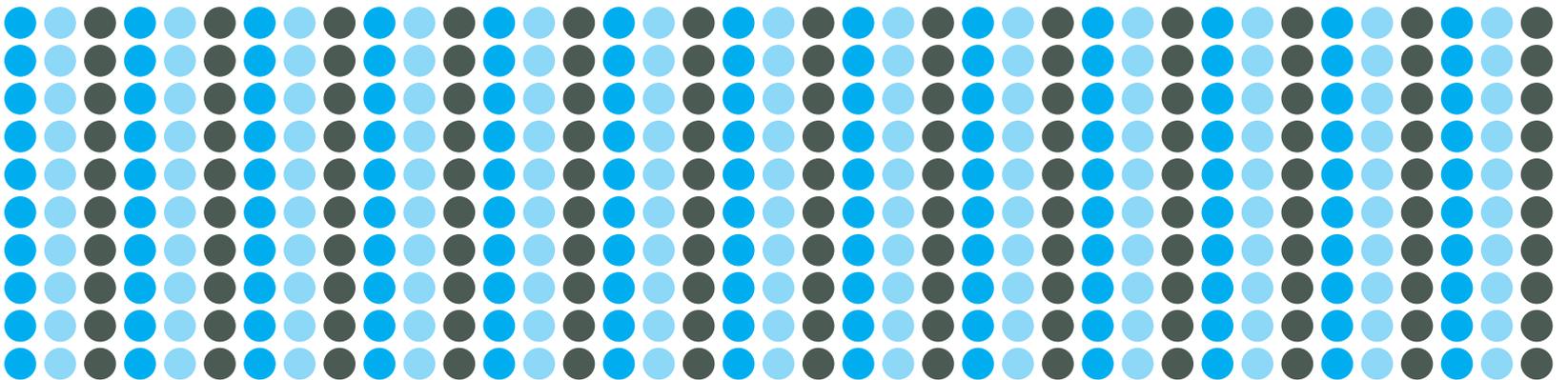
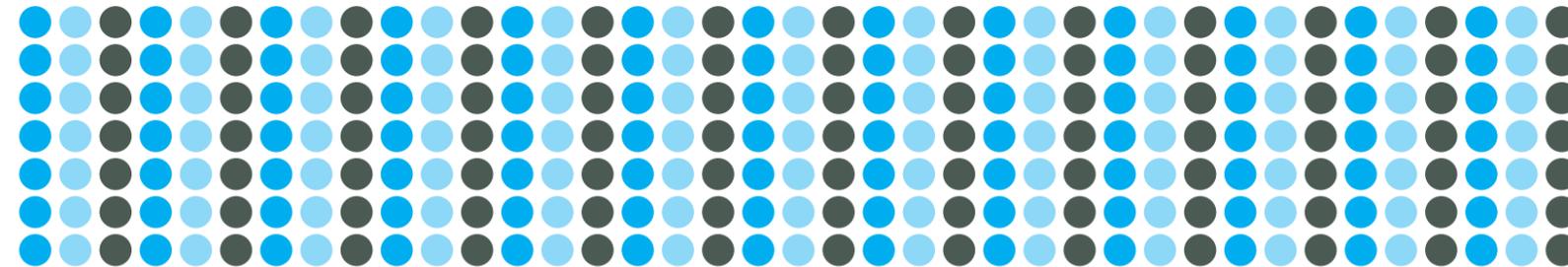
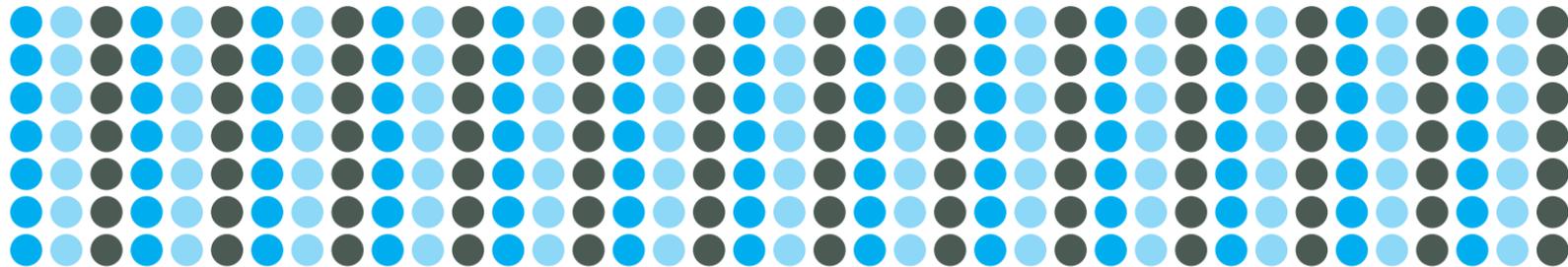


Elements

Fall 2011



Volume 7 :: Issue 2



THANK YOU

We would like to thank Boston College, the Institute for the Liberal Arts, and the Office of the Dean for the College of Arts and Sciences for the financial support that makes this issue possible. We would also like to thank the Frank Lloyd Wright Foundation for their kind permission to print Frank Lloyd Wright's work in this issue.

QUESTIONS & CONTRIBUTIONS

If you have any questions, please contact the journal at elements@bc.edu. The next deadline is [Friday, November 4, 2011](#). All submissions can be sent to elements.submissions@gmail.com. Visit our website at www.bc.edu/elements for updates and further information.

COVER

Frontal temporal dementia.
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PERIODICITY

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Elements, The Undergraduate Research Journal of Boston College
Volume 7, Issue 2, Fall 2011

Boston College, 140 Commonwealth Avenue, Service Building 103
Chestnut Hill, MA 02467
Printed by The Sheridan Press, 450 Fame Avenue, Hanover, PA 17331

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EDITOR'S NOTE

The photo on the cover of this issue shows one of the clearest physiological effects detectable in frontal lobe dementia: a whole area of the diseased brain displays decreased activity, indicated in this picture by a lack of color in the part of the brain directly behind the forehead. Though frontal lobe dementia is relatively rare, other dementing disorders such as Alzheimer's disease are extremely prevalent, levying a burden of \$70 billion in U.S. health costs annually. Despite the clear physiological symptoms and the obvious economic burdens associated with dementias, the ethical picture of this type of disorder is far less clear. As Andrew Orr argues in "The 'Now Patient' and the 'Then Self,'" the conflict between the present and past wishes of a patient, taken in combination with the professional advice of a doctor and the personal wishes of family members, requires a carefully thought-out ethical framework.

As with Orr's article, the other articles in this issue share this spirit of broadening the scope of whatever they investigate. Whether by situating a single piece of art in a larger historical context or by sketching a philosophical way of understanding nature, the authors in this issue contribute work that broadens the horizon of work in their field. Indeed, I take this keen awareness of perspective—this knowledge of one's place in a more general conversation—to be one of the hallmarks of scholarship at Boston College.

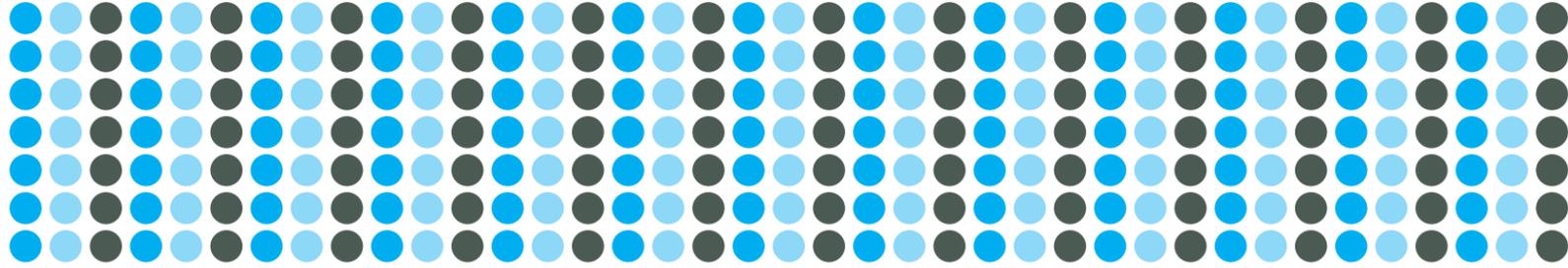
Undergraduate scholarship at Boston College is expanding, and so is Elements. As Elements expands, I hope that it mirrors Boston College's ethos in research, public service, and personal development. To that end, this latest issue of Elements introduces a new segment labeled "Perspectives." After years of only soliciting submissions for peer review and selection for publication, we have decided to add this mini-review section to complement the research articles. These small, invited reviews of literature provide back-

ground information and context for the research presented in Elements. These reviews will hopefully allow our readers to get the most out of every article we publish. As an added benefit, seventeen authors are featured in this issue, twice as many as Elements usually publishes.

Ultimately, the "Perspectives" section provides an outlet for authors to mend cracks in the continuity of scholarship. To borrow from Karen Kovaka's "Transcendental Geology," it will help Elements to reflect students making the jump from the visible to the invisible—the transition from a single discipline to the awareness of both the worldly situation of their endeavors and the Western cultural tradition that we all share. I am confident that the interdisciplinary research explored in this issue is not embodied by perpetually opposed concepts but by a certain "chiasm"—a blending that builds bridges both within the academy and beyond the academy. Thank you for taking part in our project.

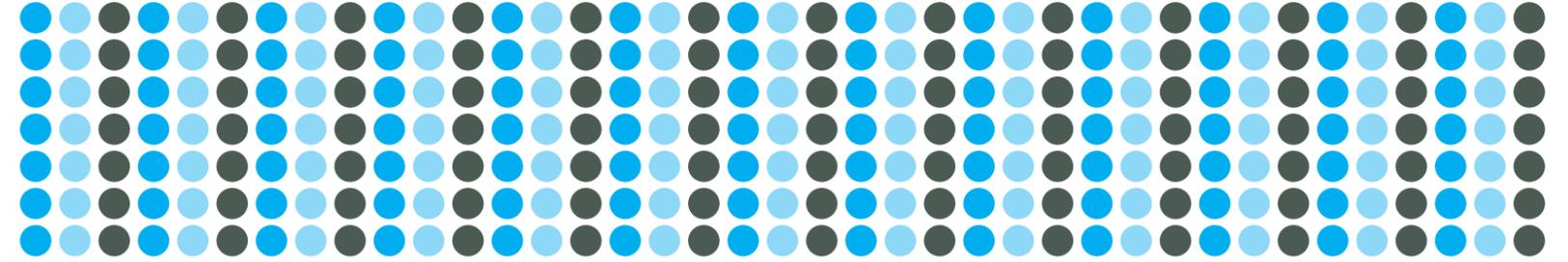
Sincerely,

R. BRIAN TRACZ
Editor-in-chief



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Perspectives

GOING GREEN: SOURCES IN ARCHITECTURE

by Natalie Thomas

With increasing awareness of “going green” campaigns and alternative energy sources, the word “organic” has become synonymous with popular culture. In a sense, words like “sustainable” and “organic” derive their power and influence from the human desire to return to nature. Though these words have infiltrated headlines predominantly in the last decade, concerns of how we as a society relate to our environment are not unique to our generation.

Frank Lloyd Wright discusses architecture as a reflection of societal concerns and values when he states, “All fine architectural values are human values, else not valuable.”¹ Living and working throughout the end of the 19th and the beginning of the 20th centuries, Wright asserts that our work, dwelling, and leisure spaces should mirror our values as a noble society. He was heavily influenced by the writings of Henry David Thoreau and Ralph Waldo Emerson, and believed that the best society is one that respects its roots in nature and works with its forces in a symbiotic relationship; thus, his architecture was termed “organic.”² His design for *Fallingwater*, a home for the Kaufmann family in Mill Run Pennsylvania, presents a marriage of nature’s elements to architectural forms as he incorporates the rocks of the hill into the hearth of the home. The hearth is commonly symbolic as the heart of the home therefore, it may be that Wrights emphasis on nature in this particular place is a reflection of the family as the natural nucleus of society.³ Wright’s architectural school of thought became known as the Prairie School Movement in which architects strove to incorporate the most basic elements of nature including water, light, and heat as sources for a “new indigenous American architecture.”²

Today architects continue to work towards organically derived forms and functions. Renzo Piano, a contemporary Italian architect, is known for his innovative designs in which form follows function. His *Living Roof* of the California Academy of Sciences is covered completely with vegetation not only mirroring the building’s purpose as a science center but also serving the environment by regulating temperature, reducing storm water runoff, and creating a natural habitat that filters pollutants and carbon dioxide.⁴

Piano’s architecture presents a contemporary vision of Wright’s Prairie School. His architecture is not just a reflection of society’s current concerns, but also has undertones that render interest in the environment and how we relate to the living world. Wright pioneered this type of architecture, and so his legacy is an indirect influence on our modern fixation to “go green”; thus, today’s concerns are merely an evolution of thought tracing back to almost a century.

1. Wright, Frank Lloyd. *The Living City*. New York: Horizon, 1958. p. 102. Print.
2. “Wright’s Life and Work.” *Frank Lloyd Wright Foundation*. Web. 23 Aug. 2011. <http://www.franklloydwright.org/flwf_web_091104/Wright's_Life_and_Work.html>.
3. “Explore: Architectural Tour.” *Fallingwater | Home*. Western Pennsylvania Conservancy. Web. 23 Aug. 2011. <<http://www.fallingwater.org>>.
4. Pesavento, Fulvia, and Lia Piano. “Renzo Piano Building Workshop: California Academy of Sciences.” *Renzo Piano Building Workshop - Official Site*. Spill.net. Web. 23 Aug. 2011. <<http://www.rpbw.com/>>.

THE MADONNA AND THE HUNDRED YEARS’ WAR

by Theresa Cunningham

The endless battles of the Hundred Years War plagued fourteenth century France, bringing with it intermittent violence which punctuated daily life for over a century. Actually, a series of several wars, the conflict known as the Hundred Years War was not the first dispute between France and England. The two nations had engaged in sporadic power struggles since the Norman invasion.¹ Yet, as war raged on, culture flourished and Gothic art and architecture became prevalent throughout Western Europe, though most notably in France. Throughout the decades of political turmoil and uncertainty, art focused that which remained constant, the Church. Religious imagery dominated the subject matter of Gothic art; in lofty cathedrals housing pious individuals at prayer, illuminated manuscripts relaying moralizing messages, devotional objects aiding in prayerful contemplation and reliquaries containing the venerable remains of saints. Of religious images, the Virgin and Child was one of the most widespread.

The social changes of this transitional era, including the rising prominence of artistic guilds, provided wealthy Parisians with the opportunity to commission luxury goods for religious worship.² In 1339, at the onset of the Hundred Years War, a silver-gilt sculpture was completed for Jeanne d’Evreux, the wife of the then deceased French King Charles IV.³ The statue speaks to the unrest in which it was created. Although commissioned by a noble patron, the statue was donated to the Church of St. Denis, to be viewed by the public as a devotional aid. The chaos of the Hundred Years War did not go unnoticed by any member of French society, yet the statute known as the *Virgin of Jeanne d’Evreux* exudes a calm and tenderness to combat the instability of the political landscape.⁴

The Virgin of Jean d’Evreux is merely one example, albeit a highly regarded one, of the humanity that entered the art of the period, especially depictions of the Virgin and Child. Late Gothic art lacked the rigidity of its earlier medieval counterparts.⁵ The tender embrace between mother and child seen in the *Virgin of Jeanne d’Evreux*, and other works like it, was no doubt

comforting to those who came to St. Denis for worship. It brought into religious iconography, a human element not previously seen in medieval times.⁶ While the world outside the church walls was ever changing, for those living in fourteenth century France, (nearly all of whom were practicing Christians) the tender image of the Virgin Mary would have served as a reminder of the consistency of their faith.

1. Anne Curry, “France and the Hundred Years War, 1337 – 1453,” in *France in the Later Middle Ages*, ed. David Potter (Oxford: Oxford UP, 2002), 91.
2. Fred S. Kleiner, *Gardner’s Art Through the Ages: The Western Perspective*, 13th ed., vol. 1 (Boston: Wadsworth, 2010), 359.
3. James Snyder, *Medieval Art* (New York: Harry Abrams, Inc., 1989), 401.
4. Curry, “France and the Hundred Years War,” 93; Kleiner, *Gardner’s Art Through the Ages*, 362.
5. Gombrich, 207
6. Emile Male, *Religious Art in France: The Late Middle Ages* (Princeton: Princeton UP, 1987), 137.

MITHRAISM

by Corey Yarochowicz

As the name might imply, the mystery cults of the ancient world were secretive religious fraternities that offered triumph over death by way of their esoteric dogmata. Despite the fact that scholars understandably lack primary sources to study the mysteries acutely, they are of great importance and intrigue to Classicists because they are crucial for establishing an accurate historical reconstruction of religious developments in antiquity.

The Cult of Mithras is particularly intriguing for scholars. Though no literary sources from the cult survive save for a few wall graffiti, the cult was a forerunner in Rome’s increasingly popular religious cults, with practitioners worshipping alongside more long-lived religious traditions of Christianity and Judaism. In spite of the lack of Mithraic literature, a number of Mithrea—houses of worship for the adherents of Mithraism, the Mithraic equivalents of churches or synagogues—survive. Excavations on the known Mithrea suggest that the cult worshipped a central deity, Mithras, his relationship with the Sol Invictus, and his ceremonious slaughter of a bull (the so-called “tauroctony”). Reliefs of Mithras near sprouting plants suggest the adherents connected him with harvest and life. Though the central narratives of the Mithraic cult remain mysterious and out of context, the archaeological record has provided important information about the cult, including the extent of its popularity with the Roman military, the cult’s use of eastern motifs, and the general popularity of the cult in the empire.

In the 1920’s, the excavation of a Roman Mithraeum in Dura Europos, a garrison city located in modern day Syria alongside the Roman Empire’s eastern frontier, allowed scholars to drastically expand the archaeological record. Attacked by Sasanian invaders in the middle of the third century CE, the inhabitants of Dura Europos tamped all of the buildings, most of them serving a religious function, along the city’s western wall in a failed fortification effort. This effectively sealed the city’s Mithraeum, Christian baptistery, and synagogue, among numerous other buildings significant to pagan worship, and permitted an unbelievably well preserved archaeological re-

cord for the city. The Mithraeum alone finds a well-preserved floor plan, paintings, bas-reliefs, and numerous graffiti that substantially increased scholarly understanding of Mithraism.

Dura is unique in that the study of the city’s remains not only strengthens scholars’ understanding of Christianity, Judaism, Mithraism, and pagan worship in third century Rome, but also allows an in-depth study into the relationship between these religions; most of Dura’s religious buildings existed side by side on the same street, suggesting a fairly tolerant religious outlook in a time when the literary record counts polemics and schism as the only form of inter-religious dialogue. The study of Dura Europos, and religious worship therein, permits a rare and exciting springboard for scholarly discussion on Mithraism; its record entertains questions about the nature and ethnographic make up of the cult’s membership, its practices, and its imagery in a way no other Mithraeum can.

THE WAR OF A GENERATION

by Benjamin Mayer

The Vietnam War seared the American consciousness with scenes of brutal violence, social turmoil, and tragedy. Be it footage of children suffering from napalm burns, of anti-war demonstrations, or of over 50,000 coffins returning home, the nightly news made the reality of the war inescapable. In light of this, it is no great surprise that the primary medium for exploring this devastating conflict has not been literature, but film. Over the past three decades, American filmmakers have used their own images to grapple with the implications of the war. “Culture in Conflict” explores the way that the images of Vietnam have evolved, highlighting essential themes among movies in this historical genre. I will briefly compliment this analysis by discussing another film in the Vietnam War genre, *The Deer Hunter*, directed by Michael Cimino.

The Deer Hunter, starring Robert Di Nero, Myrell Streep, John Cazale and Christopher Walken, explores the issue of Vietnam veterans with a striking measure of clarity. The film, which premiered in 1978, achieves this clarity by showing a traumatic transformation in its characters that occurs because of their experience in the war. Beginning in a small steel town in Indiana, Cimino attempts to portray archetypal immigrant working class characters. Michael, played by Di Nero, and his friends, including Nick played by Walken and Stanley played by Cazale, work at the steel mill and are eager to go through the traditional rites of passage, including marriage and military service. The second act of the film cuts straight to brutal battle scenes in Vietnam and eventually a North-Vietnamese prison camp, where the characters are forced to play Russian roulette for the entertainment of a group of sadistic guards. The last act of the film is dedicated to showing the drastic change in Di Nero’s, Walken’s, and Cazale’s characters. At the end of the film, Nick and Stanley are broken men. Nick becomes a drug addict in Saigon and pays for his habit by participating in Russian roulette in a gambling den. Stanley is confined to bed because of his wounds and attempts to isolate himself from his friends and family. Michael tries, but fails, to help his friends, ultimately remaining a mere shell of his former self.

Although Cimino has been widely criticized for historical errors in the film, such as present in the Russian roulette scenes and in his caricature of North-Vietnamese brutality, his film holds a valuable place in the history of Vietnam War film because its primary focus is not the larger implications of the war, but rather the effects that it had on American soldiers. It was one of the first major Hollywood films to show the difficulty Veterans incurred upon returning home. Cimino explores in depth the alienation, depression, and addiction experienced by many veterans. Given that just a few years before the film premiered it was not uncommon to have soldiers returning from Vietnam spit on by anti-war demonstrators, this was a significant statement. It was an attempt to force the American people to reconsider the way that they had treated their veterans.

Vietnam was a watershed event in American history. Militarily it humbled America's pride as a superpower. Culturally it forced Americans to question their self-perceived moral exceptionalism. Socially it caused a generation of Americans to doubt the judgment of their government. Through a study of the films about the Vietnam War, one can begin to understand how these different factors impact the American mind.

MIGRATION: A POLITICAL AND ECONOMIC REALITY

by Samuel Hocking

The plight of international migrants and refugees is a well documented phenomenon. In addition to struggling with the hardship of the initial dislocation, refugees confront the difficulty of finding a place to relocate and must ensure they will be able to subsist upon arriving. Perilous endeavors, border crossings are often fraught with encounters with militias and corrupt officials demanding outrageous bribes to guarantee safe passage. When victims of conflict flee their home country in search of greater safety and stability, they commonly encounter hostility from the native population. They are often barred access to the formal economy, leaving them to piece together a sparse life for their families.

Along with the normal raft of concerns that accompany a large influx of cross-border refugees, the specter of terrorism also haunts displaced peoples in the politically troubled Middle East. Given the porous borders of most nations in the region and the international nature of radical groups like Al Qaeda and Hezbollah, regimes pay careful attention to flows of goods and people. Yet as economies have decayed and governments doubled down in the face of the Arab Spring, people have fled in large numbers from countries like Syria, Yemen, and Libya.

Still, this recent surge in the volume of political refugees pales in comparison with the number of displaced persons harbored in the Kingdom of Jordan. With historic and ethnic ties to the people of Palestine, Jordan houses almost two million Palestinian refugees, nearly a third of the country's total population. A political broker between the United States and neighbors countries, Jordan's King Abdullah is a moderate pragmatist who values his country's strategic position. As a consequence of its deep economic ties to the United States, Jordanian policy towards displaced persons tends to be

more forgiving than that of most developing nations. Jordan provides refugees with free access to healthcare and education, supported generously by Western aid budgets.

