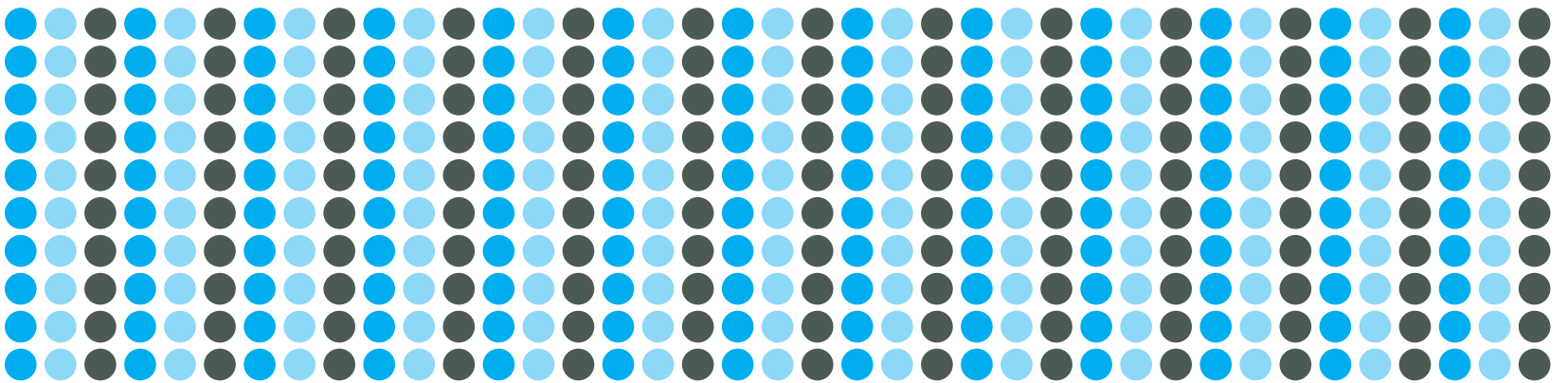


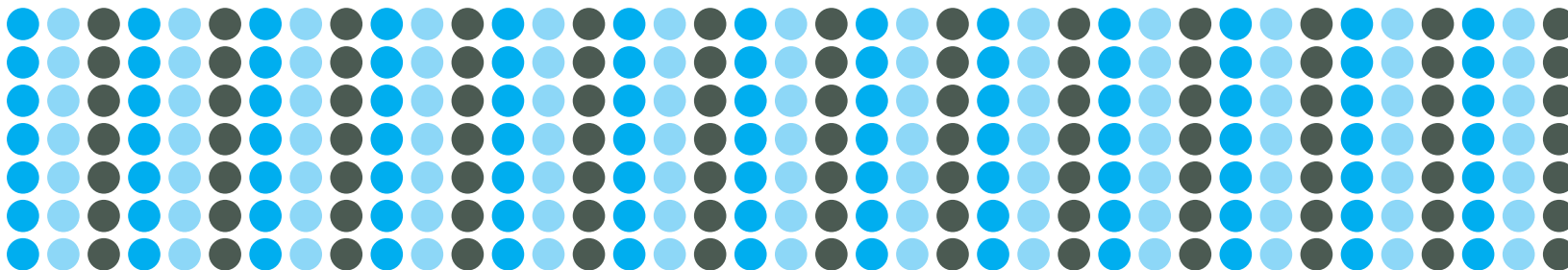
#### MISSION STATEMENT

*Elements*, the undergraduate research journal of Boston College, showcases the varied research endeavors of fellow undergraduates to the greater academic community. By fostering intellectual curiosity and discussion, the journal strengthens and affirms the community of undergraduate students at Boston College.

# Elements

Spring 2014





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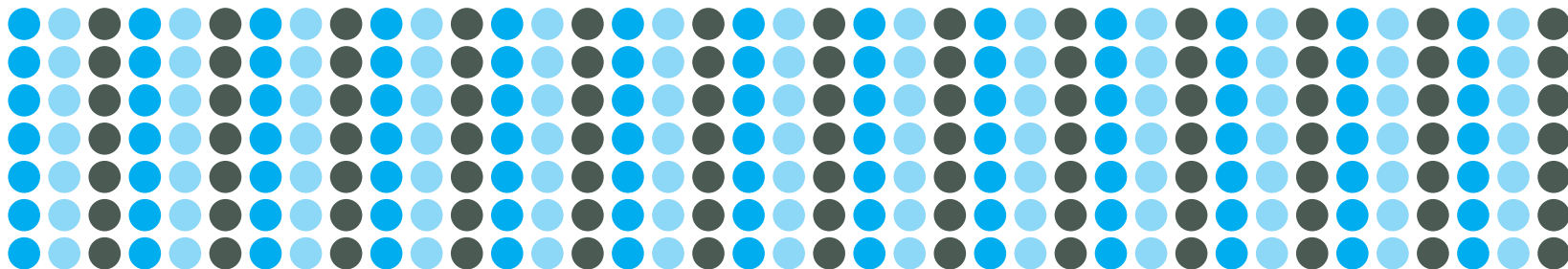
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## EDITOR'S NOTE

It may be argued that fiction exists to make the real world manageable. Narratives weave together the messy strings of life by imposing upon its chaos plot arcs, recognizable archetypes, and the promise of a resolution. Stories make of history something coherently meaningful and easier to stomach, restoring to it the unities of time, place, and action that life never had in the first place.

Though it is a comfortable impulse, something is always left out in the process. The tendency to order is also an alluring—and in cases of writing historical narratives, potentially dangerous—tendency to reduce. To make clean cuts and instill unities is tantamount to framing a very small portion of a very large painting: the manageable result remains aesthetically pleasing, but a whole outer world that goes unnoticed. Often more important to our construction of history than the truth of “what really happened” is the way that we have framed what has passed. How we make sense out of what terrifies us with its dearth—or more terrifically, its excess—of meaning is the truly revelatory aspect of the human narrative.

March 8 of this year will mark the tenth anniversary of hockey player Todd Bertuzzi's vicious on-ice assault on rival Steve Moore. Though the contested hit transpired during only seconds of game time, the conversation and interpretation that it generated has occupied athletic discourse for almost a decade. Jen Dobias' article *Sometimes Sorry is Never Enough* explores the way in which this brief moment of history became an infamous story, and the media and legal pandemonium that over-determined its significance. She explores the way in which a single moment in time—a loose, dangling thread in life—has been woven and re-woven into our cultural narrative, and has crystallized into a pervasive rhetorical trope. The legacy of the event persists even today, not least of all because the long-awaited trial involving Bertuzzi and Moore is scheduled to occur on September 8 of this year.

This issue of *Elements* explores that tenuous border between fact and fiction, and the dangers incumbent between those who fail to see their intimate inextricability. We may not be able to go so far as to claim, as Oscar

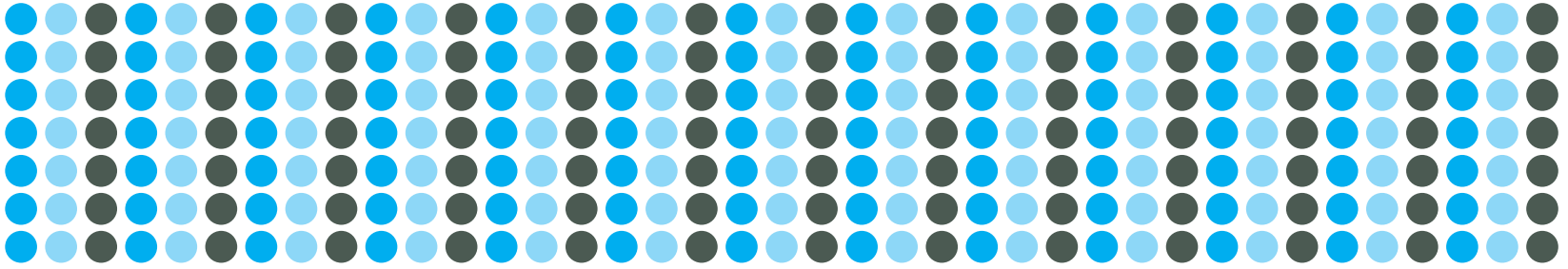
Wilde once did, that “Life imitates Art,” but it would be foolish—and even treacherous—to ignore the fundamental interdependence between life and its representations to which his famous epigram speaks. Marissa Marandola's *The Odds in its Favor* explains the runaway success of Suzanne Collins' *The Hunger Games* trilogy in exactly such terms: young adults devoured the novels because they located within them the travails of their existence within America's Great Recession society. Our cover article, *Altruism or Imperialism?*, challenges the traditional recounting of the Five-Day war between Russia and Georgia, revealing its motivations and ramifications to be—as is always the case—more complex and less lucid than the story of history has made it out to be. Both *Breaking the Normative* and *The Anthropological Machine* seek to rewrite social narratives of desire by re-considering and redefining what society has so long condemned as aberrant.

There are the meta-narrative resonances too: in culling, editing, and circulating a research journal, we too are composing the narrative that purports to carve out the gap between fact and fiction, while instead blurring that self-same line. *Elements* is itself a text, in dialogue with all of the written and recorded narratives it analyzes in this issue. We hope that we have given voice to a myriad of historical, literary, and ethical stories in this issue—all of them true, and false, in turn. Happy reading!

Best,

EMILY SIMON

[Editor-in-chief](#)



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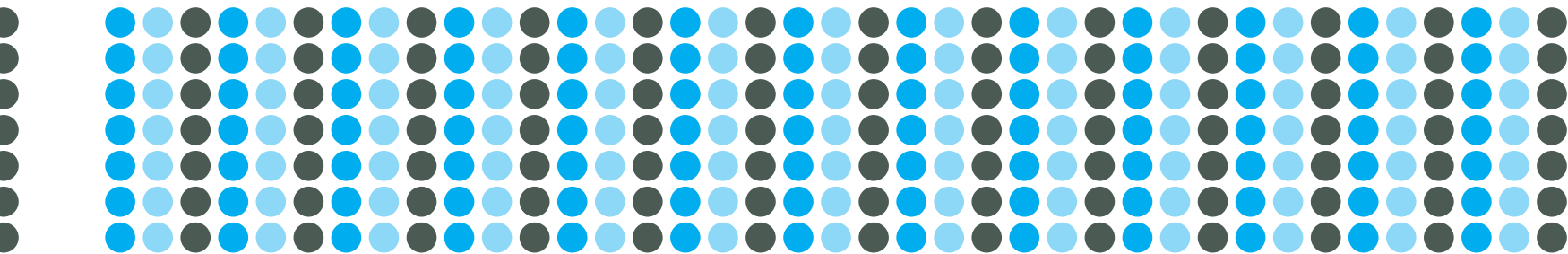
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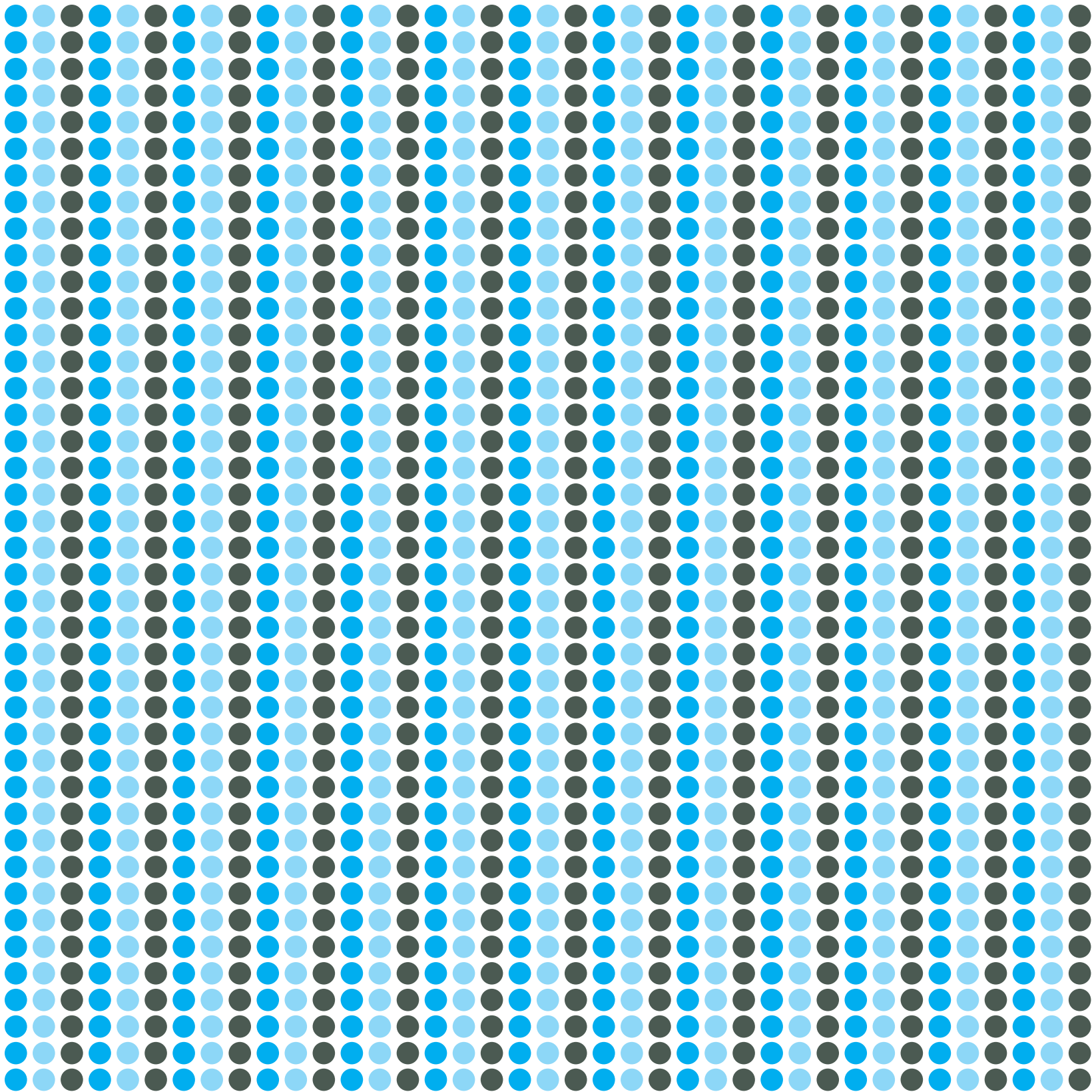
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## SOMETIMES, SORRY IS NEVER ENOUGH

### *The Todd Bertuzzi Incident Explored*

JEN DOBIAS

MARCH 8 OF THIS YEAR MARKS THE TENTH ANNIVERSARY OF TODD BERTUZZI'S INFAMOUS ON-ICE ATTACK ON STEVE MOORE. ALTHOUGH HE APOLOGIZED SINCERELY AT THE TIME AND HAS MADE STEPS TO REVIVE HIS NHL CAREER, BERTUZZI IS STILL MOST KNOWN FOR THIS VIOLENT EPISODE AND IS CAST AS A VILLAIN FOR HIS ACTIONS. THE PURPOSE OF THIS ARTICLE IS TO EXPLORE WHY BERTUZZI HAS NEVER BEEN, AND LIKELY WILL NEVER BE, FULLY FORGIVEN. IT BEGINS BY USING BENOIT'S THEORY OF IMAGE RESTORATION TO CRITIQUE HIS TWO MOST PROMINENT PUBLIC STATEMENTS. TYLER'S WORK ON THE LEGAL IMPLICATIONS OF APOLOGIZING IS THEN USED TO EXPLAIN WHY HE HAS DONE LITTLE TO TRY TO CLEAR HIS NAME AS MORE UGLY DETAILS ABOUT THE CASE HAVE MADE HEADLINES. THIS ARTICLE GOES BEYOND EVALUATING THE EFFECTIVENESS OF HIS PUBLIC STATEMENTS. IT APPLIES BIRKLAND'S VISION OF A FOCUSING EVENT, IN CONJUNCTION WITH KRUSE'S WORK ON THE DISTINCTIVE NATURE OF SPORTS APOLOGIES, TO EXPLAIN WHY HE HAS YET TO RESTORE HIS REPUTATION EVEN THOUGH HIS APOLOGIES FIT THE NORMS ESTABLISHED BY BENOIT AND OTHERS. IN BERTUZZI'S CASE, SORRY WILL NEVER BE ENOUGH BECAUSE HIS ATTACK THREATENED THE NHL AND HAS SINCE CRYSTALLIZED INTO A PARTICULARLY SALIENT RHETORICAL SYMBOL.



## OVERVIEW OF THE BERTUZZI INCIDENT

On March 8, 2004, the Colorado Avalanche and Vancouver Canucks met in Vancouver for a battle for first place in the Northwest Division.<sup>1</sup> It was a rough game from the start: there were three fights in the first period alone, and the Avalanche held a 5-0 lead by the end of the period.<sup>2</sup> During the first intermission, “NHL executive vice-president Colin Campbell and director of officiating Andy van Hellemond placed a phone call to [the] referees...to discuss the potential for additional fights or other events during the lopsided game.”<sup>3</sup> These NHL executives were right to be worried: the violence would escalate to extreme, almost unprecedented, levels after Colorado lengthened its lead to 7-2 early in the third period.<sup>4</sup>

At 8:41 in the third period, Vancouver’s Todd Bertuzzi chased Colorado’s Steve Moore down the ice. When Moore, who had been involved in one of the fights in the first period, did not respond, Bertuzzi grabbed him by the back of his jersey.<sup>5</sup> Moore’s back was turned when Bertuzzi punched him in the head and drove him to the ice face first.<sup>6</sup> On the air, Vancouver radio play-by-play man John Shorthouse called what Bertuzzi did a “cheap shot, sucker punch from behind.”<sup>7</sup> As Moore lay face down on the ice in a pool of blood, fights broke out among Avalanche and Canucks players.<sup>8</sup> It took 10 minutes for the trainers to get Moore onto a stretcher and off the ice, and Bertuzzi was thrown out of the game for attempt to injure.<sup>9</sup> “The punch was witnessed by more than 18,000 people at the arena and [was] shown repeatedly in TV clips broadcast across North America and Europe.”<sup>10</sup> Bertuzzi was suspended indefinitely that night, and Avalanche general manager Pierre Lacroix said that Bertuzzi’s punch was “the cheapest shot I’ve ever seen” on a televised news conference the next day.<sup>11</sup>

What damaged Bertuzzi’s reputation even more was that his attack was seen from the beginning as retaliation for Moore’s un-penalized hit on Vancouver captain Markus Naslund earlier in the year. Colorado player Derek Morris told reporters: “It was disgusting...I haven’t seen anything like that in my seven years of playing hockey. This was premeditated; this was the worst thing I’ve seen.”<sup>12</sup> ESPN’s game recap from that night also insinuated a connection by describing the aftermath of Moore’s hit on Naslund:

Moore delivered the hit last month that knocked Canucks captain Markus Naslund out for three games with a concussion. Canucks tough guy Brad May talked about a bounty after that

Feb. 16 game, but he backed off those comments. The teams played to a 5-5 tie without incident last Wednesday.<sup>13</sup>

May’s direct quote also appeared in some articles: “There’s definitely a bounty on his [Moore’s] head. Clean hit or not, that’s our best player and you respond. It’s going to be fun when we get him.”<sup>14</sup> Some articles quoted Bertuzzi himself; he said Moore was “a piece of s—.”<sup>15</sup> And, on March 9, the stakes were raised. The Vancouver police announced that they were investigating the incident and that Bertuzzi faced an assault charge.<sup>16</sup> In fact, “the legal response to this incident was so immediate that police officers began interviewing fans, players, trainers, coaches, and administrative personnel who were in attendance.”<sup>17</sup> Because of the potential for a long suspension or even jail time, this incident threatened his reputation and playing career, and Bertuzzi had to respond.

## BENOIT’S THEORY OF IMAGE RESTORATION

Professor William Benoit offers a framework that can be used to understand the strategies that people or corporations use to repair their images in the wake of a crisis, such as the Bertuzzi incident. He argues that an attack, which holds a person or company responsible for an offensive act, prompts a response. In looking at an attack, “perceptions are more important than reality,” which means that, so long as the relevant audiences believe that the person is responsible and that his or her actions are heinous, a response is necessitated.<sup>18</sup> Benoit then outlines five categories of image repair strategies: denial, evasion of responsibility, reducing offensiveness of event, corrective action, and mortification.<sup>19</sup>

Most of Benoit’s categories have variants. Denial includes simple denial, asserting that one did not perform the act, and shifting the blame, claiming that another party is responsible. Evasion of responsibility has four variants: people can say their actions were instigated by another party (provocation), can minimize the problem or damage (minimization), can say that it was an accident or can assert that they had good intentions in performing the action.<sup>20</sup> They can also promise to take corrective action, including fixing the current problem and working to prevent future ones. Reducing offensiveness of the event has six subsets: bolstering, minimization, differentiation, transcendence, attacking the accuser, and compensating the victim. For the purpose of this article, bolstering, differentiation, transcendence and attacking the accuser must be examined more closely. Benoit writes that “a rhetor may use bolster-

ing to strength the audience's positive feelings towards the accused offsetting the negative feelings toward the wrongful act."<sup>21</sup> People can also "employ differentiation, in which the act is distinguished from other similar but more offensive actions."<sup>22</sup> Transcendence "attempts to place the act in a more favorable context."<sup>23</sup> Attacking the accuser involves trying to reduce his or her credibility.<sup>24</sup>

Mortification is Benoit's final strategy and involves confessing and asking for forgiveness.<sup>25</sup> When using the mortification strategy, an individual admits to committing the act and expresses remorse. Benoit also contends that if people demonstrate "a professed willingness to suffer" the consequences of their actions, audiences may be more likely to view their apology as sincere, and audiences that perceive an apology as sincere are more likely to forgive the transgression.<sup>26</sup> Benoit admits that "the potential drawback for this strategy is that it might invite lawsuits from victims" but does recommend in an earlier work that "those guilty of wrong-doing accept their responsibility immediately and apologize."<sup>27</sup> After examining the litera-



TODD BERTUZZI, PROFESSIONAL CANADIAN HOCKEY PLAYER (COURTESY OF WIKIMEDIA)

ture on image restoration strategies used specifically by athletes, it becomes clear that mortification is the cornerstone of sports apologies.

## APOLOGIA AND SPORTS

In her seminal work on apologia in team sports, Kruse asserts that sports figures often engage in three particular strategies: they "bolster by aligning themselves with the sports they represent and by asserting their attitudes toward the game are positives," "are likely to say, 'I'm sorry,' and express regret for their conduct," and "rarely elaborate upon the circumstances in which they were involved."<sup>28</sup> She writes that "these apologists verbalize their remorse so frequently that this can be identified as a convention of the discourse" and that their statements tend to be "brief and general."<sup>29</sup> One of Kruse's most important contributions is her idea that, because winning is everything, athletes can redeem themselves through their actions on the playing field. She points out that because "the concept of winning dominates the team sport ethic," players can restore their reputations by helping their teams win and by displaying the proper loyalty and commitment to winning.<sup>30</sup>

Jerome takes Kruse's work further in her examination of NASCAR driver Tony Stewart's campaign to restore his image after allegedly striking a cameraman in the chest. She contends that if an athlete is talented and has a great amount of potential to win, he will be more readily forgiven. She also takes into consideration the importance of having a good reputation before an incident occurs, as she notes that "Stewart had committed similar, highly publicized, wrongdoings in the past that compounded the problem."<sup>31</sup> Similarly, Brazeal argues that previous controversy surrounding talented wide receiver Terrell Owens caused him to face an uphill battle when he went to apologize for becoming "belligerent with the coaching staff and publicly critical of his quarterback" because of a dispute with the Eagles over contract negotiations.<sup>32</sup> In their discussion of the image repair strategies used by Olympic gold medalist Michael Phelps to restore his reputation after being photographed smoking a marijuana pipe, Walsh & McAllister-Spooner show how having a good pre-crisis reputation can help an athlete considerably.

All of these writers share the presupposition that apologizing is particularly effective for athletes, especially when they also align themselves with their sports' values. Brazeal effectively summarizes it when he explains:

Although public figures may be reluctant to admit wrongdoing, it is sometimes essential to a successful apology...For athletes faced with apologizing, it is critical to embrace the values of their sports. Cherished by fans, players, and coaches, these bedrock values should be rhetorically re-affirmed, perhaps by expressing appreciation for the honor of being a professional athlete or the privilege of playing for their team.<sup>33</sup>

Given that apologizing is stressed as an effective image restoration strategy for athletes in the literature, it is important to underscore that the consensus is that entertainers (a group which includes athletes), can apologize more easily than other types of public figures such as politicians or corporate leaders. In examining actor Hugh Grant's image restoration strategies, Benoit concludes that "entertainers are much less likely to have third parties make, or prolong, attacks reported in the media. While it is never easy to admit wrong-doing and apologize, entertainers may find it less difficult than politicians to confess."<sup>34</sup> Benoit also contends that, because individual people are less likely to be sued than corporations, it is easier for entertainers to apologize than it is for corporate leaders because the threat of litigation is not as high.<sup>35</sup>

### CRITIQUE OF BERTUZZI'S APOLOGIES

Two days after the incident, Bertuzzi addressed the media at a press conference; he read a statement and did not take any questions.<sup>36</sup> The press conference occurred the night before NHL commissioner Gary Bettman announced the length of Bertuzzi's suspension.<sup>37</sup> When Bertuzzi went up to the podium to speak, he did not begin right away because he was crying. First, he addressed Moore: "Steve, I just want to apologize for what happened out there. I had no intention of hurting you. I feel awful for what transpired." Next, he addressed Moore's family: "I'm sorry that he had to go through this, and I'm sorry about, again, what happened out there." After he said, "I'm relieved to hear that Steve is going to have a full recovery; it means a lot to me to hear that's going to happen," he apologized to the Canucks organization and his teammates before he stepped back from the podium to be consoled by his wife. He then concluded: "To the fans of hockey and the fans of Vancouver, for the kids that watch this game, I'm truly sorry. I don't play the game that way, and I'm not a mean-spirited person, and I'm sorry for what happened." In total, Bertuzzi used the word "sorry" four times and the phrase "I want to apologize" twice.<sup>38</sup>

Bertuzzi spent most of his time apologizing, which Kruse contends is typical of athletes. His statement falls into Kruse's framework because it was brief and general. It lasted roughly three minutes and would have been shorter if he had not had to pause to collect himself repeatedly. It did not go into the specifics of the incident. While it is clear that Bertuzzi relied primarily on Benoit's mortification strategy, he also engaged in differentiation, bolstering and denial. In saying, "I don't play the game that way, and I'm not a mean-spirited person," Bertuzzi differentiated himself from the player who attacked Moore and implied that his actions were not indicative of who he is as a player and person. When he expressed relief that Moore would recover, he engaged in bolstering, by making himself seem like a caring person, as Benoit argues Hugh Grant did when he expressed concern for his girlfriend.<sup>39</sup> Bertuzzi used Benoit's conception of simple denial when he denied that he had any intention of hurting Moore, which was something that he had to address because of the rumblings that he had attacked Moore in retaliation for his hit on Naslund.<sup>40</sup> Speaking to his victim directly, Bertuzzi denied that his actions had such malicious intent.

In many of the articles following this apology, including ones after he was charged with assault, Bertuzzi was described as "tearful," "distracted," and "remorseful."<sup>41</sup> Even reporters, like *Sports Illustrated's* Michael Farber, who gave withering accounts of his violent actions, used such language. Farber called Bertuzzi "remorseful" and "lachrymose." It is clear, then, that Bertuzzi's apology was effective in convincing most people that he was truly sorry, which is something that Benoit would consider beneficial in his quest to repair his image. Benoit contends that "one must appear sincere" for the mortification strategy to be its most effective.<sup>42</sup> Yet, some did point out that Bertuzzi was a repeat offender.<sup>43</sup> In 2001, he was suspended 10 games for leaving the bench to start a fight.<sup>44</sup> At the time, it was only the seventeenth suspension of 10 or more games in the history of the NHL.<sup>45</sup> Later, after he started to put up All-Star numbers, Bertuzzi claimed to have learned from his mistake.<sup>46</sup> However, when he was asked if he regretted what he did, he said that he did not.<sup>47</sup> Jerome and Brazeal demonstrate that having a questionable reputation before a crisis can make it more difficult for athletes to effectively utilize image restoration strategies to clear their names. Having a previous history of on-ice violence and trouble with trying to "control his emotions" did not help Bertuzzi's cause.<sup>48</sup>

Bertuzzi's suspension was announced March 11. He was suspended for the remaining thirteen games of the regular season and also for the playoffs.<sup>49</sup> The Canucks were fined \$250,000, and Bertuzzi lost more than \$500,000 of his salary.<sup>50</sup> To be reinstated, Bertuzzi would have to meet with Bettman.<sup>51</sup> The Canucks, who were considered a Stanley-Cup favorite before their star player was suspended, fell in seven games to the Calgary Flames in the first round of the playoffs.<sup>52</sup> In June, four months after the incident, Bertuzzi was charged with assault with intent to injure by British Columbia's criminal justice system.<sup>53</sup> In late December, a few days before it was announced that Bertuzzi would be put on probation after pleading guilty to assault, the International Ice Hockey Federation banned Bertuzzi from European play, which meant that he could not play at all during the NHL lockout.<sup>54</sup> Bertuzzi faced up to eighteen months of prison, and his sentence, which mandated that he do eighty hours of community service and never play against Moore, left him without a criminal record.<sup>55</sup>

During all of this intense, and potentially career-threatening, activity, Bertuzzi chose to remain silent. He was silent for nearly a year and a half and spoke only after he was reinstated to the NHL.<sup>56</sup> On August 11, 2005, a day after he was reinstated, he posted a thank-you letter on the Canucks' website. He wrote: "I've played my best hockey in Vancouver... We have had some success but I feel as a team our best is still yet to come. I am excited about this team and look forward to getting back on the ice."<sup>57</sup> Kruse would call this thank-you letter standard for an athlete as he aligned himself with his team and expressed excitement for the new season. He appealed to the fans directly, which Kruse says that athletes must do "whenever their conduct might have harmful effects upon [their] teams," and his suspension during the playoffs hurt the Canucks.<sup>58</sup>

Bertuzzi finally addressed the media on August 15, 2005 at the orientation camp for the Canadian Olympic Team, one week after he was reinstated by Bettman.<sup>59</sup> This time, he mainly utilized Benoit's strategies of bolstering, differentiation, attacking the accuser and, most extensively, transcendence. He did not address his plea bargain or the civil lawsuit filed by Moore.<sup>60</sup> One of his most quoted statements was the following, which was his response to a journalist's question as to why he deserved to return to the NHL:

I'm a firm believer in second chances, and if we're going to go through life not giving anyone second chances, what kind of life are we going to have? People make mistakes in life. Unfor-

tunately I was under the microscope and on TV when my mistake happened and if I'm going to sit here and keep getting ridiculed about it, how are we ever going to give someone a second chance to become better or to change situations? And I hope everyone can do that for me.<sup>61</sup>

Bertuzzi reframed the situation to make it about forgiveness and second chances, rather than the brutal nature of his attack. Benoit says that the key characteristic of the transcendence strategy is to pose that there are "more important considerations."<sup>62</sup> Bertuzzi posed that the important consideration in his case was that people forgive him and give him another chance, not that his career would continue while Moore's was in jeopardy, not that his punishment may have been overly lax because his suspension occurred during the NHL lockout so he did not miss an actual NHL season. Bertuzzi also bolstered when he expressed concern for Moore's recovery, as he did during the initial press conference. This strategy was seen again when he vowed: "I'm going to do what I can do to make sure that my career and my life aren't defined by what hap-



CANADIAN HOCKEY PLAYER BRAD MAY MADE CLAIMS INSINUATING THE PLACEMENT OF A BOUNTY ON MOORE'S HEAD AS THE INCITING INCIDENT. (COURTESY OF WIKIMEDIA)

pened on March 8th...but rather what I did before, and most importantly what I do after.”<sup>63</sup> Before the incident, he was “the game’s most-feared power forward,” a hulking 6-foot-3 winger who scored 46 goals during the 2002/2003 season and played on Vancouver’s top line with Naslund and Brendan Morrison.<sup>64</sup> Jerome argues that if an athlete has potential to win, he will be more readily forgiven. Bertuzzi alluded to his considerable talent throughout in order to show that, not only did he want to help his team win, he could do so.

