should swim in the sky, presumably because it is a field that has remained, at least in an immediate visual sense, relatively unscathed by modernity. But the extent to which sky-swimming evokes an oceanic fantasy of unity and wholeness demonstrates a limitation of Virilio’s approach. After all, appearances bely; as invisible particles float upwards and pollute the atmosphere, the sky will provide no refuge from the vicissitudes of technological progress.

In 2021, Central Park feels like a miracle: a large and genuinely public space amidst a hyper-competitive real estate market. In this sense, it isn’t beautiful because it offers us an unmediated relationship with a pre-modern nature. Rather, the park’s bonding of “here” and “now” stems from its publicness; it is a space for all.

Our task, then, is not to merge with the sensuous vacancy of what is above, but to let our gaze turn back to the ground through an assertion of our right to the commons, digital and otherwise.



I Want to Avoid Talking About This

Claudia Zhang

I've always had an avoidant personality. When the world went up in flames, I did what I always do — I avoided. I avoided everything and everyone to the point of isolation. As it turns out, in the wake of COVID-19, that's exactly what I was supposed to do. If staying home and not going out is isolation, then I've been in self-imposed isolation for years.

But my isolation is not the same as others'. Where for others, isolation is a set of extraordinary circumstances for which their lives have been put on hold, for me, isolation is my default state of being. It's a form of exerting control — if I avoid hard enough, so that nothing exists except for me and what I can access from within the four walls of my room, I get to control what comes in and goes out.

Avoidance is my method of control, and control is a matter of survival. My life hangs in a delicate balance. Minor disturbances knock me off my feet for far longer than they should. I'm always one straw away from a broken back. Isolation becomes a necessity because it limits the number of things that can rock the rhythm of my carefully constructed daily life. And so, my comfort zone has become my prison and complacency my jailer. You learn to deal with it. I deal by not dealing with it.

There have been a lot of jokes made online by others like me, those who barely needed to adjust to pandemic life because we never left the house anyway. Haha, what does it say about me that quarantine is just my normal life? Haha, I thought I was depressed but it turns out I've just been preparing for the pandemic this whole time! Haha, look at all these “normal, functional” people out here panicking because for the first time they're the ones having to adjust to standards that feel inherently alien and hostile to who they are. Haha, now you all know what it's like to live my life.

Some might say this is what it means to have chronic depression. Others might say this is what it means to have privilege.

How many people's lives were not changed by the pandemic? How many didn't have to worry about losing their jobs and their homes? How many have had the luxury to avoid?

The pandemic, police brutality, climate change, the latest shooting, the latest hate crime — these are just a few of the things I avoid for the sake of my sanity: because I can afford to, because it doesn't concern me or the roof over my head or my next meal.

My isolation is not the same as others'.

It is built on ignorance and self-indulgence. It is fat and full, belly swinging low, swollen with excuses. Its womb churns. Deadweight, stillborn.

Am I to be grateful? Or am I to be guilty?

I can never decide. When I think “guilty,” it’s because I have done nothing but hide from evidence of others’ pain and the emotional costs that come with empathy. When I think otherwise, it’s because my emotional capacity is barely enough to process my own issues, let alone others’. If I simply stand by and reap the rewards I was born into without trying harder to level the playing field, is it as bad as tilting the field myself? Am I on trial, who is the judge, is this a crime? Is this a crime?

My isolation is not the same as others’.

Is that okay?



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