Questions of displacement and flight therefore require understanding of another set of economic considerations. As noted in this paper, in addition to aid, funds received from family and friends in foreign nations comprises a vital source of income for Iraqi FHHs. Altogether, remittances to developing countries totaled \$325 in 2010.¹ Given the scale of these transfers, their importance to recipients can hardly be understated. While concerns have arisen that the "brain drain" effect (the exodus of capable people from developing nations) is serious enough to outweigh the positive aspects of remittances, in the unique case of refugees (who flee violence and ultimately aim to return home), both aid and remittances contribute materially to their welfare.

This paper adds valuable anecdotal evidence to help advance the understanding of conditions endured by refugees, especially those in female-headed households. Although it's critical to continue to monitor the evolving means by which refugees cope economically, the paper makes clear that most of these measures are only temporary fixes. Despite its efficacy, aid remains a crude instrument in international policy; efforts to support Iraqi refugees in Jordan have been befuddled by false estimates about their numbers and diversion of funds for projects which benefit few Iraqis.² More durable solutions must revolve around either a permanent repatriation plan (designed to return the refugees to their country of origin) or a path to legal residency.

The first of these solutions heavily depends on the state of Iraq. So far, despite policies designed to encourage return, many Iraqis prefer to live in exile. At present, only about 100,000 of the millions of externally displaced Iraqis have returned home.³ Among the returnees, many cite insufficient aid and lingering violence as reasons for dissatisfaction, leading some to again exit the country. The only other viable option for refugees represents a policy taboo few leaders have dared to broach. From the Gulf States to North America, immigrants remain a scapegoat for economic problems, despite contrary evidence upholding their importance to the economy.^{4,5} Given the level of education and skills possessed by many Iraqi refugees, countries like Jordan could benefit by incorporating them into their economy; coupled with their high productivity, their tax receipts and demand for Jordanian goods would constitute a major boon.

Migration is a difficult issue. It imposes hard choices not only on host countries, but also on the millions of people uprooted from their homes and communities. Despite their limitations, international aid agencies and local NGOs supply invaluable relief and are a necessary crutch for families in transition. However, as the case of Iraqis in Jordan proves, aid is no substitute for resettlement at home or abroad—the focus must then shift towards how to accomplish that monumentally difficult task.

1. Dilip Ratha, Sanket Mohapatra, and Ani Silwal, "Migration and Remittances Factbook 2011", The World Bank (2011): vii, <http://siteresources.worldbank.org/INTLAC/Resources/Factbook2011-Ebook.pdf>.

2. Nicholas Seeley, "Why Millions In US Aid May Help Few Iraqi Refugees In The End," *The Christian Science Monitor* (3 January 2011).

3. John Leland, "Iraq's Ills Lead Former Exiles To Flee Again," *The New York Times* (27 November 2010): 1.

4. Clive Crook, "Fixing America's Immigration Mess," *The Financial Times* (16 May 2011): 9.

5. Tyler Cowen, "How Immigrants Create More Jobs," *The New York Times* (31 October 2010): 6.

APPROACHES TO BIOETHICS

by Michèle Kelley

Over the course of less than a century bioethics has quickly progressed and diversified into an academic discipline addressing a broad range of issues including end-of-life care, reproductive technologies, genetic enhancement, neuroethics, global health, synthetic biology, and nanotechnology—just to name a few. The realities and perspectives that a bioethicist must analyze and weigh against one another in evaluating any one of these issues are often paradoxical at best. Furthermore, the moral theories applied to resolve the issues are numerous, which can make finding an objectively "right" answer seem ineffable. One who favors a utilitarian approach will often prefer a completely different resolution to the issue than one who favors a deontological approach, and she in turn will differ from one who favors the use of natural law or situational ethics.¹

A very useful moral resource that arose in the late 1970's is the Georgetown Mantra of Bioethics. Applicable within many applied moral theories, the principles of this "mantra" include autonomy, beneficence, non-maleficence and justice. The practice of bioethics is by no means reduced to these four principles, but they tend to be applied on a consistent basis in cases of medical ethics and are often good starting points for ethical evaluation.

The principle of autonomy calls for the respect of an individual's right to determine what sort of medical care he or she receives. This principle is probably the most important to wrestle with in respect to dementia ethics. The principles of beneficence, acting to promote the wellbeing of the other, and non-maleficence, to do no harm, are typically the responsibility of the healthcare providers. When physicians make a difficult decision that goes against what the patient may want, it is called paternalism. The bioethicist, Richard McCormick, S.J., observes that medical ethics in the United States is in a state of an "absolutization of autonomy," where the rightness or wrongness of a choice is left only in the individual's hands and which results in an impoverishment of morality.² The task of a bioethicist is to assess the facts pertaining to medical cases of a similar ethical issue and to often determine which principle should prevail in determining the course of care. In the issue of dementia ethics, the conflict between respecting the patient's autonomy and exercising paternalism for the best interest of the patient is difficult to mediate. This is why communication and obtaining patient consent is so important in the physician-patient relationship.

The principle of justice extends beyond the application of the previous three principles because justice concerns itself with the fair distribution of health

care to all people. The structure of medicine has progressively evolved into a business model, and bioethics has found itself responding to the call for a return to the care, compassion, and personalization of the patients who enter the hospital seeking the best medical treatment possible. I say "possible" not in the sense of what medical technology is capable of, but in the sense of what our society and its individuals can afford in medical expenses. The question of justice and equitable distribution of medical treatment is certainly important to consider given the problem of organ donation today. The shortage of available organs for transplantation brings on the search to find new ways of harvesting organs, and carefully ethical reflection needs to be taken to assure that organ procurement is performed in a just way without violating the rights or the dignity of human beings.

The two issues of dementia ethics and organ donation continue to incite intense debate in the bioethics community. The multitude of case studies illuminate the extremely challenging ethical decisions being made everyday, for example, to a patient with increasing stages of Alzheimer's and is forgetting to eat, or a patient at the bottom of a long recipient's list who is about to die unless she receives a liver transplant. The role of bioethics is to bring an awareness of these very real and human struggles, to hopefully offer some guidance for healthcare providers, the patients and their families and to perhaps even negotiate the murky waters of establishing health care policies that offer universal guidelines for the majority of ethical cases which arise.

1. Sally Satel, "The Limits of Bioethics," 2010, *The Hoover Institution, Stanford University*, 4 Sept 2011, <<http://www.hoover.org/publications/policy-review/article/5354>>.

2. Richard A. McCormick, S.J., "Bioethics: A Moral Vaccum?", *America*, 180.15 (1999): 9.

THE PHENOMENOLOGICAL METHOD

by Chris Sheridan

Phenomenology is an exciting philosophical discipline that aims to characterize the essential structures of subjective experience. The domain of phenomenology—which is by no means exclusive of other disciplines—begins with conscious, lived-through experience (static phenomenology) and branches out to include those structures that underwrite our conscious experiences (genetic phenomenology). It is the particular stance and method prescribed by phenomenology that sets the discipline apart.

The roots of phenomenology run deep in the philosophical tradition, but the gathering of these roots into a coherent discipline is generally attributed to the German philosopher Edmund Husserl (1859-1938). Before describing the phenomenological method as developed by Husserl, it is important to stress the goal of a phenomenological investigation.

Just as the geometer would aim to describe the essential features of a triangle, the phenomenologist aims to describe the essential features of a type of conscious experience (e.g., perception).¹ Descriptions of individual instances of the triangle might be interesting to the geometer, but the

product of his work is a derivative set of articulated features that both specify and transcend any particular instance of a triangle. The geometer’s ultimate currency is that of axioms, their possible interactions, and their logical consequences. Likewise, the end product of a phenomenological investigation of perception is not a set of detailed descriptions of instances of perception, but a thematization apprehending the essential features of perception within a logically coherent framework.

Traditionally, two types of reduction are commonly used to arrive at such a framework: the phenomenological reduction (sometimes called the epoché) and the eidetic reduction. The phenomenological reduction is a term for a change in attitude toward the world that puts the activities of consciousness into high relief.²⁻³ In our normal commerce with the world, we pay no attention to the act of perception that constitutes a water-filled object on a table as a glass. We see instead a world affording particular actions and meanings that we are free to indulge or deny. We simply take a sip of water, reflecting only on our thirst. This natural attitude—that is, attention to the natural motivations and assumptions driving our experiential economy—must be suspended so that the activities which set the glass before us might come to light. The phenomenological reduction “slackens the intentional threads which attach us to the world and brings them to our notice.”⁴

Once we have adopted an attitude that exposes conscious activity, then the work of identifying the indispensable features of a given conscious phenomenon can begin. This eidetic reduction of a phenomenon proceeds by means of eidetic variation, a method for critically examining descriptions of subjective experience in order to home in on its essential aspects.⁵ Sticking with the example of perception, a phenomenologist first describes his own perceptual experiences as accurately as possible, taking careful account of the general similarities and differences between instances of perception. That glass on the table, for example, affords a visual experience and a tactile experience, both stretching out toward the same object, but contacting different dimensions of sensation. When I see a book instead of a glass on the table, my visual and tactile experiences apprehend a different object, but contact the book in the same way as they contacted the glass, respectively.

From a critical mass of these descriptions, the phenomenologist abstracts those features that seem to be present in all instances of the phenomenon. With this thematized structure in hand, a series of thought experiments is conducted, varying, adding, or subtracting discrete elements of the structure and checking the accuracy of result against the original descriptions. Elements whose alteration or removal disrupts the descriptive accuracy of the thematized structure are identified as essential to the phenomenon. I cannot remove objects from perceptual experience: I cannot, strictly speaking, see or touch a glass if there is no glass before me. But I do not need to perceive color to perceive the glass. A subject’s dependence on its body—as Husserl and the French phenomenologist Maurice Merleau-Ponty (1908-1961) point out—or a sense of the object’s persistence in space and time might also be examples of essential structural elements of perceptual experience.

A phenomenologist passes from static to genetic phenomenology when he begins asking questions like: What conditions must an object meet in order to be perceived as a glass by a subject? or What must a subject have experienced in order to perceive an object as a glass? Husserl and his most notable student, Martin Heidegger (1889-1976), disagreed vehemently over how to make progress on these genetic questions.

The two diverged over the question of being. Husserl insisted that—like the natural sciences take for granted the material reality of their subject matter—so too must phenomenology take for granted the reality of conscious phenomena, generally excluding their ontological status from consideration (at least by means of the phenomenological method).⁶ Heidegger, on the other hand, defended the question of being as the central question of phenomenology, asserting that the conditions which underwrite the regularities of experience are not only structural conditions, but also *existential* conditions for subjects and objects in the world.⁷ What is now called continental philosophy flourished in the space opened up by these two towering figures of 20th century philosophy. The generation of French philosophers including Raymond Aron (1905-1983), Jean-Paul Sartre (1905-1980), and Merleau-Ponty was heavily influenced Husserl and Heidegger’s philosophy.

“Transcendental Geology” addresses the concepts of nature and history from a phenomenological perspective, and situates itself firmly in the late Merleau-Ponty’s genetic investigations. The concern for issues treated by neo-Kantian philosophers like Wilhelm Dilthey demonstrates the continuity of phenomenology with previous lines of philosophical inquiry. “Transcendental Geology” illustrates the evolution of phenomenological thinking from an intuition in Dilthey, through a methodological development in Husserl, and into a tradition invoked and cashed out by Merleau-Ponty.

That tradition still exercises considerable influence in contemporary philosophy. Today, cutting edge investigations into subjectivity, embodiment, and intentionality are engaging intra-disciplinary dialogue with philosophers in the analytic tradition, as well as interdisciplinary dialogue with those areas of the natural sciences and medicine concerned with consciousness. In place of vague talk of “what-it-is-like” or outright dismissals of subjective experience, phenomenology provides general and logically coherent descriptions that both contextualize subjective uniqueness and bridge the gap between those unique subjectivities and explanations in biological terms.

1. Husserl often used the comparison with geometry to bring out the character of phenomenology. Toward the end of his life, he explored the significance of the foundations of geometry in the essay “Die Frage nach dem Ursprung der Geometrie als intentional-historisches Problem.”
2. Cf. *Husserliana XIII*, §18-30.
3. Cf. Zahavi, Dan. *Husserl’s Phenomenology*. Stanford University Press: Stanford, 2003. pp. 43-78.
4. Merleau-Ponty, Maurice. *Phenomenology of Perception*. Trans. Kegan Paul. Routledge: New York, 2002. pp xv.
5. Cf. Sokolowski, Robert. *Introduction to Phenomenology*. Cambridge University Press: New York, 2000. pp. 177-184.

6. Cf. Husserl, Edmund. *Psychological and Transcendental Phenomenology and the Confrontation with Heidegger (1927-1931)*. Trans. T. Sheehan and R. Palmer. Kluwer: Dordrecht, 1997. pp. 485-500.
7. Cf. Heidegger, Martin. *Being and Time*. Trans. J. Macquarrie and E. Robinson. Harper & Row: New York, 1927. pp. 21-63

RECORDING THE VIETNAM WAR

By Hilary Chassé

From *All Quiet On The Western Front* in 1930 to the *Hurt Locker* in 2009, the Combat film genre has captured the attention of both audiences and critics alike. Themes explored in these films include combat, survivor and escape stories, tales of gallant sacrifice and struggle, studies of the futility and inhumanity of battle, the effects of war on society, and profound explorations of the moral issues.¹ Combat films can generally be classified into sub-genres based upon the war they are depicting, from World War I to Vietnam to the modern wars in the Middle East.

In addition to being artistic expressions, war films have a greater responsibility than other genres in that they can shape social perceptions about warfare, both positively and negatively. During World War II, the Office of War Information mobilized the Hollywood studio system to create films to keep up morale at home and motivate draftees.

The films that Hollywood produced at this time, including *Sands of Iwo Jima* and *Bataan*, softened the realities of war by emphasizing tales of heroism and valor.² Once this censorship was lifted at the ends of the war, directors were able to discuss the moral clarity of Hollywood’s World War II victory parade, and to delve into topics of race, foreign policy, and society’s involvement in the war effort. With this new freedom of expression, the films began to exhibit a greater sense of disillusionment.

Before too long, the generation that had been raised on the image of the glorious soldier in World War II films was shipped to Vietnam, and, with them, this enlisted generation brought a glamorized Hollywood image to the battlefield that did not really apply. When they returned home, Hollywood was given the challenge of creating an entirely new message for the war films it produced while remaining true to the conventions of the genre.

“Culture in Conflict” focuses on the three eras of Vietnam War films: those made during the War, those made in the decade following the War, and those made in the early 90s, once the War has become part of American history. The examples selected run the gamut from comedies (*MASH*) to surrealist thrillers (*Apocalypse Now*) and show the process of societal healing, memory building, and historical record keeping that film can achieve. The article shows how the films made about the Vietnam War mark a turning point in the Combat film genre, the moment where the lines between moral and immoral, victory and surrender, hero and villain begin to blur.

In the 2000s, as the nation grapples with two major overseas wars and other military entanglements all over the world, Hollywood has had plenty

of fodder for the combat film genre. The films made in the past decades have built upon the revolutionary conventions created by the auteurs of the Vietnam War era cinema; indeed, recent films such as *Jarhead* and *The Hurt Locker* would not have been made without this influence.

1. “The War Film.” Turner Classic Movies Online. Accessed Sept. 10, 2011.
2. “The Combat Film,” American Cinema. PBS: 1995.

“Until the advent of drugs that slow, stop, or reverse the syndrome that gradually steals its victims’ most intimate thoughts and threatens the cores of their identities, society’s interests are best served by a policy that protects these vulnerable individuals.”

THE “NOW PATIENT” AND THE “THEN SELF”

Conflicting Views in the Ethics of Dementia Care

ANDREW ORR

ALZHEIMER’S DISEASE IS A NEURODEGENERATIVE CONDITION THAT TYPICALLY AFFECTS THE ELDERLY AND GRADUALLY CONSUMES A PATIENT, DESTROYING THE CONNECTION BETWEEN BODY AND MIND IN THE PROCESS. DUE TO THE AGING OF THE BABY-BOOM GENERATION, ALZHEIMER’S DISEASE IS EXPECTED TO SUBSTANTIALLY INCREASE IN PREVALENCE IN THE COMING YEARS. DESPITE THIS EPIDEMIOLOGICAL PROBABILITY, PUBLIC POLICY REGARDING TREATMENT OF PATIENTS WITH THE ILLNESS REMAINS PIECEMEAL. CONTROVERSY POLICY STEMS FROM THE FACT THAT, IN MANY CASES, A SEVERELY DEMENTED PATIENT’S WISHES FOR TREATMENT DIFFER FROM THE WISHES HE OR SHE EXPRESSED IN THE EARLIER STAGES OF DISEASE. WHEN CONSIDERING WHOSE PERSPECTIVE—THAT OF THE COMPETENT, “THEN” VERSION OF THE PATIENT OR THAT OF THE DEMENTED “NOW” VERSION OF THE PATIENT—SHOULD TAKE PRECEDENCE, THE GUIDING PRINCIPLE SHOULD BE RESPECT FOR OVERALL DIGNITY. FROM THIS PERSPECTIVE, HONORING THE AUTONOMY OF THE “THEN” SELF IS THE MOST VIABLE OPTION AND SHOULD SERVE AS THE BASIS FOR FUTURE POLICY DECISIONS REGARDING THE TREATMENT OF ALZHEIMER’S DISEASE.

INTRODUCTION

Memory, the valuable information that connects past and present, and higher-level cognition, the uniquely human ability to integrate this information and position oneself in the world, have generally been considered fundamental elements of the human condition. Dementia, an all-encompassing term referring to a broad spectrum of debilitating neurodegenerative illnesses, strikes these two pillars of humanity. It thus poses troubling ethical dilemmas with profound social, medical, and legal consequences. At least seventy-five different diseases can present as dementia.¹ It is a disorder affecting 6-8% of individuals over sixty-five² and is characterized by marked cognitive decline and multiple impairments of “distinct elements of intellectual processing.”^{3,4} While conditions such as multiple sclerosis, Pick’s disease, or stroke may precipitate dementia, Alzheimer’s disease, which comprises more than half of all cases, is the most common cause.⁵ This article will focus primarily on Alzheimer’s-induced dementia.

“With the rapidly increasing elderly population in the United States, the number of persons affected by Alzheimer’s disease is projected to reach 13.2 million by mid-century.”

Discovered in the early twentieth century, Alzheimer’s disease accounts for 60-80% of dementias in the elderly. According to various studies, it affects 20-40% of people over the age of eighty-five.⁶ Although this condition contains a signature pathology of neuritic plaques⁷ in combination with neurofibrillary tangles,⁸ the underlying cause of these abnormalities remains unknown. The development of such trademark brain lesions makes diagnosis seem straightforward, yet the lack of sufficient brain scanning technology makes diagnosis rather difficult in the early stages of the disease.⁹ On average, Alzheimer’s disease pa-

tients live eight to ten years after being diagnosed, which places a significant strain on caregivers and exerts pressure on this country’s long-term care system.¹⁰ Mark Rothstein estimates the annual cost of caring for a patient with “moderate Alzheimer’s disease” to be \$30,096 while the annual national cost of the disease amounts to roughly \$50 billion.¹¹ Data from 2008 show, that at that time, Alzheimer’s disease affected approximately 5.2 million people. With the rapidly increasing elderly population in the United States, the number of persons affected by Alzheimer’s disease is projected to reach 13.2 million by mid-century.¹² There exists a pressing need for a public policy regarding Alzheimer’s disease to contain healthcare costs and to help protect some of society’s most vulnerable persons. This article will address the myriad issues surrounding dementia, particularly the distinct notions of personhood raised by the syndrome as well as the resulting perspective on the viability of advance directives for making treatment decisions. It will contest aspects of certain arguments that favor the privileging of the patient in late stage dementia over the same patient in an earlier stage and will offer policy suggestions for the future designed to create a more effective treatment plan for patients with dementia.

THEORIES OF PERSONHOOD IN DEMENTIA

Significance and Implications

The reasoning behind many decisions regarding demented individuals often has as its foundation one of two theories of personhood presented by the progression of dementia: the theory of the “now” self or the theory of the “then” self.¹³ Stephen Post articulates the difference in his article “Alzheimer Disease and the ‘Then’ Self,” writing,

Current gerontological literature makes use of a distinction between the ‘then’ self that existed prior to severe Alzheimer disease and the ‘now’ self that lives almost entirely in the present with little, if any, memory of its past.¹⁴

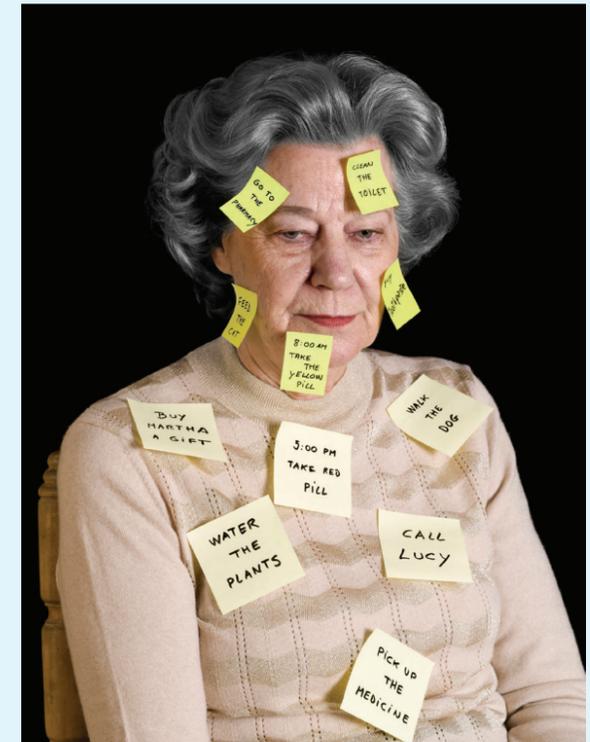
Although a middle ground does exist between these two dichotomous views, because the loss of decisional capacity is gradual, one’s basic understanding of the issue informs one’s opinion of advance directives and of consent to research participation for dementia patients. Much of the debate regarding treatment decisions for persons with dementia can be summarized by a central question: at what point, if ever, does the “now” self take precedence over the “then” self?

Privileging the “Now” Self

Rebecca Dresser presents an argument for valuing the “now” self in dementia by emphasizing the need to treat and act in the best interest of the patient in the nursing home, even if he or she has become senile, as opposed to the former person that he or she once was.¹⁵ Dresser also notes that autonomy, despite its major role, is not the solitary factor in treatment choices and should perhaps be trumped by beneficence when it is lost.¹⁶ Additionally, Dresser argues, that at the root of precedent autonomy, the policy favored by many of those who favor the “then” self, there is an uninformed, assumed choice that necessarily invalidates the position.¹⁷ Her reasoning suggests that patients in the early stages of dementia cannot provide informed consent through advance directives because they have not yet experienced the unique situation for which they are providing instructions. Conversely, by the time the patients acquire the necessary experience to execute an informed treatment decision, they are no longer competent to give consent. Dresser approaches this catch-22 by fully endorsing the “now” self and proposing a policy of ignoring advance directives that refuse treatment in order to continue the life of the severely demented patient. She states:

Many mildly or moderately demented patients do appear to obtain significant benefits from continued life. Although these benefits may seem small to us, we must evaluate them from the patients’ perspectives. . . . Given their limits, then, patients who can relate to the people and objects surrounding them typically have lives that for them are significantly better than no life at all.¹⁸

Dresser rejects the notion that demented patients are merely fossilized versions of their former selves and counters that an external, compared to an introspective, view of personhood is more suitable under these circumstances. In doing so, however, she disregards the earlier wishes of the patient on the basis of her presumed knowledge of the value of life for someone with dementia. Her relational perspective on the significance of life for a dementia patient also leads to an acceptance of extramarital intimate relationships between dementia patients in nursing homes. This controversial situation frequently arises when one nursing home resident with dementia, due to a distorted reality, mistakes another resident for a spouse or, due to Alzheimer’s disease, experiences less inhibition and expresses aggressive sexual desires. Perhaps the most



ALZHEIMER’S DISEASE LEADS TO THE PRECIPITATE LOSS OF MEMORY, HINDERING THE VICTIM’S DAILY ROUTINES.

well known incidence of cohabitation between dementia patients occurred when former Justice Sandra Day O’Connor permitted her husband, who was in the late stages of Alzheimer’s disease, to have a romance with another woman in the nursing home.¹⁹ O’Connor, in accord with Dresser’s argument, privileged current happiness through a relationship over the objections that her husband would likely have had were he competent.