Bertuzzi engaged in differentiation when he said, “If I could [explain it] I wouldn’t be here...Trust me, I’ve been

*“I’m a firm believer in second chances, and if we’re going to go through life not giving anyone second chances, what kind of life are we going to have?”*

off for a long time and had a lot of sleepless nights trying to think of things.”<sup>65</sup> By stressing that he could not explain what happened or why he did what he did, Bertuzzi differentiated himself from the player who injured Moore. This is in a similar vein as Edward Kennedy’s utilization of differentiation when he argued that his mind was in an altered state during the Chappaquiddick incident.<sup>66</sup> When Bertuzzi addressed reports that he had never reached out to Moore personally to apologize, he used denial and attacked the accuser. He said: “I was hoping for the opportunity to confront him and speak to him and his family and it has never come about...You have to respect people’s decisions on things, and some people forgive a lot easier than others and you just got to deal with it and move forward...I’ve made my attempts and am still going to try, but I can’t change someone else’s mindset on me.”<sup>67</sup> Since Bertuzzi relied primarily on transcendence to position forgiveness and giving people a second chance as the most important consideration, he reduced Moore’s credibility by alleging that he was unwilling to allow him to try to apologize personally. He made Moore appear rather petty and vindictive.

Like the initial press conference, this address can be considered effective, especially in his use of Benoit’s strategy of his transcendence. This strategy was also used by Bettman when he reinstated Bertuzzi. In a written statement, he explained: “I believe that reinstatement of Mr. Bertuzzi

at this point in time is appropriate and consistent with a ‘fresh start’ for the 2005-06 season.”<sup>68</sup> Noted *ESPN* writer Scott Burnside began his article on Bertuzzi’s address as such: “If the rehabilitation of Todd Bertuzzi begins with words, let it not be said that he did not choose his words carefully, powerfully, as he starts down the uncertain road toward redemption.”<sup>69</sup> He added that he “thoughtfully answered questions,” “avoided hitting any false notes” and was “genuine.”<sup>70</sup> While Benoit and other writers who focus on sports apologies would find Bertuzzi’s initial apology and this address effective, Bertuzzi is still cast as a villain for his actions on March 8, 2004. He never truly got his “fresh start,” to borrow Bettman’s words.<sup>71</sup>

#### THE COMPLICATION OF CIVIL LAWSUITS

From the beginning, it was unclear if Moore would ever play hockey again. His injuries included three fractured vertebrae, facial lacerations and a severe concussion that would later cause him to have post-concussion syndrome and amnesia.<sup>72</sup> After Bertuzzi’s plea bargain, Moore and his lawyer, Tim Danson, told reporters that they would file a civil suit if Moore could no longer play hockey.<sup>73</sup> Moore said then: “I still suffer from significant post-concussion symptoms which prevent me from living a fully normal life...I’m just not the same person I was.”<sup>74</sup> In 2006, Moore filed a civil lawsuit against Bertuzzi. Moore’s initial statement of claim was for \$38 million, but more recent articles have put the amount of money that he is seeking at closer to \$60 million, roughly the amount that Bertuzzi has made during his NHL career.<sup>75</sup> It is important to note that “due to an exception in the Canucks’ insurance policy for criminal acts, Bertuzzi is not covered and is personally liable for any damages.”<sup>76</sup> After delays, the trial is set to begin this year in the Ontario Superior Court.<sup>77</sup> At the same time, Bertuzzi was a plaintiff in a different case. In 2008, Bertuzzi sued his coach at the time of the incident, Marc Crawford, arguing that “any damage against Bertuzzi should be paid by Crawford” since he “encouraged him to go after Moore as a result of the hit on Naslund.”<sup>78</sup> In 2012, Bertuzzi dropped this third-party lawsuit against Crawford. Danson learned of the Bertuzzi-Crawford settlement

and won the rights to see the details of the settlement, which also involves the Canucks organization.<sup>79</sup> These details will not be released to the press until the Moore-Bertuzzi trial begins.

Largely as a result of the lawsuits, the Bertuzzi incident has remained in the news. As time went on, new reputation-damaging details about the attack and its aftermath surfaced. In 2007, Moore revealed that he would never play hockey again and that he suffered from memory loss.<sup>80</sup> In 2011, Danson told reporters: “We have the top neurosurgeons in the world on this case and we have reached the point where we can say Steve’s brain injury is permanent.”<sup>81</sup> As a direct result of Bertuzzi’s lawsuit against Crawford, it became clear that the attack was intentional, possibly even commanded from above.<sup>82</sup> In 2013, *The Toronto Star* obtained court documents that described Moore’s struggles in detail. The documents said that Moore “does not exhibit the ability to plan, make decisions, set priorities, and to multi-task and is not capable of performing adequately in a wide range of managerial, executive, and professional work.”<sup>83</sup> They concluded: “While it is possible that Steve Moore could obtain employment as a hedge fund marketer, there is a very low probability that he would have been able to keep the job.”<sup>84</sup> *The Globe and Mail* reporter Bruce Dowbiggin argued that the “passing of time works in Steve Moore’s favour” because, in the years since the incident, there has been extensive research done on the effects of concussions. Also, one of the NHL’s star players, Sidney Crosby, was sidelined with this injury in 2011, leading the league to take concussions more seriously than it had in the past.<sup>85</sup> Since it is now clear that the incident altered the course of Moore’s life, Bertuzzi’s reputation has been further sullied because of his violent attack. Yet, it is unclear if Bertuzzi can apologize again or even attempt to use any image restoration strategy.

Tyler contends that “it is naïve to believe [mortification] would work equally well in all situations.”<sup>86</sup> Apologizing can “increase perceived blameworthiness” because “an apology implies guilt.”<sup>87</sup> Part of the reason why Bertuzzi’s first statement was effective was that he apologized in a manner that seemed sincere. However, making “an apology is potentially dangerous” when there is the threat of litigation or, as in Bertuzzi’s case, when an individual is already involved in ongoing lawsuits.<sup>88</sup> As the lawsuit has played out, reporters have demanded answers and the public wants to hear Bertuzzi, who is often cast as a villain, express some kind of remorse.<sup>89</sup> Tyler argues that such

pressures result in “an equivocal or ambiguous apology that leaves the unsatisfied public demanding a more felicitous apology, a demand that frequently results in defensive communication.”<sup>90</sup>

Bertuzzi has opted for silence. “He has said little about the incident since [the initial news conference] for personal and legal reasons.”<sup>91</sup> Now a Detroit Red Wing, he answers questions about games and about himself as a player, but about little else. Even in articles that focus on him reviving his career with the Red Wings, Bertuzzi is quoted only talking about how he has begun to focus on his defensive play, how he likes living in the Detroit area and how his goal is to help his team win a Stanley Cup.<sup>92</sup> Because he often emphasizes his commitment to his team and to winning, it can be said that he is using the strategies outlined by Kruse. Also, even though Bertuzzi has been held quiet because of the lawsuit, Red Wings executives and teammates have vouched for him by differentiating him from the player who hurt Moore and the person that the media has made him out to be. After Detroit signed him to a contract extension in 2011, General Manager Ken Holland said, “I think that we all deserve a second chance... He’s been a good citizen.”<sup>93</sup> Teammate Dan Cleary called him “a big teddy bear” and “certainly not the person he’s been portrayed in the media in years past.”<sup>94</sup> Yet, Bertuzzi’s reputation has yet to be fully restored; he is still known, first and foremost, as the player who sucker punched Moore. This is because the incident, a focusing event, did not only damage his individual reputation, but also threatened the NHL as a whole.

#### BIRKLAND’S FOCUSING EVENT THEORY

Birkland explains that “a focusing event is an event that is sudden; relatively uncommon; [and] can be reasonably defined as harmful or revealing the possibility of potentially greater future harms.”<sup>95</sup> Also characteristic of a focusing event is “that it is known to policy makers and the public simultaneously” and “gain[s] attention more suddenly and rapidly than problems such as crime or disease that longer-term analysis of statistical evidence seeks to understand.”<sup>96</sup> Birkland divides this process into two phases. In the first, “the news media immediately respond to event attributes that are most closely related to the event itself: the level of damage, for example, or the number of people affected.”<sup>97</sup> In the second, “the rarity and the scope of the event are key variables, as are the amount of news coverage,” because this phase is a “longer-term reaction,” which could yield legislative change and impact the policy-mak-

ing process.<sup>98</sup>

To give an example, Fishman argues that the 1996 crash of ValuJet Flight 592 is a focusing event: “In the aftermath of the ValuJet crash, the media caught onto a larger and more compelling storyline: How could a discount airline with the highest profit margins among all the airlines and the highest accident rates be allowed to operate if the public safety was being optimally protected?”<sup>99</sup> Fishman concludes that this media scrutiny led to policy change and “served to dispel the central myth of aviation that all airlines were equally safe.”<sup>100</sup> Bertuzzi’s attack can be seen as a focusing event because it was sudden, unexpected, and caused harm in the form of Moore’s career-ending injuries. And, as seen in the ValuJet case, the media quickly latched onto the “more compelling storyline” after the Bertuzzi incident.<sup>101</sup> Instead of focusing on Bertuzzi, the media moved to the issue of on-ice violence.

#### THE THREAT TO THE NHL

The day of Bertuzzi’s apology, NBC’s *Countdown with Keith Olbermann* had as its “No. 3 story” of the night the issue of on-ice violence in the NHL and brought in former player Henry Boucha to share his story.<sup>102</sup> Olbermann introduced the segment as such: “Bad sports: a violent hockey player apologizes, and is suspended.”<sup>103</sup> The use of the word “violent” would prove to be telling because the NHL’s extreme level of violence, not so much Bertuzzi, became the topic of conversation. Olbermann compared the Bertuzzi incident to the attack that ended Boucha’s career in the 1970s and the blindside hit that ended Ace Bailey’s career in the 1930s. “As suggest[ed] by your story and that of...Ace Bailey, the over-the-line violence is at least seven decades old,” he said before he asked Boucha, “Do you think the NHL has ever done enough to stop true violence, over-the-line stuff, or is there part of the league that hesitates to curb it, because there’s still a mind-set that says violence is part of the appeal of the sport?”<sup>104</sup> This was the exact question that many were asking.

In general, the American media implied or explicitly stated “that the NHL was blighted by out-of-control violence” more so than the Canadian media, but both were rather unforgiving.<sup>105</sup> The day after Bertuzzi’s suspension was announced, *The Toronto Star’s* sports section ran “‘Does somebody have to die?’” as its top headline.<sup>106</sup> *The Today Show* ran a segment on the attack: “It’s impossible to have the second story on ‘*The Today Show*’ feature your sport’s darkest hour and not have your character sullied signifi-

cantly,” famous hockey writer Greg Wyshynski reflected on the seven-year anniversary of the incident.<sup>107</sup> *ESPN* columnist Jim Kelley outlined what he called hockey’s “history of assault that rivals that of a street gang” when Bertuzzi was charged.<sup>108</sup> After giving seven examples of NHL players charged with assault from four different decades, he wrote: “The league has a track record of violence. It says it can contain the violence, but history shows that it cannot...The never-ending series of ‘incidents’ brings precedent into the picture.”<sup>109</sup>

Focusing events train attention on a problem that may have been previously out of view and reveals “the possibility of potentially greater future harms,” in this case the possibility that a player could easily suffer a career-ending, life-altering injury.<sup>110</sup> Because he was a star player and because his sucker punch was so blatantly violent and widely televised, the Bertuzzi incident made many people ask if the NHL’s culture would allow it to adequately police itself or whether the justice system should become involved to protect players. As Kelley showed in his editorial, the NHL has a long history of violence, which league officials appeared to have done little to try to correct at the time of the Bertuzzi incident. In an article written two years before Bertuzzi’s attack, Jones & Stewart argue that the NHL, which they call “the only major league in which violence is, if not quite institutionalized...actively encouraged,” would never truly attempt to curb violence because it had no incentive to do so.<sup>111</sup> They first describe how “violence is revenue enhancing,” and how players, and not their teams, are the ones normally disciplined and fined.<sup>112</sup> Thus, “a team has the incentive to promote violence, hires players for that specific purpose, but, if and when the violence occurs, is rarely culpable.”<sup>113</sup>

Fighting, for example, was (and still is) very popular. *ESPN* writer Jeff Merron connected acts like Bertuzzi’s to the NHL’s approval of fighting: “There’s no mystery as to why the NHL sanctions fighting. It draws fans...The brawls, and the cheap shots like Bertuzzi’s that almost inevitably follow, should be gone.”<sup>114</sup> Gee & Potwarka insinuate a link between other aggressive on-ice behaviors, like slashing and cross-checking, with extreme cases of violence and argue that these behaviors must be better policed even though they have always been considered to be just a part of the game. *USA Today* columnist Christine Brennan wrote, after describing an *ESPN* highlight video of “the NHL’s ‘greatest’ hits,” “There always has been room in the NHL for violence, and there always will be.” Farber noted: “After the NHL announced Bertuzzi’s suspension...Bett-

man said the assault had nothing to do with hockey. That is true only if the act can be separated from the hockey culture around it, and it can't. Bertuzzi's act of thuggery is only an extreme extension of the game's accepted law of expediency: Scores are settled with a punch." The consensus at the time was that the Bertuzzi incident arose out of hockey's violent culture, which could make self regulation difficult.

Jones & Stewart pose that "self-regulation to reduce violence only works if those regulated have an incentive to reduce violence. If they do not—and remember the economic evidence is that violence and revenue are positively related—the private system of justice will not produce results compatible with perception of violence as a societal 'bad.'"<sup>115</sup> They then show that the decisions in the Twist case and the McSorley case allowed "disciplinary power over violence to be placed totally in the hands of the league," a clear conflict of interest because violence is so engrained in the NHL's culture and helps to sell tickets.<sup>116</sup> Yet, in concluding their examination of the Twist case and the McSorley case, Jones & Stewart argue that getting the courts involved would not cause any real change: "Both criminal and civil, as it presently stands in Canada and the U.S., is not an effective constraint on hockey violence" because the legal process can take too much time to act as a deterrent.<sup>117</sup>

The more high-profile Bertuzzi case re-opened this discussion when he was charged with assault. Kelley put the threat to the NHL best when he explained: "A good attorney, in either a criminal or civil case, would be able to argue that in fact the NHL cannot or does not police itself adequately and in fact condones an environment that leads to action...That's what makes the Bertuzzi case so dangerous to the NHL. The sheet shows that even though the

league punishes offenders, the punishments aren't deterrents." Yet, the court's punishment of Bertuzzi, probation, cannot be considered the greatest of deterrents. Gee & Potwarka argue that "the act that Todd Bertuzzi committed was perceived to be extreme and outside the confines of the game...it is likely that players perceived this punishment to be an isolated incident and to be associated with only that 'extreme' form of aggression."<sup>118</sup> This means that his punishment is a deterrent for only extreme violence but not for "other aggressive infractions," like fighting, which can potentially escalate into the more extreme forms of violence if left unchecked.<sup>119</sup> Thus, Jones & Stewart may be right that "self-regulation as a constraint on violence has definite appeal" if applied quickly and equitably.<sup>120</sup> They argue that a long suspension without pay is more likely to curb violence.

For the most part, the NHL was commended for its handling of the incident, which helped to quiet the calls for the court system's involvement in policing the league. Bertuzzi was suspended indefinitely the night of the attack and was later suspended for the end of the regular season and the playoffs, losing a substantial chunk of his salary. Famous NHL writer Barry Melrose wrote, "The league did the right thing in sitting him down until at least the beginning of next season...This sets a precedent by telling players that crossing the line with their on-ice behavior is unacceptable, and it should be a good lesson for everyone." Melrose applauded the NHL for not taking into consideration the fact that, at the time, "Bertuzzi [was] one of the 10 best players in the world" and his suspension "basically cost the Vancouver Canucks a chance at the Stanley Cup." League officials proved that they would not play favorites when they suspended an All-Star on a team favored to win the Stanley Cup. They showed that they would penalize teams when they fined the Canucks organization. Jones &

*"Thus, the Bertuzzi incident, as a focusing event, not only trained attention on the issue of on-ice violence in general. It trained attention on a more alarming 'unspoken' part of hockey culture, one of violent retribution and bounties potentially directed from above by coaches or team executives."*



Stewart would argue that the fine levied against the Canucks was a step in the right direction because it showed that the league would hold teams accountable as well. However, even though the NHL staved off greater court involvement, it has not recovered from the Bertuzzi incident's tie to there being a "bounty on [Moore's] head."<sup>121</sup>

While the criminal case was closed years ago, the civil case is still ongoing. In court documents from this case, Moore connected Bertuzzi's attack to the NHL's culture. He explicitly tied it to "an unspoken hockey 'code' of violence instilled from the top."<sup>122</sup> The court filings argued that Crawford and then Vancouver general manager Brian Burke ordered the hit as retaliation for Moore's hit on Naslund; these documents also contended that this "conspiracy of silence" "calls for a closing of the ranks" "to make sure that coaches and general managers cannot be held accountable."<sup>123</sup> Time will tell if these allegations are true, partially true, or false, but they have still clearly damaged the NHL's reputation. In his comparison of Bertuzzi's attack and the New Orleans Saints bounty scandal, *ESPN* reporter Lester Munson described the issues that are raised by this type of controversy: "In both cases, a 'bounty' meant deliberate attacks on opposing players that were expressly designed to cause injury, and both involve significant issues of player safety and the integrity of competition." Thus, the Bertuzzi incident, as a focusing event, not only trained attention on the issue of on-ice violence in general. It trained attention on a more alarming "unspoken" part of hockey culture, one of violent retribution and bounties potentially directed from above by coaches or team executives.

Kruse writes that "whenever individuals violate the ethical norms that hold simultaneously in both the sport world and the world at large, they will be evaluated negatively by fans and the general public alike."<sup>124</sup> This held true for Bertuzzi: he was called violent, undisciplined, and many other things. Kruse posits that "these individuals will often attempt to repair their images with apologies directed to the fans," which Bertuzzi did in the initial press conference and in his thank-you letter to the fans after his reinstatement.<sup>125</sup> Kruse's conclusion helps to illuminate why Bertuzzi has never been fully forgiven even though his statements and thank-you letter fit her framework and Benoit's: "Sports personalities must defend their moral worth as *sports figures* whenever their conduct might have harmful effects upon teams, games, or the world of sport and their actions seem to result from personal characteristics that make them unworthy to represent the fans" in the sport.<sup>126</sup>

As has been seen, Bertuzzi's actions, which were seen as reprehensible by the general public, had sweeping implications for the NHL. Yes, they affected Bertuzzi's career as he was never the same high-scoring player afterwards.<sup>127</sup> Yes, they affected the Canucks as they were fined and bowed out of the playoffs in the first round. But it is clear that, since the incident was a focusing event, it became nearly impossible for Bertuzzi to apologize enough. If the threat of the court system becoming involved was bad enough, his actions also led to calls for the reduction of violence and the elimination of fighting, elements of the game that "the core audience seem[ed] to embrace."<sup>128</sup> They helped to drive away casual fans who were disturbed by such blatant violence.<sup>129</sup> They caused a shift in the NHL's culture, a shift that most people would consider good: "You don't hear talk of bounties all that often. Or the joy of violent retribution."<sup>130</sup> When the lockout ended in 2005, the NHL began to emphasize a skilled, less violent game, and marketed high-scoring players like Crosby and Alexander Ovechkin instead of bruising enforcers. "New regulations and stronger enforcement of existing rules led to more flow in games. Skill players were impeded less, and previously stifling defensive systems were less effective."<sup>131</sup> Finally, because "the incident and its aftermath remain mired in increasingly acrimonious litigation" that is considered newsworthy by reporters, the NHL still faces questions about the incident to this day.<sup>132</sup> And the Bertuzzi incident has become the symbol for on-ice violence.

#### "THE ULTIMATE STANDARD FOR RECKLESS, INTENTIONAL VIOLENCE"

Near the end of his article on the seven-year anniversary of the attack, Wyshynski asked, "Now, how many sucker punches have we seen in the NHL described as 'Bertuzzi-like' or 'Bertuzzi-esque' in their denouncement?" He answered "plenty" and even gave his own example: "Matt Martin's wallop on Max Talbot during that New York Islanders/Pittsburgh Penguins chaos."<sup>133</sup> The Penguins-Islanders game on February 11, 2011 was mired by out-of-control violence, including blindside hits, goalies fighting and players leaving the bench to defend teammates. During one of the brawls, Martin came up behind Talbot and punched him in a move that "remind[ed] viewers of Todd Bertuzzi's sucker punch on Steve Moore."<sup>134</sup> On December 21, 2006, the Buffalo Sabres held a 7-2 lead over the Nashville Predators, the same lead that the Avalanche had on the Canucks at the time of Bertuzzi's attack.<sup>135</sup> "With 4:39 remaining in the game, Nashville centerman Scott Nichol sent Buffalo defenseman Jaroslav Spacek down to the ice

with a wild sucker-punch from behind...The play had shades of Todd Bertuzzi's career-ending attack on Steve Moore."<sup>136</sup>

There have also been "Bertuzzi-like" attacks in the American Hockey League, the top minor-league affiliate of the NHL. On January 11, 2005, Edmonton Roadrunners' Rocky "Thompson chased down St. John's's David Ling before delivering a blow to the head of the Baby Leaf forward during the third period of the Leafs' 3-0 victory."<sup>137</sup> Maple Leaf head coach Doug Shedden told reporters, "What Rocky did is almost a Bertuzzi-like incident, the way he hunted him down and hit him from behind...If you look at the tape it's almost the same thing."<sup>138</sup> Even attacks that happened before March 8, 2004 have been equated with Bertuzzi's. *Philadelphia Inquirer* reporter Tim Panaccio talked to then Flyer Donald Brashear the day after Bertuzzi's apology because "Brashear was a victim of Bertuzzi-like violence when he played in Vancouver. In February 2000, former Boston Bruin Marty *McSorley* was charged with attacking Brashear with his stick."<sup>139</sup> These are just four of many examples of violent on-ice attacks being explicitly compared to Bertuzzi's sucker punch.

While Birkland contends that focusing events provide a window of opportunity for legislative change, Fishman argues that focusing events can often become rhetorical symbols.<sup>140</sup> For example, Fishman says that the shootings at Columbine High School have become shorthand for school violence; it has crystallized into a rhetorical symbol that people use to describe and attempt to understand new events that are similar in nature.<sup>141</sup> Fishman's vision of focusing events becoming rhetorical symbols fits what happened in the Bertuzzi incident, as has been seen. It is true that "Bertuzzi's attack on Moore...is one of a kind. It may be the most vicious attack in the history of team sports."<sup>142</sup> Wyshynski is right that "if you compare what Todd Bertuzzi did to Steve Moore to any...melee you're describing, there's no going back. You've elevated it to the ultimate standard for reckless, intentional violence in the rink." This is exactly why the Bertuzzi incident persists as a particularly salient rhetorical symbol; it was so egregiously violent and the clip of him "sucker-punching Moore from behind, the most cowardly of deeds, then driving his head into the ice like a pro wrestler" was played on so many different platforms and criticized by so many different people.<sup>143</sup> Bertuzzi's attack has become the benchmark by which all new cases of extreme on-ice violence are measured because it is the symbol for on-ice violence and, in many respects, can be considered the NHL's darkest hour.

After the incident, "Bertuzzi rapidly went from a pre-lock-out all-star to a risky vagabond."<sup>144</sup> Although he is a former All-Star and did revive his career with the Red Wings, the defining moment of his career is still his sucker punch of Moore. As has been seen, Bertuzzi's apologies fit the frameworks provided by Benoit, Kruse, and others. Yet, they did little to restore his reputation because the incident was a focusing event that called into question the NHL's culture and its ability to police its players to prevent serious injury. Now unable to apologize because of the ongoing civil suit, his name is constantly brought up in association with on-ice violence because the incident becomes a rhetorical symbol for this controversial side of the sport. Thus, in Bertuzzi's case, saying that he was sorry was never going to be enough.

#### ENDNOTES

1. *CBC Sports*, 2004b
2. *Ibid.*
3. *Ibid.*
4. *Ibid.*
5. *Ibid.*
6. *ESPN*, 2004a
7. *Frei* (270)
8. *ESPN*, 2004a
9. *CBC Sports*, 2004b
10. *ESPN*, 2004d
11. *Westhead*
12. *ESPN*, 2004a
13. *Ibid.*
14. *Westhead*
15. *Farber*
16. *Westhead*
17. *Gee & Potwarka*
18. *Benoit*, 1997a (178)
19. *Benoit*, 1997a
20. *Ibid.*
21. *Benoit*, 1997b (254)
22. *Benoit*, 1997a (181)
23. *Ibid.*
24. *Benoit*, 1997a
25. *Ibid.*
26. *Benoit*, 1997b (257)
27. As quoted in *Tyler* (57)
28. *Kruse* (280-281)
29. *Kruse* (281)
30. *Kruse* (278)
31. *Jerome* (125)
32. *Brazeal* (145)

33. Brazeal (149)
34. Benoit, 1997b (265)
35. Benoit, 1997b
36. *ESPN*, 2004b
37. *Ibid.*
38. kagemusha168
39. Benoit, 1997b
40. Benoit, 1997a; *ESPN*, 2004a; Westhead, 2004
41. *ESPN*, 2004b; *CBC Sports*, 2004a; *ESPN*, 2004d; *NBC Sports*, 2004
42. Benoit, 1997b (264)
43. Farber; *CBC Sports*, 2004a
44. Farber
45. *CBS Sports*, 2001
46. Adelson
47. *Ibid.*
48. *Ibid.*
49. *NBC Sports*, 2004
50. El-Bashir
51. *Ibid.*
52. *ESPN*, 2004c
53. Kelley
54. *USA Today*, 2004a, *ESPN*, 2004e
55. *ESPN*, 2005a, *USA Today*, 2004a
56. *ESPN*, 2005c
57. *ESPN*, 2005b
58. Kruse (274)
59. *ESPN*, 2005c
60. *Ibid.*
61. *ESPN*, 2005c; Burnside
62. Benoit, 1997a (179)
63. Burnside
64. Roarke; *CBC Sports*, 2004a
65. *ESPN*, 2005c
66. Ware & Linkugel
67. *ESPN*, 2005c
68. *ESPN*, 2005a
69. Burnside
70. *Ibid.*
71. *ESPN*, 2005a
72. El-Bashir
73. *USA Today*, 2004a, *USA Today*, 2004b
74. *USA Today*, 2004b
75. Shoalts, Westhead
76. Shoalts
77. Westhead
78. *CBC Sports*, 2008; Shoalts
79. Westhead
80. Campigotto
81. Maki
82. Shoalts
83. Westhead
84. *Ibid.*
85. Dowbiggin
86. Tyler (57)
87. *Ibid.*
88. Tyler (52)
89. Cole
90. Tyler (52)
91. Klein
92. St. James; Klein
93. Klein
94. St. James
95. Birkland, 1998 (54)
96. *Ibid.*
97. Birkland, 1997 (29)
98. Birkland, 1997 (29-30)
99. Fishman, 1999 (367)
100. Fishman, 1999 (369)
101. Fishman, 1999 (367)
102. *NBC News*, 2004
103. *Ibid.*
104. *Ibid.*
105. *Taipei Times*
106. *NBC Sports*, 2004
107. Wyshynski
108. Kelley
109. *Ibid.*
110. Birkland, 1998 (54)
111. Jones & Stewart (173)
112. *Ibid.*
113. *Ibid.*
114. *ESPN Page 2*
115. Jones & Stewart (193)
116. Jones & Stewart (197)
117. Jones & Stewart (192)
118. Gee & Potwarka (24)
119. *Ibid.*
120. Jones & Stewart (192)
121. Westhead
122. Cribb
123. *Ibid.*
124. Kruse (277)
125. *Ibid.*
126. Kruse (274)
127. Cole
128. Farber
129. *ESPN Page 2*
130. Wyshynski
131. Anderson

- 132. Munson
- 133. Wyshynski
- 134. Murray
- 135. Szegłowski; *CBC Sports*, 2004b
- 136. Szegłowski
- 137. Zeisberger
- 138. Ibid.
- 139. Panaccio
- 140. Fishman, 2013
- 141. Ibid.
- 142. Munson
- 143. Simmons
- 144. Cole

## REFERENCES

- Adelson, E. (2002, September 20). Force of nature. *ESPN*. Retrieved from <http://sports.espn.go.com/espn/magazine/archives/news/story?page=magazine-20021014-article6>
- Anderson, S. (2006, October 4). The NHL bounced back last season after a yearlong lockout, but what's next? *Pittsburgh Post-Gazette*. Retrieved from <http://www.post-gazette.com/stories/sports/penguins/the-nhl-bounced-back-last-season-after-a-yearlong-lockout-but-whats-next-453176/>
- Benoit, W.L. (1997a). Image repair discourse and crisis communication. *Public Relations Review*, 23(2), 177-186.
- Benoit, W.L. (1997b). Hugh Grant's image restoration discourse: an actor apologizes. *Communication Quarterly*, 45(3), 251-267.
- Birkland, T.A. (1997). *After disaster: agenda setting, public policy and focusing events*. Washington D.C.: George Town University Press.
- Birkland, T.A. (1998). Focusing events, mobilization, and agenda setting. *Journal of Public Policy*, 18(1), 53-74.
- Brazeal, L.M. (2008). The image repair strategies of Terrell Owens. *Public Relations Review*, 34, 145-150.
- Burnside, S. (2005, August 17). Bertuzzi answers tough questions in tough setting. *ESPN*. Retrieved from <http://sports.espn.go.com/nhl/columns/story?id=2135165>
- Campigotto, Jesse. (2007, March 8). Three years later: Steve Moore still scarred by the Bertuzzi incident. *CBC Sports*. Retrieved from <http://www.cbc.ca/sports/indepth/feature-stevemoore.html>
- CBC Sports*. (2001, October 15). Bertuzzi given 10-game suspension. Retrieved from <http://www.cbc.ca/sports/story/2001/10/14/bertuzzi101014.html>
- CBC Sports*. (2004a, March 11) Bertuzzi apologizes to Moore. Retrieved from <http://www.cbc.ca/news/canada/story/2004/03/10/bertuzzi040310.html>
- CBC Sports*. (2004b, March 11). In depth: the Bertuzzi incident. Retrieved from <http://www.cbc.ca/sports/indepth/bertuzzi/timeline/>
- CBC Sports*. (2008, March 28). Todd Bertuzzi brings ex-coach Crawford into Moore lawsuit. (2008, March 28). Retrieved from <http://www.cbc.ca/sports/hockey/story/2008/03/28/bertuzzi-crawford.html>
- Cole, C. (2012, February 12). Todd Bertuzzi manages to pick up the pieces after Steve Moore scandal. *National Post*. Retrieved from <http://sports.nationalpost.com/2012/02/23/cam-cole-todd-bertuzzi-will-never-escape-steve-moore-scandal/>
- Cribb, R. (2009, September 25). Moore: Bertuzzi hit directed from on high. *The Toronto Star*. Retrieved from [http://www.the-star.com/sports/hockey/2009/09/25/moore\\_bertuzzi\\_hit\\_directed\\_from\\_on\\_high.html](http://www.the-star.com/sports/hockey/2009/09/25/moore_bertuzzi_hit_directed_from_on_high.html)
- Dowbiggin, B. (2012, September 10). Passing of time works in Steve Moore's favour. *The Globe and Mail*. Retrieved from <http://www.theglobeandmail.com/sports/hockey/passing-of-time-works-in-steve-moores-favour/article627295/>
- El-Bashir, T. (2004, June 25). Canucks' Bertuzzi charged for punch. *Washington Post*. Retrieved from <http://www.washingtonpost.com/wp-dyn/articles/A2466-2004Jun24.html>
- ESPN*. (2004a, March 8). Moore hit from behind, knocked out. Retrieved from <http://scores.espn.go.com/nhl/recap?gameId=240308022>
- ESPN*. (2004b, March 10). Tearful Bertuzzi apologizes to Moore. Retrieved from <http://sports.espn.go.com/nhl/news/story?id=1755854>
- ESPN*. (2004c, April 19). Calgary gets first series win in 15 years. Retrieved from <http://scores.espn.go.com/nhl/recap?gameId=240419022>
- ESPN*. (2004d, June 24). Canuck's star charged with assault. Re-

rieved from <http://sports.espn.go.com/nhl/news/story?id=1827388>

ESPN. (2004e, December 17). Also, IIHF bans Canucks star from European play. Retrieved from <http://sports.espn.go.com/nhl/news/story?id=1948411>

ESPN. (2005a, August 10). Bertuzzi reinstated to NHL. Retrieved from <http://sports.espn.go.com/nhl/news/story?id=2128941>

ESPN. (2005b, August 11). Bertuzzi calls reinstatement 'great relief.' Retrieved from <http://sports.espn.go.com/nhl/news/story?id=2130399>

ESPN. (2005c, August 15). Bertuzzi: 'I wish that day never happened.' Retrieved from <http://sports.espn.go.com/nhl/news/story?id=2134946>

ESPN Page 2. (2004, March 10). Writer's blog: what should hockey do about its violence problem? Retrieved from <http://sports.espn.go.com/espn/page2/story?page=bloc/040310>

Farber, M. (2004, March 22). Code red. *Sports Illustrated*. Retrieved from <http://sportsillustrated.cnn.com/vault/article/magazine/MAG1031452/index.htm>

Fishman, D.A. (1999). Valujet Flight 592: crisis communication theory blended and extended. *Communication Quarterly*, 47(4), 345-375.