Another implication of this view of personhood can be seen in the employment of a best interest methodology instead of substituted judgment in court-ordered treatment decisions.²⁰ Indeed, this objective approach was utilized in the cases of *Barber v. Superior Court* and *In re Conroy*.²¹ In *Barber*, Clarence Herbert enters a vegetative state following cardio-respiratory arrest after a successful surgery, and his family successfully petitions the physicians to remove the feeding tubes.²² The court in *Barber* did not find the physicians guilty of murder and, of the current approach to life-saving treatment, argued, “A more rational approach

“Seemingly, being human involves on its deepest level some element, free from the constraints of time, akin to a soul that prevents infants and dementia patients from being empty shells even in the absence of cognition.”

rent benefits and burdens will yield the optimal treatment decision. In *Conroy*, the nephew of Claire Conroy, an incompetent, demented patient, also seeks permission to remove a naso-gastric feeding tube from his aunt.²⁴ The New Jersey court in this case explicitly proposed both a limited objective test and a pure objective test, under which treatment can be ceased provided that the “net burdens of the patient’s life with treatment . . . clearly and markedly outweigh the benefits that the patient derives from life.”²⁵ While the objective test does appear to favor the “now” self, a basic problem with this method is the fact that a subjective judgment is still being made regarding the value that the patient derives from life. Surely no person can be as qualified to deliver that judgment as the patient herself, whose opinion would be considered more extensively in a substituted judgment analysis. The matter, then, returns to whether it is more appropriate to base the value in question on the objective benefit to the incompetent patient or on the expressed desires of the patient while competent? At this point the argument for the “then” self enters the picture.

Preserving the Integrity of the “Then” Self

Proponents of the “then” self favor a treatment plan in which caregivers honor the wishes of the competent patient while simultaneously fulfilling the reasonable needs of the “now” self. Post epitomizes this position when he argues “care and beneficence can be amply expressed in a manner consistent with integrity through emotional, environmental, and relational support rather than by efforts to extend life.”²⁶ Post also supports Ronald Dworkin’s argument for precedent autonomy, or respecting the wishes of the former self even when the individual is no longer com-

petent, and contends, “The intact self with a diagnosis of Alzheimer disease should be permitted to exert control over the future through the implementation of precedent autonomy.”²⁷ Several factors serve as the basis for this decision, including the dual desires on behalf of the person

with dementia not to be subjected to unwanted medical technologies and not to exhaust the financial resources of his or her family.²⁸ Further, even Dresser acknowledges that,

As Nancy Rhoden argued, mere consciousness, like biological life, is not a morally significant end in itself. Instead, it is a necessary condition for achieving the ends that are of moral value to us—thought, emotion, pleasure, and relationships with the world.²⁹

This argument implies that severely demented patients lacking relational abilities need not be kept alive “for their own good” if it is against the wishes of their former, competent selves.

One potential danger of such an argument lies in applying this “empty shell”³⁰ principle to all people whose ability to connect the past and the present through memory suffers from moderate impairments. This self-fulfilling “empty shell” myth is propagated by the tenets of the Western cultural tradition, and, specifically, by John Locke, who argued that self-reflection is requisite for being considered human.³¹ However, complications arise with this formulation; for example, we consider infants to be persons although they have even less mental faculties than do elderly dementia patients.³² Seemingly, being human involves on its deepest level some element, free from the constraints of time, akin to a soul that prevents infants and dementia patients from being empty shells even in the absence of cognition. As such, respect for the “now” self is preserved in the theory of the “then” self, as Post demonstrates with the case of Mrs. A, an incompetent dementia patient who, as a competent person, expressed a wish not to have any sur-

gery in the later stages of her disease.³³ Unfortunately, she develops a painful tumor, and, despite her previous wish, Post recommends surgery to reduce the size of the tumor.³⁴ With his consent, Post is respecting the need for comforting the “now” self and suggesting a policy in which pain treatment is primary and life prolongation is merely a secondary effect. In this way, demented persons are not viewed as empty shells, memory is not overvalued, and the feelings and needs of dementia patients are noted and responded to using compassionate standards of care.³⁵

With respect to former Justice O’Connor’s ethical dilemma, Post presents the opposite side of the argument through the case of Mrs. S.³⁶ Mrs. S. is a dementia patient who brings daily gifts to another resident, Mr. R, whom she mistakenly believes is her deceased spouse. One day, Mr. R puts forth to the nursing staff the idea of cohabitation with Mrs. S for a night. However, Mrs. S’s daughter objects to what she deems a violation of the integrity of her mother’s “then” self.³⁷ Here, Post, quoting Erik Erikson, writes, “Elderly people desire above all to integrate the final phase of their lives with their deepest values and meanings.”³⁸ Although refusing to enter Mrs. S’s reality completely and thus denying her a certain degree of happiness is objectionable from Dresser’s standpoint, another example can provide further insight into the situation. Consider the case of a Jehovah’s Witness in the late stages of Alzheimer’s disease. This patient’s consistently expressed religious values while competent will assure that he or she is not subjected to blood transfusions even when in a state of advanced dementia.³⁹ Similarly, the values of Mrs. S should not be violated simply because she is incompetent. Discovering and integrating the “then” self into the “now” self appears to be the ideal treatment goal whenever possible.

ADVANCE DIRECTIVES

Mental Health Advance Directives

Whether one privileges the “then” self or the “now” self will typically have bearing on one’s interpretation of the validity of advance directives for dementia patients. One specific type of advance directive for those with mental illness is known as a Mental Health Advance Directive (MHAD), though its efficiency for patients with dementia is a disputed. An MHAD allows drafters to express a statement of core values and explicitly provides the opportunity to consent to or refuse three treatment types: electroconvulsive therapy (ECT), psychotropic medication, and ad-

mission to mental health facility for up to three days.⁴⁰ The implementation of MHADs for patients with dementia was prompted by cases such as *Guardianship of Roe*, which involved the utilization of substituted judgment to force antipsychotic treatment on incapacitated patients.⁴¹ Additionally, the case of Lucille Austwick, a demented patient who refused ECT, medication, nutrition, and hydration, but whose daughter nevertheless was forced to obtain court approval to have her mother’s wishes honored, triggered a reactionary movement in Illinois to enact MHADs.⁴²

The argument for MHADs generally consists of an appreciation of the medical benefits that the directives offer as well as a positive evaluation of their utility as a planning instrument. Concerning the medical benefits, MHADs provide the opportunity for patients to avoid the serious side effects of potentially hazardous therapies such as ECT, which include fractures, additional memory loss, confusion, delirium, and even death, and psychotropic drugs, which have been known to cause dyskinesia, dry mouth, dizziness, and depression, among other symptoms.⁴³ In addition to these physical benefits, the option to consent to placement in a mental health facility often spares a patient’s family or caregivers significant guilt in the event that the patient becomes violent and must be temporarily placed in such a facility regardless of opinions stated earlier. Admittedly, though, this benefit of Mental Health Advance Directives more frequently applies to bipolar and schizophrenic patients who undergo cycles of competency and incompetency and for whom the directives were originally designed.⁴⁴ Nevertheless, mental health conditions such as delusion, depression, and hallucination often accompany Alzheimer’s disease and justify the use of MHADs in these instances.⁴⁵ Furthermore, the highly predictable nature of the progression of Alzheimer’s disease, according to Lisa Brodoff, “give[s] individuals a real opportunity to anticipate and plan.”⁴⁶ Indeed, additional benefits of MHADs arise mainly from the process of future planning initiated by the directives. The resulting discussion often explicitly informs family members and caretakers of the patient’s core values, cultural care preferences, and financial plans, as well as illuminates the patient’s opinions on less obvious issues such as Medicaid divorce (legally divorcing one’s spouse to obtain greater Medicaid benefits), entering future intimate relationships while demented, and consent for research.⁴⁷ If nothing else, MHADs provide the opportunity to educate one’s surrogate about one’s interests in the event that the directive is not respected.

Those who oppose MHADs take issue with the very possibility that the directive may not be honored. Specifically, the lack of a uniform competency standard plagues these directives, which may be appropriately revoked if a patient is deemed competent but can only be invoked if a patient is incompetent.⁴⁸ Few patients fall clearly into one category or the other, while most display varying degrees of cognitive impairment. Another argument against MHADs is that, although Alzheimer's disease may last eight to ten years, most directives expire after only three years.⁴⁹ Currently, a man or woman in an early stage of Alzheimer's disease may order an MHAD only to have it expire in three years' time when they are no longer competent to sign a new one. Additionally, the presence of both a "Ulysses clause," stating that the patient's order should still be invoked even when the patient is incompetent, and a provision for a surrogate decision-maker within the MHAD can be inherently confusing for caregivers and thus problematic for the incompetent patient.⁵⁰ Yet another risk with MHADs, notes Brodoff, is that patients may request "bad" or "totally unrealistic" treatment options that violate a physician's professional judgment.⁵¹ In these situations, statutes that "allow physicians to override treatment requests they deem inappropriate"⁵² cause Elizabeth Ann Rosenfield, in her article "Mental Health Advance Directives: A False Sense of Autonomy for the Nation's Aging Population," to argue that MHADs, in select ways, actually protect health care providers more than patients.⁵³ The directives grant physicians immunity regardless of whether they carry out the order or withdraw from treatment citing that it violates their professional judgment.⁵⁴

Further, managed care organizations may provide financial incentives for physicians to order preventive tests and screenings, but not refer the patient to a specialist or necessarily follow the MHAD.⁵⁵ This conflict of interest is the first of several that work to diminish the power of these directives. Ignoring MHADs is also permissible when a contradictory court order is issued, an emergency situation arises, or the state's *parens patriae* power indicates that the state has significant interest in preserving mainstream values by preventing the patient from refusing "life-prolonging" medical treatment.⁵⁶ Rosenfield worries that the qualifications for an "emergency situation" can easily be manipulated for broad application and that the state's paternalism is dangerous to the individual.⁵⁷ A final barrier to the implementation of MHADs is that, due to either lack of knowledge or initiative, "most people with mental illness do not actually execute this planning document."⁵⁸ Before widespread use of MHADs will be achieved, sig-

nificant efforts to educate the target population and fortify protection of the "then" self by attaching more gravity to the directives must be undertaken.

End-of-Life Directives

While MHADs specify treatment preferences during a patient's intermediate years with dementia, living wills and durable powers of attorney aim to direct end-of-life care for patients. Brodoff writes,

A living will is a written document wherein a person states his or her preferences for treatment, or more likely the refusal of treatment in the event that he or she is in a permanent unconscious condition or terminally ill where death is reasonably imminent.⁵⁹

Richard Beresford describes the durable power of attorney as an advance directive that "appoints an agent to act on behalf of the drafter in the event he or she becomes incompetent."⁶⁰ Arguments for advance directives are loosely based on a presumed Fourteenth Amendment right to privacy as well as First Amendment rights to express religion through treatment choices and, arguably, the freedom of thought to decide treatment options.⁶¹ Legal development in the area of advance directives burgeoned after the *Cruzan* case, yet only 29% of people have living wills.⁶²

The appropriateness of end-of-life advance directives for dementia patients has been a subject of much debate in recent literature because these individuals maintain consciousness into the latest stages of disease and their treatment wishes frequently change as the disease takes firmer hold. Privileging the "now" self precludes the use of this type of advance directive for persons with dementia on the grounds that the reality of the decisionally-incapacitated patient supersedes the wishes of the earlier, competent patient. Other arguments against advance directives, however, are based primarily on a lack of portability. Currently, the health care system lacks "one central registry for these instruments, and this leads to problems in locating and enforcing the patient's wishes."⁶³ Difficulty transferring directives from one health care provider to the next or locating advance directives in emergency situations may cause a patient's wishes to be inadvertently disregarded.

A study by Thomas Finucane et al. provides evidence that supports the use of advance directives for persons with dementia.⁶⁴ The study measured decisional capacity and the

burden of discussing end-of-life treatment options for seven patients with Alzheimer's disease. The level of dementia for each patient was determined using the Mini-Mental State Examination (MMSE), in which scores lower than twenty-four are associated with dementia and worse scores indicate greater degrees of impairment.⁶⁵ The research subjects had a mean MMSE score of seventeen, indicating overall mild to moderate dementia throughout the group, yet the study showed that three of the seven subjects acknowledged memory problems and expected their condition to worsen, which suggests that early-stage Alzheimer's disease patients are capable of awareness of their condition.⁶⁶ The study also found that these three patients, on a meaningful and consistent basis, were likely to respond that they would refuse life-sustaining therapy if they were to become severely impaired.⁶⁷ Significantly, the study found "no measurable adverse effects" on the subjects' psyche or health from discussing future treatment options.⁶⁸ The results of this study indicate that advance directives for patients with Alzheimer's disease do not impact patients negatively and can be competently drafted by certain patients in early stages of the disease.

Respecting the "then" self through advance directives does not seem an unreasonable burden for caregivers of dementia patients. For this reason, the individual with early dementia should possess the same rights as the mentally healthy individual to refuse feeding tubes, ventilators, and cardiopulmonary resuscitation. The policy regarding feeding tubes, in particular, has generated controversy because some advocates of the "now" self argue that the withdrawal of artificial nutrition betrays the demented patient's fundamental interest in continued life. While percutaneous endoscopic gastrostomy (PEG) tubes were once commonplace in treatment of late stage dementia patients who have lost the ability to swallow food, new evidence suggests that the tubes may not be medically indicated. Dr. Muriel Gillick, in a study published by the *New England Journal of Medicine*, suggests rethinking the consensus on feeding tubes for these patients: "Because of problems with diarrhea, clogging of the tubes, and the tendency of patients with dementia to pull out the tubes, nutritional status often does not improve with the use of feeding tubes."⁶⁹ Additionally, Gillick points out that the "continued risk of aspiration appears to result from reflux of gastric contents and the aspiration of saliva"⁷⁰ rather than the act of eating that feeding tubes are designed to replace. Finally, end-stage cancer patients who have described their experience after the removal of gastrostomy tubes "do not experience more than transient hunger, and any thirst can

be assuaged by ice chips and mouth swabs."⁷¹ These findings strengthen the argument for the right of a demented person's "then" self to refuse a feeding tube, suggesting that PEG tubes, along with other medical treatments with dubious efficacies, should not necessarily be mandatory for advanced dementia patients unless explicitly requested. If refusal of nutrition and hydration is acceptable, though, how far do the rights of dementia patients with advance directives extend?

Euthanasia and Physician-Assisted Suicide

At present, a critical debate in the Netherlands centered on this very question raises the notion of the viability of advanced directives for euthanasia of dementia patients. Cees Hertogh distinguishes between negative advance directives, which refuse certain medical treatments, and positive advance directives, which request specific treatments, the most common of which being euthanasia, for patients in the Netherlands.⁷² Although advance directives for euthanasia (AEDs) are legal in the Netherlands, the physician can never be obliged to follow them.⁷³ These rules of due care include physician satisfaction that the patient's request was "voluntary and well considered," physician satisfaction that the patient has experienced "unbearable" and "hopeless" suffering, patient education about "the situation and its prospects," patient and physician satisfaction that there is "no reasonable alternative solution," examination by at least one other independent physician that verifies the above standards, and professional execution of the life termination process.⁷⁴ Despite their legality, these directives have generally been avoided for a number of reasons, primary among them the question of which criteria must be met before a request for euthanasia can be fulfilled. The inability to recognize a spouse as a criterion for euthanasia is not necessarily an effective measure because the patient's ability may vary day by day, or perhaps the demented individual always perceives the spouse on a level that is not apparent to outside observers unaffected by dementia. Hertogh also argues against using cognitive tests as criteria because "tests results often overstate the deficits when compared to actual functioning of the individual."⁷⁵ Additionally, the task of providing euthanasia for a demented patient who is currently assenting to treatment can be a difficult one.⁷⁶ Hertogh brings the argument to its end by positing, with a touch of hyperbole, that if the "now" self is, in fact, different from the "then" self, then an AED "would in effect be a contract for murder."⁷⁷ The complex dilemmas behind the issuance of AEDs for dementia patients seem to render the policy im-

practical in the Netherlands, the United States, and anywhere else.

A second issue in the Netherlands with policy implications for the United States revolves around the acceptability of physician-assisted suicide (PAS) in patients with early stage Alzheimer's disease. The Dutch refer to the ravages of dementia as "entluistering," or effacement, and the Dutch government permits its citizens to seek physician-assisted suicide as a means to avoid this slow, debilitating process.⁷⁸ Five cases of PAS in the Netherlands have been documented as of 2005, and in 1990, Janet Adkins made headlines in the United States when she enlisted the help

"Therefore, the authority of the 'then' self, while it should be restricted from ordering euthanasia and PAS, must otherwise be held paramount in an effort to prevent PAS and mercy killing."

of Dr. Kevorkian and became the first dementia patient in the United States to participate in physician-assisted suicide.^{79,80} Post relates the suicide drive in early stage dementia patients to a legitimate fear that the wishes of the "then" self will not be honored: "Assisted suicide becomes a very attractive alternative for many of us if our 'then' selves are not to be allowed to control the destiny of our 'now' selves."⁸¹ Weak sanctions on doctors and hospitals for failing to comply with living wills do not help to solve this problem.⁸²

Post advocates an increase in palliative care and tightening of regulations regarding advance directives to deter patients from both PAS and pleas for mercy killing.⁸³ Post also presents as an argument against these controversial topics his "incompatibility hypothesis," which suggests that if PAS and euthanasia are allowed, there will be diminished continuing social commitment to institutions

that enhance quality of life for those who grow old.⁸⁴ Another element to this debate is the fact that physician-assisted suicide has historically been applied only in cases in which illness is terminal, meaning the patient has less than six months to live, and Alzheimer's disease leaves an indeterminate amount of time between diagnosis and death.⁸⁵ A related, albeit weaker, argument holds that in the years of life forfeited by the patient who opts for physician-assisted suicide, a treatment or even a cure for Alzheimer's disease may become available.⁸⁶ The strongest argument against PAS may be that of the slippery slope policy scenario. Already in the Netherlands, one case of physician-assisted suicide for dementia patients has garnered massive criticism because the patient involved never officially received a diagnosis of Alzheimer's disease before engaging in PAS. Critics believe that his symptoms were more characteristic of a condition known as primary progressive aphasia.⁸⁷ This type of negligence leads down a hazardous road of potential misdiagnoses and unnecessary deaths due to the difficulty of diagnosing Alzheimer's disease in an early stage. More troubling, still, is the idea that if PAS is made legal, the slippery slope may lead to a world of "obligatory altruistic suicide," in which demented individuals who elect not to engage in PAS are viewed as wasters of valuable societal resources.⁸⁸ Therefore, the authority of the "then" self, while it should be restricted from ordering euthanasia and PAS, must otherwise be held paramount in an effort to prevent PAS and mercy killing.

Public Policy

Bruce Jennings suggests three policy models to shape the future of dementia care: the public health model, the guardianship model, and trusteeship model.⁸⁹ A concern for public safety in terms of protecting third parties from behaviors of dementia patients who are deleterious to society characterizes the public health model. One flaw in this model, however, is that dementia patients injure a relatively low number of people annually.⁹⁰ Additionally, concern for the public welfare might provoke legislation requiring physicians to release their dementia patients' confidential health information to state agencies such as state departments for motor vehicles to alert the state as to the conditions of these individuals.⁹¹ A law such as this one may deter individuals who suspect dementia from seeking physician guidance out of fear of a loss of driving privileges. Finally, action taken by the state will be "costly, blunt, and impractical" and, as such, unlikely to be effective.⁹²

Protection of the demented individual from harm defines the guardianship model. While guardianship is more pragmatic than state intervention because it involves the use of specific caregivers, this model is by no means perfect.⁹³ Decision-making capacity from the perspective of guardianship is viewed as all-or-nothing by the caregiver instead of as the continuum that it actually is.⁹⁴ The inherent paternalism of guardianship also plays a major role in limiting patient autonomy, and this use of excessive caution can limit rather than foster the ward's growth.⁹⁵

Jennings calls the third and perhaps most appropriate model trusteeship and suggests that the its primary goal is "sustaining agency and capacity" of the demented individual.⁹⁶ Under this model, caregivers view dementia as a state of transitions rather than decline, and therapy routines display creativity and respect for the dementia patient as a human being.⁹⁷ Minor illnesses and conditions are immediately treated to prevent accompanying further mental deterioration.⁹⁸ The best treatment options involve increasing activity, minimizing psychotropic drug use, and educating the care staff.⁹⁹ Caregivers emphasize the patient's remaining abilities and build upon them as encouragement while simultaneously finding acceptable substitutes for activities that can no longer be performed.¹⁰⁰ In this manner, the fundamental values of the "then" self are honored and maintained deep into disease progression.

CONCLUSION

Since cases of dementia are expected to more than triple in the coming years, public policy governing the vast realm of dementia ethics will become an important factor in the future of the United States healthcare system. Until the advent of drugs that slow, stop, or reverse the syndrome that gradually steals its victims' most intimate thoughts and threatens the cores of their identities, society's interests are best served by a policy that protects these vulnerable individuals. The best method of protection society can offer results from respecting the precedent autonomy of the "then" self. Although arguments for the "now" self uphold the essential dignity of mankind, their roots in beneficence for an imagined best interest of the severely demented individual are overly paternalistic and can drive persons diagnosed with early Alzheimer's disease to seek physician-assisted suicide or euthanasia, which ironically diminish the very values of life the theory of the "now" self seeks to promote. MHADs can be made more effective tools for dementia patients through modifications that enact stiffer requirements for their invalidation and extend their experi-

ration terms. The construction of special long-term care facilities that operate under the trusteeship model and honor advance directives can also provide the necessary space and peace of mind for persons diagnosed with dementia in the future. Genetic testing, liability of dementia patients, and other future controversial topics should also be approached from the same perspective of respect for autonomy and integrating the patient's "then" self into the "now" self.

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“This dependence on foreign aid, for both the Jordanian government and for the Iraqi population in Jordan, is not a long-term solution for assisting displaced Iraqis in Jordan. . . . Encouraging methods of economic self-reliance will be crucial in the near future and over the long-term.”