Fishman, D.A. (2013, February 18). Focusing Event Theory. Address at Boston College, Chestnut Hill, MA.

Frei, T. (2010). *Playing piano in a brothel: a sports journalist's odyssey*. Lanham, MD: Taylor Trade Publishing.

Gee, C.J. & Potwarka, L. (2007). The impact of introducing legal punishment on the frequency of aggressive behaviour in professional ice hockey: using the Todd Bertuzzi incident as an ecological case study. *Athletic Insight*, 9(3), 15-30.

Jerome, A.M. (2008). Toward prescription: testing the rhetoric of atonement's applicability in the athletic arena. *Public Relations Review*, 34, 124-134.

Jones, J.C.H. & Stewart, K.G. (2002). Hit somebody: hockey violence, economics, the law, and the *Twist* and *McSorley* decisions. *Seton Hall Journal of Sport Law*, 12, 165-198.

kagemusha168. (2009, February 2). Todd Bertuzzi's press conference after the Moore incident [Video file]. Retrieved from April 13, 2013 from <https://www.youtube.com/watch?v=xIHNMIg8iLo>

Kelley, J. (2004, June 25). Bertuzzi trial may change the game. *ESPN*. Retrieved from [http://sports.espn.go.com/nhl/columns/story?columnist=kelley\\_jim&id=1827456](http://sports.espn.go.com/nhl/columns/story?columnist=kelley_jim&id=1827456)

Klein, J.Z. (2012, March 3). In Bertuzzi's last stop, hopes for a makeover. *The New York Times*. Retrieved from [http://www.nytimes.com/2012/03/04/sports/hockey/todd-bertuzzi-hopes-for-makeover-with-red-wings-in-careers-final-act.html?\\_r=1&](http://www.nytimes.com/2012/03/04/sports/hockey/todd-bertuzzi-hopes-for-makeover-with-red-wings-in-careers-final-act.html?_r=1&)

Kruse, N.W. (1981). Apologia in team sport. *The Quarterly Journal of Speech*, 67, 270-283.

Maki, A. (2011, March 7). Seven years later, Steve Moore still haunted by hit. *The Globe and Mail*. Retrieved from <http://www.theglobeandmail.com/sports/hockey/seven-years-later-steve-moore-still-haunted-by-hit/article569787/>

Melrose, B. (2004, March 11). NHL sent the right message. *ESPN*. Retrieved from [http://sports.espn.go.com/nhl/columns/story?columnist=melrose\\_barry&id=1756696](http://sports.espn.go.com/nhl/columns/story?columnist=melrose_barry&id=1756696)

Munson, L. (2012, March 15). NFL cautionary tale: Todd Bertuzzi. *ESPN*. Retrieved from <http://m.espn.go.com/general/story?storyId=7690101&wjb=&pg=1>

Murray, I. (2011, February 11). Penguins - Islanders Brawl Bertuzzi-esque? *Puck Watch*. Retrieved from <http://www.puckwatch.com/2011/02/penguins-islanders-brawl-bertuzzi-esque.html>

NBC News. (2004, March 12). 'Countdown with Keith Olbermann' for March 11. Retrieved from <http://www.nbcnews.com/id/4515400/#.UXg8VUqjSSp>

NBC Sports. (2004, March 13). Bertuzzi suspension fires debate about fighting. Retrieved from <http://nbcsports.msnbc.com/id/4483528/>

Panaccio, T. (2004, March 11). Brashear grasps motive behind hit The Flyers winger called the attack on Steve Moore 'ridiculous,' but said he understood the intent. *The Philadelphia Inquirer*. Retrieved from [http://articles.philly.com/2004-03-11/sports/25384554\\_1\\_vancouver-authorities-donald-brashear-bertuzzi-incident](http://articles.philly.com/2004-03-11/sports/25384554_1_vancouver-authorities-donald-brashear-bertuzzi-incident)

Roarke, S. (2003, April 11). For Canucks, the line is fine. *NHL.com*.

Retrieved from <http://www.nhl.com/intheslot/read/indepth/bertuzzi/line.html>

Shoalts, D. (2012, January 5). Todd Bertuzzi drops third-party lawsuit against Marc Crawford. *The Globe and Mail*. Retrieved from <http://www.theglobeandmail.com/sports/hockey/todd-bertuzzi-drops-third-party-lawsuit-against-marc-crawford/article4085431/>

Simmons, B. (2004, March 19). We couldn't help but watch. *ESPN Page 2*. Retrieved from <http://sports.espn.go.com/espn/page2/story?page=simmons/040319>

St. James, H. (2012, February 20). Fearsome Todd Bertuzzi revives career as defence-minded Red Wing. *The Toronto Star*. Retrieved from [http://www.thestar.com/sports/hockey/2012/02/20/fearsome\\_todd\\_bertuzzi\\_revives\\_career\\_as\\_defenceminded\\_red\\_wing.html](http://www.thestar.com/sports/hockey/2012/02/20/fearsome_todd_bertuzzi_revives_career_as_defenceminded_red_wing.html)

Szeglowski, P. (2006, December 21). Dangerous but different: Nichol's attack draws comparisons to Bertuzzi incident. *Let's Go Sabres*. Retrieved from <http://letsgosabres.outlastmedia.net/pressbox/fullstory.php?newsid=10111>

*Taipei Times*. (2004, December 24). Bertuzzi plea-bargains to avoid possible jail sentence. Retrieved from <http://www.taipeitimes.com/News/sport/archives/2004/12/24/2003216615>

Tyler, L. (1997). Liability means never being able to say you're sorry. *Management Communication Quarterly*, 11(1), 51-73.

*USA Today*. (2004a, December 21). Bertuzzi gets probation for hit on Moore. Retrieved April from [http://usatoday30.usatoday.com/sports/hockey/nhl/canucks/2004-12-21-bertuzzi-plea\\_x.htm](http://usatoday30.usatoday.com/sports/hockey/nhl/canucks/2004-12-21-bertuzzi-plea_x.htm)

*USA Today*. (2004b, December 23). Moore still feeling impact of Bertuzzi ambush. Retrieved from [http://usatoday30.usatoday.com/sports/hockey/nhl/2004-12-23-moore-bertuzzi\\_x.htm](http://usatoday30.usatoday.com/sports/hockey/nhl/2004-12-23-moore-bertuzzi_x.htm)

Walsh, J. & McAllister-Spooner, S.M. (2011). Analysis of the image repair discourse in the Michael Phelps controversy. *Public Relations Review*, 37, 157-162.

Ware, B.L. & Linkugel, W.A. (1973). They spoke in defense of themselves: on the generic criticism of apologia. *Quarterly Journal of Speech*, 59, 273-283.

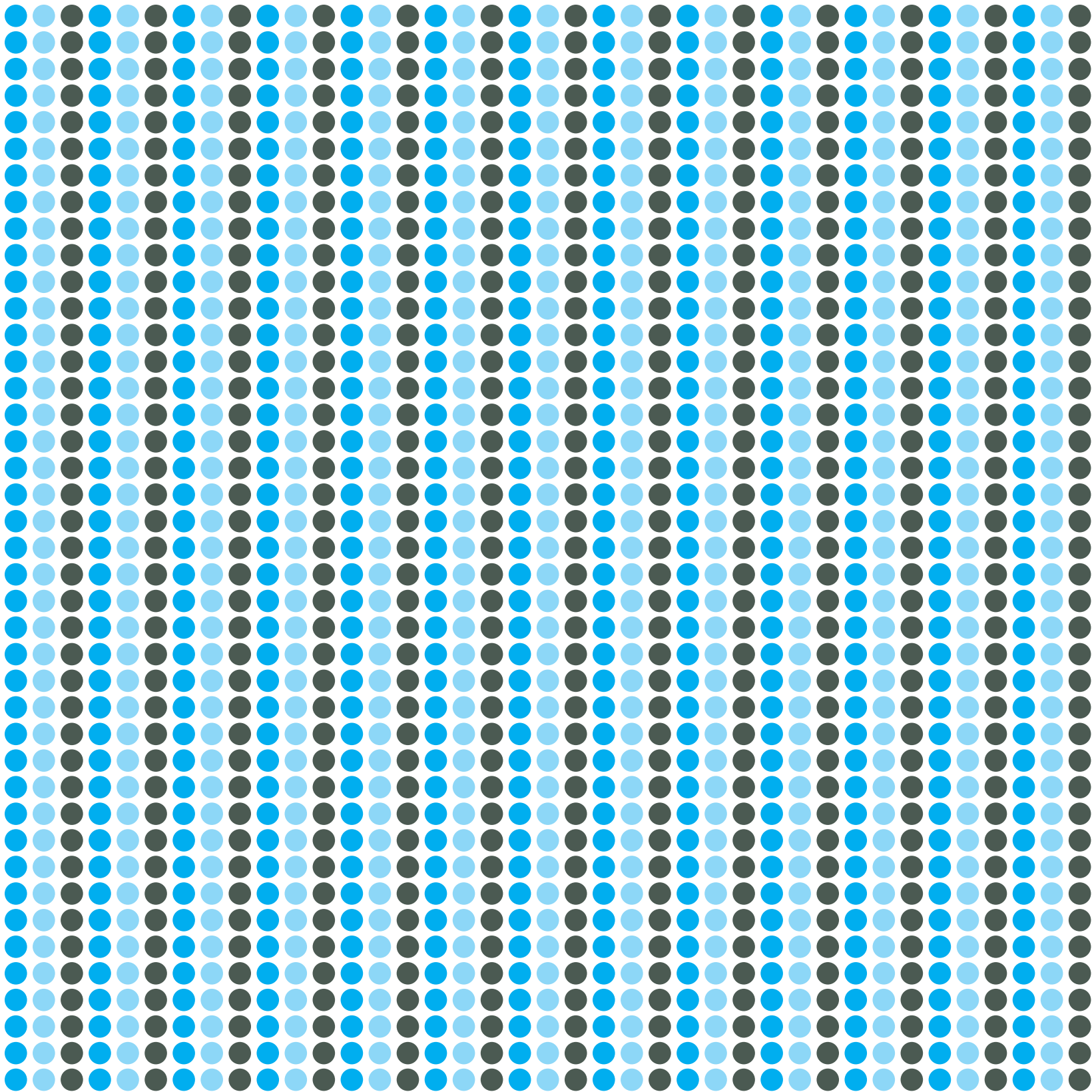
Westhead, R. (2004, March 10). Hockey; police are investigating hit by Bertuzzi on Avalanche player. *The New York Times*. Retrieved March 21, 2013 from <http://www.nytimes.com/2004/03/10/>

[sports/hockey-police-are-investigating-hit-by-bertuzzi-on-avalanche-player.html](http://www.nytimes.com/2004/03/10/sports/hockey-police-are-investigating-hit-by-bertuzzi-on-avalanche-player.html)

Westhead, R. (2013, January 14). Bertuzzi-Moore court documents shed light on ex-NHL player's struggles. *Toronto Star*. Retrieved March 21, 2013 from [http://www.thestar.com/sports/hockey/2013/01/14/bertuzzimoore\\_court\\_documents\\_shed\\_light\\_on\\_exnhl\\_players\\_struggles.html](http://www.thestar.com/sports/hockey/2013/01/14/bertuzzimoore_court_documents_shed_light_on_exnhl_players_struggles.html)

Wyshynski, W. (2011, March 8). Seven years later, how Bertuzzi's assault changed hockey's tone. *Yahoo Sports*. Retrieved March 21, 2013 from [http://sports.yahoo.com/nhl/blog/puck\\_daddy/post/Seven-years-later-how-Bertuzzi-s-assault-change?urn=nhl-331447](http://sports.yahoo.com/nhl/blog/puck_daddy/post/Seven-years-later-how-Bertuzzi-s-assault-change?urn=nhl-331447)

Zeisberger, M. (2005, January 12). Coach calls hit 'Bertuzzi-like': AHL looking at Thompson punch on Leafs' Ling. *Slam Hockey*. Retrieved from <http://slam.canoe.ca/Slam/Hockey/AHL/2005/01/12/pf-895990.html>



## THE ANTHROPOLOGICAL MACHINE

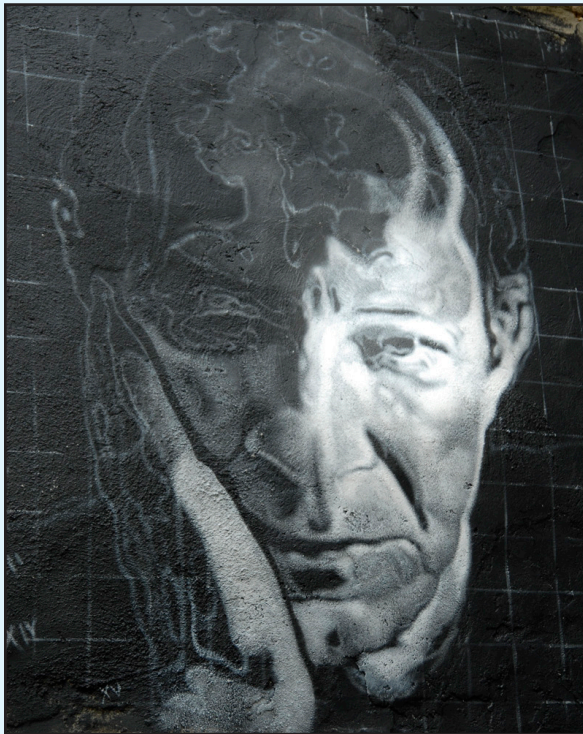
### *The Persistence of Animal Drives in J.M. Coetzee's Disgrace*

ALEXANDER TRIMES

THROUGHOUT J.M. COETZEE'S NOVEL *DISGRACE*, PROTAGONIST DAVID LURIE ENCOUNTERS FAILURE IN HIS RELATIONSHIPS, IN HIS OCCUPATION, AND IN HIS ARTISTIC ENDEAVOR TO PRODUCE A LIBRETTO. THIS ARTICLE EMPLOYS BOTH AGEMBENIAN AND PSYCHOANALYTIC THEORY TO INTERPRET DAVID'S STATE OF DISGRACE AS THE RESULT OF HIS INABILITY TO REPRESS HIS ANIMAL DRIVES. DAVID'S FAILURE TO REPRESS DEVIATES FROM THE PARADIGM ESTABLISHED BY WHAT GIORIO AGAMBEN CALLS "THE ANTHROPOLOGICAL MACHINE OF THE MODERNS," AND SUBSEQUENTLY NEGLECTS THE POPULAR NOTION THAT HUMANITY IS PREDICATED UPON AN ABSENCE OF ANIMALITY. AS WILL BE DISCUSSED, IT IS THROUGH DAVID'S ACCEPTANCE OF HIS DISGRACE, THAT IS, HIS INHERENT AND INEXTINGUISHABLE ANIMALITY, THAT HE REMOVES HIMSELF FROM ANTHROPOLOGICAL HUMANITY AND LIVES A LIFE REPRESENTATIVE OF AGAMBEN'S EGALITARIAN CONCEPT OF THE OPEN.



Toward the conclusion of J.M. Coetzee's *Disgrace*, David Lurie apologizes for the grief his affair with Melanie caused Mr. Isaacs' family, attributing the relationship's failure to his own "lack [of] the lyrical."<sup>1</sup> In context, David's failure to supply the "lyrical" refers to his lack of passion during sex as well as his "cold, surly" temperament toward his lovers after the act.<sup>2</sup> In the larger scope of the novel, it also alludes to his inability to write the Byron libretto. David's incapacity for both romance and cultural achievement results from his frequent capitulation to animal drives. As Sigmund Freud asserts in *Beyond the Pleasure Principle*, human life and development is distinguished from that of animals due to the "untiring urge toward perfection [that] can be easily understood as a consequence of the repression of the drives; it is on this repression that the most valuable achievements of human culture are founded."<sup>3</sup> That David Lurie does not adhere to the concept of human repression, but instead acts as a "servant of Eros,"<sup>4</sup> like an animal obeying its drives, prevents him from "mas-



A WALL MURAL OF ITALIAN PHILOSOPHER GEORGIO AGAMBEN, WHOSE THEORY OF THE ANTHROPOLOGICAL MACHINE INFORMS A READING OF COETZEE'S NOVEL *DISGRACE* (PHOTO BY THIERRY EHRMANN)

tering and [...] destroying his animality."<sup>5</sup> As a result, David is incapable of defining himself as man over animal in accordance with the anthropological machine of the moderns discussed in Giorgio Agamben's *The Open*, and contrarily begins to advocate in favor of animality. It is through his increasing identification with the shelter dogs, and the subsequent disintegration of the barrier between human and animal, that David Lurie surmounts the anthropological machine and enters Agamben's *Open*.

David initially encounters the anthropological machine at the university committee hearing. Though David "plead[s] guilty"<sup>6</sup> to Melanie's charges against him, whatever they may be, the committee requires "an admission that [he was] wrong."<sup>7</sup> Such a stipulation obliges David to condemn his adherence to Eros and therefore his own inherent animality. The committee, a political fixture in the realm of Cape Technical University, is in this sense congruous to the anthropological machine, which "isolat[es] the nonhuman within the human"<sup>8</sup> and demands that humanity assume "total management" of its internal "animality."<sup>9</sup> David's defiance of the committee's orders, which simultaneously serves as his refusal to perpetuate the law of the anthropological machine, foreshadows his eventual triumph over the machine and entrance into the *Open*.

The concept of the anthropological machine is challenged yet again when David relates the golden retriever anecdote to Lucy. After explaining that the dog's owners beat it "with Pavlovian regularity" in an attempt to curtail its "desire," David concludes that "no animal will accept the justice of being punished for following its instincts."<sup>10</sup> He then posits that an animal "might have preferred being shot" over being castrated, as the latter forces it to live on in denial of "its nature."<sup>11</sup> David employs the anecdote in order to convey to Lucy his conviction in "the rights of desire."<sup>12</sup> He contends that the committee's censuring his own natural "impulse"<sup>13</sup> is no more right than the dog's owners punishing the retriever for its excitement at "the smell of a bitch."<sup>14</sup> He identifies with the dog insofar as they are both penalized for pursuing their drives, and their "rights to desire" are undermined by their respective authorities.<sup>15</sup> Additionally, in accordance with his supposition, David chooses "being shot"—that is, losing his position at the university and ruining his reputation—instead of being castrated, or renouncing Eros.<sup>16</sup> David's identification with the golden retriever opposes the anthropological machine, which declares "man is the being which recognizes himself as such,"<sup>17</sup> that man "must recognize himself in non-man in order to be human."<sup>18</sup> Although David recognizes

himself in the golden retriever, non-man, there is no evidence suggesting he subsequently recognizes himself as human. On the contrary, he defends instinct as well as animality and sympathizes with the dogs who, like he himself, “suffer [...] most of all from their own fertility.”<sup>19</sup>

*“He saves the honor of corpses because there is no one else stupid enough to do it. That is what he is becoming: stupid, daft, wrongheaded.”*

Though the dogs and David are both plagued by “the problem of sex,” it afflicts them in different ways.<sup>20</sup> As Bev Shaw suggests, the dogs “don’t think it’s a bad thing to have lots of offspring” and reproduce continuously, leaving “too many of them” to properly care for.<sup>21</sup> Like the golden retriever, the wild dogs are simply adhering to their nature, yet without the intervention of owners. David’s treatment of sex as a “problem”<sup>22</sup> that must be solved and the comparison of his sexual temperament to that of a snake—“intense,” but never “passionate,” “absorbed, but rather abstract, rather dry, even at its hottest”—indicates that he is subject to the same animal nature.<sup>23</sup> He does not seek romance, only the fulfillment of his drives. When he fails to repress these drives and has sex with Melaine, his student, he fails to manage his animality and neglects the “certain sacrifices” required by “academic life.”<sup>24</sup> Succumbing to his sexual drives results in David being “asked to resign”<sup>25</sup> from the university and thus, as his uninhibited animality becomes publicized, his “disgrace.”<sup>26</sup>

Despite the fact that David’s disgrace and the overproduction that threatens the dogs are very distinct issues, they both originate from the pursuit of sexual impulses, and they both terminate at the animal clinic. The stray dogs are collected at the clinic, “a mob of scrawny mongrels filling two pens to bursting point,” and David is able to find work there “doctoring dogs”<sup>27</sup> alongside Bev Shaw, what he calls “playing right-hand man to a woman who specializes in sterilization and euthanasia.”<sup>28</sup> In reality, David’s description of Bev is partially inaccurate, as it is actually Dr. Oosthuizen who neuters the animals. By working alongside Bev and euthanizing the dogs “that no one wants,”<sup>29</sup> David is providing them with death over castration; he is preserving their nature and abiding by his notion of “the rights of desire.”<sup>30</sup>

At the clinic, David begins to identify with the animals on a level deeper than their mutual compliance with drives. He comprehends the meaning of Lucy’s statement that “the only life there is” is the one “which we share with the animals”<sup>31</sup> and eventually transitions into the Open, where

“animal life and *logos* [...] are separated forever” in order to “liberate their own truer nature.”<sup>32</sup> The beginning of David’s transition is perhaps best observed when the narrator acknowledges the recent developments in David’s character:

Curious that a man as selfish as he should be offering himself to the service of dead dogs. There must be other, more productive ways of giving oneself to the world, or to an idea of the world. One could for instance work longer hours at the clinic. One could try to persuade the children at the dump not to fill their bodies with poisons. Even sitting down more purposefully with the Byron libretto might, at a pinch, be construed as a service to mankind.

But there are other people to do these things—the animal welfare thing, the social rehabilitation thing, even the Byron thing. He saves the honor of corpses because there is no one else stupid enough to do it. That is what he is becoming: stupid, daft, wrongheaded.<sup>33</sup>

The passage occurs immediately after David acknowledges his role as “dog-man.”<sup>34</sup> He has made it his primary responsibility to “take care of [the dogs] once they are unable, utterly unable, to take care of themselves”; once they are dead.<sup>35</sup> David accepts this duty despite his own belief that preserving dog corpses bound for the incinerator is illogical, “stupid,” as it does not actually benefit anyone.<sup>36</sup> David’s awareness of his irrationality is significant because it starkly contrasts his previous position among the university’s “rationalized personnel,” or those members of faculty forced to teach more practical courses after the institution underwent a period of “great rationalization.”<sup>37</sup> His shift from rational to irrational resembles that of the “figure” who has departed from *logos* and entered the Open; as

Agamben explains, the figure “is no longer human, because it has perfectly forgotten every rational element, every project for mastering its animal life.”<sup>38</sup> Though David has “perfectly forgotten” neither his rationality nor how to manage his animality, he willingly undermines rational thought and does not concern himself with the repression of his drives.<sup>39</sup> By relinquishing these typically human traits, in addition to admitting that writing the libretto, his attempt at the “superhuman” concept of “art,” was never his responsibility, David returns to “animal praxis.”<sup>40</sup>

Although David has begun his return to animal praxis, he has not yet overcome the anthropological machine. He acknowledges that his duty lies with “sav[ing] the honor of corpses” rather than preventing human children from poisoning themselves, but refuses to classify his actions toward animals as loving, only “wrongheaded.”<sup>41</sup> David does not fully accept the significance of his involvement with the animals at the clinic and does not cease to distinguish himself from the animals until he apologizes to Mr. Isaacs. After the apology, David interprets his move back to Cape Town as a “betrayal” of the dead dogs, which without him “will be tossed into the fire unmarked, unmourned,”<sup>42</sup> indicating that he now discerns the meaning of his “daft” dedication to the animals.<sup>43</sup> Additionally, when Ryan, Melanie’s boyfriend, tells David to “stay with [his] own kind,” likely referring to people David’s age, David moves back to the country and resumes his work at the clinic more devotedly than ever before.<sup>44</sup> Though David’s return to the Eastern Cape is prompted by Lucy’s obscure behavior, it is not insignificant that, after this encounter with Ryan, he begins to dedicate the majority of his time to the animals.

It is because David admits that he “lack[s] the lyrical” that he is able to enter the Open after apologizing to Mr. Isaacs.<sup>45</sup> His lack of the lyrical, displayed not only in his affair with Melanie, but also in his inability to compose the Byron libretto, is a direct result of his failure to repress his animal drives. In accordance with Freud’s theory, without repression, David is unable to adopt the “restriction upon sexual life” that would bind him to a single partner, and is also unable to accomplish cultural achievement.<sup>46</sup> In this

sense, a lack of the lyrical is analogous to a lack of repression of the drives; the lyrical thus represents humanity in terms of the anthropological machine, which dictates that humans must manage their animality in order to declare themselves as human. During the conversation, it is made evident that David is not only aware of his lack of humanity, but also accepts it, as he explains that he has embraced the disgrace it has caused:

I am sunk into a state of disgrace from which it will not be easy to lift myself. It is not a punishment I have refused. I do not murmur against it. On the contrary, I am living it out from day to day, trying to accept disgrace as my state of being. Is it enough for God, do you think, that I live in disgrace without term?<sup>47</sup>

Though David does not accept that it is just to be punished for pursuing one’s instincts, as conveyed by the golden retriever anecdote, he tries to accept the “punishment” itself; he does not “murmur against it,” but understands that he now “live[s] in disgrace without term.” His willingness to serve his indefinite punishment indicates that he accepts what it is he is being punished for, that is, his lack of anthropological humanity. Psychoanalysis avers that accepting one’s lack “is in fact a matter of taking the route toward one’s real desires, and not merely submitting to the Other.”<sup>48</sup> In David’s particular case, the Other can be identified as the university committee, or rather, much more broadly, humanity as defined by the anthropological machine. Prior to admitting his own lack of humanity, David aspired to “return triumphant to society as the author of an eccentric little chamber opera”; he planned to satisfy the committee’s demand that he repress his animality, and thus exhume himself from disgrace, through cultural achievement.<sup>49</sup> Upon accepting his lack and his existence in a state of disgrace, David is able to more fully commit himself to the animals at the clinic, unhindered by humanity’s conjectures of more appropriate, “productive ways of giving oneself to the world.”<sup>51</sup>

David’s bolstered dedication to the animals can be observed through the ways in which his life on the Eastern

*“David has become a creature, a ‘dog-man:’ he is no longer suspended between ‘man and animal,’ but is simultaneously both man and animal.”*

Cape differs before and after he accepts his animality. While he lives with Lucy when he initially is “expelled”<sup>52</sup> from the university, upon his second stay in the country he “hires a room in a house”<sup>53</sup> because he can no longer tolerate “the people she lives among.”<sup>54</sup> More significantly, he spends less time interacting with humans and more time with the dogs, as “the clinic, more than the boarding-house, becomes his home.”<sup>55</sup> He “feeds the animals” and “occasionally talks”<sup>56</sup> to them, even developing “a particular fondness” for one of the dogs.<sup>57</sup> David’s concern for the animals after he accepts his lack severely contrasts with his previously negative sentiments toward them, as suggested by his prior opinion of “animal-welfare people,” whose “cheerful and well-intentioned” demeanors made him want to “kick a cat.”<sup>58</sup> He was once “repelled” by the odor of “dog mange” and thought little of those who care for animals, but he now commits himself to them almost entirely.<sup>59</sup> Furthermore, David has altered his attitude toward his and Bev’s “sessions of *Lösung*,” or Bev’s solution to the



THE PROTAGONIST OF *DISGRACE* IS UNSUCCESSFUL IN HIS ATTEMPT TO WRITE THE BYRONIAN LIBRETTO, A FAILURE HE ATTRIBUTES TO HIS “LACK OF THE LYRICAL.”  
(PHOTO COURTESY OF WIKIMEDIA)

problem of sex that plagues the animals.<sup>60</sup> Though David once interpreted Bev as “part of the repressive apparatus”<sup>61</sup> that condemned his pursuit of Eros, he has since discerned that by working alongside her and euthanizing the animals whose “term has come,” he is in fact liberating them from a world that condemns animality as disgraceful. He has now learned what Bev meant when she said that, while putting down the animals, she “mind[s] deeply”<sup>63</sup>; when David administers the “lethal,” he too must mind deeply and provide the animal with the affection and consideration it deserves.<sup>64</sup> He must “concentrate all his attention on the animal they are killing, giving it what he no longer has difficulty in calling by its proper name: love.”<sup>65</sup>

At the conclusion of Coetzee’s *Disgrace*, David’s disgrace no longer represents his lack of the lyrical, his lack of humanity in the terms of the anthropological machine, but has rather become his existence. His immersion in the dog’s “egalitarian”<sup>66</sup> order, which elevates neither animality nor humanity, renders his lack negligible and eliminates from his being all predication upon “negativity.”<sup>67</sup> Though he once lived as neither human nor animal in a society that defines man based upon his ability to fulfill the definition provided by the anthropological machine, the “ironic apparatus that verifies the absence of a nature proper to *Homo*, holding him suspended between a celestial and terrestrial nature,” he has since transcended this rigid existence and has emerged in Agamben’s Open. David has become a creature, a “dog-man”<sup>68</sup>: he is no longer suspended between “man and animal,” but is simultaneously both man and animal.<sup>69</sup>

## ENDNOTES

1. J.M. Coetzee, *Disgrace* (New York: Penguin, 2000), 171.
2. Coetzee, 171-2.
3. Sigmund Freud, *Beyond the Pleasure Principle*, Ed. Todd Dufrense, Trans. Gregory C. Richter (Peterborough, Ont.: Broadview Editions, 2011), 80.
4. Coetzee, 52.
5. Giorgio Agamben, *The Open*. Trans. Kevin Attell (Stanford: Stanford UP, 2004), 12.
6. Coetzee, 48.
7. *Ibid.*, 52.
8. Agamben, 37.
9. *Ibid.*, 77.
10. Coetzee, 90.
11. *Ibid.*
12. *Ibid.*, 89.