COPING IN JORDAN

The Plight of Iraqi-Female-Headed Households

SOPHIA MORADIAN

AS A HOST COUNTRY FOR DISPLACED IRAQIS SINCE THE 1991 GULF WAR, JORDAN HAS RECEIVED WAVES OF FORCED-MIGRANTS FOR THE PAST TWENTY YEARS, WITH THE GREATEST INFLUX OF DISPLACED IRAQIS ARRIVING AFTER THE 2003 IRAQ WAR. IRAQI-FEMALE-HEADED HOUSEHOLDS ARE AMONG THE POOREST WITHIN THE IRAQI POPULATION OF JORDAN AND ARE CATEGORIZED AS VULNERABLE PEOPLES BY THE INTERNATIONAL ORGANIZATION OF MIGRATION AND UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES. THIS STUDY CONSIDERS THE INFORMAL WAYS IN WHICH IRAQI FEMALE HOUSEHOLD HEADS ARE COPING ECONOMICALLY WITHIN JORDAN. THE STUDY SUPPORTS THE OBSERVATION THAT REMITTANCES, TRAVEL STIPENDS, AND VOLUNTEER POSITIONS ARE THE MAIN WAYS IN WHICH FEMALE HOUSEHOLD HEADS IN JORDAN GENERATE INFORMAL INCOME. THIS ARTICLE STRONGLY RECOMMENDS CONTINUED INTERNATIONAL SUPPORT, CHANNLED THROUGH FUNDING FOR UNHCR AND NON-GOVERNMENTAL ORGANIZATIONS IN JORDAN THAT SUPPORT SELF-RELIANCE STRATEGIES AMONG IRAQI WOMEN.

ACRONYMS AND ABBREVIATIONS

CBO	Community-based organization
FHH	Female-headed household
IDP	Internally displaced person
IOM	International organization for migration
IRD	International relief and development
JD	Jordanian dinar
MENA	Middle East and North Africa
NFI	Non-food item
NGO	Non-governmental organization
UN	United Nations
UNHCR	the United Nations High Commissioner for Refugees
UNOCHA	United Nations Office for the Coordination of Humanitarian Affairs
WFWP	Women's Federation for World Peace
WRC	Women's Refugee Commission

INTRODUCTION

As a woman I have no country. As a woman my country is the whole world.

Virginia Woolf

While the situation of displaced Iraqis in Jordan is extremely challenging, Jordan itself has occupied an interesting role as a host country for refugees since the creation of the state of Israel in 1948. Notably, Jordan is not a signatory of the 1951 Geneva Convention on Refugees, lacking laws for refugees or those seeking asylum in Jordan.² The Hashemite Kingdom of Jordan has a unique role in the region, having the highest ratio of refugees to population: one quarter of all Jordanian residents are considered refugees.³ As expressed by Hanin Odeh, "Jordan has adopted 'semi protectionist' policies toward Iraqi forced migrants, i.e. letting them in, but depriving them of livelihood means to become settled."⁴ A certain paradox exists in Jordan. While it is considered one of the most politically stable and safest countries in the Middle East, it is one of the most resource-poor countries in the region and in the world.

Within the context of war and political unrest in Iraq, both men and women have suffered in unique ways. The focus of this study, however, is on Iraqi women in Jordan. There-

fore, the study presents the situation and history of Iraq through the experiences of Iraqi women. Over the past three decades of conflict, women have endured losing husbands, sons, brothers, and other male family members. These losses, coupled with increasing denial of equal rights by Iraq's previous socialist regime, have made them especially vulnerable as displaced persons, both inside and outside Iraq. Both Iraqi women in Iraq and those who have fled to Jordan face social barriers to working in the informal economy. A female-headed-household (FHH) denotes a household in which a woman is directly responsible for providing financially for her family. Iraqi FHHs in Iraq and Jordan are stigmatized for living *alone* (without a male figure present). Women have played an important role in shaping the politics and direction of their country in the past, and Iraqi women, both internally displaced persons and those living abroad, must assume this role again in rebuilding their country.

According to recent statistics released in July 2010 by UNHCR, there are currently 30,700 Iraqis residing in Jordan.⁵ Iraqis in Jordan are not considered refugees, but rather temporary "guests."⁶ Most significantly, Iraqis are not legally allowed to work in Jordan, depriving them of a source of income and livelihood. Aside from individuals who have the financial means to keep 50,000 Jordanian dinar (JD) in the bank, the overwhelming majority of Iraqis living in Jordan are not legally allowed to work. It is widely known, however, that Iraqis engage in informal work in Jordan to provide an income for their families. While traditionally, in Iraqi families, the household head is male, it is estimated that among the 30,700 active Iraqis registered with UNHCR in Jordan today, 20% of Iraqi households are female headed.⁷ These FHHs typically comprise the poorest sector of the population.⁸ Married women have very little knowledge about or are not involved in managing the finances of their household. It therefore becomes very difficult for Iraqi women who must assume the traditional role of father, providing a source of income for the family, *and* the traditional role of mother as caretaker of the house at the same time. Many Iraqi women in Jordan have not previously taken on the role of household head before immigrating to Jordan. This situation often results in the exploitation of both men and women by their employers.⁹ As they are not officially *employed*, they cannot seek justice for this exploitation in the Jordanian legal system. This study highlights the mechanisms by which Iraqi FHHs are coping economically in Jordan in order to provide recommendations on how to better serve the most vulnerable group of displaced persons in Jordan.



IRAQI IMMIGRANTS IN JORDAN

As a result of the oil boom in the 1970s, Iraq's growing economy demanded a larger labor force, and instead of importing foreign labor, Iraq encouraged the participation of women in the work force as a policy to spur the economic development of the country. Despite Saddam Hussein's oppressive regime, following his rise to power in 1979, urban women experienced more social freedom and educational opportunities. Women were "perceived to play a crucial role in the development and modernization of the country."¹⁰ Nadje Al Ali, Professor of Gender Studies at the School of Oriental and African Studies in London, asserts, "Iraqi women became among the most educated and professional in the whole region."¹¹ However, when political and economic conditions changed during the Iran-Iraq war and after the 1991 Gulf War, the state changed its rhetoric regarding women and their role in society. After the 1991 Gulf War, in the era of the sanctions of the 1990s, economic conditions declined and the Iraqi regime urged women to return to their homes to care for their families in order to allow men to be the breadwinners of the family.¹² With Iraqi FHHs being socially discouraged from

working in the formal economy in Iraq and their inability to work legally in Jordan, Iraqi FHHs today are faced with the difficult situation of providing financial support for their families, both in Iraq and in Jordan.

METHODOLOGY

Seven informal interviews were conducted with Iraqi women who are household heads in Jordan, as well as seven formal interviews with representatives from local NGOs, such as case workers and program managers. This primary research was supplemented by texts which provided background information on the history of Iraqi women, both in Iraq and as refugees, as well as from reports on Iraqi refugees in Jordan. Iraqi FHHs were chosen based on their previous or current affiliation with Women's Federation for World Peace. Contacts at local community-based organizations (CBOs) were established in part by affiliations with the humanitarian organization CARE, a program already based in Jordan. Furthermore, only women who are heads of their households in Jordan

were interviewed for this study, including women who were divorced, widowed, or who had husbands living abroad. Iraqi women interviewed had varying family sizes, various education levels, and varying amounts of time spent in Jordan.¹³ Women were between the ages of 20 and 60, and thus had varying experiences growing up in Iraq.¹⁴ All interviews with Iraqi FHHs were conducted with two male WFP volunteers present, who acted as translators. There was a base set of ten questions asked to all participants. While the Iraqi women interviewed reside in and around Amman, the program coordinators reside in both Irbid and Zarqa, cities in Jordan which also contain large concentrations of Iraqi refugees. Therefore, while the researcher did not have direct contact with Iraqi FHHs in cities outside of Amman, data was collected from secondary sources regarding Iraqi women in Irbid and Zarqa.

“These positions, then, do not provide long-term solutions for generating an adequate source of income; rather, they are a way for volunteers to generate a small amount of supplemental income for a limited amount of time.”

Informal interviews with Iraqi women participants were conducted in the form of discussions and, while a core set of questions was asked to each participant, the order in which the questions were asked varied, as did the depth to which each question was answered. These discussions lasted no more than half an hour. Before their interviews, all participants were given a summary of the research study and were informed of their rights as participants of this study, as well as their right not to participate. Some non-Iraqi interviewees granted permission to use their name in the study. Thus, some interviewee’s names are preserved. Translators acted as witnesses for those who gave verbal consent.

FINDINGS

In total, fourteen individuals were interviewed, seven were Iraqi female household heads, and the remaining seven were individuals who have had experience working with Iraqis in Jordan, and often times in the greater MENA region. All Iraqi female household heads interviewed had arrived in Jordan after 2006, aside from one family that had arrived in 2000. Informal interviews were held with Iraqi women within Amman. Specifically, in the areas of

Hashmi Al Shemali, Wast Al Balad, and Sweileh. Non-Iraqis, namely case workers and program coordinators at local NGOs, were interviewed in Amman, Zarqa, and Irbid and were asked a series of questions relating to their experience working with Iraqis and how they perceive Iraqi female household heads. Data was compiled from Iraqis and case workers at local NGOs to develop a general representation of how Iraqi FHHs are coping economically in Jordan.

All Iraqis interviewed were receiving aid from UNHCR; thus, for the purposes of this study, UNHCR cash assistance has been excluded from the ways in which Iraqi women are actively generating income. Recipients of UNHCR monthly cash assistance receive debit cards, to which their monthly stipend is deposited.¹⁵ This amount varies

depending on the number of individuals in the family. A single man or woman receives 75 JD per month, two individuals receive 110 JD per month, a family of three receives 195 JD per month, while a family of four receives 210 JD per month.¹⁶ Iraqi female household heads reported that this stipend is usually enough for rent, utilities, and some food. However, it is not enough for other living expenses such as phones, clothes, health care, and education costs. Local organizations such as Khawla Bint Al Azwar and CARE provide non-cash assistance, such as clothes, food, and home goods to families who demonstrate need. Provision of non-cash assistance effectively decreases a family’s expenditures. CARE International provides one-time emergency cash assistance to new arrivals who demonstrated need, in the range of 200-300 JD. Aside from these sources of cash and non-cash assistance, it was concluded that there are five main ways in which Iraqi FHH are coping in Jordan: remittances, volunteer positions, travel stipends, self-employment, and informal work.

Remittances

All Iraqi FHHs interviewed had extended family in Iraq, the United States, and in one case, in Sweden. Four out of

seven interviewees stated they were receiving funds from mothers, sisters, or sons in the United States and in Iraq. Three out of these four families had two or more children attending school, and they reported that most of the funds received by family abroad were allocated towards the children’s education.¹⁷ For all but one of the households receiving transfers from abroad, their living situations seemed fairly stable, and their lives generally more comfortable, than that of other female household heads interviewed. Therefore, it became clear that remittances are seen as a supplement to UNHCR cash assistance received each month. Results from interviews did not indicate a clear consensus on the exact amounts of remittances received, making it difficult to generate conclusive findings. Interviews and observations suggested that while remittances were not as common as other economic coping mechanisms, they comprised a significant source of income for those families that received them.

Volunteer Positions through Local NGOs

Although Iraqis in Jordan are not allowed to work in the formal economy, many NGOs have begun to allocate funding for volunteers. These assistants, usually women, take on these positions for two to three months and are provided a monthly stipend, for transportation and their time, between 100-200 JD. Representatives interviewed from a CBO in Zarqa, Jordan, explained that some women take two of these positions at once, and thus generate twice the amount for their work.¹⁸ In these positions, women work as translators, program coordinators, and often help facilitate programs within the local Iraqi community as well as the local community. Some of these organizations have volunteers work with local NGOs as teachers and help with correspondence between the NGOs and partnering CBOs. However, because of decreased funding for UNHCR and for local NGOs, the number of volunteers hired may lower as a result of restrictions in the annual budget.¹⁹ Also, because these NGOs seek to provide this opportunity to many different individuals, volunteers are usually not hired for more than two or three months. These positions, then, do not provide long-term solutions for generating an adequate source of income; rather, they are a way for volunteers to generate a small amount of supplemental income for a limited amount of time. It must be noted that for FHHs who have children, taking on these volunteer positions, which often involve working in an office or traveling within or outside Amman, is extremely difficult, as children at home must also be cared for. From Iraqi female household heads interviewed, the only woman who

had taken on a volunteer position at a local NGO was living by herself.

Program assistants of local CBOs mentioned similar insights into the two-fold benefits of these positions. First, volunteers have the opportunity to leave their homes and socialize with other women and members of the community.²⁰ Second, generating a source of income, though a modest amount, gives beneficiaries a sense of self-importance and allows them to be productive members of the local community. Four of the seven women interviewed held at least a bachelor’s degree. Iraqi women who take on these positions are, more often than not, overqualified for the work they are performing, as many were former professors, accountants, or worked in administrative positions.²¹ By taking on these positions, women can attain a sense of normalcy by feeling productive in society. These volunteer positions benefit both the Iraqi woman volunteer and the local Iraqi community: they allow Iraqi volunteers to directly work with fellow Iraqis in the local community, while receiving a small stipend for their time.

Travel Stipends

Vocational training and skills courses for women have become increasingly prevalent among NGOs and CBOs as ways to provide useful programs to Iraqi women in Jordan. All but two Iraqi female household heads interviewed reported having attended such training courses, as well as psychosocial counseling sessions. These services are provided at no cost to participants, and Iraqi FHHs interviewed reported receiving travel stipends of 2-3 JD each. While these courses provide valuable services and skills to the attendees, there is speculation as to whether individuals participate to benefit from the services provided from the course itself, or to simply profit from the travel stipend, making it difficult to ascertain their true motives. A Women for Water Program (WFWP) representative stated that UNHCR and some CBOs almost consider these travel stipends as an indirect form of distributing cash assistance to Iraqis.²² A program coordinator in Irbid explained that for recent social activity sponsored by her organization, participants received a travel stipend of 3 JD; however, a bus was also hired to pick up and drop off participants in their neighborhoods. Thus, the whole amount provided as a “travel stipend” became simply a stipend for attending the activity.²³ In other situations, women share taxis or use public transportation in order to save on travel costs. Therefore, travel stipends, whether enabling Iraqi FHHs to attend potentially beneficial courses, or allowing these

women to profit from the amount remaining from the actual travel cost, are seen as an extra form of income.

Self-Employment

Small businesses, solely headed by women entrepreneurs, were also reported in preliminary research to be sources of income for Iraqi FHHs. Because these businesses are home based, household heads can simultaneously run this business while taking care of dependents and daily household work. Usually, female heads of household attend vocational training courses, which provide basic skills training classes or business entrepreneurship training. Upon completion of such skills training courses, women receive a package that helps them to begin their own business ventures.

Some non-Iraqis interviewed also cited microcredit programs as being ways in which Iraqi FHHs generate income. UNHCR, through UNICEF in Jordan, has sought to expand opportunities for Iraqi women and women in local communities by instituting microfinance programs.²⁴ CBOs in Jordan such as WFWP and Khawla Bint al Azwar, East Amman Charitable Association, and Al Amal have implemented similar microfinance programs. A WFWP representative explained that while the theory of microfinance for FHHs is an excellent one, microfinance and small business entrepreneurship, among Iraqi women, have not been successful.²⁵ Irikora described her experience with Iraqi FHHs and small business entrepreneurship: “Iraqi women don’t have a stable mind here, as they see their situation as temporary. Their mind is not in Jordan.”²⁶ Irikora’s insight that many women do not see Jordan as their home, but rather as a point of transit to a third country, was also observed by the researcher in her fieldwork. All but one Iraqi female head of household interviewed intended to immigrate to the United States in the future. Despite studies that suggest small businesses can be a sustainable source of income, no Iraqi female household head interviewed in this study had her own business or was currently attending training courses for a business entrepreneurship. While enthusiastic about the potential of these programs for improving the FHHs’ livelihoods, a program coordinator from a CBO in Irbid emphasized that when these businesses are profitable, the income generated is not enough, on its own, to sustain a FHH, especially a household with children. Nevertheless, like remittances and travel stipends, profits from small businesses are seen as a supplement to monthly cash assistance from UNHCR.

Representatives from Khawla Bint Al Azwar, an organization funding a variety of different training courses for both Iraqi women and for women from the local community in Zarqa, explained the difficulties with funding business entrepreneurship courses and the base costs for the businesses. Reception to business entrepreneurship courses among Iraqi participants was highly positive, but they only had funding for beginning level courses. They have not received sponsorship or funding to expand these courses,

“On average, a social worker at an NGO in Amman reported that if paid for her work, an Iraqi woman receives between one half and three quarters of what another woman, working legally in Jordan, would make in her place.”

and more significantly do not have the funds to provide start-up costs for their micro-businesses. Taking out loans in Jordan requires collateral and a co-signer who, by law, must be Jordanian. Iraqis, especially FHHs, often lack both of these requirements.²⁷ They are seen as having an unstable financial status in Jordan, as they may travel out of the country without having repaid their debt. Because they are not represented in the Jordanian legal system they are not seen as reliable debtors.²⁸ Therefore, in the cases where Iraqi female heads of household are interested in starting their own businesses, a lack of funding is often an impediment to achieving this source of semi-self reliance.

Informal Work

Because the large majority of Iraqis do not have work permits in Jordan, they are not able to work in the formal sector and be legally employed in Jordan. Thus, along with having a self-owned small business, some Iraqi FHHs are forced to work illegally in Jordan. There was an overall



IRAQI IMMIGRANTS RECEIVING HEALTHCARE IN JORDAN

consensus, though, that women feel safer participating in informal work than men do.²⁹ Iraqi men typically experience more trouble with the police, as Jordanian police are hesitant to harass women.³⁰ Also, especially for household work, it is easier for a woman to enter another family’s home. Working as household cleaners or as seamstresses is the most common type of informal work reported by case-workers and CBO representatives.

There are two main problems arising from Iraqi FHHs engaging in the informal economy: they are paid less than their Jordanian counterparts or are not paid at all. On average, a social worker at an NGO in Amman reported that if paid for her work, an Iraqi woman receives between one half and three quarters of what another woman, working legally in Jordan, would make in her place.³¹ This work is illegal under Jordanian law and women cannot seek legal action for these instances of exploitation because they are irregular migrants working illegally.³² For Iraqi FHHs who are faced with no other options to generate income for themselves and their families, they resort to more desperate means of survival. These may include selling gold from their former marriages for cash, working as street

vendors, or sending their children to work.³³ While the researcher did not encounter any female heads of household who reported engaging in these activities, case-workers did.³⁴

CONCLUSION

In light of current difficult situations for Iraqi FHHs in Jordan, economic security is of the utmost importance. While Iraqi women in Jordan use a variety of means by which to ensure financial security for day-to-day necessities, vulnerable Iraqis, namely FHHs, in Jordan have a high dependence on UNHCR cash assistance as well as on foreign aid. Foreign aid is allocated to local NGOs and CBOs who, in turn, facilitate programs for Iraqi and non-Iraqi beneficiaries in the community. Iraqi female heads of household benefit from the skills acquired through these programs and from the extra cash generated by saving their travel stipends. These courses are seen as an opportunity to socialize with other Iraqis and bridge gaps between the Iraqi community and the local community.

Effectively, many Iraqi FHHs' livelihoods in Jordan are highly dependent on foreign aid, both in the form of funding for volunteer positions and for travel, though UNHCR funding has begun to decline since 2009.³⁵ Furthermore, the Jordanian government estimated in 2008 that Iraqi *guests* in Jordan had cost the country 1.6 billion JD from 2005-2008; however, the Jordanian government has never publicized the raw data from this estimate.³⁶ While the Jordanian government has allowed Iraqis access to public schools and healthcare, there is speculation that Jordan has "benefitted greatly" from the inflow of foreign aid, aimed at assisting those directly affected by the current conflict in Iraq.³⁷

This dependence on foreign aid, for both the Jordanian government and for the Iraqi population in Jordan, is not a long-term solution for assisting displaced Iraqis in Jordan. Especially for vulnerable groups within Jordan's Iraqi population, such as FHHs, encouraging methods of eco-

"Iraqi women don't have a stable mind here, as they see their situation as temporary. Their mind is not in Jordan."

nomie self-reliance will be crucial in the near future and over the long-term. International aid, through cash and material assistance, allows families to meet basic needs. This aid, however, is not everlasting, and funding for UNHCR and NGOs has begun to decline over the past few years. Many organizations request additional funding in the form of aid or cash assistance, though these allocations are not a permanent solution for improving the lives of Iraqis in Jordan. More funding should be allocated towards *guided* assistance in order to better encourage their self-reliance.³⁸ This, in itself, presents a challenge, as Iraqis cannot work legally in Jordan. Previous studies on the situation of Iraqis in Jordan have concluded that the most sustainable way to improve the livelihoods of displaced Iraqis in Jordan is for the government to grant them work permits. However, the chance of the Jordanian government allowing Iraqis to work in Jordan is quite slim. Thus, future research on mechanisms of international funding to support economic sustainability is strongly encouraged.

Such programs, channeled through NGO programs on the ground, will bring forth new ways by which to encourage financial self-reliance for Iraqis remaining in Jordan, thereby reducing poverty among Iraqi refugees residing in Jordan. These mechanisms could serve as a model for displaced Iraqis in surrounding MENA countries, and, more generally, for other displaced peoples living in a foreign country.

Future studies regarding the possibility and efficacy of establishing a permanent community fund for Iraqis in Jordan is highly encouraged. This fund could potentially increase the livelihood of Iraqis in Jordan. Because the majority of Iraqis in Jordan will not be resettled to a third country or return to Iraq in the near future, there will be a remaining core group of Iraqis in Jordan.³⁹ Self-reliance strategies, which decrease reliance on international support for those Iraqis remaining in Jordan, deserve attention in future research projects.⁴⁰

While this study has focused specifically on FHHs as a vulnerable group within the Iraqi community in Jordan, new literature suggests that men displaced by conflict—particularly those who are not in school or are not working—are also considered vulnerable.⁴¹ With a loss of employment, males' sense of masculinity is diminished, often affecting familial relations in a negative way. For example, an IOM report found that domestic violence has increased among Iraqis in Jordan due to the frustration of men who are not able to financially provide for their families.⁴² Future studies regarding how Iraqi men are coping in Jordan, both economically and socially, could demonstrate effective means for NGOs to involve males, especially teenagers, in programs and psychosocial counseling. Equal inclusion and representation of men and women is, and will be, necessary for establishing an Iraqi society that can succeed in attaining peace and economic security.

ENDNOTES

- 1 JD ≈ 1.40 USD
2. Guglielmo 2008 (46)
3. Odeh 2007 (6)
4. Odeh 2007 (29)
5. UNHCR, *UNHCR - July 2010*, Press Release (Amman: UNHCR, 2010).
6. Odeh 2007 (32)
7. Ibid.
8. Guglielmo 2008 (12)
9. Odeh 2007
10. Al Ali 2007b (127)

11. Al Ali 2007b (138)
12. Al Ali 2007b (186)
13. Mean number of individuals in FHHs interviewed was 2.3.
14. All Iraqi women interviewed were from Baghdad.
15. Debit cards are distributed to Iraqi families, rather than them being required to collect actual cash assistance from UNHCR Jordan each month.
16. Women's Refugee Commission 2009 (3)
17. Rheema, interview by S. Moradian, 14 Nov. 2010
18. Aya and Zeinab, interview by S. Moradian 23 Nov. 2010
19. Hiba, interview by S. Moradian, 25 Nov. 2010
20. Ibid.
21. Ibid.
22. Irikora, interview by S. Moradian, 9 Nov. 2010
23. Hiba, interview by S. Moradian, 25 Nov. 2010
24. Irikora, interview by S. Moradian, 9 Nov. 2010
25. Ibid.
26. Ibid.
27. Aya and Zeinab, interview by S. Moradian 23 Nov. 2010
28. Ibid.
29. Hiba, interview by S. Moradian, 25 Nov. 2010
30. Nadia, interview by S. Moradian, 10 Nov. 2010
31. Leila, interview by S. Moradian, 25 Nov. 2010
32. While Jordanian law allows both legal and illegal workers to seek legal recourse for exploitation in the workplace, Iraqi women feel that their working illegally prevents them from taking legal recourse when exploited for their working in the informal sector.
33. Irikora, interview by S. Moradian, 9 Nov. 2010
34. Irikora, interview by S. Moradian, 9 Nov. 2010
35. Khuzaiie 2010
36. Nicholas Seeley, "The Iraq Effect," *JO Magazine*, April 21, 2008.
37. Ibid.
38. Leila, interview by S. Moradian, 25 Nov. 2010
39. UNHCR, *UNHCR - July 2010*.
40. Odeh 2007 (17)
41. Al Ali and Pratt 2009 (267)
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“The strong presence of art and archaeology, despite a lack of textual evidence, shows how the distinct cult of Mithras acted not only as a supplementary religion for Roman troops, but also as a cornerstone of religious tolerance in this ancient city.”