13. *Ibid.*, 52.
14. *Ibid.*, 90.
15. *Ibid.*, 89.
16. *Ibid.*, 90.
17. Agamben, 26.
18. Agamben, 27.
19. Coetzee, 142.
20. *Ibid.*, 1.
21. *Ibid.*, 85.
22. *Ibid.*, 1.
23. *Ibid.*, 2-3.
24. *Ibid.*, 52.
25. *Ibid.*, 63.
26. *Ibid.*, 85.
27. *Ibid.*, 84.
28. *Ibid.*, 91.
29. *Ibid.*, 85.
30. *Ibid.*, 89.
31. *Ibid.*, 74.
32. Agamben, 90.
33. Coetzee, 146.
34. *Ibid.*
35. *Ibid.*
36. *Ibid.*
37. *Ibid.*, 3.
38. Agamben, 90.
39. *Ibid.*
40. *Ibid.*, 6.
41. Coetzee, 146.
42. *Ibid.*, 178.
43. *Ibid.*, 146.
44. *Ibid.*, 194.
45. *Ibid.*, 171.
46. Freud., 90.
47. Coetzee, 172.
48. *Ibid.*
49. Gohar Homayounpour, *Doing Psychoanalysis in Tehran* (Cambridge, MA: MIT, 2012) 23.
50. Coetzee, 214.
51. *Ibid.*, 146.
52. *Ibid.*, 90.
53. *Ibid.*, 211.
54. *Ibid.*, 209.
55. *Ibid.*, 211.
56. *Ibid.*
57. *Ibid.*, 215.
58. *Ibid.*, 73.
59. *Ibid.*, 72.
60. *Ibid.*, 218.
61. *Ibid.*, 91.
62. *Ibid.*, 218.
63. *Ibid.*, 85.
64. *Ibid.*, 83.
65. *Ibid.*, 219.
66. *Ibid.*, 85.
67. Agamben, 87.
68. Coetzee, 146.
69. Agamben, 29.

## REFERENCES

Agamben, Giorgio. *The Open*. Trans. Kevin Attell. Stanford: Stanford UP, 2004. Print.

Coetzee, J. M. *Disgrace*. New York: Penguin, 2000. Print.

Freud, Sigmund. *Beyond the Pleasure Principle*. Ed. Todd Dufresne. Trans. Gregory C. Richter. Peterborough, Ont.: Broadview Editions, 2011. Print.

Freud, Sigmund. *Civilization and Its Discontents*. Ed. James Strachey. New York: W.W. Norton &, 2010. Print.

Homayounpour, Gohar. *Doing Psychoanalysis in Tehran*. Cambridge, MA: MIT, 2012. Print.

## CONSEQUENCES OF CLIMATE CHANGE

### *Rising Violence and Environmental Degradation*

MICHAEL MARTINA

CLIMATE CHANGE IS ONE OF THE FOREMOST ISSUES IN TWENTY-FIRST CENTURY POLITICS. NORMALLY, THE EFFECTS OF CLIMATE CHANGE TEND TO BE ABSTRACT OR LONG TERM CONSEQUENCES, WHICH DO NOT TRANSLATE WELL TO THE SHORT TERM PRIORITIES OF MANY GROUPS. HOWEVER, RELATING CLIMATE CHANGE TO INCREASED SCARCITY OF RESOURCES, AND THUS INCREASED CONFLICT, REVEALS ITS CLEAR AND PRESENT DANGER IS THE IMMEDIATE LOSS OF HUMAN LIFE. UNFORTUNATELY, AS INDUSTRIALIZED COUNTRIES CONTINUALLY PRODUCE GREENHOUSE EMISSIONS, IT IS VERY OFTEN UNDEVELOPED COUNTRIES THAT SUFFER THE MOST BECAUSE OF REDUCED RESOURCE AVAILABILITY AND MULTINATIONAL EXPLOITATION FROM LACK OF REGULATION. BY ADOPTING A PUBLIC TRUST DOCTRINE VIA A U.N. CHARTER, THE EFFECTS OF CLIMATE CHANGE AND THE ENSUING VIOLENCE MAY BE CURBED.

On April 17, 2007, an unprecedented argument took place at the United Nations Security Council on climate change and security; the majority of the council members agreed that climate change presented a serious threat to international security.<sup>1</sup> By 2005, the U.S. Department of Defense identified environmental instability as a fundamental strategic concern because evidence suggested that environmental stress is an important contributor to contemporary conflicts.<sup>2</sup> The many facets of environmental degradation are foreseeably the most prevalent social, political, cultural, and ideological problems facing the twenty-first century. Environmental issues are intertwined with countless aspects of global systems, institutions, and processes. I believe that of these relationships, the nexus between environmental degradation and large-scale violence is one of the most important to address. Focusing on environmental degradation's role in global violence, rather than on disclosing the consequences of climate change in relation to areas that are not directly affected by humans, demonstrates the ramifications of climate change to life by presenting them in terms that everyone can relate to: direct loss of human life. Climate change and other environmental issues are intrinsically problematic; however, they have and will continue to have one of the largest impacts on human life through their connection to violence and wars.

There exists a complex relationship between global violence and environmental degradation. Additionally, both U.S. domestic law and international law play into this relationship and the viable paths that law can take in order to deter environmentally-related violence from occurring. Not only does that violence cause environmental degradation, but also, perhaps more importantly, that environmental degradation generates violence. There are a vast number of factors and intricate relationships that affect this. However, the message remains: global peace will not occur without environmental sustainability.

It is necessary to examine the causes of war from a historical and ideological perspective in order to see how environmental problems can create the necessary situational factors for war to erupt. The roots of all war and violence do not lie in economic issues, however, it is important to focus on the economic causes of war because it is within this cause (as opposed to national desire for power, ethnocentricity, mob patriotism, etc.) that environmental change plays the largest role. Although it is nearly impossible to isolate one aspect of conflict from all other political, social, and cultural aspects, this article aims to view the ways in which environmental degradation interacts with these

other elements in order to instigate and accelerate violence. Furthermore, environmental degradation often acts as a catalyst to pre-existing forms of violence, making them much more brutal and wide-spread.

Stripped of all modern political and social institutions, an examination of the Ik people of Uganda reveals that humans are centrally motivated by self-preservation. When economic influences restrict one's capability to receive essential resources, people are stripped of morality and are especially inclined toward violent behavior. The Ik peacefully lived in the Karamoja region of Northeast Uganda for centuries. They practiced rich cultural activities and were completely independent, relying on subsistence farming for nourishment. However, in 1958, the creation of the Kidepo Valley National Park by the colonial British government shattered the societal structure of the Ik people. The establishment of these hunting grounds forced the Ik to leave their fertile fields and settle in the less arid mountainous region of Uganda near the Kenyan border. This radical transition caused the Ik to suffer from widespread famine. Because they could no longer rely on subsistence farming in order to feed themselves, the cultural backbone of Ik society was broken, turning the Ik community into "a conglomeration of individuals of all ages, each going his own way in search of food and water, like a plague of locusts spread over the land."<sup>3</sup> The Ik turned from a peaceful tribe to a people dramatically inclined towards violence. First-hand accounts by Colin Turnbull reveal the atrocities committed by the starving Ik population. He described accounts of parents deliberately allowing their children to die when food sources ran scarce in order to save enough food for their own survival. He offered stories of family members brutally killing each other without remorse in order to salvage small scraps of food. The Ik became "the loveless people" whose lives simply do not have room "for such luxuries such as family and sentiment...nor any morality beyond filling one's own stomach".<sup>4</sup> On the most basic scale, the horrific transformation of Ik society demonstrates the role that economic hardship can play in creating violent behavior. When the Ik were stripped of their economic system of subsistence farming, they were forced to abandon all love and morality in order to protect themselves from starvation. Even though the Ik are an extreme example, their examination effectively demonstrates the power that economic hardships have in causing violent behavior on the most basic level. When resources become scarce or unobtainable, violent behavior often follows.

The dissection of many theories of the causes of war fur-

ther discloses the strong connection between economic forces and large-scale violence. Both the Marxist and Leninist Theories of Imperialism show how capitalist markets can encourage the eruption of war. While the historical context of these arguments must be taken into account, their theories still offer seemingly legitimate causes of war with many historical examples to further justify their claims. Both of these theories are based on an underlying form of the “underconsumption theory of the trade cycle” where it was argued that “Because there was chronic tendency for the working classes to have too little to spend [in capitalist markets], there developed a struggle for international markets which tended from time to time to culminate in war.”<sup>5</sup> This essentially involves a wage paradox in which the workers are paid too little to purchase the goods that they make. Lenin furthers this ideology by offering five features of capitalist development that he argues will inevitably lead to “clashes of interest and war.”<sup>6</sup> The features include: the concentration of production and capital into monopoly-like industries, the merging of bank capital and industrial capital on the basis of finance capital, the export of capital instead of commodities, the formation of international capitalist monopolies, and the territorial division of the world amongst the greatest capitalist powers.<sup>7</sup>

As we look at the historical examples where these conditions are met, it is undeniable that investment interest has played a leading role in imperialist expansion and subsequent war. In the second Boer war in 1899, “it does not seem possible to deny that it was the investments on the Witwatersrand and the pressure from their owners which played the leading role” in fueling the violence.<sup>8</sup> One of the central raids in the war, the Jameson raid, was planned by Rand capitalists aiming to protect their investments over the newly discovered gold on the Witwatersrand. Additionally, all subsequent negotiations “were concerned with the position and interests of foreign investments and investors.”<sup>9</sup> The conflicts and wars in Samoa by the Germans, in Haiti and Guatemala by the Americans, and in Venezuela by the British and Germans are all cases in which the leading motivation behind war is the protection or expansion

of foreign investments by imperialist powers. In regard to the Russo-Japanese war of 1904, “the root cause of this conflict was the desire of the Russian government to safeguard the interests in certain Yalu timber estates of a group of investors in close touch with the Russian court.”<sup>10</sup> Additionally, the Opium Wars in China demonstrate the vast violent measures that imperialist powers will take to protect their foreign investments. The British used the full force of their navy, then the most powerful navy in the world, in order to ensure that the Chinese government did not interrupt the selling of tens of thousands of chests of opium into China, despite the detrimental effects that the drug had on Chinese society and productivity.<sup>11</sup> Throughout history, there are countless examples in which imperialist powers, fueled by capitalism, wage war in order to protect or expand foreign investments.

Noam Chomsky offers a unique perspective on the cause of violence and war in his deeply skeptical criticism of American foreign policy. Chomsky attributes much of American militaristic intervention to be centrally motivated by Neoconservative economic interests in the name of moral protection and humanitarian efforts. He embodies many anti-American sentiments across the globe by arguing that the true reasoning behind American military intervention is to protect U.S. corporations’ economic interests abroad, even though political leaders claim they are intervening for moral reasons. One example Chomsky commonly uses to demonstrate this immoral use of Neo-conservative morality is the fact that America has a history of overthrowing democracies and instilling oppressive, American-sponsored dictators in their place. The irony of this situation is that the American government commonly uses the manifest destiny ideology of spreading democracy to justify military intervention abroad.<sup>12</sup> In 1953, the democratically-elected Guatemalan President Jacobo Arbenz nationalized some uncultivated land of the American firm United Fruit. Subsequently, a CIA-organized coup overthrew Arbenz, forcing him into exile and initiating “40 years of military-government death squads, torture, disappearances, mass executions and unimaginable cruelty.”<sup>13</sup>

*“Violence serves not only as a convenient and economical instrument to transform society, but also as an excellent communicative vehicle with which to make symbolic statements.”*



The U.S. sponsored dictator Castillo Armas came to power after Arbenz, instilling “indisputably one of the most inhumane chapters of the 20th century” all in the name of protecting Western Democracy from ‘Communist imperialism.’<sup>14</sup> Similar situations in El Salvador, Cambodia, Thailand, The Congo, Brazil and many other countries show that America’s history of foreign intervention warrants skepticism of the true motives behind political leaders as well as those behind the powerful members of the private sector. Thus, Chomsky suggests, America is creating so much tension amongst the global poor and the global rich that class warfare may be imminent. As the global rich push the poor closer and closer to the edge, they will begin to fight back before toppling over.

Chomsky also attributes much of American immoral foreign intervention to the protection of the global elite from the global poor. He argues that, throughout the period of U.S. hegemony, “there has been no hesitation to resort to force if the welfare of U.S. elites is threatened by...‘national regimes that are responsive to the popular demands for improvement in the low living standards of the masses.’”<sup>15</sup> American political leaders place so much emphasis on remaining the hegemonic power that they are ready to deploy harsh militaristic punishment to any country that

shows resistance to American will. Chomsky believes that there is such a drastic inequality of wealth and resource use that the United States must keep the global poor submissive through fear of the formidable U.S. military. Although this theory is not the subject of this article, it offers a unique perspective on a mere possibility of class warfare being heightened by environmental degradation. Most of the environmental degradation that is occurring today is carried out by powerful, economically-motivated institutions at the cost of the lives and comfort of the global poor. The region of the world that is predicted to suffer the most from global climate change is Africa.<sup>16</sup> In addition to being unprepared to adapt to climate change due to its unstable governments, Africa is also expected to experience the worst effects of climate change. Yoweri Museveni, the President of Uganda, declared at an African Union summit in 2007 that climate change was an “act of aggression” by the developed world against the developing world. That same year the Namibian representative to the United Nations, Kaire Mbuende, claimed that “the developed countries’ emissions of greenhouses [is] tantamount to ‘low intensity biological or chemical warfare.’”<sup>17</sup> This is eerily ironic in that the average African produces less than a twentieth of the emissions of the average American.<sup>18</sup>



THE IK PEOPLE ARE A CLASSIC CASE STUDY OF RESOURCE SCARCITY RESULTING IN VIOLENCE. (PHOTO COURTESY OF WIKIMEDIA)

The same capitalist motivations that encourage imperialistic expansion and globalization are deeply intertwined with the environmental degradation that is sweeping across the world. The short term economic frame of discourse that dominates western market systems goes hand in hand with the short term focus that causes environmental issues and climate change. The same economic incentives that encourage corporations to exploit resources abroad also encourage these same corporations to operate with highly-efficient, low-cost procedures that render great profits. The leaders of these corporations are not sinister antagonists that aim to destroy the ecosystems of the world. Rather, the corporations that will not sacrifice environmental harm for profit will be weeded out in the market. Sustainable businesses are much less likely to be able to compete with corporations that exploit the Earth's resources because the sustainable businesses will have to pay more in order to carry out their environmentally-responsible tasks. This will drive up the price of the good or service they are operating, thus putting them at a disadvantage compared to the rest of the market. In order to solve climate change and the violence that it causes and catalyzes, peacekeepers cannot overlook the importance of the underlying economic incentives.

As the historical aspects of the relationship between environmental change and violence are examined, it is first helpful to observe how war and violence affect the natural environment. In Southern Sudan, African tribal groups and Arab militia forces backed by the Sudanese Government are engaged in a civil war. The massive civil war between the insurgency and the government has largely destroyed Southern Sudan. This conflict has undermined hope of economic recovery by destroying infrastructure and agricultural areas. Conflict has been shown to deplete human and natural resources, undermine critical communication networks, and weaken government institutions needed for economic development and innovation.<sup>19</sup>

More interesting, however, is the evidence that environmental degradation causes violence, not the other way around. In some instances, a simple rise in temperature has been correlated with a rise in conflict. The summer of 2012 in Chicago, Illinois was one of the bloodiest times in Chicago's recent history. Many experts and locals have attributed a portion of the increase in killings to the unusually warm summer. When interviewed, residents of Chicago's South Side describe the increased homicide rate as a result of growing agitation and an increase in time spent outdoors due to the record-breaking heat. In sub-Saharan

Africa between 1982 and 2001, a study by the Proceedings of the National Academy of Sciences examined databases of temperatures and instances of civil conflict that left at least 1,000 people dead. The study found an interesting correlation between instances of conflict and warmer temperature: conflict was about fifty percent more likely in unusually warm years.

The role of environmental degradation in causing conflict is not an entirely new concept. For example, environmentally triggered conflict precipitated widespread warfare in ancient China and was a large factor in determining the collapse of the Anasazi and Akkadian civilizations.<sup>21</sup> Although climate change and its effects are usually studied within the post-industrial revolution context, examination of the mid-seventeenth century provides us with historical examples of the ways in which violence and climate change have been intertwined in the past. The middle of the seventeenth century featured abnormal and extreme weather patterns. In West Africa, the semi-arid savannah south of the Sahara Desert experienced a prolonged drought from 1614 until 1619. A five-year drought almost caused the Virginia colonies to fail. 1628, the "year without summer," proved to be the wettest summer in Europe in the past 500 years.<sup>22</sup> India suffered a perfect drought in 1630 and 1631, which was followed by catastrophic floods in 1632. The Canadian Rockies experienced severe and prolonged drought from 1641 until 1653, and virtually no rain fell in the valley of Mexico in 1640. On the other side of the Pacific, Java, from 1643-1671, experienced the longest drought recorded during the past four centuries. Drought caused the Indonesian rice harvest to fail in 1641 and 1642. The Grand Canal dried up in 1640 due to lack of rain. In 1641, the Nile River fell to the lowest level ever recorded. Western Europe experienced extremely cold winters and dangerously short summers. In the Southern Hemisphere, similar catastrophes were widespread.

War and violence was widespread across the globe during this same exact time period. More wars took place in that era than in any other era in recorded history before World War II<sup>23</sup>: "Most of those who survived through the seventeenth-century crisis identified war rather than climate change as the principal cause of their misfortunes."<sup>23</sup> English burial records show that the armies that fought in the English County of Berkshire in 1643 killed significantly more people than were killed by the plague epidemic of 1624-25.<sup>24</sup> Pitirim Sorokin, a Russian sociologist, created an index of war intensity that rose from 732 in the sixteenth century to 5,193 in the seventeenth century. The rate

of increase was at least twice that of any other time period. Additionally, the mid-seventeenth century “witnessed more civil wars than any previous or subsequent period.” People of the seventeenth century “believed that the wars of their day were not only more frequent but also more harmful to both people and property” than usual.<sup>25</sup>

The scarcity of resources relates the drastic climate change and the eruption of violence across the globe. As climate change produced more severe weather patterns, the natural systems of the biosphere were unable to cope with the changes effectively. Up until the mid-seventeenth century, “the mean global temperature [showed] remarkable stability over the last six millennia.”<sup>26</sup> However, the shift in global temperatures and the increased occurrence of extreme weather developed so rapidly—in geological terms—that ecosystems were unable to adapt fast enough. The earth’s intertwined ecosystems evolved over centuries to be specially suited to the stable climate and weather patterns of their habitats. Thus, changes in precipitation and temperature caused ecosystems to collapse and induced massive agricultural failure. Crops failed throughout the world, causing famine and desperation. During this period, the earth provided significantly fewer natural resources than were needed to sustain the human population. In particular, food shortages caused hunger to be the “heart of the crisis” of the seventeenth century.<sup>27</sup> As we have seen with the Ik, people are driven to extremes, often violent extremes, when they are barely holding on to the brink of survival. From a communal standpoint, war and violence can be seen as a rational strategy. The sentiment that “it was always better to die by the sword than to die of hunger” was felt by starving communities across the world.<sup>28</sup> In addition to fueling “more rebellions and revolutions than any comparable period in world history,” the changes in climate and the hunger that followed were linked to the formation of “roving bandits.”<sup>29</sup> Desperate people would gather into violent throngs and use force to obtain whatever food and natural resources they could find. These infamous bandit groups struck so much fear in the hearts of traveling merchants that Qing officials were forced to keep manuals on the locations and positioning of bandit groups in order to warn travelers. These officials noted that “those who did not die of famine will rise to become bandits.”<sup>30</sup>

From an anthropological perspective, David Riches reasons why resource scarcity causes ordinary people to be driven to commit violent crimes against their neighbors. He suggests that “violence serves not only as a convenient and economical instrument to transform society, but also

as an excellent communicative vehicle with which to make symbolic statements.”<sup>31</sup> Similar to many terrorist organizations of the twentieth and twenty-first centuries, people of the seventeenth century used violence and fear tactics to enact social and political change. Hungry rioters kidnapped wealthier members of the community and would subsequently kill or torture them in public in order to incite fear into the other members of the community that had food and resources. Furthermore, the increase in revolutions and political upheavals in the seventeenth century seemingly reinforces Chomsky’s notion that climate change can cause class tension to grow, thus resulting in increased warfare.

The correlation between climate change and its societal implications in the seventeenth, twentieth, and twenty-first centuries is remarkable. The examination of the crises of the seventeenth century allows us to examine the consequences that climate change can have on human conditions and warns us of what can come if drastic measures are not taken to prevent climate change. Even though the climate became drastically colder in the seventeenth century, whereas the climate is becoming warmer in the present, the environmental implications are very similar. Because the Earth’s ecosystems have evolved to be particularly adapted to their specific habitats and climates, any rapid and persisting change in temperature—whether an increase or decrease—can have dire consequences on the ecosystem’s functionality. Despite the differing temperature fluctuations, the climate change of the seventeenth century and that of the present day both result in the vast scarcity of resources. The general path connecting scarcity of resources to violent conflict is as follows: resource scarcity inherently causes competition between various groups and individuals that use these resources. This competition may then grow to a state of conflict as the remaining resources are not able to sustain every group involved. If conflict-resolution institutions fail to resolve the smaller-scale outbreaks of violent competition, then large-scale violence may result. Thus, the droughts, famines, and subsequent acts of violence that were seen around the globe in the seventeenth century are mirrored in many third world countries as global warming begins to gain more momentum.

When the temperature stayed consistently low in the seventeenth century, extreme weather events were recorded all over the world. The late twentieth and early twenty first centuries have observed similar extreme weather. According to a White Paper prepared for the European Commis-

sion, “almost two-thirds of all loss events between 1980 and 2007 were directly attributable to weather and climate events (storms, floods and heat-waves) while a further quarter are attributable to wild fires, cold spells, landslides, and avalanches, which may also be linked to weather and climate.”<sup>32</sup> The paper estimated that in 2009 “losses from weather events are growing at an annual 6 per cent, thus doubling every 12 years.”<sup>33</sup> As seen in the seventeenth century, the global poor are more likely to live along coastal areas or mountainous regions, both of which are especially susceptible to drastic alterations during climate change. Additionally, poorer demographics are generally observed in countries with less stable governments. For the most part, these third world governments are not able to cope as effectively with environmental degradation as the governments of developed countries. In addition, coastal and mountainous regions of the world tend to be “economically less performing,” thus in these areas “the cost to cover adaptation needs will be so huge that they exceed the capacity of public funding” by these weaker governments.<sup>34</sup> For example, the 1999 drought in Kenya caused damage equivalent to sixteen per cent of the Gross Domestic Product of the entire country. In comparison, Hurricane Katrina in 2005 caused damage equivalent to one percent of the Gross Domestic Product of the United States.<sup>35</sup> Because these effects are felt mainly by the poor, the poor look to the wealthier members of society in times of desperation because the rich are more likely to have resource security and have more access to foreign food. Thus, tension grows between the ‘haves’ and the ‘have-nots’ as resources become more and more scarce due to climate change. Chomsky’s analysis on the growing class tension in the world could be drastically heightened as the effects of global warming are felt by greater numbers of the global poor.

One of the central reasons behind the prediction that climate change and environmental degradation will cause large-scale violence to erupt is the sheer number of people whose lives centrally revolve around land use. About one half of the world’s population relies on direct use of the land for their economic well-being.<sup>36</sup> Projected climate change, desertification, drought, deforestation, and soil erosion will have major consequences in these areas. In many undeveloped or developing areas of the world, pressures to use renewable resources at an unsustainable rate further deplete existing resources. Nearly two billion people do not have access to clean drinking water, and close to seventy-five percent of the world’s most impoverished inhabitants are subsistence farmers that are being forced to

*“The United States emitted 5,425 million tonnes of greenhouse gases in 2012, nearly five times as much as the entire continent of Africa.”*

reside on smaller and plots of land.<sup>37</sup> The expected manifestations of climate change will have a wide range of detrimental consequences for many regions across Africa. An assessment by the Intergovernmental Panel on Climate Change described how, as climate change continues to gain stride, agricultural production is predicted to fall, especially in semi-arid areas, existing water shortages will be heightened, rates of ecosystem change are predicted to increase, the risks of inundation in low-lying settled areas is supposed to increase, and risks to human health from vector-borne diseases are likely to increase.<sup>38</sup> Generally speaking, Africa is more dependent on climate sensitive sectors of the economy than other regions of the world. By 2050, sub-Saharan Africa is predicted to have up to ten percent less annual rainfall in its interior, where seventy-five percent of the agriculture is rain-fed.<sup>39</sup> Because climate change is predicted to increase rainfall variations and cause more violent weather patterns on both ends of the spectrum, existing water-related problems in Africa are predicted to become more extreme. Reduced overall rainfall on the western part of the continent will exacerbate current water stress. However, the reduced rainfall is predicted to fall more isolatedly and intensely, thus increasing the threat of flooding in these same areas. Areas like the Nile basin will certainly face challenges due to the fact that their water supplies are particularly sensitive to variations in rainfall.<sup>40</sup> Many low-lying coastal regions in Africa are predicted to succumb to rising water levels, thus displacing regions that currently possess some of the highest population densities in the continent.<sup>41</sup> These rising sea levels are predicted to take over low-lying industrial areas in Egypt, the Gambia, the gulf of Guinea and Senegal where the costs associated with this displacement is predicted to be equivalent to be between five to ten percent of the Gross Domestic Products of the overall region.<sup>42</sup> The resulting forced migration has been shown to cause outbreaks of violence.<sup>43</sup>

Even though much of the violence caused by environmental degradation has yet to come, the world has already witnessed its first environmental wars. The roots of the Darfur war and genocide lie in the scarcity of resources created by climate change. The Darfur conflict “began as an ecological crisis” between the Arabs and the native African tribal groups.<sup>44</sup> In the Darfur region of Sudan, climate change has played a large role in instigating and accelerating armed conflict and genocide. Since 2005, the Janjaweed, an armed militia group of Arab soldiers, have been systematically killing African tribal groups of Darfur.<sup>45</sup> Peter Takirambudde, the executive director of Human Rights Watch’s Africa Division, declares that “it’s absurd to distinguish between the Sudanese government forces and the militias—they are one.”<sup>46</sup> However, when Darfur insurgency forces gained momentum in Khartoum, the government only heightened its ethnic cleansing and destruction of African tribal groups. This unimaginable persecution has roots in climate change and is accelerated by the continuing effects of climate change on the susceptible semi-arid region.

In the face of climate change, the most effective way to prevent violence across the globe is through collective security ideologies involving a strong United Nations Charter. Because the problems of climate change are felt all over the world, they will require a world-wide solution, and thus all should contribute. Although industrialized countries contribute the most to climate change, it is difficult for domestic policy alone to limit emissions. Corporations can circumvent policies by moving to poorer nations in order to exploit resources with less regulation. Thus world needs a binding U.N. Charter to regulate and enforce climate change policies. Furthermore, collective security efforts are needed in order to bring environmental justice to the global poor by connecting them, through international law, to the global rich that are causing the majority of the issues. Strong, enforceable international law with a criminal court system should hold perpetrators accountable for exploiting resources. Additionally, if violence breaks out, a strong U.N. organization should be able to prevent escalation more effectively by allowing the voices and the context of all parties involved to be heard and understood. The cur-



THE UN CAN HOPEFULLY IMPLEMENT EFFECTIVE POLICY TO PREVENT FURTHER ENVIORNENTAL DEGRADATION. (PHOTO COURTESY OF PATRICK GRUBAN)

rent system is ineffective against battling climate change because the industrialized countries, which have the Security Council vetoes, are some of the biggest contributors to climate change.

The United States emitted 5,425 million tonnes of greenhouse gases in 2012, nearly five times as much as the entire continent of Africa (Rogers). Furthermore, many of the emissions in third world countries come from industrial processes carried out by American, Western, and Chinese corporations that have moved abroad in search of cheap labor. Although industrialized countries are contributing proportionally more to climate change, they are least aware of it because they do not directly feel such imminent costs. In order to create a global awareness of the implications of climate change on human life, cultural boundaries between the global rich and the global poor must be eliminated. The rich must be connected to the poor in some manner in order to fabricate a human utility incentive for sustainability. Collective security strategies can do this by politically uniting the global rich and the global poor. Consequently, the U.N. must be restructured, revising the policy of the five permanent Security Council members.

Ideally, the U.N. should create a bi-cameral system. One of the organizations would have a system of GDP proportional representation, whereas the other organization would represent each country equally. This would give pre-industrial countries a much-needed voice. In addition, this system would allow international law to grow to reflect the needs of the poorer countries that are suffering the most from climate change. However, all countries must be able to be held accountable under this system in criminal court. Under the current hegemonic-dominated U.N. charter, industrialized countries are often not held accountable in criminal court. Under a criminal court system, countries would find real incentive to avoid breaking international law because they would face much more dire consequences. Developed and developing countries could more effectively collaborate to find an economically feasible route toward sustainability. The most effective outlet to hold the industrial powers accountable for their contributions to climate change, assuming the establishment of strong UN charter, is through the international implementation of the Public Trust Doctrine (PTD). The idea of Public Trust goes back to the ancient Roman Empire, where Emperor Justinian declared that the air, the running water, the sea, and the seashore were all to remain common to mankind. This historical depth adds validity to the concept and gives it the necessary global application to be used on a world-

wide basis. The core of the Public Trust Doctrine aims at preserving the commons for the use by the public. In the tragedy of the commons, a shared resource is depleted because of individual use. Each person, acting under short term self-interest, uses the commons for their benefit, thus externalizing the costs of their usage to the entire public. Eventually, the commons, whether it is a park, the ocean, the air, the seashore, or the land beneath the seashore, will be depleted to the point where no one can use it. In the case of environmental law, the Public Trust Doctrine can be used to protect the commons from exploitation. On a global scale, an international organization may stand as the trustee of public trust for the benefit of the global citizen. Most cases in environmental law are constructed around the ultimate benefit to humanity. However, the Public Trust Doctrine would greatly expand the range of what is considered to be ultimate human utility. The PTD goes beyond the traditional definition of harm by recognizing the ultimate value that ecological preservation and protection provide to humanity. In addition to its historical legitimacy and acceptance, this quality of the Public Trust Doctrine makes it the perfect tool for helping to solve climate change and reverse environmental degradation.

In order to use the PTD effectively on a global scale, all three settings of the doctrine—resource defense, alienation, and diversion—would have to be recognized. Resource defense can be used to prevent the derogation of the environment in the first place, alienation can be utilized to protect the selling off of public lands to private institutions, and diversion can be exercised in order to protect public lands from more exploitive public or governmental uses. The Public Trust Doctrine is a promising tool for solving environmental issue and the violence that ensues because most cases of environmental issues involve a use of commons and externalizing the costs of that use to the public. For example, when a large corporation emits an unsustainable amount of greenhouse gases, the atmosphere becomes slightly more toxic and the earth essentially warms up a tiny amount. The company thus exploits the use of the atmosphere at the cost of the global public who suffers from polluted air and a warmer climate. Even though the effects of one company's emissions are miniscule, the total impact of thousands of similar companies is significant and creates great harm for humanity as a whole. However, the PTD is limited in that it only protects what is legally determined to be the commons. Therefore, in addition to the sea and the air, it would be necessary for the U.N. to create large-scale preservation areas across the globe that can be protected by international law.

In order for the Public Trust Doctrine to be effective, it must be made clear that all contributors to global warming will be held accountable. Hopefully, global solidarity will be fostered in the fight against climate change and will provide the societal, cultural, and political pressures for the creation of such a strong statute. If both developing and developed countries are connected through the bicameral system of the U.N., then the necessity for such a powerful legal stand may arise. Thus, the widespread use of the Public Trust Doctrine can be used to stop environmental degradation and bring an end to environmentally-instigated conflict.

The twenty-first century will suffer from the immense problem of environmental degradation that ominously looms ahead. Because of the scarcity of resources that environmental degradation is creating, the manifestation of violence in environmentally related issues is already apparent. By way of a bicameral United Nations force and the implementation of the Public Trust Doctrine on a global scale, the global community may resolve environmental issues and the subsequent conflict that arises through them.

#### ENDNOTES

1. Brown, Hammill, McLeman
2. Krakowka, Heimel, Galgano
3. Derber
4. Derber
5. Robbins
6. Robbins
7. Robbins
8. Robbins
9. Robbins
10. Robbins
11. Robbins
12. Derber-Morality Wars 56
13. Blum 130
14. Blum 131
15. Chomsky 274
16. Brown, Hammill, McLeman
17. Brown, Hammill, McLeman
18. Brown, Hammill, McLeman
19. Brown, Hammill, McLeman
20. Black
21. Krakowka, Heimel, Galgano
22. Parker 1
23. Parker
24. Parker
25. Parker
26. Parker
27. Parker 55
28. Parker
29. Parker
30. Parker
31. Parker
32. Parker
33. Parker
34. Parker
35. Parker
36. Krakowka, Heimel, Galgano
37. Krakowka, Heimel, Galgano
38. Brown, Hammill, McLeman
39. Brown, Hammill, McLeman
40. Brown, Hammill, McLeman
41. Brown, Hammill, McLeman
42. Brown, Hammill, McLeman
43. Reuveny
44. Brown, Hammill, McLeman
45. Brown, Hammill, McLeman
46. Brown, Hammill, McLeman

#### REFERENCES

Babwin, Don. "Chicago's Homicide Rates Slowing After Violent Summer Spike." *The Huffington Post*. [http://www.huffingtonpost.com/2012/10/23/chicagos-homicide-rates-s\\_n\\_2007174.html](http://www.huffingtonpost.com/2012/10/23/chicagos-homicide-rates-s_n_2007174.html) (accessed May 3, 2013).