THE MYSTERY OF MITHRAS

Analyzing Religious Practices in Dura-Europos

JENNA HOWARTH

THE MIDDLE EASTERN CITY OF DURA-EUROPOS, WHICH WAS FEATURED IN AN EXHIBIT IN BOSTON COLLEGE'S MCMULLEN MUSEUM, PROVIDES HISTORIANS WITH AN EXTRAORDINARY AMOUNT OF INFORMATION REGARDING RELIGIOUS DIVERSITY IN THE ANCIENT WORLD. THIS ARTICLE FOCUSES SPECIFICALLY ON THE RELIGIOUS CULT OF MITHRAS THAT WAS FOUNDED UPON THE WORSHIP OF THE ANCIENT GODS MITHRAS AND SOL, AND THE SACRIFICIAL TAUROCTONY. RELYING ON THE EVIDENCE PROVIDED BY ARCHAEOLOGY, ARTWORK, AND THE CULT'S SITE OF WORSHIP, THE MITHRAEUM, THIS ARTICLE IDENTIFIES THE SINGULARITY OF MITHRAIC PRACTICES IN THEIR HISTORICAL CONTEXT WHILE ALSO EXPLORING THE RELATIONSHIP THAT THE CULT OF MITHRAS HAD WITH MORE COMMONLY KNOWN RELIGIONS SUCH AS CHRISTIANITY AND JUDAISM.

“The Cult of Mithras” display in the McMullen Museum’s *Dura Europos: Crossroads of Antiquity* provides insight into one of the most mysterious religions practiced at Dura-Europos before its fall to the Sasanians in 256 CE.¹ Religious relationships at Dura-Europos were exceptional in that Christians, Jews, pagans, and other cult members were atypically tolerant of and associated with each other. For example, the Roman soliders who were some of the original members of the cult of Mithras were also involved with the renovations and expansion of both the Christian building and the synagogue. This demonstrates that while the religions were exceptionally different in tradition, they managed to establish tolerance and even influence each other’s practices.² Due to its uniqueness, the cult of Mithras is a religious sect that deserves its own analysis. The lack of Mithraic texts necessitates conclusions about the group based on the art and archaeology unearthed at Dura-Europos. By starting with an examination of Mithraic history and religious artworks while cross-referencing the Bible and *The Aeneid*, scholars can discover what made the cult of Mithras so unique and capable of gaining a following in an already religiously cultivated city.

Tracing the foundation of the cult of Mithras in the civilization of Dura-Europos is essential to the discussion of its historical and religious significance and its fundamental deviation from the more popular religions of the city. The Mithraeum, the building of worship for the cult of Mithras, was built along the northern wall of Dura-Europos in approximately 168 or 169 CE. Palmyrene archers serving in the Roman army were the first to institute Mithraic practices into Durene society, emphasizing the malleability of the religious culture of Dura-Europos. The Cult of Mithras actually gained footing during the reign of

the third cultural group of the Romans rather than that of the Seleucids or Parthians.³ Perhaps the cult of Mithras was a newer, more attractive practice, but even more probable is that Dura-Europos was simply becoming an increasingly impressionable city that was open to various languages, cultures, and religions. Gail R. Hoffman remarks:

Some scholars have assumed that one reason for the great variety of cults found at Dura-Europos is the variety of peoples from different cities and regions who came to Dura-Europos. It

STONE TABLET DEPICTING MITHRAS



certainly seems that the cult of Mithras came with the Roman military, and the Christian and Jewish communities are also first visible during the Roman phase though they may have been present in the city earlier.⁴

Because it was a military garrison and a strong trading and political center, Dura-Europos was greatly exposed to countless cultural groups. By the time the Sasanians defeated the city in 256/257 CE, Macedonian, Seleucid, Parthian, Roman, Sasanian, Greek, Latin, and Persian influences had all been present at some point during the life of Dura-Europos.⁵ With this diversity, it is no surprise that the cult of Mithras would have been able to take root in such a diverse community.

It is important to note that even though Palmyrene soldiers were responsible for the foundation of the cult of Mithras in Dura-Europos, it was not necessarily their only religion. The *Feriale Duranum*, a religious calendar dating around 223 CE, was used by Roman soldiers in Dura-Europos and reconstructs their entire religious year. No gods from either Dura-Europos or Palmyra are mentioned in the calendar, and only the Roman gods actually worshipped in the city of Rome hold any stature; that calendar, in fact—which includes notes of army festivals, public festivals of the Roman gods, and imperial women—was made up of mostly the same observances of the city of Rome itself. Soldiers all over the Roman Empire used nearly identical copies of the calendar. In addition to participating in this official Roman religion and worshipping Roman gods, however, Palmyrene soldiers also worshipped other popular gods that were never adopted by Rome.⁶ While they could not practice Judaism or Christianity, as those would prohibit sacrifice to the official Roman gods of the state, they could indeed join various religious cults, such as that of Mithras.⁷ The Bible orders Christians to “Fear God and glorify him, because the time has come for him to sit in judgment; worship *the maker of heaven and earth and sea and the springs of water.*” Christians believe that a follower may worship only one god, who rules over all areas of the universe. Because the religion does not allow for its members to worship any other than God himself, Roman troops could not become Christians and follow the official Roman religion simultaneously.⁸ However, a religious cult such as Mithras allowed for the men to continue with traditional pagan practices while also earning membership into a new religious sect.

As Palmyrene archers brought the cult of Mithras into the city, soldiers were the primary members at the beginning

of the third century CE, as well as those in the merchant class. Only men were allowed to join the cult, which seems strikingly different from religions such as Judaism and Christianity which welcomed, and in fact promoted, the conversion of both genders.⁹ However, one must not forget that the two were also almost exclusively male oriented in that only men maintain the positions of prophets, disciples, or apostles in the Bible. According to Lucinda Dirven, the cult of Mithras became “a brotherhood of men who mainly shared the same profession.” While it is unclear where these men, and particularly Palmyrene archers, originally became exposed to the cult, there are suggestions that it was possibly adopted in Dacia or Moesia.¹⁰

While the historical context and religious participants are clearly important elements of any religion or cult. The actual beliefs and customs of the cult of Mithras should receive significant attention in this discussion. This mysteri-

“The Mithraeum at Dura-Europos is among the best preserved of the cult. Its architecture, decoration, and graffiti not only help to describe the cult in Dura but also to portray the cult during the first half of the third century throughout Syria.”

ous religion was thought to include seven levels of initiation, ritual banquets, and a promise of salvation after death to all members.¹¹ Cultists worshipped the god Mithras, originally an Iranian god who, according to legend, was born from a rock in a moment outside time and killed a cosmic, primeval bull, which he then dragged into a cave. Mithras and the sun god Sol then proceeded to feast on the bull, after which Mithras consecrated Sol and bestowed on him his nimbus.¹² The account of these events

was taken from various pieces of art in the Mithraeum, which will be examined later on in the discussion.

Such discoveries could be made from only art and archaeology because there were no documented texts such as *The Aeneid* or the Bible which scholars could use as religious evidence. Little was recorded about the cult's beliefs and practices precisely because of its nature; as a secret cult the members would not have written much down, but instead would have expressed their religion through reliefs and other artwork in the Mithraeum. The graffiti on the walls of the Mithraeum at Dura-Europos lists the names of the initiates with their Mithraic grade, while paintings and sculptures hint at various aspects of their religious practices.¹³ Subsequently, the cult of Mithras shows the importance of artwork and archaeology to understanding the religions of Dura-Europos and all ancient cities.

The Mithraeum itself, as the site for worshipping Mithras, becomes an existential piece of evidence in unearthing the Mithraic practice. It was built into a renovated house in 168 CE by the Palmyrene archers who founded the cult in Dura. It was enlarged in 209-211 CE by the Roman commander Antonius Valentius and was renovated again from

“It seems that though the cult of Mithras may have been traditional in holding ritual banquets . . . the ideology behind such feasts remains very unique.”

240 CE into the Late Mithraeum. It was subsequently discovered by excavators nearly two thousand years later. While most Mithraea are underground in order to symbolize the importance of caves to Mithras, the temple at Dura-Europos was completely above ground, perhaps influenced by the Christian buildings or the Jewish synagogue.¹⁴ The Mithraeum was a rectangular building with only benches and an altar table for furniture; there were not seating accommodations like those typically found in modern day synagogues or churches.¹⁵ This arrangement invoked a one-on-one relationship with the god during times of worship. The Mithraeum at Dura-Europos is among the best

preserved of the cult. Its architecture, decoration, and graffiti not only help to describe the cult in Dura but also to portray the cult during the first half of the third century throughout Syria. All of the subjects in most Mithraea are similar to each other, yet the style and composition of the scenes often vary.¹⁶ In the Mithraeum in Dura-Europos, two reliefs hung under an arch show scenes of the tauroctony which are then flanked on both sides by Mithraic hunting scenes.¹⁷

The two Mithraic reliefs are almost identical in the positioning of both Mithras and the bull. Both show Mithras holding back the bull's head and thrusting a dagger into his neck. The top relief, which was placed by the Palmyrene commander Zenobius, included the dedicant, or donor, along with other figures thought to be members of the cult association. Their presence is significant in that they are not family members, which was typical of the Roman cult in which familial ties were unimportant, and thus creates a blunt contrast with Judaism and Christianity, in which family was of the utmost importance: “Honour your father and your mother so that you may live long in the land that Yahweh your God is giving you.”^{18,19} The cult of Mithras offers no such declaration of paternal or familial prominence, and instead focuses on the relationship between Mithras and the sun god Sol. In a painting found in the Mithraeum at Dura-Europos, which was originally placed to the left of the cult niche during the building's second phase, Sol and Mithras are shown feasting on the sacrificial bull.²⁰ Unlike in Roman or Greek tradition, the god Mithras himself seemed to be doing both the sacrificing and feasting. This presents a problem in that it completely opposes traditional beliefs regarding sacrifice. When Hercules came to the aid of the Arcadians to kill the bestial half-man Cacus, “he choked him till his eyes burst out, his gullet whitened and dried up with loss of blood.” He left the violence at that.²¹ He never ate the animal as a sacrificial feast and instead, “since then / This feast (by the Arcadians) is held, and younger men are glad / To keep the memory of the day.”²² It seems that though the cult of Mithras may have been traditional in holding ritual banquets for new initiates, as animal remains and purchase receipts testify. In any event, the ideology behind such feasts remains very unique.²³

Despite its distinctiveness, the cult of Mithras does maintain a subtle relationship with other religions such as Christianity. The pagan Celsus criticized that “superstitions like Mithraism and Christianity are led by wicked men who convince simple people to believe in their false



AN ARCHAEOLOGICAL RECONSTRUCTION OF THE SYNAGOGUE OF DURA-EUROPOS IN AN ISRAELI MUSEUM

teachings without explanation.”²⁴ The grouping of Mithraism and Christianity seems faulty because the two are wholly independent and individual religions. Unlike the cult of Mithras, both Judaism and Christianity claim a basis on the textual evidence of the Hebrew Bible. Furthermore, Mithraic practices also involve worshipping a god entirely different than Yahweh. Critics, such as Justin Martyr, nevertheless held fast to their apologetic works by claiming that “the ‘wicked devils’ who adhere to the cult of Mithras have imitated the actions commanded by Jesus of his followers.” Martyr saw similarities between Mithraism and Christianity, as the cult followers ate and drank with prearranged prayers during their ritual feast, but took bread and water rather than wine.²⁵ The act of feasting, however, was not unique to Christianity, and it was often pagan practice to eat a sacrificial feast while praying to the gods.

Such oppositions and critiques of Mithraism can actually work to demonstrate how well the different religious groups coalesced in Dura-Europos. Although historical and religious texts demonstrate rivalry and intolerance of different religions, the archaeological evidence for Mithraism, Christianity, Judaism, and paganism show adherence to other belief systems and a willingness to share common elements in their ritual space. The commonalities of the Mithraeum, Synagogue, and Christian building in design and decoration are especially unique and create a “Durene” style of art and architecture.²⁶ The typical rivalry and distrust usually seen among religions of the third century CE dissolved in Dura-Europos, and the discovery of the atypical Mithraic cult speaks to this point. The strong presence of art and archaeology, despite a lack of textual evidence, shows how the distinct cult of Mithras acted not only as a supplementary religion for Roman troops, but also as a cornerstone of religious tolerance in this ancient city.

ENDNOTES

1. "Dura Europos" 2011: "Military Presence" Exhibit Description
2. Ibid.
3. "Dura Europos" 2011: "The Cult of Mithras" Exhibit Description
4. Hoffman 2011 (54)
5. Deleeuw 2011 (189)
6. Dirven 2011 (211)
7. Deleeuw 2011 (193)
8. Revelation 14:7
9. "Dura Europos" 2011: "The Cult of Mithras" Exhibit Description
10. Dirven 2011 (211)
11. "Dura Europos" 2011: "The Cult of Mithras" Exhibit Description
12. Deleeuw 2011 (193)
13. "Dura Europos" 2011: "The Cult of Mithras" Exhibit Description
14. "Dura Europos" 2011: "The Cult of Mithras" Exhibit Description
15. Deleeuw 2011 (192)
16. Deleeuw 2011 (193)
17. "Dura Europos" 2011
18. Dirven 2011 (212)
19. Exodus: 20:12.
20. "Dura Europos" 2011: "Mithras and Sol" Exhibit Description
21. Virgil *trans.* Fitzgerald 1990 (VIII: 345-346)
22. Virgil *trans.* Fitzgerald 1990 (VIII: 354-356)
23. "Dura Europos" 2011: "Mithras and Sol" Exhibit Description
24. Deleeuw 2011 (191)
25. Ibid.
26. Deleeuw 2011 (195)

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“Beyond the purpose of entertainment, historical films serve as portals to the past, and the power of film then becomes the ability to transport the viewer to that past.”

CULTURE IN CONFLICT

Remembering the Vietnam War through Cinema

ROSA MARIBEL COLORADO

SINCE THE 1960S, THE DEPICTION OF THE VIETNAM WAR IN FILM HAS CAPTIVATED AND POLARIZED AUDIENCES WHILE COMPLICATING THE ICON OF THE “AMERICAN WAR HERO.” HISTORICAL FILMS AND COLLECTIVE MEMORY SERVE PARALLEL FUNCTIONS IN THEIR ENDEAVORS TO RECREATE THE PAST AS A COLLECTION OF IMAGES, HOWEVER MEDIATED. INDEED, FILMS HAVE THE CAPACITY TO SHAPE HISTORY AS IT IS ACTUALLY REMEMBERED BY PRESENT-DAY AUDIENCES, THUS BLURRING THE DIVISION BETWEEN ‘OBJECTIVE’ HISTORY AND ‘SUBJECTIVE’ MEMORY. THIS ARTICLE EXAMINES HOW, OVER A PERIOD OF DECADES, FILMS DEPICTING SOME ASPECT OF THE VIETNAM WAR HAVE CHANGED AND, CONCOMITANTLY, HOW THIS CHANGE RELATES TO RECOLLECTION OF THE ACTUAL EVENTS OF THE VIETNAM WAR.

INTRODUCTION

With each new film adaptation incorporating historical accounts of the Vietnam War, America as the victor is an image that begins to fade. The depicted role of American involvement in the war becomes more ambiguous with each passing decade. Perhaps stemming from the turbulent social climate of the 1960s, films aimed to depict the Vietnam War narrative demonstrate conflict within themselves to reconcile the outcome of such a traumatic event in American history. Unlike the previous world wars, the nature of the Vietnam War made the distinction between “good” and “bad” an impossible moral dilemma, exasperated by American youths rebelling against the “establishment” and publically displaying antiwar sentiment. There has been a recent desire to recapture this time of revolution as one of revitalization as well as fear, anger, and resentment. Such are the conflicting sentiments depicted in numerous Vietnam centered films that were produced during, soon after, and long after the end of the war.

Throughout the past half century, film has become an ideal and powerful vehicle for reflecting the personal sentiments of this image-laden war. Rich Warland expressed this transparent, personal nature of Vietnam in his journal entry, “The Other Living-Room War: Prime Time Combat Series: 1962-1975,” by describing the proximity between the Americans at home and images of those abroad in battle. Yet, to consider the genre of these films and to examine elements such as the musical score of the film demonstrates the ability of Vietnam War themed films to reflect the dissonance of the current society. Temporality proves to be a marker of change for the following Vietnam War related films: *MASH* (1970), *Apocalypse Now* (1979), *Platoon* (1986), *Casualties of War* (1989), and *Forrest Gump* (1994). Each film ultimately reflects different stages of contemplation and understanding of the Vietnam War. While only a few, these selected films attempt to demonstrate the general transformation of the “American hero” image from an indisputable figure of power to a war-torn soldier traumatized by battle, and finally to a reconciled character with an altogether novel identity. This final place of reconciliation, as portrayed by the main characters of these films, serves to mirror American society’s self-awareness and recovery from the Vietnam War.

CONFLICT IN THE SOCIAL CLIMATE

While war films had previously created an image of the brave American as a hero of revolution fighting against a

clear-cut enemy to ensure domestic independence and justice, Vietnam-era movies would emphasize the image of Americans resisting domestic order rather than resisting the foreign enemy. Self-awareness of one’s place in society seemed to be the pursuit of many in 1960s American culture, and many Americans slowly toyed with the realization that the government was a potential instigator of violence as opposed to a protector against violence. During this time of great uncertainty, the “enemy” became unclear—is the enemy the uncivilized foreigner in a distant land or is the enemy the countrymen of your home-land? Not surprisingly, in many of the Vietnam War themed films,

“Inherent in the Vietnam War themed movie persists a reflection of contemporary society’s intense curiosity to hunt in earnest for the unsolved mysteries of Vietnam.”

the “villain” becomes increasingly difficult to appropriate. Which group terrorized and which group suffered the terrorizing becomes a difficult question to discern. Just like the general public, these historical films struggle with the participation of America in the war. We continue to engage with the past as historical films continue to be funded, produced, and distributed.

Inherent in the Vietnam War themed movie persists a reflection of contemporary society’s intense curiosity to hunt in earnest for the unsolved mysteries of Vietnam. Marita Sturken, author of *Tangled Memories: The Vietnam War, the AIDS Epidemic, and the Politics of Remembering*, addresses the urge to relive the past when she writes, “Those who were too young to experience the Vietnam War or the antiwar movement are fascinated by this particular time.”¹ This need for our current culture to look back into the past is prominently exemplified in the increased production of Vietnam War themed films. Sturken reflects this fact when she notes, “The media have become nostalgic for their own moment of purposefulness in covering and exposing

the ‘real’ stories of the war, which the military and political establishment attempted to hide.”² Sturken is quick to point out that this search through the past rings true for our collective society as a whole, rather than for any specific group or individual. In concurrence with the theme of public memory and history, the prevalence of these historical films is the result of a collective yearning for the past.

FILM AS A VEHICLE FOR MEMORY

Serving beyond the purpose of entertainment, historical films serve as portals to the past, and the power of film then becomes the ability to transport the viewer to that past. Yet the camera does not necessarily reveal history in terms of a universally accepted “History.” In other words, films with historical premises present images of a mediated history to an effect similar to conjuring images in memory. Luckily for a contemporary society intent on exposing the past, the prominence of history-based films has made this a unique reality. In the case of Vietnam War themed movies, film as a collection of images becomes the perfect vehicle to deliver the mystery of the past to this starved and desirous modern audience. For Marita Sturken, the actual process of filming becomes intrinsically linked with the process of remembering the past. In Sturken’s view, the power of the camera showcases the process of filming as the attempt to recapture what once existed in reality:

Camera images, whether photographs, films, or television footage, whether documentary, docudrama, or fiction, are central to the interpretation of the past. . . . Just as memory is often thought as an image, it is also produced by and through images.³

Sturken expresses how images are not just physical, but metaphysical as well. For Sturken, the metaphorical images reflect a form of art that materializes the process of remembering the past in the mind of the viewer. Thus, film as the art of image capturing and simultaneous memory construction creates an appropriate platform for history-based films. These films utilize history and remain in the present, while at once reliving the past.

While film becomes a mechanism for bringing the past to the present, the presentation of these historical films becomes part of the way the public remembers the past. To depict history in film becomes a simultaneous way of looking at the past, interpreting its meaning, and subsequently

re-fashioning its presentation to shape the contemporary public’s memory of the past. Sturken notes this anabolic and catabolic interaction between a film, history, and memory when she explains, “The relationship of the camera image to memory and history is one of contradiction. On one hand, photographed, filmed, and videotaped images can embody and create memories; on the other hand, they have the capacity, through the power of their presence, to obliterate them.”⁴ Film has the power to deliver history from the past, but it also has the influence to change history as depicted on the screen. To film history is thus to change or mediate history in the public’s eye. The interplay of reconstructing the past and making a film is significant when remembering history becomes an issue of remembering it accurately. William Guynn, author of *Writing History in Film*, warns the reader of overly mediating history and of the consequence of influencing the public’s memory of the past when he discusses the concept of “collective memory”:

The desire of collective memory to preserve the past in the present leads to distortions and ‘misrepresentations’ because memory is steeped in emotion and is often guided by the self-interest of the group. A society’s look back toward the past is infused with nostalgia for the absolute harmony of social relations and the idealized model of social organization and behavior it locates there. The affective and ideological dimensions of social memory are clearly incompatible with the professional historian’s ideal of objectivity that can come only from rigorous application of historical critique.⁵

Guynn argues that history and film are at odds because of the difference in the objectivity of history and the subjectivity of film. This difference is the basis for mediated historical films, which then influences the version of history that viewers receive. Does this film version coincide with the public’s already perceived notions of the past? Is the film viewing process an affirmation or a contradiction to the public memory of past? Film has the capacity to sway how the past will be remembered by the public and in the public eye. Guynn affirms this influential power of film:

Historians acknowledge that filmic representation has such power that it overwhelms other forms of recollection by imposing indelible images of the past on the public imagination. They are at a loss in their efforts to combat and correct what they consider erroneous but compelling representations. Historical ‘fictions,’ they argue, tend to replace the real documents of events in the public imagination.⁶

Guynn goes so far as to state that historical films, as mediated forms of the past, serve as substitutes for historical documents. While the objectivity of history may come into question, Guynn points out an interesting phenomenon. Despite inaccuracies, the public would rather remember or end up remembering the mediated version of the past through film. The discrepancy between what actually happened, and what people think or want to think happened becomes particularly significant when examining Vietnam War themed films, especially since the historical context of these films are the crux of the plot.

THE VIETNAM WAR AS HISTORY IN FILM

Vietnam War themed films play a significant role in shaping public memory as they have come to reorient the “cultural memory” of America. Sturken describes this particular memory when she states, “Cultural memory is a field of cultural negotiation through which different stories vie for a place in history.”⁷ This definition resonates with the definition of “collective memory” or even “public memory,” but “cultural memory” implies another dimension directly interacting with how a culture perceives itself and how that

“Vietnam War themed films play a significant role in shaping public memory as they have come to reorient the ‘cultural memory’ of America.”

image may or may not endure. This deliberation over memory within a culture correlates with the struggle that historical films encounter in their attempt to accurately convey the past. Ultimately, multiple narratives about history exist, and which ones remain in the legacy of a culture is unpredictable. Yet, especially among the film examples given in this article, Sturken highlights the basic binary that many historical films of the Vietnam War seem to encompass:

As narrative films depicting a highly charged event in US history, Vietnam War docudramas often have two conflicting in-

tentions—to represent the war realistically and to examine its larger meanings through metaphoric interpretation.⁸

For Americans and American culture, the Vietnam War depicted in films represents both of these “conflicting intentions.” Interestingly, the augmentation of this conflict can be witnessed over several decades, suggesting a link between the levels of conflict in the film and the real conflict present among Americans’ reactions to the Vietnam War. Vietnam War films can be categorized based on the level of conflict expressed in the films’ narratives. Indeed, Sturken refers to David James’s breakdown of the development of the Vietnam War film from the 1960s to the 1990s when she writes:

David James has divided the mainstream films made about the Vietnam War into four groups: films that were made during the war and up until the late 1970s, of which were very few [. . .]; films made in the late 1970s . . . which could be called the first wave of Vietnam films; films made in the early 1980s (the era of revisionist history launched by Reagan administration) that depict MIAs as icons of the veteran’s victimization and feature vengeful veterans refighting the war [. . .]; and the fourth phase, films made in the late 1980s and 1990s and concerned primarily with questions of realism.⁹

The trend among Vietnam War films has been observed and recorded on account of the true uniqueness of this event in American history and the mark it has left on American culture. Sturken finds significance in elaborating on the fourth phase of the evolution of Vietnam films by stating, “This final group of films represents the work of several Vietnam veterans and major directors; it has often been characterized as representing America’s finally coming to terms with the war.”¹⁰ In theory, the trajectory of these films over several decades should culminate in a final resolution of conflicting sentiments evident in these Vietnam War films. In order to accurately trace the evolution of the Vietnam War film throughout recent history, an analysis of the evolution of the genre Vietnam War films inhabit is essential. This analysis involves uncovering the fading figure of the American victor that at one point in American film history prevailed above all other archetypes.

GENRE

The poignant figure of the American hero in war films is at once questioned with the sudden and evolving conflict within Vietnam War film narratives in the context of the “combat film” genre. The transformation of the combat

film is most jarring when contrasting the machinations of the genre and the most recent renderings of the Vietnam War films. Robert Eberwein’s compilation contains an essay by Dana Polan entitled, “Auteurism and War-teurism: Terrence Malick’s *War Movie*,” in which Polan analyzes the evolution of this “combat film” genre. Initially, the combat film was as direct as the black and white film it was printed on: “We might grasp the evolution of the combat film as the history of a genre in which experiments in form and in content are both at work, pushing individual works to say new things about the experience of war and to find new forms in which to say those things. Traditionally, the combat film was a highly codified genre with a set structure and set meaning.”¹¹ Polan then delves into the content of the early combat films produced during World War II:

For the wartime World War II combat film, meaning was natural. There was mission, both the literal mission faced by the soldiers and the national mission of the war effort, and its purpose was evident, inevitable. Hence, the importance of conversion, for in its suggestion that one doesn’t learn new things, that commitment isn’t imposed on the subject from without but wells up from within, the narrative of conversion makes growth into commitment natural, logical, ordinary.¹²

The World War II film narrative is straightforward and reflective of the epoch from which it was produced. Polan explains that during World War II, Americans needed a strong support system and sense of purpose:

Here is a genre where ease of style, naturalness of narrativity, matches an ease of worldview, a naturalness of mission and meaning—a genre whose philosophy is pre-given (pre-given to the filmic form, to the characters in the narrative, and to the target audience).¹³

It is no wonder that the combat films of the 1940s and 1950s thrived from the patriotism and steadfast belief in American exceptionalism. In any case, the heroes and villains of these films were obvious in that they mirrored real life for Americans. Fighting two wars with distinct markers to their Communist, Fascist, and Nazi adversaries allowed Americans to distance themselves even further away from their foe. Not surprisingly, the “target audience” for these combat films was set as indicative of the international and political climate. Creating films for the World War II crowd was simple when the enemy and the cause were unanimously understood and agreed upon by public

consensus. Fast forward to the era of the Vietnam War, as this image of a united America and the lauded American hero coming home from war are no longer universal emblems of national pride. In fact, the meaning of an enemy, and especially a cause, become unclear. Dana Polan supports this notion of a confused and divided national reaction to Vietnam as opposed to a unanimous and positive reaction to World War II when she says, “But in the recent combat film, unity—unity of form and content, of mission and meaning, of character and moral purpose—frequently comes undone.”¹⁴ As Vietnam themed films began to reflect upon the uneasy social climate of America, they mirrored the confusion and conflict of retaining the American hero icon in combat films. Interestingly, as the decades pass, and more time allows for more reconciliation with the conflict that erupted during the socio-politically charged atmosphere of the 1960s, the Vietnam War film transforms once again. In the most recent film adaptations,

the manifestations of the genre in these later historical moments adhere to initial meanings of the genre (the mission as process of self-education and accomplishment) while suggesting that the original organic unity of the genre is no longer easily or readily to be had.¹⁵

Thus, the struggle to maintain the codes of the combat film genre proved difficult as sentiments about the Vietnam War attempted to reconcile themselves in the public memory of Americans. Unable to reach a resolution, the genre is now forever changed in that the conflicting images of the American hero remain, as do the sentiments that polarize a nation.

THE 1970S: *MASH* (1970) AND *APOCALYPSE NOW* (1979)

Focusing on the following Vietnam War related films, Robert Altman’s *MASH* (1970) and Francis Ford Coppola’s *Apocalypse Now* (1979) present two distinct historical mediations of the Vietnam War. The two films greatly contrast as one embodies a satiric and comical tone, while the other exemplifies a highly stylized and serious approach to the Vietnam War. In Robert Altman’s *MASH* (1970), the actual war depicted is the Korean War, yet the subtext refers to the absurdity of America’s participation in the Vietnam War.¹⁶ In contrast to *MASH* is Francis Ford Coppola’s *Apocalypse Now* (1979), which delivers an intimate and haunting portrayal of the negative outcomes of the Viet-



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nam War. Yet, both films manage to capture the chaotic social and political environment of America during the era of the Vietnam War. As suggested by Robert Eberwein in the "Introduction" of his compilation of essays, *The War Film*, "Historical films become a way to comment on the present."¹⁷ Both *MASH* and *Apocalypse Now*, while technically inaccurate in the factual depiction of the war, aim to present the turbulent climate surrounding the war at home and abroad.¹⁸

While not necessarily classified as a combat film, *MASH* (1970) depicts a parody of a combat film and ultimately serves as an antiwar metaphor. Yet, Altman's film does not outwardly convey this antiwar sentiment, but utilizes the double meaning behind its amusing imitation of army life during the Korean War. The stories of four army surgeons during their time in Korea quickly dissipates as the viewer becomes consumed with the humor and wit that Altman

executes to ultimately comment on the current military situation abroad. One way in particular the film demonstrates the feeling of loss of control is through the musical soundtrack. Usually in contradiction with the seriousness of the actual scene, the background music of choice is many times cheerful and upbeat, almost carefree. Again, such a dissonance could be reflective of the tension between supporters and protestors of the Vietnam War. Yet, the overall tone of the film is rather light in comparison with the loaded topic of war, or antiwar. In direct opposition to Altman's comedic and light-hearted portrayal of the Vietnam War, Coppola's *Apocalypse Now* (1979) emphasizes the negative energy surrounding all sentiments about the war. The film submerges the viewer, just like the main character in the story, into the tangled jungles of Vietnam. We learn that Marlon Brando's character has gone AWOL, and the suggested reason for his insanity is the duration of time spent in the jungle. Karen Rasmussen and Sharon

Downey stress the importance of creating mystery in *Apocalypse Now* through scenery and creative technique: "In other words, by layering one quality onto another and fading from image to image Coppola creates a war of madness with neither rules nor purpose"¹⁹ Immediately, Vietnam becomes a dangerous and transformative place in which one's mind becomes a target as well as one's body. Interestingly, the film portrays the Vietnam War with utmost seriousness, but at the same time purposefully displays inaccuracies about the war. Sturken elaborates on the goal of the Vietnam War film during this decade and states by stating, "The films of the late 1970s subordinated codes of realism in order to depict the war metaphorically and find its larger meaning."²⁰ Thus, the focus on scenery, lighting, and character development reflects this desire to create a metaphorical film rather than a non-fictionalized narrative. Yet, because of the anarchic manner of each of

approach to depicting the war. In fact, the films produced during this phase of the Vietnam War healing process included darker themes related to violence and trauma. Sturken suggests that this shift in sentiment when portraying the war on film may have been related to the establishment of the Vietnam War Memorial:

The most recent Vietnam films were in many ways a reaction against the inaccuracy of the earlier films. Produced after the construction of the Vietnam Veterans Memorial, the most recent Vietnam films constitute part of the rewriting of the war's narrative generated by the memorial and the accompanying process of healing and memory. These films are also more self-conscious about their role as historical works.²²

In being more "self-conscious" about the historical depiction of the war, the more contemporary Vietnam films in-

"Jarring subject matter may appear as nothing more than 'shock value' story buffers, but in the Vietnam War film, these moments in the film's narrative are indicative of a society's desire to accept and welcome historical accuracy."

these Vietnam War films, their rebellious nature to defy genre and form is indicative of the sentiment placed into the production of the film. In other words, "Without a coherent ideology to shore it up, the war film becomes directly incoherent."²¹ These two films are mirrors of this "incoherence" because of the conflicting images of the American soldier in the Vietnam War. This realization pushes the evolution of the combat film into unclear terrain. In other words, Americans are no longer considered victors of war, but rather are considered as reflections of both the wins and losses of battle. Without a clear vision for the American soldier at war, the film's approach to the war, and the public's memory of the war evoke this incomprehensible sentiment on the screen.

THE 1980S: *PLATOON* (1986) AND *CASUALTIES OF WAR* (1989)

From confusion to extreme opposition, the Vietnam War films of the 1980s chose a more realistic and gruesome

corporated raw and devious acts such as gruesome violence, sex, and drug bingeing into their narratives. Bruce A. Williams' article, "From Romance to Collateral Damage: Media Treatment of Civilians in Wartime and What it Means for How America Wages War," confirms this new, rawer approach to depicting the Vietnam War on film when he states, "These films, for the first time, portrayed rape, prostitution, the killing of civilians, and other atrocities being committed by American soldiers."²³ Critical analysis of the actual experience of the American soldier during his or her time in Vietnam during the war becomes a common occurrence. Reasoning behind the shift in tone might help illustrate the importance of accuracy in these films, no matter how uncomfortable the subject matter. Jarring subject matter may appear as nothing more than "shock value" story buffers but in the Vietnam War film, these moments in the film's narrative are indicative of a society's desire to accept and welcome historical accuracy. For example, both *Platoon* (1986) and *Casualties of War* (1989) allude to rape, specifically the rape of a civilian female by American soldiers. The need of the filmmakers to

depict such a disturbing and visually assaulting act of violence such as the rape of a young woman resonates with the notion of “senseless violence” that became a common sentiment among protestors of the war. In an attempt to explain the rationale behind this type of violence in films, Polan writes:

A space of floating, of meaningless violence that can come from anywhere, but also of the effect of just waiting, of living with nonaction. One might want to imagine that this is the experience of war, but it is also an experience of cinema, a comment on modern cinema’s narration, its rediscovery of what Gilles Deleuze famously termed the ‘time-image,’ a confirmation of modern cinema’s ambitious and auspicious inability to find a clear way to recount war today.²⁴

Although controversial and uncomfortable for viewers to accept, violence against young women did happen during the war, and to exclude this social dimension would only mediate the past in film once again. In the same manner that the soldiers in the film do not know how to comprehend the atrocities that surround their every sense, the same confusion and frustration is reflected in the film’s plotline. The struggle to even include sexual violence alone demonstrates America’s own apprehension to their presence in Vietnam. Once again, the hero of the film ought to be the American soldier, but to praise a soldier who commits such unspeakable acts of violence against innocent women as a “hero” becomes problematic. In light of these more gruesome Vietnam themed movies, the glorified figure of the “war hero” becomes more complicated and multi-dimensional than once assumed. It is safe to say that the Vietnam War film has reached a level of accuracy, but at great cost to the iconic image of the American soldier as a hero and figure of respect.

THE 1990S: FORREST GUMP (1994)

After two decades of grappling with the dissonance clearly depicted in the previous films, the 1990s brought to the public a possible resolution with America’s role in the Vietnam War, beginning with Robert Zemeckis’ *Forrest Gump* (1994). While only a small segment of the film, this chapter depicts the famous friendship between the protagonist and Benjamin Buford “Bubba” Blue that blossoms during their time as soldiers in the Vietnam War. Brotherhood is a common theme and can usually be detected in combat films no matter which war is depicted on screen; yet, the bond these two “brothers” share becomes

significant when set in the jungles of Vietnam. Two naive Vietnam soldiers may be perceived as insulting to the intelligence of the war’s actual soldiers, but their simplistic point of view enhances the purity of their love for one another and heightens the trauma surrounding them on the battlefield. As stark contrasts to any of the previously mentioned adaptations of the Vietnam War or transformations of the American hero at war, these two characters can represent the public’s understanding of the war. As outsiders looking in on a foreign world, the Americans at home attempted to understand their purpose and cause of fighting in this prolonged war. Just like *Forrest*, the public’s perceived notion of America’s role in the Vietnam War was never officially stated, as they instead preferred a passive approach to understanding their place in the war. Yet, the reason this film suggests a kind of reconciliation with the ambiguity that befell the Vietnam War is due to the honorable character of *Forrest Gump*, who transcends every marginality to embody every American. *Forrest* survives the war and furthermore leaves Vietnam with little to no remorse about serving his country. As a reciprocal for American sentiment toward the Vietnam War, his apathetic feelings toward the war match the dissipated level of conflict that sedates our current American culture. While we do not forget the war, Americans today do not feel the need to remember the war either.

CONCLUSION

No one has seemingly felt the need to portray the Vietnam War in a film recently. The contemporary public seems to have reached a more comfortable place, or at least a better understanding of its role in the war. Not only have we rewritten the idea of the “American Hero,” but we have also finally acknowledged the darker side of the Vietnam War. With 1980s film depictions of the Vietnam War, such as *Platoon* (1986) and *Casualties of War* (1989), directors took a critical stance against America’s role in the East, conveying a grittier tone than the previous light heartedness of *MASH* (1970) or the sullenness of *Apocalypse Now* (1979). Yet during the evolution of the Vietnam War film, the memory of the war becomes rewritten again and again with each new film. *Sturken* addresses this repetitious endeavor of Americans to relive the Vietnam War:

Indeed, memory often takes the form not of recollection but of cultural reenactment that serves important needs for catharsis and healing. In the films about the Vietnam War, in the actions of Vietnam veterans at the memorial . . . reenactment is crucial in providing a means to confront loss and transform it into

healing. It is precisely the instability of memory that allows for renewal and redemption without letting the tension of the past in the present fade away.²⁵

Reliving a culturally significant event in American history through “reenactment” can alleviate any negative sentiment that is associated with the memory of that event in the past. Visiting the past becomes even more efficient when utilizing the medium of film to deliver the images of American history. Yet, the healing process continues despite a recent decrease in production of Vietnam War related films. Perhaps the current social climate does not need these films as it once did during the era of the Vietnam War. Indeed, as reflective as memories are of history, so too is the movie screen of culture and of that culture’s history.

ENDNOTES

1. *Sturken* 1997 (76)
2. *Ibid.*
3. *Sturken* 1997 (11)
4. *Sturken* 1997 (20)
5. *Guynn* 2006 (173)
6. *Guynn* 2006 (165)
7. *Sturken* 1997 (1)
8. *Sturken* 1997 (88)
9. *Ibid.*
10. *Ibid.*
11. *Polan* 2005 (54)
12. *Polan* 2005 (55)
13. *Ibid.*
14. *Ibid.*
15. *Polan* 2005 (56)
16. *Sturken* 1997 (279)
17. *Eberwein* 2005 (12)
18. *Sturken* 1997 (88)
19. *Rasmussen* 2010 (185)
20. *Sturken* 1997 (88)
21. *Eberwein* 2005 (56)
22. *Sturken* 1997 (89)
23. *Williams* 2009 (234)
24. *Polan* 2005 (61)
25. *Sturken* 1997 (17)

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“Indeed, the Virgin of Jeanne d’Evreux was commissioned and crafted during an exceptionally transitional period in French history; to a certain extent, the statue stylistically exemplifies this transition from the treasured prosperity of the thirteenth century to the impending controversy of the fourteenth century.”

THE VIRGIN OF JEANNE D’EVREUX

An Affectionate Mother in an Unaffectionate Era

BRIAN D. VARIAN

NAMED AFTER THE THIRD AND FINAL WIFE OF KING CHARLES IV OF FRANCE, THE VIRGIN OF JEANNE D’EVREUX IS AN ORNATE, SILVER-GILT STATUE OF FAMILIAR ICONOGRAPHY—THE VIRGIN AND CHILD. THIS EXQUISITE RELIQUARY STATUE, COMING OUT OF THE LATE GOTHIC PERIOD, EMBODIES THE DEVOTIONAL FERVOR OF THE MEDIEVAL WORLD, THE PRECARIOUS POSITION OF FRANCE DURING THE FOURTEENTH CENTURY, AND THE VERY VISION OF ITS PATRON, JEANNE D’EVREUX. CRAFTED AMIDST A CRISIS OF SUCCESSION IN THE FRENCH MONARCHY, THE VIRGIN OF JEANNE D’EVREUX HINTS AT A KINGDOM IN TRANSITION, WHILE, AT THE SAME TIME, EVIDENCING A PIVOTAL TRANSITION IN ARTISTIC STYLE. INDEED, BEHIND THE FAMILIAR ICONOGRAPHY OF THE VIRGIN AND CHILD LIES A FASCINATING BIT OF HISTORY, OF WHICH THIS RELIQUARY STATUE ITSELF MAY SERVE AS A RELIC.

In 1339, English forces under the leadership of King Edward III were arriving on the continent of Europe and were laying brutal siege to the Flemish city of Cambrai.¹ Meanwhile, less than one hundred miles to the south, a Parisian silversmith was completing an elaborately adorned reliquary statue of the Virgin and Child, a statue known in modern times as the *Virgin of Jeanne d'Evreux*. Indeed, the *Virgin of Jeanne d'Evreux* was commissioned and crafted during an exceptionally transitional period in French history; to a certain extent, the statue stylistically exemplifies this transition from the treasured prosperity of the thirteenth century to the impending controversy of the fourteenth century. In addition to the style and its bearing upon the iconography, there are other aspects of the *Virgin of Jeanne d'Evreux* worth discussing, including the patronage of the statue and its functionality as a reliquary. Thus, this paper begins by examining the patronage of the statue, particularly amid the turmoil surrounding the onset of the Hundred Years War. Next, the essay discusses the style, iconography, and medium of the *Virgin of Jeanne d'Evreux*, with regard to both the statue itself, as well as the statue within the context of the Late Gothic Period. Finally, the essay concludes by analyzing the function of the *Virgin of Jeanne d'Evreux* as a reliquary, one which remarkably contains the relics of perhaps the most venerated saint in all of Christendom, Mary.

The *Virgin of Jeanne d'Evreux* was named after the French queen who so generously financed the reliquary statue.² Jeanne d'Evreux was the third wife of King Charles IV of France (1322-1328), the last reigning monarch of the direct Capetian line.³ While history regards the brief reign of Charles IV as insignificant, the death of Charles IV was of the utmost significance, commencing a quite unprecedented struggle over the succession of the French throne. Charles IV, the third son of King Philip IV (1268-1314), inherited the throne upon the deaths of his two older brothers, Louis X (1314-1316) and Philip V (1316-1322), each of whom died without a male heir.⁴ Unfortunately, such was also the fate of Charles IV. The first wife of Charles IV,



THE VIRGIN OF JEANNE D'EVREUX

Blanche of Burgundy, gave birth to a son and a daughter who both died as infants.⁵ The second wife, Mary of Luxembourg, gave birth to a son and a daughter, with only the daughter surviving into adulthood.⁶ The third and final wife, Jeanne d'Evreux gave birth to three daughters.⁷ Thus, the direct Capetian line came to a tragic end with the death of Charles IV in 1328.

Nevertheless, there were male descendants of Philip IV in 1328. King Charles of Navarre and King Edward III of England were the sons of Jeanne (sister-in-law of Jeanne d'Evreux) and Isabella, respectively, and thus the grandsons of Philip IV, for Philip IV had several daughters, including Jeanne and Isabella.⁸ It seemed almost natural for a grandson of Philip IV to succeed Charles IV. However, it was a longstanding tradition within the French monarchy that a woman could neither assume the throne nor trans-

The conflict escalated rapidly. Unbeknownst at the time, the Hundred Years War was already underway. It was during this period of monarchical uncertainty and intensifying warfare that the *Virgin of Jeanne d'Evreux* was produced.

In all likelihood, Jeanne d'Evreux commissioned the statue in 1324, prior to the death of Charles IV and prior to the onset of the Hundred Years War.¹⁸ The statue was not com-

“But more than anything else, the lack of a garment on the upper portion of Christ’s body exemplifies this tender relationship between the Virgin and the Child, a natural connection between a mother and her son.”

mit the throne.⁹ Therefore, the throne passed to the cousin of Charles IV, Philip of Valois, known as Philip VI.¹⁰ The ascendance of Philip VI to the kingship of France was arguably the start of the Hundred Years War.

Even after the coronation of Philip VI, Edward III of England still harbored ambitions for the French throne, much more so than Charles of Navarre.¹¹ It is important to note that the English already maintained a strong presence on the European continent. The vast Duchy of Guyenne in the southwestern part of France had been under English control for a long time.¹² Nevertheless, the territorial control that England exerted over Guyenne paled in comparison to the economic control that England exerted over Flanders. In the early fourteenth century, Flanders was an exceptionally wealthy country, largely because of the textile industry.¹³ However, the textile industry was almost entirely dependent upon wool imported from England.¹⁴ Hence, the economy of Flanders was controlled by the English. And though Flanders was distinct from the Kingdom of France, there were significant feudal ties between both states; French nobility were often simultaneously Flemish nobility.¹⁵ Certainly, economic and political influences were pulling Flanders in opposite directions. With the controversy over the succession of the French throne so recent, Edward III decided to exploit the tenuous kingship of Philip VI and invade Flanders in 1337.¹⁶ But even before the forces of Edward III were able to arrive on the European continent and begin attacking Flemish cities, Philip VI was already laying siege to English fortresses in Guyenne.¹⁷

pleted until 1339, according to a dated inscription on the base.¹⁹ Throughout the thirteenth century, guilds emerged as the predominant means of organization for the various industries that existed within the medieval world.²⁰ In France, the guilds were differentiated based upon the material that was used, rather than the object that was produced.²¹ For example, rosary-makers who used bone belonged to a separate guild from rosary-makers who used amber.²² A statue such as the *Virgin of Jeanne d'Evreux*, composed of multiple materials, was almost certainly the cumulative product of many different craftsmen belonging to several different guilds. Therefore, the statue quite possibly represents more than fifteen years worth of craftsmanship, given that different craftsmen could be working on its various components simultaneously. While the primary craftsman of the *Virgin of Jeanne d'Evreux* is unknown, it is likely that this craftsman worked near the Grand Pont in Paris. In many instances, guilds gravitated toward geographic districts or quarters.²³ Money changers and those who worked with precious metals were normally located on the Grand Pont.²⁴ With such an abundance of silver, the statue was probably crafted, at least partially, in this location. Once the *Virgin of Jeanne d'Evreux* was finally completed, its namesake donated the statue to the royal abbey of Saint-Denis, in the hope of attaining spiritual merit.²⁵ Jeanne d'Evreux never intended the statue for private devotion, but for public.