Black, Richard. "Climate 'is a major cause' of conflict in Africa." *BBC News*. <http://news.bbc.co.uk/2/hi/science/nature/8375949.stm> (accessed April 29, 2013).

Brown, Oli, Anne Hammill, and Robert McLeman. "Climate change as the 'new' security threat: implications for Africa." Wiley Online Library. <http://onlinelibrary.wiley.com/doi/10.1111/j.1468-2346.2007.00678.x/full> (accessed April 20, 2013).

Chomsky, Noam. "Human Intelligence and the Environment." *International Socialist Review*. <http://www.isreview.org/issues/76/feat-chomsky.shtml> (accessed April 15, 2013).

Derber, Charles. *Morality Wars*. London: Paradigm Publishers, 2010.

Johansen, Robert. "Lessons for Collective Security." *World Policy Journal*, , 561.

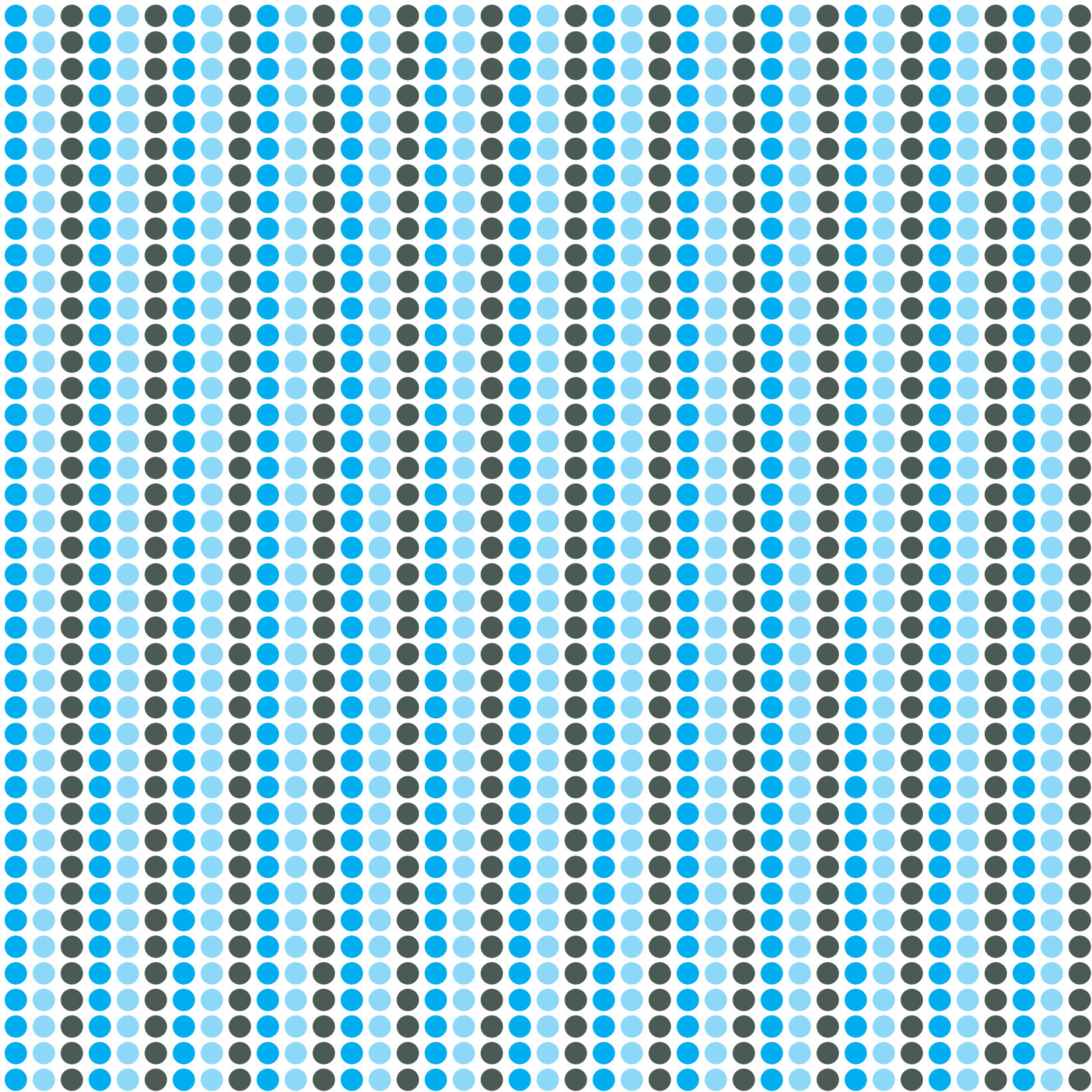
Parker, Geoffrey. *Global Crisis*. New York: Yale Books, 2013.

Reuveney, Rafael. "Climate change-induced migration and violent conflict." *ScienceDirect*. <http://www.sciencedirect.com/science/article/pii/S0962629807000601> (accessed May 1, 2013).

Robbins, Lionel. *The Economic Causes of War*. New York: Howard Fertig, 1968.

Rogers, Simon. "World carbon dioxide emissions data by country: China speeds ahead of the rest." *The Guardian*. <http://www.guardian.co.uk/news/datablog/2011/jan/31/world-carbon-dioxide-emissions-country-data-co2> (accessed May 1, 2013).





## THE ODDS IN ITS FAVOR

### *The Appeal of The Hunger Games to Post-Recession America*

MARISSA MARANDOLA

SUZANNE COLLINS' YOUNG ADULT DYSTOPIC TRILOGY, *THE HUNGER GAMES*, SOARED TO POPULARITY FOLLOWING ITS SEPTEMBER 2008 RELEASE. MILLENNIALS' RESPONSE TO COLLINS' GRIM DEPICTION OF THE FUTURE AS A STRUGGLE FOR SURVIVAL DEFINED BY CLASS CONFLICT PROVIDES CRITICAL INSIGHTS INTO THIS GENERATION'S COMING-OF-AGE MOMENT. THIS ARTICLE EXAMINES THE SUCCESS OF *THE HUNGER GAMES* WITHIN ITS POLITICAL AND ECONOMIC CONTEXT IN ORDER TO UNDERSTAND YOUNG AMERICANS' PERCEPTIONS OF THEIR FUTURE.

In the late fall of 2008, the American youth watched as the stock market tumbled, homes foreclosed, and the future they had once envisioned for themselves became ever more elusive. During this time of mounting concern, Suzanne Collins' novel *The Hunger Games* was released to critical and popular acclaim. Why, at a time already saturated by dread, did American young adults turn to a story of poverty, oppression, and brutal violence? The story responded to their apprehensions and reflected the injustices they saw in the America of their present and future. *The Hunger Games'* themes of social and economic inequality, class stratification, and the struggle to overcome oppression resonate with the fears and ambitions of young adults coming of age in an era of high unemployment, great uncertainty, and fierce competition. The popularity of the book is a testament to youth pessimism about the possibility of achieving the American Dream.

Suzanne Collins' *The Hunger Games* tells the tale of a dystopian North American nation, Panem. The country is composed of an all-powerful, totalitarian Capitol surrounded by twelve Districts that function as exploited colonies for the Capitol. Citizens of the Districts live in abject poverty and are forced to labor in their district's designated industry. Seventy-five years earlier, the Districts rebelled against the Capitol, but were soundly defeated. As punishment for their uprising, the Capitol instituted the annual Hunger Games, a sporting event in which each district sends two tributes, a boy and a girl, between the ages of twelve and eighteen to battle to the death in an arena. A lone tribute survives the ordeal and returns home as a victor, with great wealth and commendation. Collins's protagonist, Katniss Everdeen, lives in the impoverished District Twelve and volunteers as a tribute to spare her younger sister from nearly certain death.

Upon its release in 2008, *The Hunger Games* quickly gained popularity among young adult readers. It remained on the *New York Times* bestsellers list for more than two years.<sup>1</sup> Collins wrote two sequels to the initial novel, *Catching Fire* (2009) and *Mockingjay* (2010), both of which built on the success of *The Hunger Games*. Prior to *The Hunger Games* trilogy, the *Harry Potter* series was widely regarded as the standard against which success in young adult literature was measured. Collins surpassed *Harry Potter* author JK Rowling to become the author of Amazon's best-selling series in August 2012.<sup>2</sup> She was the first young adult genre author, and only the sixth author overall, to be admitted to Amazon's "Kindle Million Club", indicating the sale of one million Kindle books.<sup>3</sup> A recent glance at

*The Hunger Games'* various Facebook pages indicates that, to date, nearly 13 million have "liked" Collins's trilogy. Such statistics demonstrate the cultural significance of *The Hunger Games*.

Young adult science fiction novels are a relatively old cultural phenomenon. Before World War II, young adult science fiction was an unknown genre, although early science fiction novels such as George Orwell's *1984* and Aldous Huxley's *Brave New World* were already popular.<sup>4</sup> Writers who had survived the war as children or adolescents rejected the romantic ideas surrounding youth and sought to break with the innocence and sentimentality of early 20-century youth fiction.<sup>5</sup> Beginning in the postwar era and especially during the 1960s, young adult science fiction emerged with an emphasis on the "violent, inhumane social and political worlds" in which the youth of the day would become adults.<sup>6</sup> In keeping with this theme, *The Hunger Games* presents a world in which the rich minority imposes poverty on the many and forces them to sacrifice their children to a grotesquely violent reality television program, certainly a criticism of the economic structure and mass media of modern America. Young adult dystopian societies typically feature the "absence of hunger, unemployment, and sickness": the oppressive society imposes intellectual, not physical, mistreatment.<sup>7</sup> In this way, *The Hunger Games* defies genre expectations. Physical and material suffering as well as intellectual repression characterize Panem. Young adult science fiction is meant to raise concerns about societal flaws and their potential consequences and the "bitter inheritance" of the next generation.<sup>8</sup> Previous novels in the genre, such as Lois Lowry's *The Giver*, were written in times of material prosperity, when questions of sameness and the threat of Communism dominated discussions of the future. Similarly, *The Hunger Games* tackles the problems of its time: war, scarcity and competition for resources, and the growing chasm between the rich and poor.

*The Hunger Games* is a young adult dystopian fiction suited to its audience. Today's young adults have only vague memories of a pre-9/11 America and have grown up in a nation at war.<sup>9</sup> The violence featured in *The Hunger Games* is merely a reflection of features on the nightly news programs they have watched since childhood. Furthermore, *The Hunger Games* was released on September 14, 2008, the day before Lehman Brothers collapsed, signaling the onset of the Great Recession. Given its release date, it is apparent that Suzanne Collins did not write the book in response to the global financial panic; however, the coinci-

dence of its arrival with the beginning of an economic crisis certainly influenced public response. *The Hunger Games* is appropriate for an era of “financial upheaval and a bleak job market”.<sup>10</sup> Unlike its immediate predecessors in young adult fiction, the appeal of *The Hunger Games* lies in its darkness and the uncertainty of the protagonists’ success. Its tone and “biting irony” suited the needs of a population confronted with the possibility of total economic decline.<sup>11</sup> Georgetown University’s campus newspaper, *The Hoya*, commented that, where young adults once sought escapism and social activism in their literature, the grim reality of recession had shifted their interest towards the more applicable theme of survival.<sup>12</sup> Certainly, young adults’ fears of their reduced future prospects influenced the success of *The Hunger Games* upon its release.

Young adults coming of age in the late 2000s and early 2010s face a world in which the American Dream known to their parents seems increasingly unattainable. Previous generations have acquired a higher standard of living than their parents, characterized by suitable employment after college, home ownership, and some level of financial stability. A 2011 Gallup poll shows that 55 percent of young people believe that they are “somewhat” or “very” unlikely to have a better life than their parents; by comparison, only 26 percent of young people expressed similar sentiments in 1999.<sup>23</sup> American youth, to a large extent, no longer believe in the certainty of the American Dream. The popularity of *The Hunger Games* echoes this shift from optimism to pessimism about the future and the reality of the American Dream.

Collins’ opening scene features Katniss, a sixteen-year-old from coal mining District Twelve, illegally hunting in the woods in order to feed her family. She nears the fence marking the district’s boundary, ostensibly meant to protect the district but actually intended to prevent people like Katniss from leaving. Katniss comments, “District Twelve. Where you can starve to death in safety.”<sup>14</sup> Her sarcastic evaluation of a system apparently meant to help its people speaks to a generation of young adults who see the guarantees given to their parents’ generations falling away as they come of age. Katniss’ experience of poverty speaks to “the anxiety caused by the biggest recession in generations” and the apprehension of the American Dream failing to come true for the Millennial generation, the young adults coming of age in the midst of the Great Recession.<sup>15</sup> Katniss was born into a world in which an “all-powerful ruling elite,” the Capitol, exploits the weak and forces them into competition. Millennials were born into the opulent world

“Where young adults once sought escapism and social activism in their literature, the grim reality of recession had shifted their interest towards the more applicable theme of survival.”

of the Capitol, a world of “indulgence, superabundance, and optimism,” and then were abruptly thrown into a fiercely competitive world of uncertainty and scarcity, not unlike Katniss’s District Twelve.<sup>17</sup> Like Katniss, the youth see that they will have to fight for their futures, which contain a real possibility of poverty or, at least, less material success than their parents.

The central plot element of *The Hunger Games* is the event itself, the days Katniss spends in the arena fighting for her life. Readers follow as weak tributes perish and strong or clever tributes succeed. Katniss eventually is crowned the co-victor of *The Hunger Games* because of her physical abilities, her survival skills, and her endurance. In this way, *The Hunger Games* is, quite simply, a “brutal, Darwinian struggle” which some are better equipped to win.<sup>18</sup> One college freshman and avid fan of *The Hunger Games* said that she equates this competition in the novel with the ferocity of professional sports or, in a symbolic way, to “the violence of capitalism when the economy isn’t doing well.”<sup>19</sup> This is a clear indication that young people are seeing and responding to similarities between the opposition Katniss faces in the novel and the societal forces they must confront as they enter adulthood. American youth believe that capitalism, a central precondition for the American Dream, is an aggressive system in which they must “roll over [their] rivals or starve.”<sup>20</sup> An oft-used slogan of Capitol citizens towards District tributes is “may the odds be ever in your favor.”<sup>21</sup> Clearly, American young adults find that, in the capitalist arena, the odds are not in their favor. *The Hunger Games* gives voice to the feelings of stagnancy and frustration experienced by young adults coming of age during the Great Recession.

*The Hunger Games* continuously reinforces the reader's initial impression of the wealthy Capitol citizens as apathetic towards the Districts, self-centered, and content with the status quo. Every year, the Capitol regards the murder of 23 teenagers in the Hunger Games as a prime form of entertainment.<sup>22</sup> As the Occupy Wall Street movement and similar demonstrations of political discontent have shown, young Americans identify the wealthy as a source of inequality and injustice in society. An article from *Campus BluePrint*, a student magazine from the University of North Carolina at Chapel Hill, compares the Capitol citizens' exploitation of the Districts to young Americans' experience of "abuse at the hands of the ultra-rich."<sup>23</sup> Katniss is an underdog competitor in the Hunger Games: she is a girl from an exceptionally impoverished district who has lived her entire life on the verge of starvation. Before leaving District Twelve to compete in the Games, she herself describes her chances of victory as slim:

I can't win. Prim must know that in her heart. The competition will be far beyond my abilities. Kids from wealthier districts, where winning is a huge honor, who've trained their whole lives for this. Boys who are two to three times my size. Girls who know twenty different ways to kill you with a knife. Oh, there'll be people like me, too. People to weed out before the real fun begins.<sup>24</sup>

Katniss is an underdog not because of her personal attributes, but because of the advantages other tributes have by

*“Collins suggests that Katniss has become a symbol of hope throughout the Districts.”*

virtue of birth and wealth. The extreme nature of Katniss's experience is a "conduit for universal experiences" of coming of age.<sup>25</sup> She, like most American youth, is formed by the history not only of her family, but also of her nation and of her circumstances.<sup>26</sup> For young Americans, this is quite similar to the college admissions process, in which students from wealthy families, who have more opportunities available to them, meet with greater success, as do students with college educated parents.<sup>27</sup> *The Hunger Games* offers a mechanism through which adolescents can question these standards that are central to the American com-

ing of age experience and wrestle with their struggles connected to economic uncertainty.<sup>28</sup>

Katniss' underdog status is indicative of the extreme class stratification that characterizes her society. Citizens from certain districts favored by the Capitol are wealthier and better "educated," more similar to Capitol residents than to Katniss and her family. One of the most striking features of Panem's class system is its strict subscription to a class binary: the very rich, composed of government officials and the lucky few born in the Capitol and its favored districts, and the abjectly poor, the commonplace laborers in the other districts. When she arrives at the Capitol to compete in the Hunger Games, Katniss observes the stark distinctions between life there and in her world of District Twelve:

What must it be like, I wonder, to live in a world where food appears at the press of a button? How would I spend the hours I now commit to combing the woods for sustenance if it were so easy to come by? What do they do all day, those people in the Capitol, besides decorating their bodies and waiting around for a new shipment of tributes to roll in and die for their entertainment?<sup>29</sup>

The reader must compare Katniss's account of nearly starving to death in District Twelve to the gross overabundance of food she encounters in the Capitol. The suffering of Panem's poor is caused not by scarcity of resources, but by misdistribution of those resources in the overwhelming favor of the wealthy.

While Collins does not offer an explicitly political message through her class system, it is evident that there is no middle class in Panem. Like most young adult dystopias, the society presented in *The Hunger Games* provides a life of opulence for the few and "utter misery" for the many.<sup>30</sup> Modern American concerns about "the erosion of the middle class" from the mid-1980s continuing to the present day could, ultimately, result in as stark a division between rich and poor as seen in Panem.<sup>31</sup> Young people, who are witness to the contrasting images of billionaires such as Warren Buffet and their unemployed parent, can easily envision modern American society, where the middle class is essential to the economy and to culture, transitioning into a Panem-like model, where families are classified as either rich or poor. Recent commentary has even gone so far as to compare Washington, DC, the hub of economic and intellectual power in the United States that "the odds favor," to

“an imperial power where courtiers and influence-peddlers abound”: Panem.<sup>32</sup> The obvious reference to *The Hunger Games* indicates this author’s thought pattern: Panem is the true descendant of American society as it currently exists, and ambivalence towards the existence of an oppressive class will allow this trend to continue.

American young adults see the unfairness of the income bracket the Occupy movement deemed ‘the 1 percent’ reflected in its most extreme form in *The Hunger Games*. For them, it is not a very difficult jump from owning a disproportionate share of American wealth and limiting social mobility to strictly enforcing an unbreakable class binary. In fact, ‘the 1 percent’ merely represents the first of many stages to eliminate the middle class and thus create the class binary. The University of North Carolina at Chapel Hill’s *Campus BluePrint* magazine wryly asks its readers to “imagine a nation where catastrophic wealth imbalance has led to a widening chasm between the rich and the poor, where violent reality-TV programming dazzles and satiates the general population, and where the wealthiest citizens enjoy abundant luxuries while the lowliest struggle to find their next meal.”<sup>33</sup> The author is ostensibly describing Panem, but clearly means to imply that his readers are already living there and ought to recognize the features he mentions in their own lives.

Young adult science fiction often uses the death of children to “highlight the negligence and corruption” of institutions.<sup>34</sup> Collins utilizes the death of 12-year-old Rue, a tribute from District Eleven, to this effect. During *The Hunger Games*, Katniss forms an alliance and friendship with little Rue, who is brutally speared to death by another teenage tribute. Katniss sings Rue to sleep and touchingly covers her body with flowers. She then describes the impact of Rue’s death:

Gale’s voice is in my head. His ravings against the Capitol no longer pointless, no longer to be ignored. Rue’s death has forced me to confront my own fury against the cruelty, the injustice they inflict upon us. But here, even more strongly than at home, I feel my impotence. There’s no way to take revenge on the Capitol. Is there?<sup>35</sup>

For Katniss, Rue’s death is the clear sign that the system under which she lives is intolerable for its crimes against children. It is the turning point at which Katniss decides that she will no longer passively tolerate, at least mentally, the abuses of the Capitol. One of the purposes of young



SUZZANE COLLINS WROTE THE BEST-SELLING HUNGER GAMES TRILOGY. (PHOTO COURTESY OF WIKIMEDIA)

adult dystopias is to voice concerns for the future so that young people will turn to “realistic problem solving” on a societal scale.<sup>36</sup> *The Hunger Games* offers young adults a fictional portrayal of their world in extremes. Through the novel, readers can express “their impotence and fear,” but they can also ponder the changes their generation will seek in political and economic institutions.<sup>37</sup>

At the end of the novel, Collins suggests that Katniss has become a symbol of hope throughout the Districts. In order to save the male tribute from District Twelve, she threatens to commit suicide and deprive the Capitol of a victor. The Capitol’s ruling elite becomes infuriated with the manner in which Katniss achieves victory. This act “smacks of rebellion” and places her life in peril, but also serves as an inspiration to the discontented citizens in every district of Panem.<sup>38</sup> In the next two books of *The Hunger Games* trilogy, the Districts, led by Katniss, successfully rebel against the Capitol. She is the catalyst for widespread societal change. Young people, who feel powerless against the scope and depth of the Great Recession, are attracted to *The Hunger Games* because Katniss impacts her world in a way that the American youth wish they could impact theirs. *The Hunger Games* clearly suggests that “young



JENNIFER LAWRENCE PLAYS KATNISS, THE MAIN CHARACTER OF THE TRILOGY, IN THE MOVIE ADAPTATION. (PHOTO COURTESY OF MINGLE MEDIA TV)

people must be integrated into political life” for a society to become just.<sup>39</sup> Thus, young people choose to read *The Hunger Games* because, underneath the brutality, poverty, and blatant oppression, all of which resonate with their coming of age moment, it includes a message of hope. American young adults may be able to emulate Katniss and succeed despite the societal factors, such as class stratification, that seem to prevent them from reaching the American Dream.

Suzanne Collins’s *The Hunger Games* skyrocketed to popularity following its 2008 release because it echoed the sentiments of its youth audience through themes of social and economic inequality, class stratification, and striving to overcome oppression. As youth deal with the phenomenon of coming of age in a time of uncertainty, *The Hunger Games* acts as a mechanism through which they can express their fears and hopes for change. American young adults are no longer convinced of the promise of the American Dream; they see a world of class division and increasing economic and social hardship and oppression in their

futures. *The Hunger Games* is a dystopia for this generation, highlighting their concerns about the culture and the institutions they are poised to inherit.

#### ENDNOTES

1. Tom Henthorne, *Approaching the Hunger Games Trilogy: A Literary and Cultural Analysis* (Jefferson, NC: McFarland, 2012), 144.
2. Husna Haq, “‘Hunger Games’ passes ‘Harry Potter’ as Bestselling Amazon Series,” *The Christian Science Monitor*, August 21, 2012.
3. Brian Bethune, “Dystopia Now: A Frightening Story about Kids Killing Other Kids for the Amusement of Adults Has Become a Blockbuster,” *Maclean’s*, April 9, 2012.
4. Henthorne, *Approaching the Hunger Games*, 23.
5. Mary Hilton and Maria Nikolajeva, eds., *Contemporary Adolescent Literature and Culture: The Emergent Adult* (Burlington, VT: Ashgate, 2012), 6.
6. Kay Sambell, “Carnivalizing the Future: A New Approach to Theorizing Childhood and Adulthood in Science Fiction for Young Readers,” *The Lion and the Unicorn* 28.2 (2004), 247.
7. Maria Nikolajeva, *Power, Voice, and Subjectivity in Literature for Young Readers* (New York: Routledge 2010), 77.
8. Bethune, “Dystopia Now”.
9. Sue Corbett, “YA Comes of Age,” *Publishers Weekly* 258.40 (2011), 21.
10. Terry Goodrich, “*The Hunger Games*-a New Film about an Adolescent Fight-to-the Death Contest- Reflects Society’s Anxiety about ‘Dog-Eat-Dog Capitalism’,” Baylor University Culture Critic Says,” Baylor University, accessed April 22, 2013.
11. Henthorne, *Approaching the Hunger Games*, 2.
12. Henthorne, *Approaching the Hunger Games*, 144.
13. “Americans Divided on Outlook for Next Generation,” Gallup Inc., accessed May 3, 2013, <http://www.gallup.com/poll/159737/americans-divided-outlook-next-generation.aspx>.
14. Suzanne Collins, *The Hunger Games* (New York: Scholastic 2008), 6.
15. Goodrich, “*The Hunger Games*”.
16. Sambell, “Carnivalizing the Future”, 248.
17. Janice Turner, “No Wonder the Young Relish This Brutal Struggle: *The Hunger Games* is a Fantasy That Reflects the Grim Reality that Many Teenagers are Afraid of in Adult Life,” *The Times*, March 31, 2012, 23.
18. Turner, “No Wonder”, 23.
19. Danielle Nista, interview with author, May 2, 2013.
20. Goodrich, “*The Hunger Games*”.
21. Collins, *The Hunger Games*, 19.
22. Henthorne, *Approaching the Hunger Games*, 119.
23. Wilson Hood, “Occupy Panem: Class Conflict in Both *The Hunger Games* and the ‘Occupy Movement,’” *Campus BluePrint*,

March 24, 2012.

24. Collins, *The Hunger Games*, 36.
25. Laura Miller, "Fresh Hell", *The New Yorker*, June 14, 2010, 132.
26. Manohla Dargis and A.O. Scott, "A Radical Female Hero from Dystopia," *The New York Times*, April 8, 2012, Arts and Entertainment 1.
27. Eric F. Dubow, Paul Boxer, and L. Rowell Huesmann, "Long-term Effects of Parents' Education on Children's Educational and Occupational Success", National Institutes of Health, accessed May 3, 2013, <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2853053/>.
28. Mike Roberts, "Acid-washed Jeans, a Mousse-out Mullet, and Eternity Cologne: the Challenges of Growing Up," *English Journal* 100.6 (2011), 106-07.
29. Collins, *The Hunger Games*, 65.
30. Nikolajeva, *Power, Voice and Subjectivity*, 75.
31. Henthorne, *Approaching the Hunger Games*, 117.
32. Glenn Harlan Reynolds, "Are We Living in *The Hunger Games*?", *USA Today*, November 27, 2012.
33. Hood, "Occupy Panem".
34. Sambell, "Carnivalizing the Future", 250.
35. Collins, *The Hunger Games*, 236.
36. Sharon A. Stringer, *Conflict and Connection: The Psychology of Young Adult Literature* (Portsmouth, NH: Boynton/Cook 1997), 49.
37. Turner, "No Wonder", 23.
38. Collins, *The Hunger Games*, 363.
39. Carrie Hintz, "Monica Hughes, Lois Lowry, and Young Adult Dystopias," *The Lion and the Unicorn* 26.2 (2002), 263.

## REFERENCES

"Americans Divided on Outlook for Next Generation." Gallup Inc. Accessed 3 May 2013. <http://www.gallup.com/poll/159737/americans-divided-outlook-next-generation.aspx>.

Bethune, Brian. "Dystopia Now: A Frightening Story about Kids Killing Kids for the Amusement of Adults Has Become a Blockbuster." *Maclean's*. 9 April 2012.

*Contemporary Adolescent Literature and Culture: The Emergent Adult*. E. Mary Hilton and Maria Nikolajeva. Burlington, VT: Ashgate, 2012.

Collins, Suzanne. *The Hunger Games*. New York: Scholastic 2008.

Corbett, Sue. "YA Comes of Age." *Publisher's Weekly* 258.40 (2011), 21.

Dargis, Manohla, and A.O. Scott. "A Radical Female Hero from

Dystopia." *The New York Times*. 8 April 2012.

Dubow, Eric F., Paul Boxer, and L. Rowell Huesmann. "Long-term Effects of Parents' Education on Children's Educational and Occupational Success." *National Institutes of Health*. Accessed 3 May 2013. <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2853053/>.

Goodrich, Terry. "*The Hunger Games*—A New Film about an Adolescent Fight-to-the-Death Contest Reflects Society's Anxiety about 'Dog-Eat-Dog Capitalism,' Baylor University Culture Critic Says." Baylor University.

Haq, Husna. "'Hunger Games' passes 'Harry Potter' as Bestselling Amazon Series." *The Christian Science Monitor*. 21 August 2012.

Henthorne, Tom. *Approaching the Hunger Games Trilogy: A Literary and Cultural Analysis*. Jefferson, NC: McFarland, 2012.

Hintz, Carrie. "Monica Hughes, Lois Lowry, and Young Adult Dystopias." *The Lion and the Unicorn*. 26.2 (2002). 254-264.

Hood, Wilson. "Occupy Panem: Class Conflict in Both *The Hunger Games* and the 'Occupy Movement.'" *Campus BluePrint*. 24 March 2012.

Miller, Laura. "Fresh Hell." *The New Yorker*. 14 June 2012.

Nikolajeva, Maria. *Power, Voice, and Subjectivity in Literature for Young Readers*. New York: Routledge, 2010.

Nista, Danielle. Interview with author. 2 May 2013.

Reynolds, Glenn Harlan. "Are We Living in *The Hunger Games*?" *USA Today*. 27 November 2012.

Roberts, Mike. "Acid-washed Jeans, a Mousse-out Mullet, and Eternity Cologne: the Challenges of Growing Up". *English Journal* 100.6 (2011), 103-107.

Sambell, Kay. "Carnivalizing the Future: A New Approach to Theorizing Childhood and Adulthood in Science Fiction for Young Readers." *The Lion and the Unicorn* 28.2 (2004), 247-267.

Stringer, Sharon A. *Conflict and Connection: The Psychology of Young Adult Literature*. Portsmouth, NH: Boynton/Cook, 1997.

Turner, Janice. "No Wonder the Young Relish This Brutal Strug-



gle: *The Hunger Games* is a Fantasy that Reflects the Grim Reality that Many Teenagers are Afraid of in Adult Life." *The Times*. 31 March 2012.



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## BREAKING THE NORMATIVE

### *The Modern Homosexual as Nietzsche's Übermensch*

BRANDON SHORT

IN *THUS SPOKE ZARATHUSTRA*, NIETZSCHE INTRODUCES THE IDEA OF THE *ÜBERMENSCH*: A SUPER-HUMAN GOD-LIKE CREATOR OF VALUES WHO CONCERNS HIMSELF CHIEFLY WITH "THIS WORLD," AS OPPOSED TO WITH SOME AFTERLIFE. THE SOCIO-POLITICAL LANDSCAPE OF CONTEMPORARY HETERONORMATIVE AMERICAN SOCIETY AFFORDS A HOMOSEXUAL THE OPPORTUNITY TO EMERGE AS AN *ÜBERMENSCH* OF SORTS. SIMPLY IN ENGAGING IN SOCIETY OPENLY AND HONESTLY IN ORDER TO EXPRESS HIS OR HER SEXUALITY, HE OR SHE MUST REJECT THE CALL TO SAMENESS AND BEHAVE INDEPENDENTLY, AUTHENTICALLY, AND UNIQUELY. TO ACHIEVE THE END OF LIVING A GENUINE AND SINCERE LIFE, HE OR SHE WILL NECESSARILY ADOPT A HOST OF QUALITIES WITH WHICH NIETZSCHE EXPLICITLY AND IMPLICITLY ASSOCIATES THE *ÜBERMENSCH*.