As a public devotional image, the iconography of the *Virgin of Jeanne d'Evreux* is quite accessible—the Virgin and Child. The Virgin and Child comprise the main portion of

“During a time of monarchical uncertainty, and uncertainty more generally, the fleur-de-lis likely served as a hopeful sign of unending prosperity—a hope that all but disappeared in the following century.”

the Flight into Egypt, the Presentation in the Temple, the Massacre of the Innocents, the Descent from the Cross, and the Resurrection.²⁸ And appropriate for a statue of the Virgin and Child, the Annunciation and the Visitation are also depicted in the enamel panels.²⁹ Additionally, the base contains twenty-two, miniature relief statues which separate the enamel panels. Altogether, the entire statue is supported by four lions, one at each corner of the base.

The style of the *Virgin of Jeanne d'Evreux* brilliantly enriches the rather conventional iconography of the statue. The Virgin stands with a certain sway in her body, a distinguishing characteristic of Late Gothic sculpture. By the conclusion of the thirteenth century, the austere, enthroned Virgin was replaced by the more affectionate, standing Virgin.³⁰ And by 1324, the affectionate Virgin was widespread throughout French sculpture, both stone and metal. The beginnings of this trend are visible as early as the middle thirteenth century with the fluid and graceful movements of the Virgin at Reims.³¹ The trend continued

and culminated in the early fourteenth century with statues such as the *Virgin of Paris*, which was originally created for the Cathedral of Notre Dame in approximately 1320.³² The *Virgin of Jeanne d'Evreux* and the *Virgin of Paris* are strikingly similar. In addition to being crafted within the same decade, both statues exhibit a swaying Virgin, as well as Christ reaching his right hand toward his tender mother.³³ Nonetheless, the *Virgin of Jeanne d'Evreux* exhibits further stylistic developments that even the *Virgin of Paris* does not. The *Virgin of Jeanne d'Evreux* no longer wears a crown like the *Virgin of Paris* did.³⁴ Christ now reaches for the face of the Virgin, rather than simply her garment.³⁵ All these elements reinforce the movement toward a more affectionate, humanlike rendering of the Virgin and Child. But more than anything else, the lack of a garment on the upper portion of Christ's body exemplifies this tender relationship between the Virgin and the Child, a natural connection between a mother and her son. The progression throughout the centuries is telling: in the twelfth century, Christ wore a long tunic; in the thirteenth century, Christ wore the robe of an infant; in the fourteenth century, Christ was only covered by the fold in the garment of his mother.³⁶ In the *Virgin of Jeanne d'Evreux*, the upper portion of Christ's body is nude, allowing for a much more natural representation of Christ. Arguably, this sort of representation foreshadows the gradual conclusion of the Gothic Period and the beginning of the Renaissance.

While the Late Gothic style clearly influenced the *Virgin of Jeanne d'Evreux*, the unique circumstances surrounding this particular statue likely influenced it as well. Still, any influences of this latter type are mostly speculative. Even so, they are worth mentioning. When the statue was commissioned in 1324, Jeanne d'Evreux was a rather young woman, soon to give birth to three daughters in the years 1326, 1327, and 1328. It is possible that the statue embodies the affectionate, maternal instincts that Jeanne d'Evreux was about to experience. Perhaps the anticipation of these maternal instincts influenced the commission. And though the tender and natural relationship present in the *Virgin of Jeanne d'Evreux* can easily be attributed to trends in the Late Gothic style, the fact that the *Virgin of Jeanne d'Evreux* departed so significantly from the *Virgin of Paris*, created just four years earlier, gives credence to the theory that there was another, more specific influence involved. That influence was probably Jeanne d'Evreux. It may also be significant that the Virgin holds a large fleur-de-lis in her right arm. As previously mentioned, the fleur-de-lis was a traditional symbol of the French monarchy. As each son of Philip IV died without a male heir, the dilemma

over the succession of the French throne intensified. Under these increasingly desperate circumstances, the fleur-de-lis especially symbolized the continuation of the French monarchy. And though the *Virgin of Jeanne d'Evreux* is assuredly not the first instance of the fleur-de-lis appearing in religious artwork, it is definitely a noteworthy instance. During a time of monarchical uncertainty, and uncertainty more generally, the fleur-de-lis likely served as a hopeful sign of unending prosperity—a hope that all but disappeared in the following century.

In addition to the symbolism associated with the fleur-de-lis, the fleur-de-lis serves a definite purpose in the *Virgin of Jeanne d'Evreux*. The fleur-de-lis is a reliquary, the *Virgin of Jeanne d'Evreux* a reliquary statue.³⁷ The fleur-de-lis purportedly contains hairs from the head of the Virgin Mary.³⁸ During the medieval period, the relics of saints and the Virgin Mary were venerated because it was believed that God was most accessible through these mortal remains.³⁹ In some sense, the veneration of relics brought stability to a very tumultuous period characterized by war, disease, and famine. Surely, it was comfort-

ing to know that God maintained a physical presence in the world, particularly in the form of relics. Peasants and royalty alike attributed prosperity and even miracles to the veneration of relics. King Charles IV of France was no exception, amassing a tremendous collection of relics; the collection of Charles IV was almost certainly the source of the hairs contained in the *Virgin of Jeanne d'Evreux*.⁴⁰ In the Middle Ages, French monarchs housed the most sacred relics in the royal abbey of Saint-Denis, where the *Vir-*

gin of Jeanne d'Evreux was on display for public veneration.⁴¹ The *Virgin of Jeanne d'Evreux* represents a particular type of reliquary statue that developed primarily during the Late Middle Ages, the ostensorium.⁴² In an ostensorium, the relic is visible through a glass or crystal window. Before the Fourth Lateran Council in 1215, relics were normally encapsulated by the reliquary and thus hidden from sight.⁴³ After the Council, there was an emphasis in the

Church upon seeing the relic, which prompted the widespread growth of the ostensorium.⁴⁴ The *Virgin of Jeanne d'Evreux* is an exquisite and innovative example of an ostensorium, with the relics of the Virgin Mary visible inside the fleur-de-lis. Also prevalent during the Late Middle Ages was a heightened devotion to the Virgin Mary and an increased veneration of her relics.⁴⁵ Just as the Fourth Lateran Council emphasized seeing the relic, the Council also emphasized seeing Christ. The Virgin Mary was obviously considered the saint most capable of revealing Christ.⁴⁶ Hence, devotion to the Virgin Mary grew immeasurably.

The *Virgin of Jeanne d'Evreux* is a resplendent reliquary statue of the Virgin and Child, epitomizing the style of the Late Gothic Period, but created during a period of crisis in the French monarchy. It contains extremely precious materials—silver and enamel—crafted by individuals skilled in the work of those particular materials. Such a beautiful statue as the *Virgin of Jeanne d'Evreux* was considered an appropriate reliquary for the relics of the Virgin Mary, the most venerated saint in all of Christendom. Nevertheless, the Virgin is not depicted as a tri-



DETAIL FROM THE BASE OF THE VIRGIN OF JEANNE D'EVREUX

umphal queen, but as a tender and affectionate mother embracing her child, Christ.

ENDNOTES

1. MacDonald 1915 (229)
2. Duby 1966 (21)
3. Volkmann 2002 (62)
4. Ibid.
5. Ibid.
6. Ibid.
7. Ibid.
8. Duby 1966 (275)
9. Ibid.
10. Ibid.
11. MacDonald 1915 (220)
12. Ibid.
13. Ibid.
14. Ibid.
15. Ibid.
16. Ibid.
17. Ibid.
18. "Vierge a l'Enfant" 2008
19. Duby 1966 (21)
20. Evans 1957 (48)
21. Ibid.
22. Ibid.
23. Ibid.
24. Ibid.
25. Duby 1966 (21)
26. Ibid.
27. Ibid.
28. "Vierge a l'Enfant" 2008
29. Ibid.
30. Male 1987 (137)
31. Snyder 1989 (443)
32. Ibid.
33. Ibid.
34. Ibid.
35. Ibid.
36. Male 1987 (137)
37. Kleiner 2006 (385)
38. Ibid.
39. van Os 2001 (20)
40. Ibid.
41. Ibid.
42. Ibid.
43. Ibid.
44. Ibid.
45. Ibid.
46. Ibid.

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“Transplant statistics indicate a growing disparity between supply and demand in the transplant community. During this national shortage, any ethically indicated source of organs should be considered a viable source of organs.”

A VIABLE OPTION

Organ Procurement in the Face of a National Shortage

ZACHARY T. MARTIN

CURRENTLY, THE NEEDS OF THE ORGAN DONATION COMMUNITY ARE NOT BEING MET. THE SOLE USE OF BRAIN-DEAD DONORS IS LIMITING THE AMOUNT OF POSSIBLE VIABLE ORGANS THAT COULD BE DONATED EACH YEAR. FOR THIS REASON, A HANDFUL OF HOSPITALS HAVE IMPLEMENTED PROTOCOLS TO INTRODUCE NON-HEART BEATING CADAVER DONORS INTO THE POOL, AND MANY MORE ARE INVESTIGATING THIS AS AN OPTION. NHBCDS ARE INDIVIDUALS WHO HAVE EXPERIENCED THE CESSATION OF CARDIO-RESPIRATORY FUNCTION BUT ARE NOT BRAIN-DEAD AND SO COULD BE RESUSCITATED IF LIFE SUPPORT WERE REMOVED—IN THIS WAY THEY DO NOT YET FULFILL EITHER OF THE TWO CRITERIA FOR DEATH. IT WOULD NOT BE UNTIL THE SURROGATE CONSENTS TO DONATION THAT LIFE SUPPORT WOULD BE REMOVED AND IRREVERSIBLE DEATH COULD BE DECLARED TWO TO FIVE MINUTES AFTER CESSATION OF HEART FUNCTION. THE AMA'S COUNCIL ON ETHICAL AND JUDICIAL AFFAIRS ESTIMATES THAT THE INCLUSION OF THIS GROUP COULD EXPAND THE DONOR POOL BY 20-25%. NHBCDS HAS BEEN CRITICIZED FOR TESTING THE BOUNDARIES OF IRREVERSIBLE DEATH, AND THIS ARTICLE ADDRESSES SUCH CONCERNS IN ORDER TO SHOW THAT THE PROTOCOL IS BOTH ETHICAL AND INCREASINGLY NECESSARY.

INTRODUCTION TO THE ISSUE

The number of organs needed each year greatly exceeds the number available for transplant. Over 110,000 Americans were waiting for organs as of January 1, 2011, yet the 28,664 organ transplants that occurred in 2010, came from just 14,506 donors.¹ Some of this disparity stems from the strict eligibility criteria set forth by the Organ Procurement and Transplantation Network (OPTN). The Protocol establishes criteria for age, living donors, as well as medical criteria regarding, for instance, hypertension, intracerebral hemorrhage, and impaired renal function.^{2,3} Despite programs such as the Expanded Criteria Donors (ECDs) which loosen OPTN criteria, the few additional organs supplied are of no benefit to the young and otherwise healthy transplant patients.³

Many hospitals, medical personnel, and transplant centers recognize the need for an increased supply of organs to address this demand. An increase in the donor pool could be achieved by opening up an entirely new category of donors: non-heart beating cadaver donors (NHBCDs).⁴ In order to dispel misperception, it is important to distinguish between heart beating and non-heart beating cadavers. A heart beating cadaver is currently the most common type of organ donor: a brain-dead individual existing with the aid of life-support. A non-heart beating cadaver is an individual who has experienced the cessation of cardio-respiratory function but is not brain-dead and so could be resuscitated if life support were removed.⁵ The AMA's Council on Ethical and Judicial Affairs (CEJA) estimates that full utilization of NHBCDs may increase the organ pool significantly by 20-25%, and evidence from the University of Pittsburgh Medical Center suggests that these organs function close to or as well as those from heart beating cadaver donors.^{6,7} However, NHBCD protocol tests the boundaries of death, or, more specifically, irreversible death. For this reason, many biomedical ethicists and hospital administrators may be wary of policy changes with regards to donation in what is an otherwise uncontroversial branch of medical practice.

This article will provide a brief history of organ procurement in America, explaining the evolving need to explore other avenues of organ donation. In addition, it will outline, define, and provide current protocol for the most important method of donations from NHBCDs: controlled donation after cardiac death (DCD). Afterwards, it will discuss the specific ethical issues of DCD in NHBCDs. Finally, it will offer suggestions for future public policy sup-

porting the use of NHBCDs and provide a conclusion of the topic.

RELEVANT DEFINITIONS

Brain Death: (As provided by CEJA) "Brain death occurs when a person is declared dead according to neurological criteria (i.e., the irreversible cessation of the functions of the entire brain, including the brain stem). Though the person has died, cardiopulmonary function may be maintained through artificial means."⁸

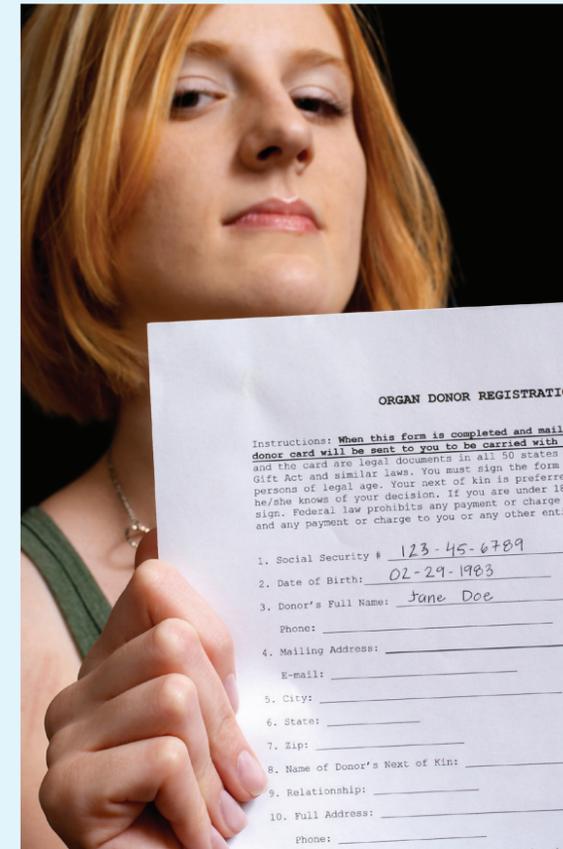
Cardiac Death: (As provided by CEJA) "Cardiac death occurs when a person is declared dead according to cardiopulmonary criteria (i.e., the irreversible cessation of circulatory and respiratory functions)."⁹

Dead Donor Rule: An unwritten standard used to guide organ procurement in the United States. The rule states, first, that *patients must not be killed by organ retrieval*, which includes killing patients in order to retrieve their organs. And second, that *organs must not be taken from patients until they die*, with exceptions made for living donors and partial transplants between relatives as a reasonable exception.¹⁰

HISTORICAL BACKGROUND

The first cadaveric organ donation was performed by Dr. Joseph Murray in 1962, just eight years after he performed the first live donation between identical twins.¹¹ This first NHBCD set a precedent for the newfound transplant community as it operated under the traditional and only definition for death: the cessation of heart and lung function. The success rate of transplantation, however, was very low. Since organs were only taken from those whose hearts had stopped beating, all procured organs were of poor quality due to warm ischemic time—the time during which the organs themselves begin to die due to the lack of oxygenated blood.^{12,13} As a result, transplantation teams needed a way to retrieve oxygenated organs from dead donors either more quickly or efficiently than they had previously accomplished.

The mid-to-late 1960s brought about the definition of "breath death" and the push for it to be a criterion to define death. Doctors quickly developed the ability to sustain heart and lung function of neurologically devastated patients through mechanical ventilation despite ongoing cell death in the brain tissue.¹⁴ At this time transplant teams realized the amazing implications for organ donation that



IN ORDER TO ARTICULATE THEIR WISHES REGARDING ORGAN DONATION, PATIENTS NEED TO COMPLETE A LARGE AMOUNT OF PAPERWORK.

neurologically devastated patients presented. If surgeons could procure organs from heart-beating cadavers, warm ischemic damage would be essentially eliminated, vastly increasing the quality and viability of organs available to the transplant community and increasing the recovery and survival rates of transplant patients. However, medical personnel feared criminal and civil implications of homicide absent a legal redefinition of death.¹⁵

Much to the relief of the transplant community, the Ad Hoc Committee of the Harvard Medical School proposed that irreversible coma be a new criterion for the determination of death in a 1968 *JAMA* article:

Our primary purpose is to define irreversible coma as a new criterion for death. There are two reasons why there is need for a definition: (1) Improvements in resuscitative and supportive measures have led to increased efforts to save those who are desperately injured. Sometimes these efforts have only partial success so that the result is an individual whose heart continues to beat but whose brain is irreversibly damaged. The burden is great on patients who suffer permanent loss of intellect, on their families, on the hospitals, and on those in need of hospital beds already occupied by these comatose patients. (2) Obsolete criteria for the definition of death can lead to controversy in obtaining organs for transplantation.¹⁶

The mission of the Committee was clear: to decrease the strain on the family of a neurologically devastated patient by withdrawing the necessity of continual life support as well as to enable an entirely new category of organ donor with which the success of the transplant community would no doubt improve.¹⁷ After the Committee's publication, states began to adopt the new criterion for death. Despite the adoption of the new definition by 24 states, other states failed to enact the new brain death legislation. In order to precipitate a unanimous adoption, Congress assembled an interdisciplinary body under the sponsorship of the President's Commission for the Study of Ethical Problems in Medicine and Biomedical and Behavioral Research. This body, after exploring the issue, ultimately recommended the adoption of the Uniform Determination of Death Act (UDDA) in 1981.¹⁸ The act states that:

An individual who has sustained either (1) irreversible cessation of circulatory and respiratory functions, or (2) irreversible cessation of all functions of the entire brain, including the brain stem, is dead. A determination of death must be made in accordance with accepted medical standards.¹⁹

The Commission's recommendation was met with widespread approval, and its implications were monumental. After almost every state adopted the UDDA, or some form of it, the cries for more suitable organs were answered. As Dr. Maxine M. Harrington, Professor of Law at Texas Wesleyan University School of Law, explains, "Legal recognition of breath death led to the almost universal abandonment of organ procurement from persons suffering a traditional death following cardiac arrest."²⁰ After 1981, the vast majority transplants involved obtaining viable organs from brain-dead, heart beating cadavers. This massively increased the quality of available organs by diminishing the harmful effects of warm ischemic damage.

With time, the medical community saw the improvement of organ preservation with immunosuppressant drugs, like cyclosporine, as well as improved cooling techniques. However, even though the number of viable organs per year grew, so, too, did the number of those in need of them. As the survival rate and quality of life of post-transplant patients increased, doctors began to prescribe transplantation to those with organ failure regularly. Simply put, the supply could no longer meet the demand. In 1997 there were 9,539 donors for 55,501 patients needing transplants. By 2006 these numbers increased (disproportion-

“If surgeons could procure organs from heart-beating cadavers, warm ischemic damage would be essentially eliminated, vastly increasing the quality and viability of organs available to the transplant community and increasing the recovery and survival rates of transplant patients.”

ately) to 14,756 donors for 98,263 patients needing transplants. The problem since has not gotten any better, as the discouraging figure noted in the introduction indicates.²¹

Despite efforts to use older donors and those with underlying diseases, as in the Expanded Criteria Donors (ECDs) program, the medical community began to turn its attention back toward medicine’s original source of organs: non-heart beating cadavers. Since this reexamination did not occur until the late twentieth century, the medical community was confident in its ability to surmount the former problems associated with warm ischemic damage in order to preserve viable organs.²² From this refocused attention, a method for NHBCD donation was fashioned—controlled donation after cardiac death (DCD). It is here, in the history of organ donation, that the medical community finds itself struggling ethically today.

CONTROLLED DONATION AFTER CARDIAC DEATH

In DCD practice, a patient or his/her surrogate consents to organ donation while he/she is sustained on life-support. This allows ample time to assemble a transplant team and

identify an acceptable donee. The patient is brought down to the operating room (OR) before being disconnected from life support. Depending on the institution/policy, surgeons will wait until cardiac death is declared (anywhere from two to five minutes after the cessation of cardiorespiratory function²³) and then quickly remove the organs from the donor’s body in order to avoid warm ischemia. As mentioned above, prior to 1968, DCD was the standard protocol for organ donation, but cooling and preservation techniques were significantly less advanced than they currently are. In 1997 the Department of Health

and Human Services (DHHS) submitted a request to the Institute of Medicine (IOM) calling for them to examine the practice of DCD. After subsequent IOM reports, in 2000 it issued a report of DCD recommendations and concerns, including lack of protocol, physician resistance, organ quality, determination of death, and financial resources, among others.²⁴ This, however, revived the plausibility of DCD, should an institution react to the IOM’s report. One establishment that implemented a working, lasting, and necessarily controversial protocol was the University of Pittsburgh Medical Center in May of 1992 with what would be known as “The Pittsburgh Protocol.”²⁵

THE PITTSBURGH PROTOCOL

The University of Pittsburgh Medical Center (UPMC) carefully constructed an extensive protocol under which it believes “it is medically appropriate to consider organ procurement from nonheartbeating donors.”²⁶ The principles of the protocol are as follows. First, decisions regarding treatment and management of the patient shall be conducted separately from any dialogue about organ donation. This topic should only be breached after the patient/surrogate requests removal of life support unless the patient/

surrogate addresses the matter unprompted. Second, care of the patient should remain the attending physician’s ultimate end. In other words, life support should only be removed in order to provide the patient with palliative care, not to secure the institution’s interest in organs. Third, only those for whom it is certain that cardiac death will occur within a few hours of the cessation of life support will be considered as candidates for organ donation. Fourth, medication may only be used to alleviate pain and guarantee patient comfort, not to hasten death. Similarly, any intervention meant to curtail the life of the patient is proscribed. Finally, should a health care professional find this method of organ procurement against his/her personal, ethical, or religious beliefs, he/she is by no means required to participate.²⁷

The published procedure of the Pittsburgh Protocol is more extensive than the listed principles. However, the most important articles are as follows. First, all processes associated with organ retrieval may only commence if the patient/surrogate agrees to donor status. If a patient is not competent and no surrogate is present, by no means may he/she be considered for organ donation. Second, an Intensive Care Unit (ICU) physician and ICU nurse must oversee the withdrawal of life support in the OR, preferably without the OR staff present to avoid any conflict of interest. Additionally, those ICU staff present in the OR must have nothing to do with either the procurement of organs or the treatment of those patients receiving said organs. Third, the OR staff must have no hand in the weaning of the patient from the ventilator, and may only conduct surgical preparations for the sake of timeliness after the patient becomes unconscious. Fourth, organs can, by no means, be procured prior to the ICU Physician’s declaration of death. Finally, the ICU physician may only declare cardiac death, with use of an electrocardiogram (EKG) lead placement, no earlier than *two minutes* after ventricular fibrillation, electrical asystole, or electromechanical dissociation.²⁸ At this point the OR staff may step in and procure the donor’s organs, which must avoid enough ischemic damage in order to be donated, but never at the cost of the patient’s palliative care while dying.