Throughout contemporary Western culture, there exists a notable disparity between the sociopolitical sexual experiences of a heterosexual person and those of a homosexual person. Until that disparity is—at least in terms of ease, regularity, and acceptance—gone, there remains a unique opportunity for an otherwise run-of-the-mill American to distinctly create himself to be a Nietzschean *Übermensch*, at least in the realm of his sexual expression.

“It wouldn’t always have been this easy,” Nietzsche, nostalgic for life-affirming Greco-Roman society, might cry today, “to emerge as an *Übermensch*-type figure.” Before the advent of Christianity and the Christianization of the West, and before a society in which “[e]verybody wants the same, everybody is the same: [and] whoever feels different goes voluntarily into a madhouse,” homosexuality was accepted and prized in some prominent forms often encountered in that Greco-Roman society. Male athletes at gymnasium and the strongest of warriors on the battlefield were normally involved in homosexual relations (or at least lodged firmly in a culture the same was commonplace). To disappoint one’s lover, who was often one’s mentor and coach,

*“Though man has a  
tendency, according to  
Nietzsche, to torture himself,  
the Übermensch refuses to  
be self-torturous.”*

and who was of the same sex, was the ultimate disgrace. “Far from finding homosexuality and athleticism mutually exclusive, [the Greeks] considered gay sex an excellent training regimen and an inspiration for military valor.”<sup>1</sup>

In terms of expression of homoeroticism, and as a parallel to the Nietzschean critique that Christianity and its facets (such as heteronormativity) shifted society’s value from strength to weakness, Christianity valorized weakness in expression. If life is to be lived as an art, Christian morality concerning sexuality attempts to regulate that art: “Religion distorted the human by enshrining a moral code suitable only for slaves.”<sup>2</sup> With women, men are to do *x*, *y*, and *z* at *a*, *b*, or *c* time; but never to do *p* or *q*. It is not the case that pre-regulation is a state prior to *any* rules regarding

and constricting freedom, but rather that under pre-regulation there existed a different set of rules more conducive to free expression (especially regarding sexuality).

Social constructs give us a reality to which we can cling; facts—which, per Nietzsche, are only social constructs—come about to prevent us from feeling lost. A regulation of sexuality gives society a beacon of stability. Since most members of society are heterosexual, normalizing heterosexuality as “permissible” was an all-too “natural” process. The creation of heteronormativity as a “truth” has, historically, served as a stepping stone to the gathering and control of power, insofar as “truth resides in the enhancement of the feeling of power.”<sup>3</sup>

Because of the undeniable existence of homosexual persons, the normalization of and granting-of-power to heterosexuality has resulted in a naturalized condition in which there is less tolerance of conflict with reality; notably when such a conflict with reality means “coming out of the closet.” The homosexual, the Matthew Shepherd, the cross-dresser, and the slut or asexual, pose potential threats to the constructed reality that austere heterosexuality *is* reality. Although much progress has been made since the days of burning witches with faggots or the assassination of Harvey Milk, support of the One who embraces the “chaos in oneself,” or those who support such an embrace still face consequences to the tune of boycott in a capitalistic society.<sup>4</sup>

For example, in 2012, Nabisco, the producer of the famous Oreo cookie, released a “gay” cookie—rainbow frosting filling their standard cookie wafers—to celebrate a gay-pride parade; it felt the blowback from One Million Moms and other “moral watchdog groups,” who were calling for a boycott of the cookie and the company. When Nabisco, in its small way, separated from the herd, its separation was not welcomed by all.

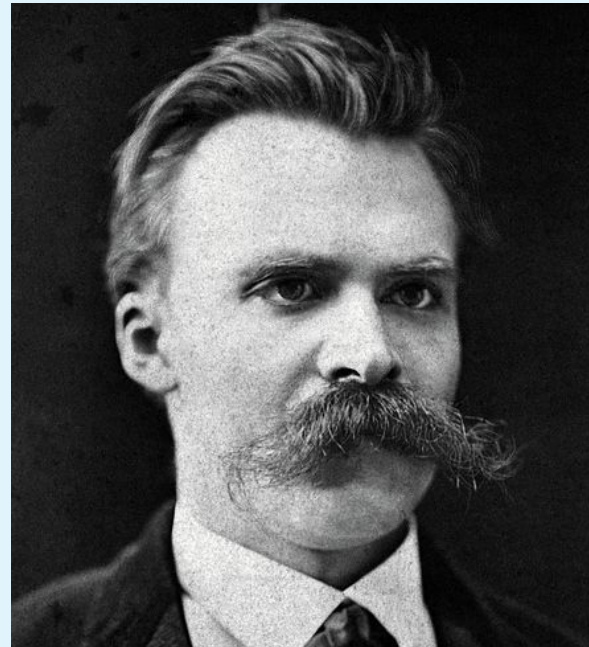
When one is “thrown into the world” homosexual (to lease Heidegger’s terminology), one is born into quite a paradoxical state. One is likely “to become a function of the herd,” that herd of “*our* European morality.”<sup>6</sup> He is more likely to be such because he is kept in check by fear of departing from the accepted morality of the powerful. Simultaneously, though, and paradoxically, he is in a position to surpass the commonly established right and wrong. His unique condition of self lets him live artfully; and the art of his life will be extra unique, in accordance with his condi-

tion. For him to “live at the right time” or to live at all (according to Nietzsche) is for him to shatter norms and rules.<sup>7</sup>

When a homosexual person comes out of the closet by publicly expressing his human drives and desires, he engages in a conflict with reality. By denying the temptation to follow the herd and not to express his homosexuality, such as by remaining in the closet, resorting to suicide, etc., he is compacting to “sail only into uncharted seas.”<sup>8</sup> For Nietzsche, there are yea-sayers and nay-sayers, and he who embraces his true nature is shouting a “yea!” since such an embrace laughs in the face of the heteronormative set of societal standards. He is currently winning the “fearful struggle on earth,” which it has been involved in as a part of the timeless struggle between the opposing values of “good” and “bad.”<sup>9</sup>

The *Übermensch*-esque affirmer of life who “comes out of the closet” rejects what Nietzsche models as Christianity’s “oneness.” To one-ify all as heterosexual, it can be said, might be an extrapolated “goal” of Western Christianity’s unification. Progress of this unification is impeded by the free expression of the homosexual other. Like a Nietzschean *Übermensch*, the homosexual stays left out, and remains misunderstood. Despite and because of his lonely condition in the fabric of society, he sees the empty abyss of the hollowness and flimsiness of the “value” of heteronormativity, and he does not waver. Though man has a tendency, according to Nietzsche, to torture himself; the *Übermensch* refuses to be self-torturous. Driven and cheered on by his knowledge of the above-mentioned hollowness, he is able to garner *real* power, by existing as his possibilities. Each time he holds his boyfriend’s hand in public, or each time she marches in a gay-pride parade, he or she is moving toward life. He or she recognizes that there is no absolute truth, so homosexuality is not an abomination (“against whom, anyway?” Nietzsche would wonder), and that the real truth is his or her interpretation and carrying-out of his or her most intimate human drives.

Overcoming the fear of ridicule (or death, in some countries) is to accept life. Living his potential and expressing his will to power is how he comes closest to real truth. Acceptance and expression of self by a homosexual allows that person to become—to use a Nietzschean term—a “strange one,” and thus, to become closer to being an *Übermensch*.<sup>10</sup>



GERMAN PHILOSOPHER FRIEDRICH NIETZSCHE PROPOSED HIS THEORY OF THE *ÜBERMENSCH* IN HIS WORK *THUS SPOKE ZARATHUSTRA*. (PHOTO COURTESY OF WIKIMEDIA)

It is not hard to imagine a “closet case’s” life as full of resentment. Of course, he who chooses not to express his deepest and most intensely driven desires will find the energy of those desires become pent up. The energy of such desires, not expressed naturally, manifest in the form of resentment, anger, disgust, and jealousy. By nature, the “closet case” has desire to live, and to live truly; but non-expression of his most human drives stunts his living, and makes futile and unfulfilled his desire to live. Such a closet case will always be surmising, and never living. All his actions will be thought, and not actualized. In the case of homosexuality, one can (with a little imagination) figure what form imaginative “thought actions” might take. Mere mental representations or non-conventional encounters behind the backs of their wives take the place of more routine methods of sexual expression. For them, the functional, open, and “immoral” practice of homosexuality is, astoundingly, not preferable to self-torture. This poor case misses out on the joy, strength, and terribleness of living dangerously and humanly. The price paid for such repression is freedom, and specifically, the freedom to live immediately. The glory of immediacy is forgone for a safer, planned, and inauthentic existence.

## “When the affirmer embraces his sexuality, he is overcoming a fear and expressing a will to power.”

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When a homosexual finds himself thrown into the world as such, he experiences a crisis: he can either live inauthentically and follow the herd, or he can follow his nature and refuse to upset what is given to him. In choosing the latter, he opts to live sincerely (*sine-cira*), or without a mask.

One can explore and analyze the *Übermensch*-like affirmer of life and his own sexuality, through the lens of the Nietzschean prospect of the “eternal recurrence of the same.” When the affirmer embraces his sexuality, he is overcoming a fear and expressing a will to power. Once a person appreciates his own sexual reality as it actually, phenomenologically is, he finds an existence which is suitable for eternal recurrence. That is to say, once there is no externally-influenced construction of fantasies of an alternate, non-existent reality, then there is a man who is connected with reality and the way that things are. The openly gay person is willing to change his life for “sacred injustice” he is willing to shift from the inauthentic to the authentic for the sake of the integrity of his life as a work.<sup>11</sup>

There is some considerable speculation that Nietzsche may have been a homosexual. Through this lens, although it runs the risk of being historical gossip, it is interesting to consider that his discontent with society and its life-crushing set of standards and roles may have had roots in his own sexuality.

Taking into consideration a common tendency to relate homosexuality with femininity, Joachim Koehler comments on Nietzsche’s acquisition of effeminacy that those who knew him were “not blind to [his] vanity and the scrupulous care he devoted to his appearance...especially his huge moustache, which protected him from any charge of having feminine characteristics about him” and “[h]e had ‘an attractive deportment,’ with a trace of the feminine about it.”<sup>12</sup> At Nietzsche’s time, undoubtedly, there were societal pressures of heteronormativity even stronger than those that exist today. Koehler notes pressure from by Nietzsche’s male contemporaries to marry, along with pressure for him not to “spend [his] time with men.”<sup>13</sup> At several points throughout his life, Nietzsche was under pressure from such contemporaries to marry—an act which would finally consummate an alignment of Ni-

etzsche with the sexual norms of his (and our) era. Koehler takes his insinuations so far as to claim that Nietzsche had “a double identity.”<sup>14</sup>

If Nietzsche did, in fact, have homosexual urges, it does little but contribute to an explanation for the thoroughness and depth of his arguments against blindly following the herd. Nietzsche’s being urged by doctors to “find himself a wife” gave him an all-too-proximate sampling of the calling of his heteronormatively culture to deny life, leave independent artful expression by the wayside, and subscribe to the way of the many.

In this century, it is interesting to consider the grim case of Tyler Clementi, who took his own life after being “outed” by several peers in the fall of 2010. Tragically, the heteronormative and homophobic conditions which pervade contemporary American society and allow for the everyday homosexual to become a sort of *Übermensch*, are the very same conditions which cause hundreds of non-heterosexual people to resort to such extreme measures every year. Nietzsche might consider these as the only two options actually available, in the long run: “he destroys himself or creates himself for eternal life.”<sup>15</sup>

The desire to “come out” and express oneself and one’s will to power is a “source of pain because it induces [one] to experience [one’s] actual condition as ‘dissatisfying’ or ‘lacking.’”<sup>16</sup> If the conditions for an openly homosexual person are too awful to bear, according to one’s own perceptive reality, then the above-mentioned desire cannot be satisfied. “The pain,” Reginster suggests in his analysis of the Nietzschean will to power *The Affirmation of Life*, “is now caused by the mere occurrence of a desire.”<sup>17</sup> In order to make the pain stop and to bring about the elimination of suffering, or psychological tension, caused by the panging dissonance between oneself and one’s condition, Clementi (and that tragic number throughout history of those who have done what he did) ended his own life, and therefore ended his suffering.

When a homosexual refuses the call to sameness, and instead affirms life and creates his own truth, he emulates a Nietzschean *Übermensch*. Overcoming fears of being “othered” and acknowledging the vacuity backing Western

standards of “moral” sexual conduct allow this heroic figure to emerge as the one over the many. Tragically, it can also happen that a repression of life, caused by the human need to follow the many, leads to a literal rejection of life: one possible contributing element in the discussion on suicide among GLBTQ youth.

#### ENDNOTES

1. Grossman.
2. Rothstein.
3. Soloman, 95.
4. *Ibid.*, 73.
5. Nietzsche, 323.
6. Solomon, 68-69.
7. Nietzsche, 95.
8. Kearney.
9. Marino, 140.
10. Nietzsche, 330.
11. Wake, 215.
12. *Ibid.*, 119-120
13. *Ibid.*, 99
14. *Ibid.*
15. Löwith, 158.
16. Reginster, 112.
17. *Ibid.*

#### REFERENCES

- Aubrey, John. *Remaines of Gentilisme and Judaisme*. London: W. Satchell, Peyton, and Co., 1881.
- Black, William. *Folk-Medicine; a Chapter in the History of Culture*. New York: B. Franklin, 1970.
- Blecourt, Willem. “Witch doctors, soothsayers and priests. On cunning folk in European historiography and tradition.” *Social History* 19, no. 3 (1994): 285-303.
- Bourne, Henry. *Antiquitates Vulgares; or, The Antiquities of the Common People*. Newcastle: J. White, 1725.
- Browne, Thomas. *Pseudodoxia Epidemica*. London: Theodore Harper, 1646.
- Clark, Stuart. “Inversion, Misrule and the Meaning of Witchcraft.” *Past and Present* 87 (1980): 98-127.
- Davis, Natalie. *Society and Culture in Early Modern France*. Stanford: Stanford University Press, 1975.

Hunter, Michael. *John Aubrey*. London: Duckworth, 1975.

Kittredge, George. *Witchcraft in Old and New England*. New York: Russell & Russell, 1958.

*Oxford Dictionary of National Biography*. “Reginald Scot.” <http://www.oxforddnb.com/>

*Oxford Dictionary of National Biography*. “Sir Thomas Browne.” <http://www.oxforddnb.com/>

*Oxford Dictionary of National Biography*. “John Aubrey.” <http://www.oxforddnb.com/>

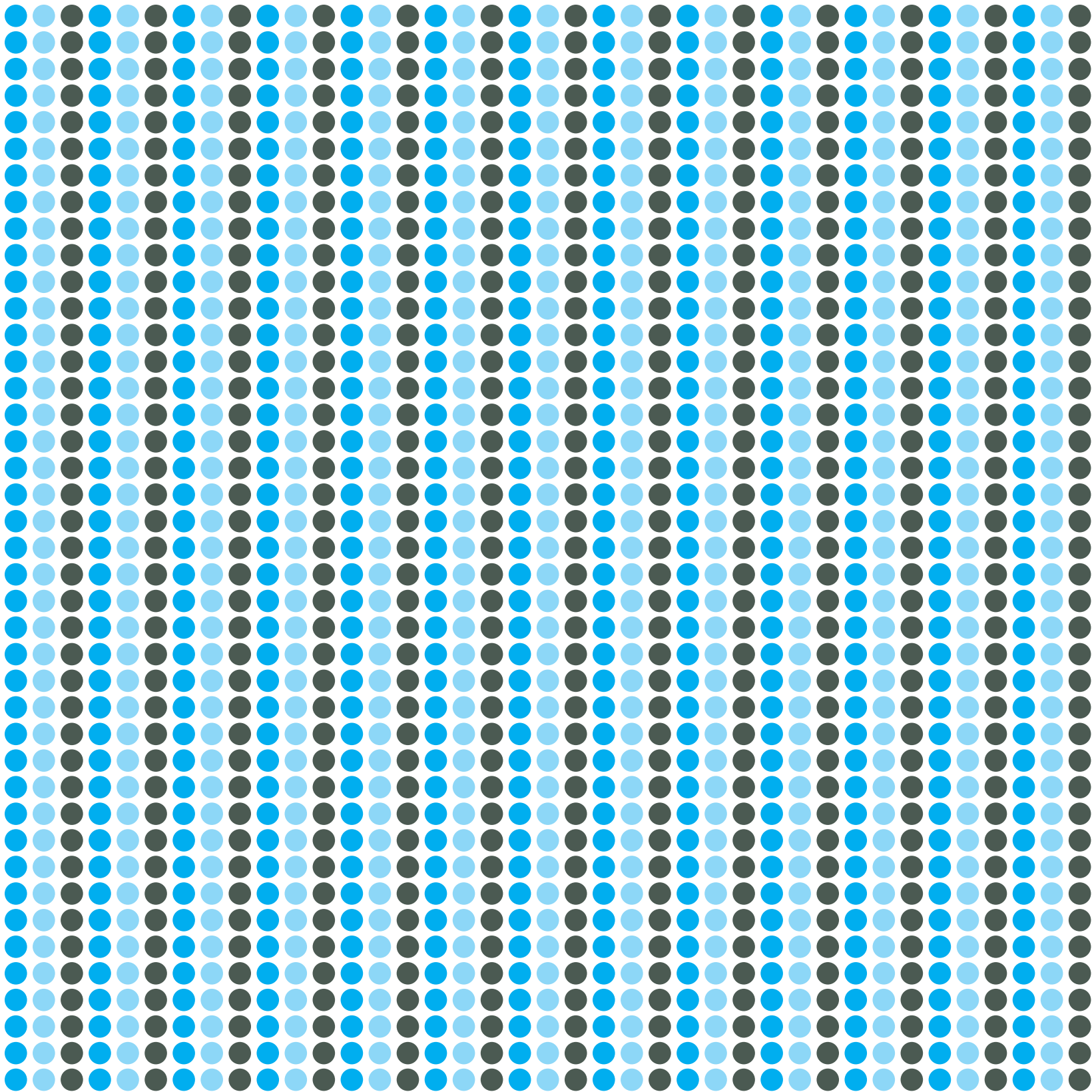
Scot, Reginald. *Discoverie of Witchcraft*. London: William Brome, 1584.

Sharpe, James. *Instruments of Darkness: Witchcraft in Early Modern England*. Philadelphia: University of Pennsylvania Press, 1997.

Thomas, Keith. *Religion and the Decline of Magic: Studies in Popular Beliefs in 16<sup>th</sup> and 17<sup>th</sup> Century England*. London: Weidenfeld & Nicolson, 1971.

Walsham, Alexandra. “Recording Superstition in Early Modern Europe: The Origins of Folklore.” *Past and Present Supplement* 3 (2008): 178-206.

*Witchcraft in Early Modern Europe*. Ed. Jonathan Barry, Marianne, Hester, and Gareth Roberts. Cambridge: Cambridge University Press, 1996.



## DEATH: A CONVERSATION

### *The Moral and Legal Complexities of Assisted Suicide*

RICHARD BALAGTAS

THE USE OF EUTHANASIA AND ASSISTED SUICIDE AS TREATMENT FOR THOSE SUFFERING FROM TERMINAL OR CHRONIC NEUROLOGICAL DISEASES CONTINUES TO BE A HIGHLY CONTROVERSIAL ETHICAL AND LEGAL QUESTION. ILLEGAL IN MOST OF THE WORLD, EUTHANASIA AND ASSISTED SUICIDE CONTINUE TO BE NEGLECTED AS POSSIBLE ROUTES TO THE REDUCTION OF AN INDIVIDUAL'S SUFFERING. AS THE NUMBER OF TERMINAL ILLNESSES THREATENS TO RISE EXPONENTIALLY IN FUTURE DECADES, THIS ARTICLE EXAMINES "THE RIGHT TO DIE" AS A POTENTIALLY LEGITIMATE MEDICAL OPTION. HOWEVER, IF WE AS A SOCIETY ARE TO PERMIT THE USE OF ASSISTED SUICIDE, THERE MUST BE STRICTER REGULATIONS TO PREVENT ABUSE AND MALPRACTICE BOTH PHYSICALLY AND ETHICALLY.



Suffering is highly subjective, and, as is often the case, it is an internal and psychological feeling. Physically, it is impossible for ethicists or physicians to fully understand a patient's pain. Therefore, individuals with a terminal illness often contemplate the thought of euthanasia and assisted suicide. Common reasons for patients to consider euthanasia include pain, anticipated pain, fear of indignity, loss of control, and cognitive impairment; the most reported reason is fear of being a burden.<sup>1</sup> "Suicide was contemplated by a few, who would have preferred a change in the law to allow them to end their lives with medical help," allowing for a more dignified death.<sup>2</sup>

According to *The Telegraph*, one in ten suicides is committed by someone seriously ill, suffering from a terminal or chronic neurological disease such as multiple sclerosis (MS), motor neuron disease, Huntington's disease, or cancer.<sup>3</sup> The World Health Organization states that certain neurological illnesses such as dementia and Alzheimer's disease will double by 2030 and more than triple by 2050.<sup>4</sup>



BRITISH AUTHOR TERRY PRATCHETT DIRECTED THE DOCUMENTARY *CHOOSING TO DIE*, WHICH PROFILES SEVERAL CASES OF ASSISTED SUICIDE (COURTESY OF WIKIMEDIA)

Given that the number of individuals that will become afflicted with a terminal neurological disease is increasing, the amount of suicide cases will more than likely follow. Many of these suicides could be avoided if there were a safer, more regulated process of ending life, such as assisted suicide. There is the possibility that greater care and attention for individuals suffering from such diseases that are contemplating suicide would result in lower suicide rates. However, every patient has the right to refuse medical treatment, resulting in a form of passive euthanasia undertaken by the patient. There may not be a right answer to the question of euthanasia or assisted suicide, however, there are several factors that need to be considered if one is to approach the question ethically.

Given the understanding that one in ten suicides is committed by individuals with terminal illnesses, could it be morally ethical to euthanize terminal patients with their permission under the argument that it would be a safer, more peaceful way to end their suffering? As a result of the potential in reducing suffering, could euthanasia or assisted suicide evolve into an accepted medical treatment or practice? If this is to occur, we, as a society, are definitively stating that it is acceptable to utilize and prescribe death as a treatment for terminal patients.

#### WHAT IS ASSISTED SUICIDE?

When discussing euthanasia, there must be a clear distinction between what is morally and legally acceptable. What is acceptable in terms of the law may not always be morally and ethically acceptable.

There are two types of euthanasia: active euthanasia and passive euthanasia. Active euthanasia is described as direct action with the intention of killing the patient. Passive euthanasia is described as withholding treatment, thereby allowing for the patient to die. This distinction is "endorsed in a statement adopted by the House of Delegates of the American Medical Association."<sup>5</sup> As one can imagine, the passive form of euthanasia can take significantly longer to cause the death of the patient.

While active euthanasia is quick and painless, passive euthanasia can take up to a few days or even weeks of continual suffering. The American Medical Association (AMA) states that, "the intention of the palliative treatment is to relieve pain and suffering, but the patient's death is a possible side effect of the treatment."<sup>6</sup> Sharon Fraser and James Walters claim that it is ethically acceptable for a phy-

sician to gradually increase the medication for a patient with the understanding that this medication may depress respiration and cause death.<sup>7</sup> Doctors are generally permitted to administer medication that may potentially cause death as long as they are able to support that the drugs also had the ability to reduce pain. The question that arises is which of these two forms of euthanasia is considered more morally or ethically acceptable?

Those who oppose euthanasia believe that the act of killing someone is morally worse than letting someone die. This is emphasized by the AMA's support of passive euthanasia. However, is this a valid statement? Philosopher James Rachels provides two hypothetical scenarios to shed some light on this belief. In the first event, a man plots to end the life of his 6 year old cousin as he stands to gain much from the boy's death. He drowns the child and collects the insurance money. In the second scenario, a man enters the scene with the same intention of ending the boy's life for a profitable gain. However, just as he is about to commit his crime, the boy slips and hits his head and begins to drown. The man is delighted and stands nearby waiting in the event that the boy's head resurfaces.<sup>8</sup> If we take the view of the AMA, the man who allowed the boy to die has acted within the law.

Such a statement is controversial. Suppose that the man who allowed the child to die pleaded with the court stating, "I didn't kill him; I merely let him die." In a society in which letting someone die was in itself less bad than killing, this statement would alleviate some blame. However, such an audacious claim in a court setting today can only be seen as a convoluted perversion of moral reasoning. Note that doctors do not face this same situation. James White's idea that "Doctors are concerned only with cases in which the patient's life is of no further use to him, or in which the patient's life has become or will soon become a burden," may seem like a brutal statement, however the point is the same in each case.<sup>9</sup> One of the primary concerns cited by terminally ill is that they "...don't want to get to that point in life where [they] can no longer move or take care of [themselves]. 'I don't want to be a burden for my loved ones.'"<sup>10</sup> The difference between killing someone and letting someone die does not present a clear moral distinction. For example, if a doctor lets a patient die, he is in the same ethical and moral position as if he had given the patient a lethal injection.

Euthanasia is often looked at in terms of utilitarianism. Peter Singer states that, "there are no paternalistic reasons

that justify denying voluntary euthanasia."<sup>11</sup> If one believes that a person is a conscious and rational being, then to voluntarily euthanize someone is to be seen as a form of active euthanasia with the consent of the person being killed. For example, in hospitals, people can refuse to receive medical treatment essential to keeping them alive, thereby practicing voluntary euthanasia. While killing a person is immoral, in Singer's case, it would be worse to deny someone the right to end his or her life. Singer states that the point of euthanasia is often to end suffering. Thus, to prohibit such a right would result in increased unhappiness since the patient would be forced to live with prolonged suffering.

It is important to note that even in some regions where euthanasia is legalized, the right is often abused. According to the *Canadian Medical Association Journal* (CMAJ), records show that in 2007, in the Flanders region of Belgium, euthanasia practices were carried out without the explicit consent of the patient in 77.9% of cases.<sup>12</sup> Euthanasia and assisted suicide predominately involved patients less than 80 years old (79.6%), those with progressive cancers (80.2%), and those who were dying at home (50.3%).<sup>13</sup> The most popular reason given by physicians who administered euthanasia procedures without patient consent was that the patient had fallen into comatose (70.1%). In 40.4% of cases, physicians stated that the patient had, "...previously expressed a wish to end life."<sup>14</sup> It is critical to note that this "expression" is not equivalent to an explicit request for euthanasia. In countries where euthanasia is illegal, doctors do not have the ability to directly end a patient's life even with patient consent. However, in countries such as Belgium, some doctors are taking it upon themselves to decide when a terminal patient's life should end. This is by no means ethical or moral, as it does not respect the dignity of the human person.

Active euthanasia can be considered murder even with the written request of the terminal patient. For example, a man named Sean Davison, a forensics professor from the University of the Western Cape, was forced to make the decision between watching his 84-year-old mother die a slow painful death from progressive cancer or to end her life himself. Pat Ferguson, Sean's mother, had signed a living will requesting no antibiotics, no resuscitation, and no form of nutrition. By asking to be taken off life support, she was accepting the reality of her unfortunate death. However, due to laws prohibiting euthanasia, she was unable to receive a peaceful, quick death. Instead, she had no other alternatives except to endure the suffering until her

time came naturally. As described by her son, "...no one could have imagined her skin bruising and sticking to my fingers, the smell of rotting flesh, a tongue that is completely decayed and bed sores that make you wince at their sight."<sup>15</sup> In late 2012, Mr. Davison was arrested and sentenced to five months house arrest in New Zealand for procuring and counseling assisted suicide. When the sentence was handed down, the High Court Judge stated, "Although in my view there was significant premeditation, you acted out of compassion and love and not for any personal gain."<sup>16</sup>

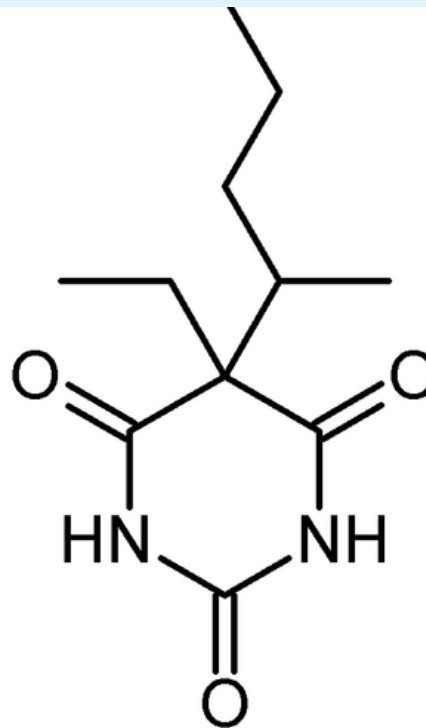
From one perspective, Mr. Davison murdered his mother. From the other, Mr. Davison ended the suffering that his mother was experiencing, essentially performing euthanasia. From both a legal and moral standpoint, the result is the same: he took the life of another human being. However, there is an important distinction to be made here. He did not take his mother's life out of spite or greed, but out of love. It was clear by his description that his mother was in a tremendous amount of pain, and very few people would be able to watch complacently as his mother tarves herself to death. In situations like this, one can see the potential of active euthanasia.

#### THE CURRENT REALITY OF EUTHANASIA AND ASSISTED SUICIDE

If one cannot alleviate the growing number of terminal patients who wish to end their lives, one can provide the means for a safer, more regulated process of euthanasia. "To live with dignity – to die with dignity," has been the motto of Dignitas since its founding in 1998 in Switzerland. The non-profit organization is infamously known for being a "point-of-no-return" travel destination for those wishing to end their lives.

Dignitas has helped end the lives of over 1,000 people since its founding. Admission into the program is tightly regulated. In order to qualify, one must be a member of Dignitas, be of sound mind and judgment, and possess the minimum level of mobility required to self-administer the drug. In addition, the patient is required to be examined by a medical physician on two instances to determine if the individual has a "...terminal disease, an incapacitating disability, or unbearable pain."<sup>17</sup> Medical records and a written letter of consent stating the explicit desire of the individual for assisted suicide is also necessary.

However, due to the debilitating effects of many terminal or chronic illnesses, some people contemplating the idea of assisted suicide may have to end their lives earlier than is really necessary. For example, many individuals who are diagnosed with Alzheimer's or Multiple Sclerosis and choose to end their lives through Dignitas' services do so at an age at which their disease has not progressed far. The illness has not yet destroyed their mental processes, which could possibly degrade to a point in which communication becomes an issue. At this time, they would no longer be considered suitable for assisted suicide with Dignitas as they cannot give their explicit consent. "There was the fear that if I didn't do it now, I might not be able to do it all," stated a 42 year old who was accepted into the assisted suicide program of Dignitas for multiple sclerosis.<sup>18</sup> All of these factors are necessary to ensure that individuals are not abusing the potential benefits of assisted suicide. The individual must be healthy enough to make the decision to end his or her life but also deemed ill enough to be considered for assisted suicide in the first place.



CHEMICAL STRUCTURE OF PENTOBARBITAL, THE MOST COMMONLY USED LETHAL SUBSTANCE IN ASSISTED SUICIDES. (COURTESY OF WIKIMEDIA)

The act of watching someone willingly end his or her life is without a doubt very difficult. In a BBC documentary titled *Terry Pratchett: Choosing to Die*, Terry Pratchett, an author struggling with early onset Alzheimer's, tells the story of two individuals who have decided to end their lives through Dignitas' services. One of the most shocking scenes in the film is the death of Peter Smedley. After willingly taking the lethal dose of the barbituate Nembutal,

tighter, more stringent requirements for euthanasia and assisted suicide will be the only way to properly handle this growing trend. The Death with Dignity Act passed by voters of Oregon in 1994, which was later reaffirmed in 1997, allows terminally ill Oregon residents to obtain and use lethal prescriptions from their physicians for assisted suicide. Under this act, ending one's life in accordance with the law is not considered to be suicide. The act legalizes

## *“The ethics behind euthanasia and assisted suicide revolve around the question of whether the means justify the ends.”*

Smedley's first words are, “Can I have chocolate now? Oh! What a ghastly taste. I'd like to thank everyone here; you've all been first class.”<sup>19</sup> The caretakers, and even his own wife, do not seem to be at all disturbed by the sight of Smedley's suicide. Dignitas utilizes sodium pentobarbital, a commonly used narcotic, which induces comatose when ingested in concentrated amounts. This causes the patient to fall asleep as they gradually lose respiratory function, causing the heart to lose oxygen, and eventually die. The whole process, from drinking the fatal sedative to death, takes only a few minutes. While disturbing to watch, this method of death is a peaceful alternative for many suffering from terminal illness.

If there is a way in which assisted suicide should happen, a peaceful, quick death is considered the best option. In Mr. Smedley's final moments, he laid his head down as his wife gently caressed his hands. Terry Pratchett states, “...I can't believe the calmness. What's going on here isn't exactly medicine,” in reference to a Dignitas caretaker asking Mr. Smedley if he is sure that he wishes to die today. Twenty-one percent of people receiving assisted suicide in Dignitas do not have terminal or progressive illnesses but “a weariness of life.” In addition, 70% of people who reach out to Dignitas requesting assisted suicide do not go through with the procedure: “...sometimes just having the option to die is enough. People don't go through with it because they know they can.”<sup>20</sup> This statistic illustrates that even if people were given the legal right or capacity to euthanize themselves in a safe manner, many would choose against it. Allowing people the right to euthanasia or assisted suicide does not necessarily mean that there will be an increase in the amount of people electing for treatment.

physician-assisted suicide but explicitly prohibits euthanasia.<sup>21</sup> Many of the requirements to obtain a prescription are similar to Dignitas regulations, but with one crucial difference: the person must be a resident of the state of Oregon. Similar to Dignitas, several physicians must examine the patient to ensure that he or she is of sound mind and is fully aware of the consequences of taking the drug. In addition, the individual must suffer from a terminal illness and have the capacity to self-administer the drug.<sup>22</sup> Terminal illness is defined by the Death with Dignity Act as: “... an illness that will lead to death in six months.” According to Oregon's Public Health Department, “To comply with the law, physicians must report to the Department of Human Services, all prescriptions for lethal medications.”<sup>23</sup> As of 2012, there have been 673 documented cases of people who have died through assisted suicide. However, 1,050 prescriptions were written out, so although 1,050 people received the lethal drug, only 64% of them decided to end their lives. This supports the idea that if one has the ability to take one's own life in a peaceful, controlled way, many times he or she will not go through with the procedure.

### **REGULATION: EUTHANASIA AND ASSISTED SUICIDE ARE NOT TREATMENTS**

The ethics of euthanasia and assisted suicide revolve around the question of whether the means justify the ends. Does there exist a true solution to the ethical controversy of euthanasia and assisted suicide that respects and dignifies the person's life it is ending? If so, does this solution take the institution of euthanasia and prescribe it as an accepted medical treatment?

In order to be a solution, euthanasia and assisted suicide require a clearer, more distinct outline of its boundaries. According to Emeritus Professor Len Doyal, one of the UK's leading medical ethicists, "Doctor assisted deaths are taking place on a regular and recurring basis in the UK."<sup>24</sup> If euthanasia and assisted suicide are to co-exist with ethics and morality, they must be properly regulated and understood. Doctors will often times withdraw life-sustaining treatments such as feeding tubes from terminal patients with the ultimate goal of alleviating suffering. Many medical professionals may not wish to admit the hard truth, but the act of removing life-sustaining treatment from terminally ill patients is morally equivalent to active euthanasia. There must be a clear understanding that if euthanasia and assisted suicide are to be considered permissible in the medical field, they are not to be used as an alternative treatment.

Countries such as France are making rapidly new developments in the area of assisted suicide. President Francois Hollande commissioned a report which gives doctors permission to "accelerate death" for the terminally ill. "The right to die should be granted to those who have made an explicit request, or if the patient is unconscious, to those whose family requests a withdrawal of life-support; or to those in a vegetative state," states medical school professor Dr. Didier Sicard.<sup>25</sup> Since 2005, doctors in France have the ability to "leave patients to die" when deemed that the patient was gravely and incurably ill.

Terminally ill patients and their families are criticizing many doctors. They accuse the medical profession of having a "cure at all costs" mentality that does not take into account the "...psychological distress of patients and of their wishes."<sup>26</sup> Dr. Sicard recommends three acceptable scenarios in which assisted suicide should be allowed: one, an explicit request by the terminal patient, or previous instructions prior to the condition which has left the patient deteriorated and unable to give permission; two, the withdrawal of life supporting machinery by the explicit request of the patient's family when the patient is unconscious; and three, the withdrawal of medical treatment when it sustains the body in only a vegetative state.<sup>27</sup> While painkillers will relieve much of the pain that an individual is experiencing, they are by no means a suitable treatment. Painkillers can not cure or treat a patient's terminal disease, but merely make one comfortable in their final hours. This is the current method utilized by doctors who have the understanding that there is nothing more they can do to cure the patient. The three conditions for ap-

proved assisted suicide described by Dr. Sicard respect the decision of the patient and stress the importance of the explicit permission and consent of the patient requesting to die. In this situation, euthanasia and assisted suicide are not looked at as medical treatments but as peaceful alternatives to unavoidable suffering.

For many people, medical justice is understood as the fair and equal treatment of patients. What many do not realize is that the current situation contains elements of injustice. Terminally ill patients are sometimes too debilitated to take the steps necessary or to go through the lengthy process to end their suffering should they desire to do so. In France, the medical board has allowed the assisted suicide of terminally ill patients only after the continual persistence of the patient with a request to end their life. However, there exists a fear of allowing euthanasia or assisted suicide to persist, for "...there is the perception that any change in the status quo will inevitably lead to widespread abuse."<sup>28</sup> If one of the principle reasons not to support euthanasia or assisted suicide is the potential abuse of the system, then the only solution is tighter regulation.

Currently, both Dignitas and the Public Health Department of the State of Oregon allow for assisted suicide in terminally ill patients. However, both of these organizations require a lengthy screening process that usually takes up to three to four months from moment of contact to assisted suicide. There is not much room for error when it comes to death. In both instances, several psychiatrists review the terminal patient to ensure that he or she is of sound mind. Furthermore, several psychiatrists review the terminal patient, each requesting the medical history of the patient. Only when the terminal patient has passed each round of inspection is he or she given the opportunity to end his or her life through assisted suicide. There is no way to speed up the process once it has begun. In this manner, euthanasia organizations can ensure there is no foul play.

Unfortunately, this system has failed Dignitas in the past. In 2005, the Swiss based company went under investigation for helping a woman who was not terminally ill to end her life. According to records, the 69-year-old woman approached Dignitas with a medical report showing that she had terminal liver cirrhosis. After she passed through the screening process, she was given a lethal dose of sodium pentobarbital to induce comatose, and eventually death. "A routine autopsy carried out by German authorities when the body was brought back from Switzerland exposed the

report as a fake and added that although the woman had depression, she was physically fit"; this meant that something had gone wrong during Dignitas' screening process. How could they have made such a critical error when dealing with such an ethical issue? Furthermore, the primary doctor who had reviewed her files employed by Dignitas had also passed away, having committed suicide after he was informed that the German woman he had helped to commit suicide was not terminally ill. Further investigation discovered that the woman had persuaded her personal doctor to falsify her medical records under the understanding that she wished to obtain sick leave from work. Her doctor reported that he had no idea she would use the false records to persuade a case with Dignitas to help her commit suicide. Ludwig Minelli, the founder of Dignitas defended his organization by stating: "The doctor's report that I was given indicated the woman was suffering the cirrhosis of the liver as well as hepatitis."<sup>29</sup> Even if the medical records stated that she was terminally ill, the mandatory inspections by doctors employed by Dignitas should have followed up on the report to ensure no foul play. If assisted suicide and euthanasia are to become an integrated part of the future, stricter investigation and regulation of the process must be ensured so that nothing of this magnitude happens on a larger scale.

When discussing the legalization of euthanasia and assisted suicide, it is important to discuss its purpose. If the purpose of euthanasia and assisted suicide is death, the dignity of the individual is not taken into account. Therefore this approach is immoral and unethical. If the explicit desire and wish to end the suffering of the patient is the purpose, then euthanasia and assisted suicide could be an ethical treatment. A doctor is both a physician and a healer, assigned with curing and treating diseases, but also healing and appealing to the human aspect. As grim as it may be, assisted suicide and euthanasia may provide the solution, provided that the patient has given his or her explicit consent that this is their desire. If the purpose of euthanasia and assisted suicide is to end the suffering of the patients, thus increasing happiness, it is considered more ethical and moral than if the purpose is to view death as a specific treatment.

Assisted suicide and euthanasia have been at the center of medical ethics for decades. The difficulty of the matter lies in the danger of viewing euthanasia and assisted suicide as potential treatments for terminal disease. If we devolve into a society that willingly kills people who are going to die anyway, we lose much of what makes us human. How-

ever, there is much to be gained in working toward a society in which assisted suicide and euthanasia are viable options for terminal patients who wish to end their suffering in a controlled, predictable manner.

## ENDNOTES

1. *Terry Pratchett: Choosing to Die*, BBC Television, directed by Charlie Russell (2011: KEO North).
2. A Chappelle, "What People Close to Death say about Euthanasia and Assisted Suicide: A Qualitative Study," *The Journal of Medical Ethics* 32 (2006): 706.
3. Louise Bazalgette, William Bradley, and Jenny Ousbey, "*Hidden data provide new insights into life at the end...*": *The Truth about Suicide* (London: Demos, 2011).
4. World Health Organization, Alzheimer's Disease International, "Neurological Disorders: Public Health Challenges," *Dementia: A Public Health Priority* (United Kingdom: WHO, 2012).
5. James Rachels, "Active and Passive Euthanasia," *Intervention and Reflection: Basic Issues in Medical Ethics* 5th ed (Belmont: Wadsworth, 1996), 78.
6. CEJA Report B – A-91, "Decisions Near the End of Life."
7. Sharon Fraser, Walter James, "Death – Whose decision? Euthanasian and the terminally ill," *Journal of Medical Ethics* (2000): 122.
8. James E. White, "Active and Passive Euthanasia: James Rachels," *Contemporary Moral Problem* (Cengage Learning, 2008), 157.
9. *Ibid.*
10. *Choosing to Die*
11. White (157)
12. Chambaere, "Physician-Assisted under the euthanasia law in Belgium: A population based survey," *Canadian Medical Association*, 1.
13. *Ibid.*
14. *Ibid.*
15. Thalia Holmes, "Granting a Death Wish: South Africa's Euthanasia Debate," *Mail & Guardian Online*, May 17, 2012.
16. *Ibid.*
17. "Dignitas: Live with Dignity – Die with Dignity," accessed April 22, 2013. [http://www.dignitas.ch/index.php?option=com\\_content&view=article&id=4&lang=en](http://www.dignitas.ch/index.php?option=com_content&view=article&id=4&lang=en).
18. *Choosing to Die.*
19. *Choosing to Die.*
20. *Choosing to Die.*
21. Oregon Department of Public Health, "Death with Dignity Act Annual Reports," January 16, 2012.
22. *Ibid.*
23. *Ibid.*
24. The Royal Society of Medicine, "Legalise non-voluntary euthanasia, says professor of medical ethics," *The Royal Society of Medi-*

cine (2006).

25. France24. "France opens the door to medically-assisted suicide," *FRANCE 24*, December 19, 2012.

26. *Ibid.*

27. *Ibid.*

28. Fraser

29 Michael Leidig, "Dignitas is Investigated for Helping Health Woman to Die," *BMJ: British Medical Journal* 331.7526 (2005): 1160.

## REFERENCES

Bazalgette, Louise, Bradley, William, and Ousbey, Jenny. "Hidden data provide new insights...": *The Truth about Suicide*. London: Demos, 2011.

Chambaere, Bilsen, Cohen, Onwuteaka-Philipsen, Mortier, Deliens. "Physician-Assisted under the euthanasia law in Belgium: A population based survey." *Canadian Medical Association Journal*. 17 May 2010. 20 April 2013. Print.

Chappele A, Ziebland S, McPherson A, et al. "What People Close to Death say about Euthanasia and Assisted Suicide: A Qualitative Study." *The Journal of Medical Ethics*. No. 32. pg 706-710. 2006. Print.

Dignitas – "Live with Dignity - Die with Dignity." 18 April 2013. 22 April 2013. Web.

France24. "France opens the door to medically-assisted suicide." *FRANCE 24*. 19 Dec. 2012. 25 Apr. 2013 <<http://www.france24.com/en/20121219-france-medically-assisted-suicide-euthanasia-healthcare-reform-hollande>>

Holmes, Thalia. "Granting a Death Wish: South Africa's Euthanasia Debate." 28 March 2013. <<http://mg.co.za/article/2013-03-28-00-granting-a-death-wish>>

Leidig, Michael. "Dignitas Is Investigated for Helping Health Woman to Die." *BMJ: British Medical Journal*. Vol 331. No. 7526. pg. 1160. *BMJ Publishing Group*: 2005. JSTOR. 23 April, 2013. Print.

Fraser, Sharon; Walters, James. "Death – Whose decision? Euthanasian and the terminally ill." *Journal of Medical Ethics*. California: 2000. Print.

Oregon Department of Public Health. "Death with Dignity Act Annual Reports." 16 January 2013. 22 April 2013. <[\[health.oregon.gov/ProviderPartnerResources/EvaluationResearch/DeathwithDignityAct/Pages/ar-index.aspx\]\(http://health.oregon.gov/ProviderPartnerResources/EvaluationResearch/DeathwithDignityAct/Pages/ar-index.aspx\)>](http://public.</a></p>
</div>
<div data-bbox=)

The Royal Society of Medicine. "Legalise non-voluntary euthanasia, says professor of medical ethics." *The Royal Society of Medicine Report*. 2006. 22 April 2012. Print.

Rachels, James. "Active and Passive Euthanasia." *Intervention and Reflection: Basic Issues in Medical Ethics*. 5th ed. pp 171-175. Belmont; Wadsworth 1996. Print.

*Terry Pratchett: Choosing to Die*. Dir. Charlie Russell. Prod. Charlie Russell. 2011. KEO North, 13 June 2011. BBC Television.

White, James E. "Active and Passive Euthanasia: James Rachels." *Contemporary Moral Problems*. pp 155-160. Cengage Learning: 2008. Print.

World Health Organization, Alzheimer's Disease International. "Neurological Disorders: Public Health Challenges." *Dementia: A Public Health Priority*. pp 50-112. 2012. Print.

## ALTRUISM AND IMPERIALISM

### *Russia's Invasion of Georgia in the Five-Day War*

SEAN KEELEY

IN AUGUST 2008, RUSSIAN TANKS AND TROOPS ROLLED INTO THE NEIGHBORING STATE OF GEORGIA TO FIGHT OVER THE DISPUTED SEPARATIST REGIONS OF SOUTH OSSETIA AND ABKHAZIA. SINCE THEN, THE FIVE-DAY WAR HAS BEEN JUSTIFIED BY RUSSIA AS AN ACT OF HUMANITARIAN INTERVENTION, EVEN AS THE WEST HAS DENOUNCED IT AS A SHOW OF AGGRESSIVE NEO-IMPERIALISM AGAINST A DEMOCRACY. SUCH SIMPLISTIC JUDGMENTS, HOWEVER, HIDE THE MORE COMPLEX TRUTH THAT BOTH SIDES WERE AT FAULT. ENABLED BY THE NATIONALIST SENTIMENTS AND NEW POLITICAL STRUCTURES OF ITS ROSE REVOLUTION, GEORGE OVERZEALOUSLY PLUNGED INTO BATTLE ON THE MISGUIDED EXPECTATION OF AMERICAN ASSISTANCE, WHILE RUSSIA CRAFTILY EXPLOITED A HUMANITARIAN CRISIS TO PURSUE LONG-STANDING POLICY OBJECTIVES. A COMPARISON WITH THE 1991-1992 SOUTH OSSETIAN WAR, IN WHICH RUSSIA DID NOT INTERVENE ON A STATE BASIS, REVEALS THAT THE MAIN DIFFERENCE LIES NOT IN A POLICY CHANGE BUT IN THE TWO STATES' RELATIVE POWER DISTRIBUTIONS AND PRACTICAL CONSIDERATIONS, WHICH MADE DIRECT RUSSIAN-GEORGIAN WAR TENABLE IN 2008 BUT NOT IN 1991.



In August 2008, just as leaders of the international community gathered in Beijing for the Summer Olympics, the world's attention was diverted to a volatile region of the South Caucasus. On the morning of August 8, Russian troops and tanks rolled into the neighboring state of Georgia in response to Georgian attacks on the city of Tskhinvali, part of the disputed separatist region of South Ossetia.<sup>1</sup> Five days, 850 deaths and 100,000 displaced civilians later, Russia emerged the clear military victor, making a peace settlement with Georgia, while for the first time declaring the territories of South Ossetia and Abkhazia independent states.<sup>2</sup>

Russia may have easily won the military victory, but they did not emerge unscathed on the international stage. For many in the West, what came to be known as the Five-Day War was a troubling indication of Russian aggression, imperialism, and even a return to Cold War-era power politics.<sup>3</sup> Senator John McCain spoke for many in denouncing Russia for invading “a small, democratic neighbor to gain more control over the world's oil supply, intimidate other neighbors, and further their ambitions of reassembling the Russian empire.”<sup>4</sup> The Russians, however, put forth a much different story, claiming that they intervened for humanitarian purposes following Georgia's aggressive attacks on Tskhinvali and their general oppression of the South Ossetian minority.<sup>5</sup> In November of 2008, Russian Foreign Minister Sergei Lavrov argued that the war was fought “to defend the highest civilization values: the right of a human for life and freedom, protection against ethnic discrimination.”<sup>6</sup>

With such dichotomous views of the war's origin and purpose, the question remains: why did the 2008 Russian-Georgian War happen? Since the war, opinions as to its cause have tended to be split along stark lines, with many commentators seeking a “criminal/victim distinction” that would place the blame solely on one side.<sup>7</sup> However, such views are short-sighted, informed by bias that overlooks larger historical trends and the uncomfortable truth that both parties were almost equally at fault. Looking at the South Ossetia War of 1991-1992—a similar conflict between Georgia and South Ossetia that saw a more moderate Russian response—provides a fruitful comparison to explain why Russia responded so aggressively in 2008 but was more hands-off in the earlier conflict.

The evidence suggests that Russia's invasion in 2008 was not a coldly premeditated attack nor a sincere altruistic effort, but rather a shrewdly opportunistic action that took

advantage of a humanitarian crisis to achieve Russian policy objectives. Under the aggressive leadership of Prime Minister Vladimir Putin and President Dmitri Medvedev and equipped with considerable military power, Russia was able to act decisively in a manner that would have been impossible in the chaotic transition period of the early 1990s. However, it was Georgia that first initiated the conflict and gave Russia an excuse to invade. The new political system ushered in with Georgia's Rose Revolution of 2003 gave great power to the executive, allowing President Mikheil Saakashvili to make largely unchecked decisions. He overestimated U.S. assistance and did not foresee the strength of the Russian response to his aggressive targeting of South Ossetia. Russia's action was not a policy aberration but a fulfillment of their existing objectives, enabled by Georgia's rash attacks and Russia's improved power standing compared to 1991.

#### ALTRUISM OR IMPERIALISM

History is full of cases in which a strong, politically potent state invades a much smaller and weaker one. When this happens, the justification for the intrusion can generally be explained by one of two opposing schema: the “interventionist” and the “imperialist” explanation. The connotations to these two words suggest their distinct meanings. “Interventionism,” as defined here, entails policies where a third party intercedes in a conflict to bring about an outcome with some purported moral good—whether it is promoting democracy, halting genocide, or ceasing hostilities between warring factions. “Imperialism,” on the other hand, carries no such benevolent pretensions. When states act on imperialist motives, they are acting to project their power, and extend their sphere of influence.

Defined in this way, it is easy to see that imperialist invasion has a long history. Thucydides' “Melian Dialogue,” appearing in his *History of the Peloponnesian War*, provides the quintessential example of imperialist logic. The dialogue presents an argument between the powerful Athenians, who wish to conquer the small island of Melos as a pawn in their larger war against Sparta, and the peaceful, neutral Melians. Over the course of the dialogue, the Athenians dismiss all of the Melians' morality-based arguments about why they should be spared.<sup>8</sup> The Athenians instead declare, “the strong do what they have the power to do and the weak accept what they have to accept,” a famous quote that encapsulates the power-based philosophy underlying imperialism.<sup>9</sup> When a large and powerful state invades a lesser one, therefore, the imperialist explanation

says that the larger country is looking after itself, exploiting a weaker neighbor for its own selfish interest—whether that interest lies in tactical strategy, economic wealth, or some other factor.

*“The strong do what they have the power to do and the weak accept what they have to accept.”*

Interventionist logic, on the other hand, is a more modern phenomenon, and the assumptions involved are radically different than those behind imperialism. The intervening state is assumed to be essentially altruistic, an actor with a moral stake in the issue who mediated in order to guide a less capable actor to a desired resolution. In today’s world, most intervention comes through the context of international organizations like the UN or NATO rather than unitary actors; international action in Bosnia and Somalia provide relevant examples.<sup>10</sup> Still, when states invade much smaller countries, they usually do so by appealing to some moral good justifying the necessity to intervene, thus employing interventionist logic.

Perhaps such a strong dichotomy between intervention and imperialism is deceptive, for many wars between strong states and much weaker ones can be explained by a combination of the two factors. In such a case, the powerful state would intervene to create an outcome that at once promoted a desired moral good while remaining strategically useful for the invading country. The United States’ intervention in Vietnam serves as an illustrative example: American leaders invaded both to prevent the spread of communism, which they denounced as a moral evil, while also acting to contain the Soviet Union’s spread of influence across the world.<sup>11</sup> Indeed, much of the Cold War was fought on these twin justifications of ideology and strategic interest, employing both interventionist and imperialist thinking.

However, all three of these causal mechanisms approach the question from the perspective of the invading state, without addressing the invaded state’s actions that may have caused such a response. It is quite possible that the decision to invade could come about from tactics of aggression or provocation on the part of the smaller state. Even an ostensibly weak, small state is not helpless, and it could conceivably be hostile or violent enough toward the larger state to trigger a response of invasion and war.

Indeed, the most convincing formulation for why large states invade much smaller ones comes from a combination of these last two mechanisms. In the modern international order, even powerful states would be very reluctant

to invade a tiny neighbor on purely imperialist grounds. Widespread, shared norms of human rights, along with the constraints of international institutions and the threat of punishment, prevent most developed countries from invading the grounds of pure power-seeking. Some other justification must be proffered to make such an invasion palatable to the international community. Still, it is unrealistic to expect countries to intervene with purely benevolent, unselfish motivations. No state would logically commit its troops and money to resolving a conflict in which it had no real strategic interest. Thus, such invasions are most likely when there exists a strategic interest in the smaller state, and when the volatile dynamics of the small state can justify humanitarian intervention.

#### THE POWDER KEG OF THE SOUTH CAUCASUS

To understand the causes for the conflicts in South Ossetia in 1991 and 2008, one must first briefly explore the historical origins of the region’s tension. South Ossetia is a mountainous region located on Georgia’s northern border with Russia, with a population that is primarily of Iranian origin and quite distinct from most native Georgians.<sup>12</sup> The conflict between the Ossetian population and Georgia goes back at least as far as 1917, when many Ossetians allied with the Bolsheviks against Georgia in order to reunify with the Russian-controlled North Ossetia.<sup>13</sup> The Georgian state, seeking homogeneity, denied South Ossetia the right to autonomy and committed bloody acts of ethnic cleansing, killing 5,000 and sending 20,000 Ossetian refugees fleeing to Russia.<sup>14</sup> The Soviet Union’s takeover of Georgia cooled such nationalist movements, but they resurfaced in dramatic fashion as the USSR fell apart in the late 1980s, leading to the two cases under consideration here.<sup>15</sup>

The 1991-1992 South Ossetian War and the 2008 Five-Day War are good candidates for comparison because of several shared constants as well as a few key divergences. Both conflicts arose from long-standing border conflicts and ethno-historic tensions between South Ossetia and Geor-



PUTIN TALKS TO ITALIAN PRIME MINISTER SILVIO BERLUSCONI. (PHOTO COURTESY OF WWW.KREMLIN.RU)

gia. Both drew in Russia in one form or another—as impartial peacekeepers in the first case, and as an invading force in the second. In both cases, Georgia was led by a zealously nationalistic president determined to prevent South Ossetia from separating—Zviad Gamsakhurdia in 1991 and Mikheil Saakashvili in 2008.<sup>16</sup> And yet, for all these similarities, the two conflicts arose during two distinct political climates—Russia in 2008 was a much different power than the crumbling USSR of the early 1990s, and the same is true for Georgia following the Rose Revolution in 2003. These key differences show why one conflict spurred direct Russian-Georgian war and the other did not.

### THE 1991-1992 SOUTH OSSETIA WAR

The South Ossetian conflict resurfaced in the early 90s as the USSR was crumbling internally and new Georgian nationalism was rising. Zviad Gamsakhurdia, soon to be first president of the new Georgia, stoked such sentiments by calling for a “Georgia for the Georgians,” antagonizing the South Ossetian and Abkhazian minorities.<sup>17</sup> Georgian calls

for Russian and Georgian to be the national languages angered South Ossetia, and periodic skirmishes began to occur starting in 1989. In September 1990, after South Ossetia declared its sovereignty as an independent republic separate from Georgia, legal tussles between Georgia and South Ossetia soon escalated, to the point where Georgia abolished the region’s autonomy, while Moscow issued decrees trying to countermand these rulings and keep things under control.<sup>18</sup>

Nonetheless, a state of emergency was declared and combat broke out on a large scale between Georgian and South Ossetian forces.<sup>19</sup> Gamsakhurdia’s government first tried to take the region’s capital city of Tskhinvali in January 1991 with paramilitary forces, then in September with the National Guard, and finally launched a devastating attack in June 1992 which destroyed almost 80 percent of the city’s dwellings.<sup>20</sup> The Sochi Agreement, a ceasefire treaty brokered by Russia, was subsequently signed on June 24, and provided for peacekeeping forces from Russia, Georgia, and North Ossetia.<sup>21</sup>

Throughout the war, Russia kept a close eye on the developments, and some individual Russian soldiers and peacekeepers did participate in the conflict on the side of South Ossetia.<sup>22</sup> Still, the Russian government never officially committed its troops to the conflict, despite clear strategic interest and humanitarian reasons for doing so.

Strategically, Russia stood to hold on to the territory of South Ossetia even as Georgia—and so many other Soviet states—were slipping away. Early in 1991, one South Ossetian politician said, “we are the only nation which wants Gorbachev to declare emergency rule.”<sup>23</sup> Indeed, the region was crying out for Soviet rule while the rest of the USSR was splitting up. Moscow made its support of the South Ossetian cause clear enough, issuing a Presidential decree from Gorbachev that chided Georgia’s legal actions as unconstitutional and demanded the immediate removal of armed forces.<sup>24</sup> Nevertheless, Russia’s actions did not seem to measure up to such strong rhetoric.

Beyond self-interested imperialist motives, Russia could also surely conceive of humanitarian justifications for intervention. Much of the Georgian offensive was based on the principle of ethnic cleansing—Gamsakhurdia, after all, was a nationalist who was not above denouncing mixed marriages and claiming that the Ossetians had “no right to a state here in Georgia...they are a national minority.”<sup>25</sup>

The actions of his forces bore out that message with startling violence, as the Georgians bombed Tskhinvali mercilessly, burned entire villages, and ultimately killed about 1,000 people while creating many more refugees.<sup>26</sup>

The 1991-1992 war, then, would seem to carry both the imperialist and interventionist justifications for going to war: Russia had a strategic interest in holding on to power in the region, and they witnessed widespread humanitarian atrocities on the part of Georgia. That Russia did not commit itself militarily is a sign that such causes are not sufficient to trigger an invasion. One must also consider the existing power dynamics and political structures behind each country's actions. By examining the situation while considering that factor, it is clear that early 1990s Russia could not afford being drawn into a drawn-out military conflict—a fact that Georgia counted on.

Russia in the early 1990s was a shambles, and its military was no less so. In his 1993 article “Fallen From Grace: The New Russian Military,” John Erickson traces the decline of the Russian military into a “hungry, homeless, and orphaned” force whose prestige was tarnished by corruption, but also by a disillusioned press that turned distinctly anti-military in the days of *perestroika*.<sup>27</sup> This skepticism toward military solutions was certainly on display during the South Ossetian conflict. In June 1992, for example, a prominent Moscow paper published an opinion piece arguing that despite Russia's obligations to South Ossetia, “the decisive use of military force is a last resort, one that is capable only of freezing the conflict, not of resolving it.”<sup>28</sup> Russia's run-down military, popular discontentment with the regime and its use of military force, and the general brokenness of the Soviet system made a military commitment in Georgia untenable. Aware of this fact, Gamsakhurdia surely acted more aggressively than he otherwise would have, even if not all of the damage can be attributed to him. As Vicken Cheterian points out, the state of Georgia in the early 90s was only just constructing its armed forces, and “the conflicts were led by semi-official armed formations inspired by national ideology and often motivated by criminal interests.”<sup>29</sup> Sixteen years later, though, Georgia's state structures would be much more solidified and their aggression would receive a very different response from Moscow.

#### THE FIVE-DAY WAR

When war broke out in the South Caucasus once again in August 2008, the situation in South Ossetia was both eerily

familiar and scarily unprecedented. The governments of Russia and Georgia had undergone major transformation since 1991. The Russian Federation rose from the ashes of the USSR and 2003's Rose Revolution, carried out after disputed parliamentary elections, putting President Mikheil Saakashvili into power in Georgia under what was supposedly a more democratic system. Meanwhile in South Ossetia, minor and sporadic fighting between Georgians and Ossetians had occurred since the ceasefire, but the peacekeepers put in place by the Sochi Agreement were still in force.<sup>30</sup>

Still, the renewal of the conflict was not entirely unexpected. During the summer of 2008, both Georgian and Russian troops engaged in separate military exercises, anticipating possible combat. Moreover, the Georgians did so with U.S. troops by their side.<sup>31</sup> United States Secretary of State Condoleezza Rice had visited Georgia in July, expressing American support for Georgia's attempted union with NATO while cautioning against the use of force or the provocation of Russia.<sup>32</sup> Nonetheless, on the night of August 7, Georgian tanks began bombing the city of Tskhinvali in South Ossetia, in order to “restore constitutional order” to the region, and Russia responded during the early hours of August 8 by invading Georgia via the Roki Tunnel.<sup>33</sup> Although there have been considerable disputes as to the exact timing of events, an independent, 1,100-page report commissioned by the EU found that Georgia did trigger the immediate conflict, even if war had been brewing for years.<sup>34</sup>

Many have pointed to Russia's swift and decisive deployment of troops as proof that the invasion was premeditated, and that the Russian leadership was trying to spring a trap in order to justify invasion.<sup>35</sup> It is more accurate to say that Russia was acting on an existing contingency plan in the case violence should erupt in the region. The combat readiness of Russian troops on the border is not surpris-

*“That Russia did not commit itself militarily is a sign that such causes are not sufficient to trigger an invasion.”*

ing, considering the historic volatility of South Ossetia and the escalating tensions in the weeks leading up to the war. Critics of Russia have tended to harp on anecdotal accounts, such as that published in a Russian newspaper on August 15, of Russian soldiers claiming that they were deployed on August 7, before the Georgian bombing of Tskhinvali.<sup>36</sup> Even if some battalions were deployed early, though, that fact does not discredit the entire Russian army, nor does it explain the mechanism by which Russia could set a “trap” for Georgia. Such one-sided finger-pointing tends to ignore the extensive evidence of Georgian premeditation. In the weeks leading up to the attack on Tskhinvali, the Georgian government shut down the main water supplies to the city, shut down news access in South Ossetia, and moved into position even while claiming that there were no troop movements.<sup>37</sup> Such actions do not suggest the behavior of an innocent state stumbling into a trap, but rather the concerted efforts of a state preparing for conflict.



GEORGIAN PRIME MINISTER MIKHEIL SAKASHVILI DELIVERS A SPEECH IN TIBILISI. (COURTESY OF WIKIMEDIA)

In retrospect, Georgia’s aggression in South Ossetia seems foolish, for the Georgian military could not have possibly matched the might of Russian forces. However, Saakashvili was emboldened by his close relationship with the United States, the much-improved Georgian military (since 2005 the army’s ranks had swelled by 46 per cent), and the expectation that he would only be fighting South Ossetian militias, not Russia.<sup>38</sup> Although U.S. leaders like Condoleeza Rice are on record as having warned Saakashvili against the use of force, there is evidence to suggest that he was expecting U.S. assistance if fighting broke out. American talk of obligations to defend allies, American support for Georgia’s quest to join NATO, the joint U.S.-Georgian military maneuvers that summer, and long-standing friendships between Saakashvili and politicians like John McCain all likely contributed to Saakashvili’s confidence in the alliance.<sup>39</sup> At the same time, Russia’s lack of a direct intervention in the 1991-92 conflict surely made the prospect of a Russian invasion unlikely. Finally, Saakashvili’s errors were enabled on the basis of a system he had helped create. When he took power during the Rose Revolution, Saakashvili made some democratic reforms, but he also dramatically increased executive powers in order to successfully fulfill his policies.<sup>40</sup> Thus, Saakashvili’s decisions went largely unchecked, and he was able to put his miscalculated policies into place with hardly any challengers.

Why did Russia respond so strongly, though? A perusal of official accounts reveals an attempt to justify intervention to the international community using a variety of established principles. First Russia invoked article 51 of the UN charter and argued its right for self-defense, since Georgian actions killed a number of Russian peacekeepers.<sup>41</sup> Russia also argued that its response was merely a “reinforced Russian peacekeeping contingent,” an extended response to Saakashvili’s violation of the 1992 Sochi Agreement.<sup>42</sup> Most gravely, Putin used the word “genocide” to describe Georgia’s attacks on South Ossetia, and thus invoked the Responsibility to Protect doctrine.<sup>43</sup>

None of these justifications of the Russian invasion is entirely convincing. Russian civilians died in the 1991 conflict, yet the state did not invade Georgia. Violent ethnic cleansing occurred then, too, but again, no direct response. Nor, for that matter, has Russia seemed to express much concern for the discontented minorities within its own borders, whether in Chechnya or Circassia.<sup>44</sup> Finally, Russia was no supporter of the NATO military intervention in Kosovo, so it seems disconcerting that they would sud-

denly apply the same Responsibility to Protect logic to their own conflicts.<sup>45</sup>

Even as such justifications ring hollow as motivational factors, though, Russia's invocation of them does at least suggest that in today's world, such principled norms are needed to make such invasions theoretically acceptable. In some way, this is a testament to the power of such norms—though it is also disturbing that Russia could manipulate them to their own ends. Commentators such as Charles King have argued that the Five Day War shows Russia distancing itself from Western institutions, yet Russia's need to explain its actions in the language of UN initiatives and humanitarian principles suggests that such ideas do have sway.<sup>46</sup> Purely imperialist motives for invasion are simply not acceptable to the international community.

*“Purely imperialist motives for invasion are simply not acceptable to the international community.”*

Ultimately, though, it was imperialist motives that most defined Russia's reaction to Georgian aggression. Its powerful response was enabled by a stronger, more stable Russian military than in 1991 and by Russia's more prominent place in the international order compared to the transitional chaos of the early 90s. Such a dramatic invasion was also more vital to Russian strategic interest than in 1991 because of subsequent developments, notably Georgia's ambitions to join NATO and its burgeoning alliance with the United States, both of which threatened Russia's sphere of influence. Russia may not have premeditated the war with Georgia, but it was ready to respond to their aggression, and doing so with resolute force solidified their power in the region.

#### CONCLUSION

Russia's decision to invade Georgia in August 2008 was sufficiently shocking—especially in comparison with Russia's more measured response to the South Ossetia war in 1991—to cause a bevy of reactionary responses in the West, with many commentators painting Russia as the sole villain and decrying a return to Soviet-era aggression. The true factors underlying the Five-Day War of 2008, however, encompass much greater territory than simplistic Russian evildoing. The premeditated aggression of Georgia toward South Ossetia, catalyzed by U.S. support

and demonstrated in President Saakashvili's actions against the South Ossetians prior to August 7, cannot be dismissed as a causal factor spurring Russia to a violent reaction. And though Russia's motivations for invading were hardly selfless, their actions do not represent a sudden return to Soviet antagonism or a new policy deviation. If anything, their actions represent the fulfillment of long-existing objectives to hold on to power in the region—objectives they were unable to follow through on in 1991 due to a crumbling political structure and weak military.

The Russian-Georgian war of 2008 will continue to hold immense meaning for the future of U.S.-Russian relations, but its implications extend far beyond the sphere of those two countries. Russia's use of humanitarian justifications for invasion, though arguably representative of the power of those norms, should also raise concerns about

other states' potential for similarly manipulating them. Doctrines like the Responsibility to Protect were conceived in good faith and with the understanding that they would be used for benevolent purposes. However, the 2008 war reveals that they can also be shrewdly manipulated to serve a state's own strategic goals. The United States and the international community should work to clarify such doctrines' applicability and minimize the possibility of them being exploited.

The renewed mistrust and condemnation of Russia on the part of many U.S. politicians following the Five-Day War raises the unfortunate possibility that U.S.-Russian relations will continue to be characterized by hostile Cold War-style rhetoric. Instead, the United States should use the lessons of the war to try to understand Russia's objectives rather than denouncing them outright. The United States should also perform some self-examination about its own role in the war. America's fervent, almost unquestioning support of Georgia—a state that is much less democratic than it appears—certainly played a role in encouraging Saakashvili's overconfidence and precipitating Georgian aggression in South Ossetia. The United States should consider that its policy of supporting fledgling democracies should not blind themselves to the corruptions of those governments, nor their propensity for conflict.

Although the Five-Day War was settled quickly and forcefully, the questions it raises still linger. One line of inquiry involves Russia's future ambitions in the region. The war demonstrated Russia's forceful commitment to maintaining influence in the South Caucasus and fighting the encroachment of NATO into its sphere of influence. Since 2008, no comparable wars have erupted in the region, but the question remains whether Russia would use its military force again to achieve its objectives. Another set of questions pertain to relations between America and Russia. After the war, many saw a sharp decline in the two countries' relationship, but the Obama administration promised a reset. Fruitful research could be dedicated to the subject of whether or not the Obama administration has significantly changed American policy toward Russia or improved relations. Finally, the war broaches the topic of how international doctrines of humanitarian intervention or genocide prevention can be twisted to suit a state's self-interest. Future scholarship could place the Five-Day War within this conceptual context to explore other cases where such tactics have been used, and offer prescriptions to prevent them.

#### ENDNOTES

1. Charles King, "The Five-Day War: Managing Moscow After the Georgia Crisis," *Foreign Affairs* 87:6 (2008): 2.
2. Mike Bowker, "The war in Georgia and the Western response," *Central Asian Survey*, 30:2 (2011): 207.
3. *Ibid.*, 197.
4. Daniel Treisman, *The Return: Russia's Journey from Gorbachev to Medvedev* (New York: Free Press, 2011) 154.
5. Roy Allison, "Russia resurgent? Moscow's campaign to 'coerce Georgia to peace,'" *International Affairs* 84:6 (2008): 1151.
6. Rick Fawn and Robert Nalbandov, "The difficulties of knowing the start of war in the information age: Russia, Georgia, and the War over South Ossetia, August 2008," *European Security*, 21:1 (2012): 72.
7. Noelle Higgins and Kieran O'Reilly, "The Use of Force, Wars of National Liberation and the Right to Self-Determination in the South Ossetian Conflict," *International Criminal Law Review* 9:3 (2009): 583.
8. Thucydides, "The Melian Dialogue," in *International Politics: Enduring Concepts and Contemporary Issues*, ed. Robert J. Art and Robert Jervis. (Boston: Pearson Education, 2013), 8-14.
9. *Ibid.*, 9.
10. Walter Clarke and Jeffrey Herbst, "Somalia and the Future of Humanitarian Intervention," *Foreign Affairs* 75:2 (1996): 70.
11. John F. Kennedy's inaugural address suggested moral purposes for the War ("to assure the survival and success of liberty," and to help those "across the globe struggling to break the bonds of mass misery...because it is right.") Yet Vietnam was also recognizably a manifestation of the George Kennan's containment policy to stop the USSR's expansion.
12. "Inaugural Address of John F. Kennedy," *The Avalon Project*, accessed by May 6, 2013, [http://avalon.law.yale.edu/20th\\_century/kennedy.asp](http://avalon.law.yale.edu/20th_century/kennedy.asp).
12. Higgins and O'Reilly, "The Use of Force," 568.
13. Julian Birch, "Ossetiya—land of uncertain frontiers and manipulative elites," *Central Asian Survey*, 18:4 (1999): 502.
14. *Ibid.*
15. *Ibid.*, 503.
16. Higgins and O'Reilly, "The Use of Force," 4-5.
17. Ronald D. Asmus, *A Little War That Shook The World: Georgia, Russia, and the Future of the West* (New York: Palgrave Macmillan, 2010). 60.
18. Birch, "Ossetiya," 503.
19. Christopher Zurcher, Pavel Baev, and Jan Koehler, "Civil Wars in the Caucasus," in *Understanding Civil War: Evidence and Analysis, Vol. 2—Europe, Central Asia, and Other Regions*, ed. Paul Collier and Nicholas Sambanis, (Washington, D.C.: World Bank Publications, 2005.) 268.
20. *Ibid.*
21. Higgins and O'Reilly, "The Use of Force," 4.
22. King, "The Five-Day War," 5.
23. Birch, "Ossetiya," 504.
24. Mikhail Gorbachev, "Decree of the President of the Union of Soviet Socialist Republics: On Certain Legislative Actions Adopted in December 1990 in the Georgian SSR," in *Countdown to War in Georgia: Russia's Foreign Policy and Media Coverage of the Conflict in South Ossetia and Abkhazia*, ed. Ana K. Neidermaier. (Minneapolis: East View Press, 2008), 19-20.
25. Birch, "Ossetiya," 503-504.
26. *Ibid.*, 504 and "Georgia: Avoiding War in South Ossetia," (Tbilisi/Brussels: International Crisis Group, 2004), 4. Accessed at <http://unpan1.un.org/intradoc/groups/public/documents/UNTC/UNPAN019224.pdf>, 4.
27. John Erickson, "Fallen from Grace: The New Russian Military," *World Policy Journal*, 10:2 (1993), 19-24.
28. Mikheil Shevelov, "Epicenter: War is Coming from the South – The Fate of Peace in Southern Russia is Being Decided Today in Ossetia," in *Countdown to War in Georgia: Russia's Foreign Policy and Media Coverage of the Conflict in South Ossetia and Abkhazia*, ed. Ana K. Neidermaier. (Minneapolis: East View Press, 2008), 44.
29. Vicken Cheterian, "The August 2008 war in Georgia: from ethnic conflict to border wars," *Central Asian Survey*, 28:2 (2009): 157.
30. King, "The Five-Day War," 5.
31. *Ibid.*, 164.

32. Ibid.
33. Nicolai N. Petro, "The Russia-Georgia War: Causes and Consequences," *Global Dialogue* 11 (2009): 1.
34. For a detailed look at the uncertainties of the timing and the dispute over who started the war, see Fawn and Nalbandov, "The difficulties of knowing the start of war in the information age." The authors' summary of the EU report cited above is on page 58.
35. Petro summarizes (and then contests) this argument in "The Russia-Georgia War: Causes and Consequences," 3.
36. Fawn and Nalbandov, "The difficulties of knowing the start of war in the information age," 70.
37. Petro, "The Russia-Georgia War: Causes and Consequences," 5.
38. Ibid.
39. Bowker, "The war in Georgia and the Western response," 204-206.
40. Ibid., 204.
41. Roy Allison, "Russia resurgent? Moscow's campaign to 'coerce Georgia to peace,'" *International Affairs* 84:6 (2008): 1151.
42. Ibid.
43. Ibid.
44. King, "The Five-Day War," 6.
45. Memli Krasniqi, "Russian opposition should not defer Kosovo's independence," *Today's Zaman*, last modified April 12, 2007, [http://www.todayszaman.com/newsDetail\\_getNewsById.action?load=detay&link=108072](http://www.todayszaman.com/newsDetail_getNewsById.action?load=detay&link=108072).
46. Ibid., 11.

## REFERENCES

Ronald D. Asmus, *A Little War That Shook The World: Georgia, Russia, and the Future of the West* (New York: Palgrave Macmillan, 2010).

*Countdown to War in Georgia: Russia's Foreign Policy and Media Coverage of the Conflict in South Ossetia and Abkhazia*, ed. Ana K. Neidermaier. (Minneapolis: East View Press, 2008)

Daniel Treisman, *The Return: Russia's Journey from Gorbachev to Medvedev* (New York: Free Press, 2011)

*International Politics: Enduring Concepts and Contemporary Issues*, ed. Robert J. Art and Robert Jervis. (Boston: Pearson Education, 2013)

*Understanding Civil War: Evidence and Analysis, Vol. 2—Europe, Central Asia, and Other Regions*, ed. Paul Collier and Nicholas Sambanis, (Washington, D.C.: World Bank Publications, 2005.)

Julian Birch, "Ossetiya—land of uncertain frontiers and manipulative elites," *Central Asian Survey*, 18:4 (1999): 501-534.

Vicken Cheterian, "The August 2008 war in Georgia: from ethnic conflict to border wars," *Central Asian Survey*, 28:2 (2009): 155-170.

John Erickson, "Fallen from Grace: The New Russian Military," *World Policy Journal*, 10:2 (1993), 19-24.

Rick Fawn and Robert Nalbandov, "The difficulties of knowing the start of war in the information age: Russia, Georgia, and the War over South Ossetia, August 2008," *European Security*, 21:1 (2012): 57-89.

Noelle Higgins and Kieran O'Reilly, "The Use of Force, Wars of National Liberation and the Right to Self-Determination in the South Ossetian Conflict," *International Criminal Law Review* 9:3 (2009): 567-583.

Roy Allison, "Russia resurgent? Moscow's campaign to 'coerce Georgia to peace,'" *International Affairs* 84:6 (2008): 1145-1171.

Nicolai N. Petro, "The Russia-Georgia War: Causes and Consequences," *Global Dialogue* 11 (2009): 1-10.

Charles King, "The Five-Day War: Managing Moscow After the Georgia Crisis," *Foreign Affairs* 87:6 (2008): 2-11.

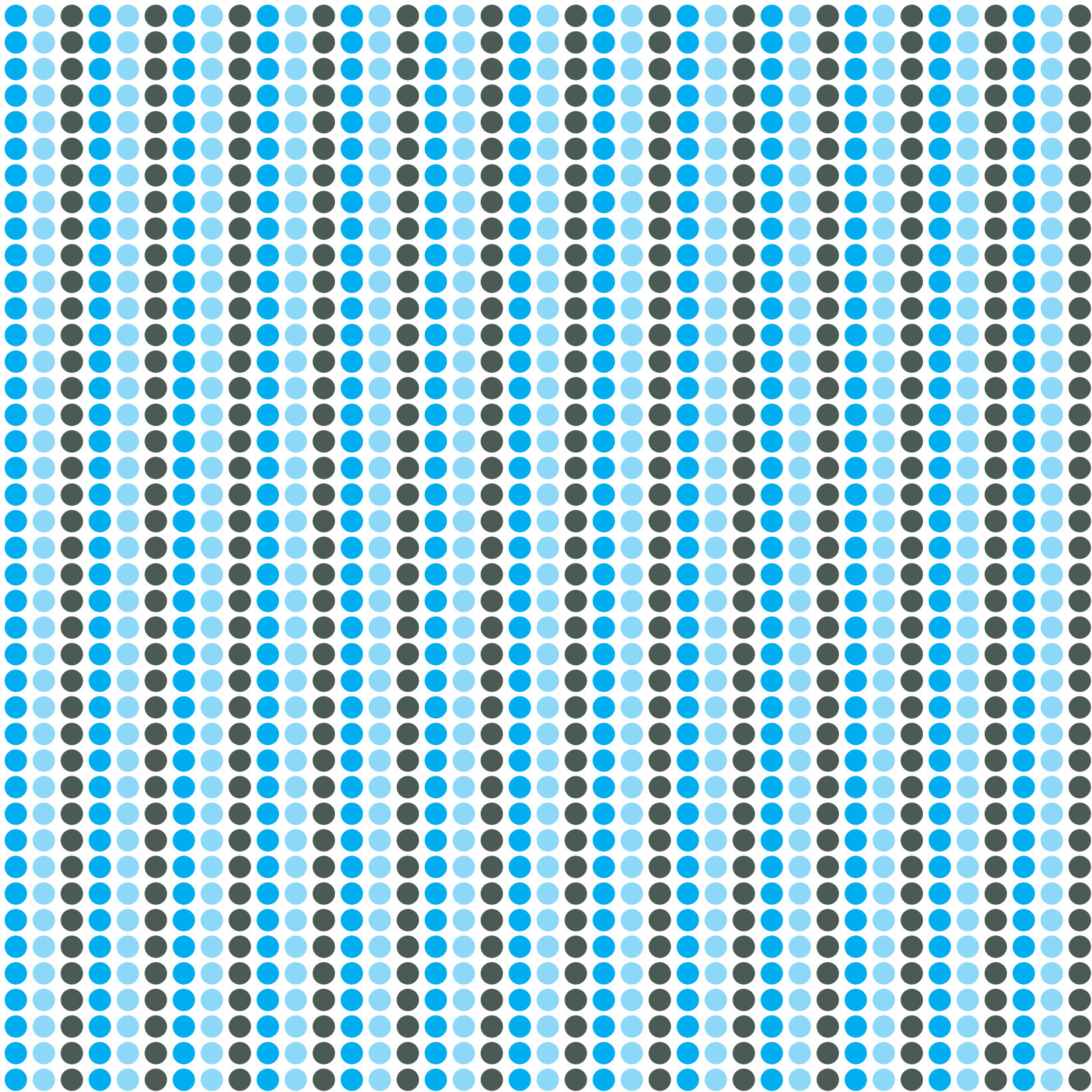
Mike Bowker, "The war in Georgia and the Western response," *Central Asian Survey*, 30:2 (2011): 197-211.

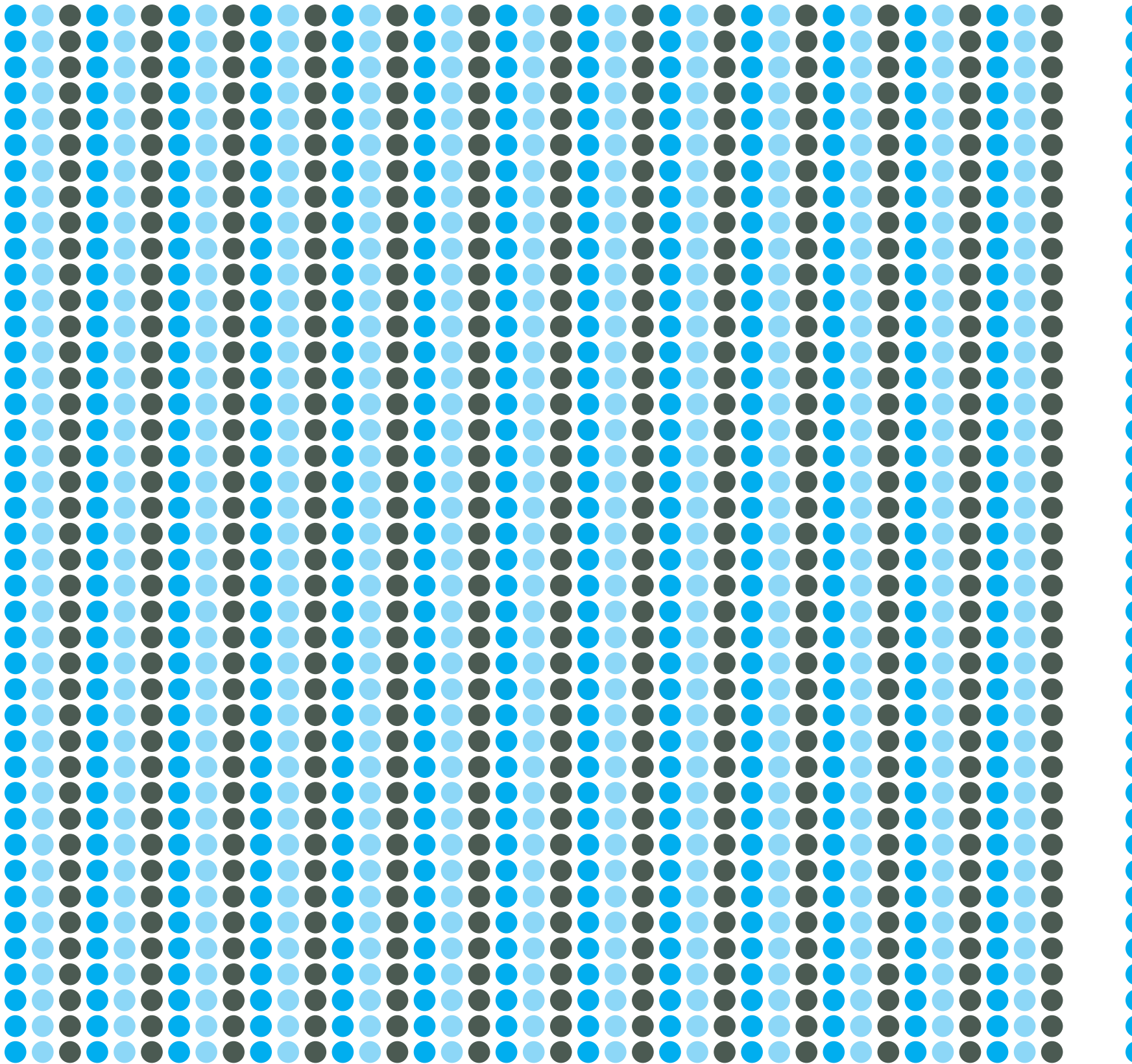
Walter Clarke and Jeffrey Herbst, "Somalia and the Future of Humanitarian Intervention," *Foreign Affairs* 75:2 (1996): 70-85.

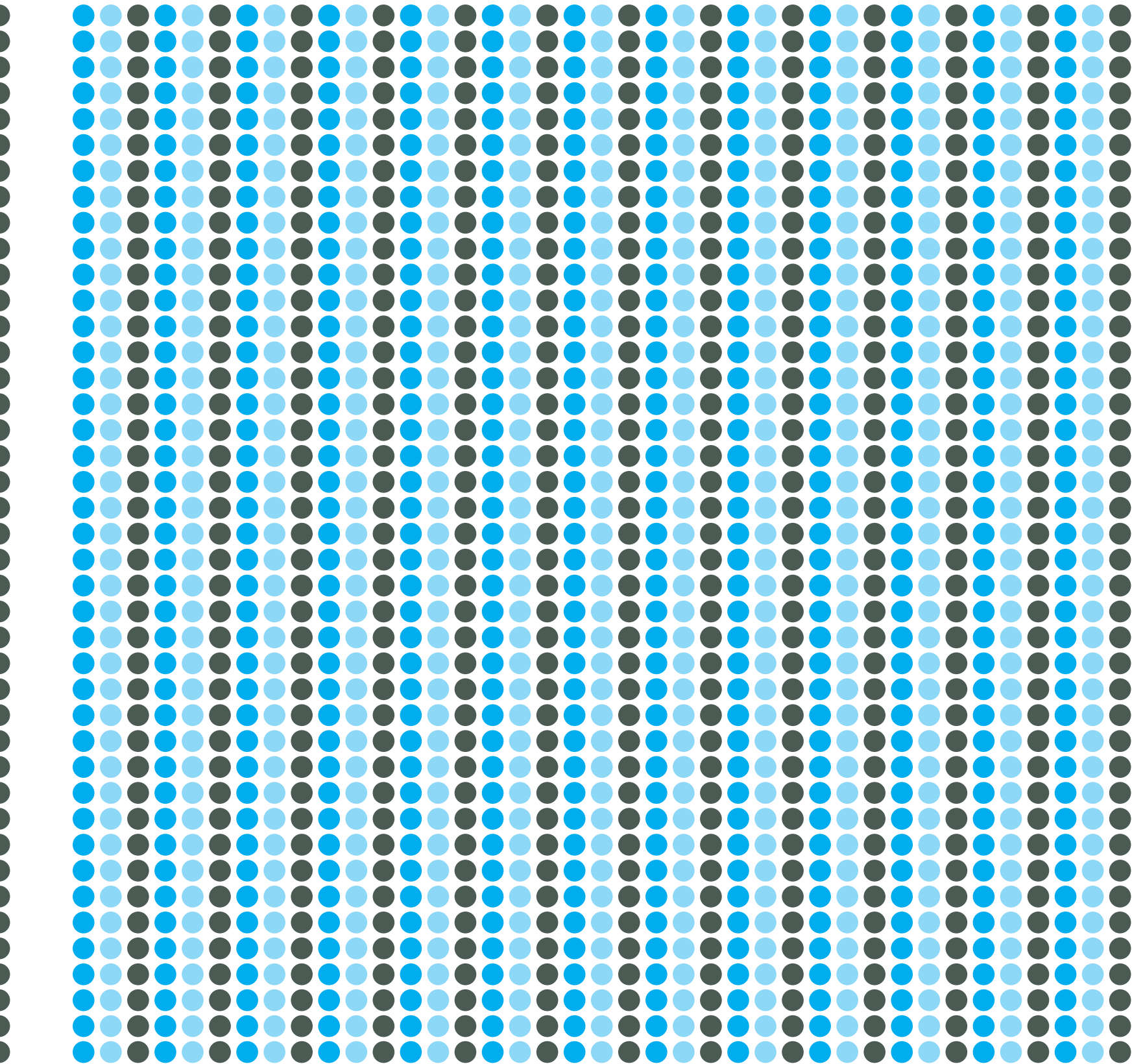
"Georgia: Avoiding War in South Ossetia," (Tbilisi/Brussels: International Crisis Group, 2004), 4. Accessed at <http://unpan1.un.org/intradoc/groups/public/documents/UNTC/UNPAN019224.pdf>, 4.

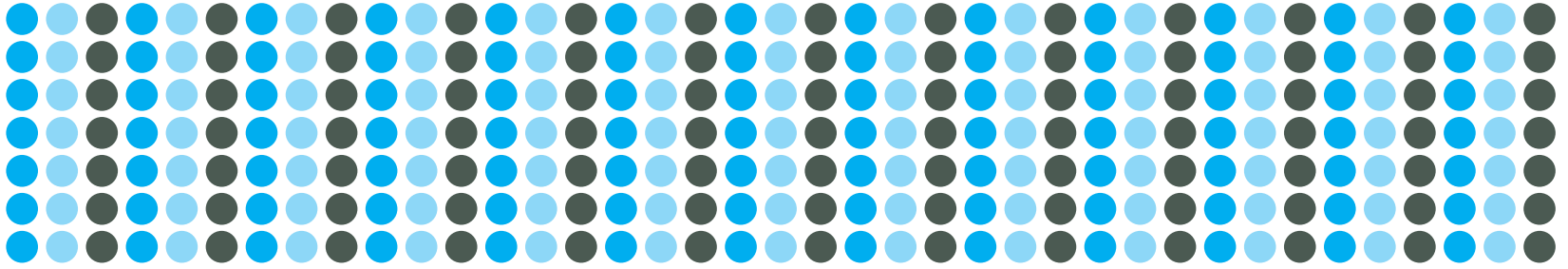
Memli Krasniqi, "Russian opposition should not defer Kosovo's independence," *Today's Zaman*, last modified April 12, 2007, [http://www.todayszaman.com/newsDetail\\_getNewsById.action?load=detay&link=108072](http://www.todayszaman.com/newsDetail_getNewsById.action?load=detay&link=108072).











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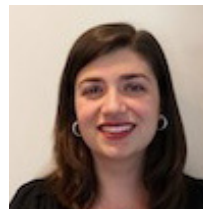
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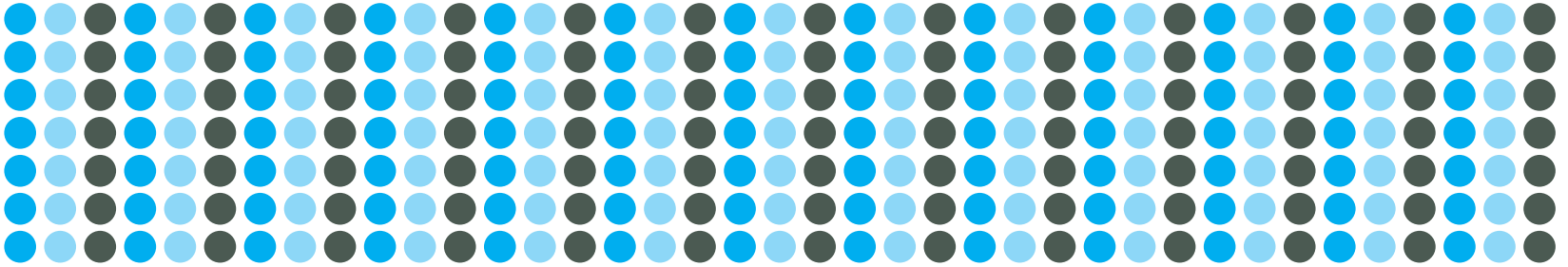
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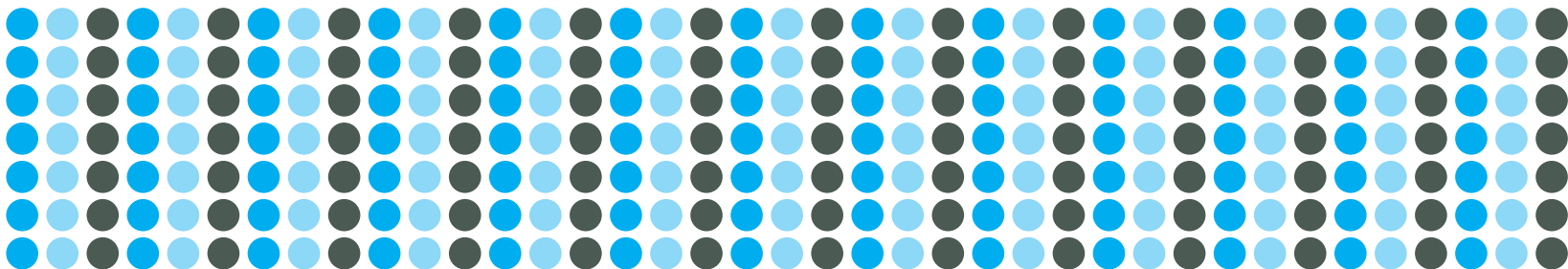


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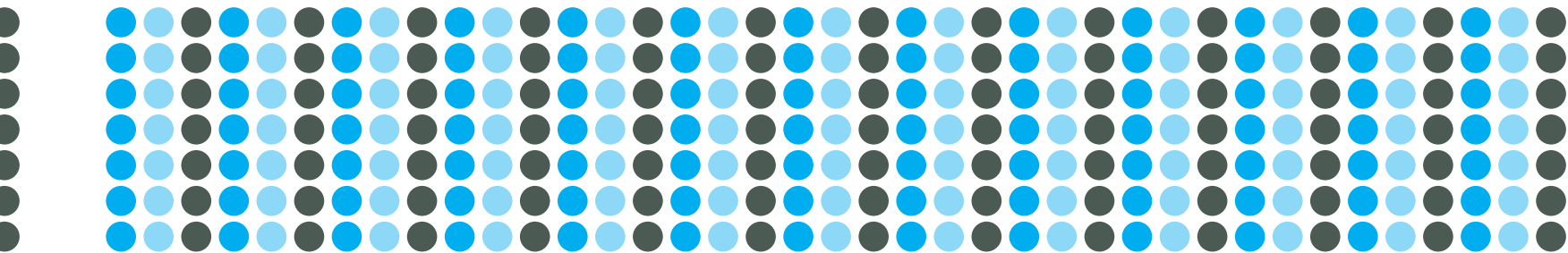
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