DCD AND NHBCD ETHICAL CONSIDERATIONS

The Pittsburgh Protocol is essentially the poster child of DCD protocols. Much has been written and many have questioned the protocol at UPMC. Here the article will address ethical concerns specific to DCD as well as general concerns with NHBCDs as a whole.

Declaration and Definition of Death

The determination of when a patient is ‘dead’ is perhaps the most controversial aspect of DCD protocol. The Dead Donor Rule prevents the cause of death in patients to be organ removal. However it does not provide the specific criteria necessary to declare someone dead.²⁹ Under the UDDA, circulatory and respiratory functions must have ceased *irreversibly* in order for death to be declared. Seemingly, this causes a problem with DCD protocol. For instance, it is entirely possible to resuscitate someone who has undergone only two minutes of cardiac arrest, as is the case in the Pittsburgh Protocol. In order to declare a medically irreversible death, doctors would have to wait long enough after cardiac death to declare brain-death as well, at which point warm ischemic damage would render the donor’s organs unusable. So if one cannot determine the appropriate time of a patient’s death or argue that it is irreversible, how can DCD be a good source of viable organs?

There are two solutions to this problem, and they deal with similar issues. Patients in DCD programs have agreed to DNR orders as part of the DCD process. It would make no sense to withdraw a patient from life support and then resuscitate simply because the hospital has the required technology to do so. The decision to withdraw life support is itself a DNR. Consider a patient without donor status after withdrawal of life support. Should the patient have died in the ICU, no doctor would hesitate to declare death, despite the reversibility of the condition, after two minutes.³⁰ It is the mere fact that the medical community has something to gain from a DCD patient’s death that causes some to question the legitimacy of death after two minutes of cardiac arrest in an OR. The CEJA agrees that “the patient’s request to be freed from life support and permitted to die indicates that resuscitation would be contrary to the patient’s expressed wishes. The council shares the view that the patient’s loss of cardiopulmonary function may legitimately be viewed as irreversible because resuscitation is ethically precluded.”³¹

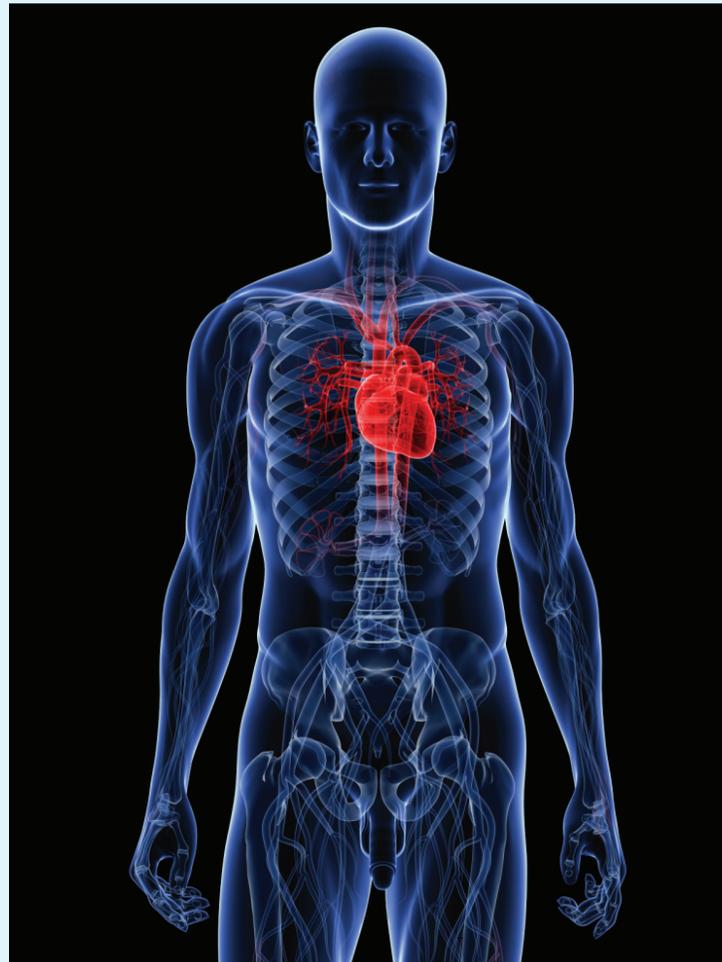
Similarly, it has been deemed unnecessary to nitpick about the period of time between cessation of heart and lung function and declaration of death, so long as it is beyond two minutes. Irreversible brain damage will not occur until 10-15 minutes after cessation of cardiac function.³² When dealing with the viability of organs, every additional minute spent has a substantial effect. One will find in DCD protocols and written guidelines across the country

that the period of time between cardiac arrest and ‘death’ ranges normally from two to five minutes, any time beyond which would seriously compromise the viability of organs. However, the less time surgeons wait to procure a donor’s organs, the more scrutiny they undergo. In response, The American College of Critical Care Medicine and the Society of Critical Care Medicine declared that a period of two minutes and a period of five minutes are physiologically and ethically identical.³³ Furthermore, they deemed any period of time between two and five minutes to be acceptable for the declaration of death and the commencement of organ procurement. This is because no adult has ever auto-resuscitated (Lazarus Syndrome) after

a period of two minutes.³⁴ Despite criticism, it has been well established, and many accept, that the condition of patients agreeing to DCD, and more importantly the withdrawal of life support, is irreversible. Waiting longer than that two to five minute window would be disrespectful to the wishes of the donor, the program, and toward the potential donees.

Death on Operating Table

One may assume that any patient would prefer to die in an aesthetically pleasing environment surrounded by family; however, this is not always the case. The concern here is for those few who will remain conscious in the OR upon the removal of life support. This assumption, however, disregards the personal preferences of each patient. For instance, many patients may find that being surrounded by family while dying makes them uncomfortable—that they would rather have their family’s last memory be one of life and not death. Additionally, being surrounded by highly trained professionals in an OR with specific technology for treating discomfort may alleviate the fear of dying for some.³⁵ John A. Robertson argues in his review of the policy issues in the Pittsburgh Protocol, “It is not clear at all that these concerns differ materially in substance from concerns that already attend retrieving organs from heart-beating donors.”³⁶ He explains that DCD patients and brain-dead donors will both ‘die’ in ORs, absent of family, surrounded by medical staff and high-tech equipment. Perhaps the consideration of dying on an operating table really is not an ethical consideration at all, but rather a decision with regard to personal or surrogate preference. Recall too that, in order to participate in a DCD program, doctors are required to disclose all details of the procedure to the patient/surrogate upon agreement to follow through. This includes the manner and location of dying.³⁷ And as per Pittsburgh Protocol Policy and IOM recommendations, should a patient decide against donation at any point, even after consenting, he/she may withdraw without fear of prejudice or resistance.³⁸



DIGITAL REPRESENTATION OF THE CIRCULATORY SYSTEM

Surrogate Consent

One might argue that surrogate consent is a critical concern regarding the withdrawal of life support in favor of organ donation. The topic of organ donation may color a surrogate’s decisions about the withdrawal of life support. For this reason, some might argue that the decision to donate organs should come, early on, from the patient and the patient alone. However, the power of surrogates has already been established in the American medical community and without surrogates the wishes of many incompetent patients would go unconsidered. In fact, the harm involved in removing surrogate power with regards to organ donation may be greater than sustaining the role of a surrogate. Although the power of the surrogate may unfortunately cause physicians to stay important conversations until after a patient is incompetent (due to the discomfort of discussing DNR orders or organ donation with the patient), this problem is not unique to the withdrawal of life support and organ donation.³⁹ The removal of specific powers of the surrogate is a slippery slope that could result in disregard for the wishes of many incompetents.

CONFLICTS OF INTEREST

Healthcare Motives

There are two significant conflicts of interest that healthcare providers may face when dealing with a potential DCD patient. The first is an institution or organ bank’s motives in desiring to expand the donor pool by implementing NHBCD protocol with specific emphasis on the public’s perception of such motives. Second is the attending ICU physician’s conflict between ‘doing no harm’ and promoting the viability of potential organs once DCD status has been established.

A series of different public policy changes have been suggested over the last few decades in an attempt to shrink the number disparity between available organs and patients needing a transplant. Among them have been presumed consent, living donors, and procurement from condemned prisoners, animals, and anencephalic infants. Those promoting these sorts of changes would support the use of NHBCDs in favor of shrinking the gap, since a lot of these suggestions carry more controversy than NHBCDs do. Those opposed, however, may see the push for and use of NHBCD protocol differently.

“Perhaps the consideration of dying on an operating table really is not an ethical consideration at all, but rather a decision with regard to personal or surrogate preference.”

First, a greater availability of organs is necessary in order for the field of transplantation to grow. The promising growth of this branch of medicine will cease without additional organs.⁴⁰ While the protestor might find this outcome acceptable, a large extent of industry and job creation will be negatively impacted, which is a precursor to the most complicated of all motivating factors in medicine—money.

Up to this point, little has been said in this article regarding money because it seems improper to utilize financial arguments in an article of purely ethical consideration. However, the protestor will not ignore the fact that the transplant industry is a burgeoning money-maker with widespread interest. For instance, of the average \$259,000 it takes to transplant a kidney: \$17,200 is spent on immunosuppressant drugs, \$67,500 on procurement of the organ, and \$92,700 and \$17,500 on hospital admission and physician fees respectively.⁴¹ Clearly immunosuppressant drug manufacturers and hospital administrators have a lot to gain from the enlargement of the donor pool. New immunosuppressant drugs are constantly being manufactured in order to promote the success of transplantation post-operatively. Similarly, hospitals with transplant units have a lot of publicity to gain as well as money to earn should they be able to have their beds filled continuously.⁴²

This thought, however, is representative of a view contrary to that of this article and its author. To deny the installment of NHBCD protocol due to the distrust of motives is itself morally depraved. Arthur L. Caplan in his article in the *Kennedy Institute of Ethics Journal* states:

It seems impolite, if not downright paranoid, to wonder about the motives of those who argue for a shift in professional prac-

tice or public policy in the procurement of organs when lives are being lost every day for want of organs.⁴³

Since it would be difficult to prove ill intent, it seems necessary to provide institutions, transplant centers, and hospital administrators with the benefit of the doubt.

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Care of the Dying

The second conflict of interest addresses the medical team's split interest between the care of the donor and the viability of his/her organs. This conflict may adversely affect the life and/or care of the DCD patient. When there is reason to think that donation is a possibility, doctors and surgeons may find it harder to manage a patient as someone in the end stages of life and instead treat him/her as a potential donor capable of saving lives. For example, an ICU physician dealing with a patient who has already agreed to DCD status may provide the patient with heparin to prevent clots or vasodilators to promote organ viability contrary to the medically indicated care of the patient who deserves, first and foremost, palliative care.⁴⁴ Even excluding complete malpractice, negligence, and corruption, these are very real concerns, each of which depends solely upon the resolve of the surgeon, physician, nurse, or technician attending a potential NHBCD patient. Additionally, the suggestion or even mention of organ donation may color a patient/surrogate's views one way or the other, and would be considered unethical, despite the potential to obtain otherwise unobtainable organs.

There is, however, hope for this dilemma as well. Each protocol comes with a system of principles and procedures. This article has already outlined the procedures of the Pittsburgh Protocol extensively. It is evident that the UPMC has sought to eliminate this specific conflict of interest. First, and perhaps most importantly, physicians in charge of potential NHBCD candidates must *never* have anything to do with either the transplant team or the patients receiving transplants. Additionally, in the ICU all palliative care decisions can be easily met with a series of check and balances, in which a panel of physicians outside the institution reviews decisions for care in end-stage NHBCDs. As in the Pittsburgh Protocol, a "review process assumes a secondary role, meant to police the effectiveness of the requirements for separation of the medical personnel's duties."⁴⁵ Should there be an ethical breach in any decision (like the administering of heparin or vasodilators, unless medically indicated) then a board of ethics may handle the potential intervention and termination of NHBCD status on behalf of the patient.⁴⁶ Moreover, one

will most likely never see the case where a physician is able to end life support by his own decision to protect the viability of a patient's organs. The decision to remove life support and the subsequent proceedings lie with the patient/surrogate. In fact, as mentioned previously, the doctor may only offer organ donation as an option once the decision to remove life support has been made.⁴⁷⁻⁴⁹

"To deny the installment of NHBCD protocol due to the distrust of motives is itself morally depraved."

Institutions are constantly implementing safeguards against conflicts of interest since no protocol is standardized. This major consideration, coupled with the public's general respect and trust in the American medical community, should alleviate these concerns and promote implementation of NHBCD protocol.

RECOMMENDATIONS FOR PUBLIC POLICY

There are two major concerns regarding the best way to move forward. First, it must be understood that the topic of death and dying is an extremely sensitive one in the public arena. The CEJA notes, "Policy changes that, however unfairly, encourage public perception of organ procurement as ghoulish or disrespectful of decedents or their families should be avoided."⁵⁰ It is often not enough for administrators and public officials to attempt to explain their motives and reasoning behind decisions. The 're-definition' of death and procurement of organs from the dead will likely be perceived as corrupt and immoral if such decisions are made behind closed doors. Second, and similarly, the success of the transplant community relies entirely on civic participation.⁵¹ Should rapidly changing public policy without public input chase off potential donors, the civically uninvolved implementation of NHBCD protocol may serve to decrease the donor pool.

Considering the continuation and enforcement of the guidelines of the OPTN and IOM, recommendations of the CEJA, and methodic policies such as the Pittsburgh Protocol, this paper offers two additional recommendations for changes to public policy:

First, there should be open discussion and debate of policy and protocol in a public arena. The subject of death and dying is not one specific to the medical profession. In fact, the medical profession is one dedicated to life and living. Death is an extremely personal topic, dealt with primarily among family and close friends. If policy change is forced abruptly upon the shoulders of the public, many will feel as if their loved ones or they themselves are subject to exploitation, abuse, or premature death inside hospital walls.⁵² Medical professionals should not feel entitled to make decisions regarding NHBCDs without accepting public input. The public discussion of NHBCD protocol will allow for such input, awareness, and approval. Additionally, community members will give preceding consideration to the thought of organ donation prior to trips to the ER or ICU. The complete transparency of NHBCD protocol "will assure the public that organ donation is an altruistic act and that its practice is highly regulated and scrutinized."⁵³ Familiarizing the community with standard NHBCD protocol may also serve to make the subject less taboo both in the home and at the bedside.⁵⁴

Second, the successful implementation of NHBCD protocol around the country may rely on the slow implementation of policy. A 'policy creep' has been widely recommended and would allow the community to get used to the idea of donation after cardiac death.^{55,56} Although difficult, starting with stricter criteria for NHBCDs in order to prove to the community that NHBCDs are a significant source of organs would allow for protocol to strip certain restricting criteria over time. To what extent and how slowly this policy creep should take place depends entirely on the receptivity of the community. A community fully in favor of NHBCD protocol should see it implemented in full, while resistant communities should be introduced to the idea, slowly, one policy change at a time. The details of such a creep would, most certainly, be left to the institution attempting to implement NHBCD protocol in order to avoid the misapplication of some irrelevant standard guidelines.

CONCLUSION

Transplant statistics indicate a growing disparity between supply and demand in the transplant community. During this national shortage, any ethically indicated source of organs should be considered a viable source of organs. Without unnecessary nitpicking, it is entirely possible to arrive at NHBCD protocol that the majority will accept. While it would be great to maximize the number of procured organs, it is not the goal of NHBCD activists to pervert the

practice of donation. The debate over NHBCD protocol is stuck solely on ethical grounds. Hospitals have the technology, protocol, money, ability, and demand to expand the donor pool. It is, however, no surprise that medical policy breakthroughs such as these are met with great opposition. In the absence of an overwhelming argument regarding the acceptability of death and its declaration, the wonderful promise of future NHBCD protocol lies in the slow implementation around the country of protocols such as the Pittsburgh Protocol. The continuation of this trend is certainly encouraged.

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“Wright’s general concern for the proper use of light stemmed from a desire to give people a sense of freedom and openness while creating a closed, functional shelter for them.”

FRANK LLOYD WRIGHT

The Power of Illumination in Architecture

TIPHAINE LEVERRIER

THE SIGNIFICANCE OF LIGHT TRANSCENDS CULTURAL AND GEOGRAPHICAL BARRIERS, CONNOTING SPIRITUALITY, KNOWLEDGE, AND GOODNESS IN A VARIETY OF CONTEXTS THROUGHOUT THE AGES. ARCHITECTS HAVE LONG USED LIGHT TO HIGHLIGHT SPACES AND STRUCTURAL FEATURES OF BUILDINGS AND LANDSCAPES. THE CULTURAL, INTELLECTUAL, AND INDUSTRIAL DEVELOPMENTS OF THE 19TH CENTURY GAVE BIRTH TO A NEW THEORY OF LIGHT IN ARCHITECTURE, REALIZING PREVIOUSLY UNTHINKABLE MANIPULATIONS OF NATURAL AND ARTIFICIAL LIGHT. RENOWNED ARCHITECT FRANK LLOYD WRIGHT’S MASTERY OF ILLUMINATING TECHNIQUES IS MANIFEST IN HIS MOST FAMOUS DESIGNS, AND HIS INNOVATION CONTRIBUTED GREATLY TO THE EMPHASIS ON NATURAL LIGHT SO APPARENT IN CONTEMPORARY HOME ARCHITECTURE.

It is no wonder that light, one of the main supports of life itself, has inspired the imaginations of countless artists, architects, and audiences for generations. As a result, light is charged with much allegorical and spiritual meaning. Abbot Suger, an innovator in the Gothic movement in France, used light as a metaphor for God's majesty, transcending matter and flesh and raising believers' spirits. In 1134, he had the portal of Saint Denis Church engraved with, "Our darkened spirit arises to Truth by the means of material things, and, seeing the light, comes back from the original Fall." Here, light and architecture create a space of sublimation and dematerialization.¹

Since Suger's time, light has lost none of its potency in the creation of spaces, although the specific connotations of divinity have faded somewhat. Light is now seen as less of a bridge to the heavens and more as a mediator between a building's artificial exterior and its natural exterior. Frank Lloyd Wright conceptualized this view as "organic architecture." Nature and building, he thought, exist in a symbiotic relationship, with man's work echoing and complementing landscapes.

“Wright grew up in a rather conservative and pious family, light as a spiritual metaphor for God must have been emphasized. As a youth, the architect lived in Wisconsin, in the presence of natural and open space.”

Wright's upbringing in the nineteenth century was characterized by industrialization. In the recent past, glass had been expensive and technically difficult to produce. Because of its physical characteristics, it was also complicated to use as a structural element of buildings, or in large panels. Beginning in the 1840s, however, a series of innovations gradually made its use easier, cheaper and increasingly interesting. The development of electricity in the 1880s toughed of a revolution in interior lighting, enabling novel manipulations of space and shadow. In addition to these technical innovations, artistic movements had a significant role in rethinking light. The Impressionist movement, which first began in the 1860s in France, was officially introduced in the United States in an 1886 art exhibition. Impressionism attempts to capture the world as does the human eye in a glance. As all impressions are characterized to some degree by the play of light and shadow, so too was the movement intimately linked to the per-

ceptions of light. More specifically, the architectural concern for materialization and dematerialization of buildings along with light comes from Impressionism. Along with Impressionism, the Arts and Crafts movement of the 1890s saw the revival of glass works as an artform, especially the works of Louis Comfort Tiffany and his contemporary John La Farge. Wright, who began his career during this period, was certainly influenced by these evolving art movements, which ultimately led him to contemplate light and glass.

It is also helpful to consider that since Wright grew up in a rather conservative and pious family, light as a spiritual metaphor for God must have been emphasized. As a young man, the architect lived in Wisconsin, in the presence of natural and open spaces. Thinking back to the days of his youth, Wright wrote of sunlight slanting through the trees and falling on leaf-covered ground. From dancing illumination on the ground, he drew his feelings for the play of sun splashes on the floor of a building.²

Wright worked with Louis Sullivan, who was heavily influenced by Ruskin, Richardson, and the Chicago School. Although the degree to which Chicago School architects directly influenced Wright's work is debatable, Wright is known to have worked within the Prairie School, which originates from the Chicago School. Wright was also quite well read and became acquainted with the thoughts of Emerson and Thoreau. Emerson saw man as the product of nature and nature as truth and purity. For him, man was suited to intuit the principles of nature and live in harmony with it. Thoreau pleaded for a "return to nature" and symbiosis with it. He was fascinated with lakes and ponds, which he thought to be the Earth's eye on the sky, "for it reflected the landscape with a luxuriance that shimmered with every breath of wind or change in light."³ Wright, who was following their vision of nature, transposed into architecture their theories: a house should fit in the landscape and be open on nature since man and his production



FRANK LLOYD WRIGHT AT WORK IN HIS OFFICE

should follow nature's principle. In the pursuit of this, glass could work as an analogue and interlocutor to water in nature.

With this background in mind, it is easier for us to consider the presence of light in Wright's houses. To Wright, architecture was not a spiritualization of matter as Sullivan understood it, but rather a materialization of spirit. "The open landscape was nature's eloquent way of making freedom visible; to Wright, buildings too should speak of freedom . . ." ⁴ A dwelling should be open on nature, full of light and receptive to nature's and time's changes. It should be "a broad shelter in the open", as he said, an invitation to freedom. ⁵ He conceived of his buildings with great consideration for the primary forces of nature, and for the basic requirements of life: light, air, shelter. ⁶ He thought rays of sun stood for joy, flaunting the confines of

indoor life, and that an awareness of the sky ought to be as much as part of daily indoor life as an awareness of the earth. ⁷ Light, to him, was a cosmic force and a messenger of natural order, existing un-violated in cities and thus maintaining man's access to nature even in the heart of civilization. ⁸

Wright regarded glass as the materialization of light, the weightless medium of sight. Out of all the materials he used, glass was his favorite because it allowed for the establishment of a new relationship between man and nature:

in the openings of my houses, glass as a place comparable to precious stones among all the other materials. . . . This super-material that is glass is, in the way we currently use it, is pure

wonder. Air in airs, to keep air in or keep it out. Itself light in light, glass diffuses light, reflects or diffracts it.⁹

Glass is the architect's dream because it is such malleable building material. It could be a plane through which one could see with perfect clarity, a "lens by which the landscape could be structured with a grace sufficient to make pictorial art redundant."¹⁰ It could be as refractive as ice, reflective as water, or "composed of colored panes of pears as iridescent as a butterfly's wings", "translucent, transparent, opalescent or opaque; polished, frosted or rusticated."¹¹ Form and function combine beautifully in glass panels in a house, for example, marking the boundary between private and public without excluding one from the other.

“Wright was well aware of the effects that each of his arrangements would create with light; with this knowledge, he manipulated the way light itself would interact with the observer.”

In stark contrast to architects such as Ludwig Mies von der Rohe, Wright did not want the window frame to disappear. Windows were to remain a protective screen: a kind of frontier, giving the dweller a feel of intimacy and privacy while also lending a taste of freedom and possibility to witness changes in time and nature. Glass stands out among materials, according to Wright, because:

by means of glass something of the freedom of our arboreal ancestors living in the trees becomes a precedent for freedom in the 20th century life. It is by way of glass that the sunlit space as a reality becomes the most useful servant of a higher order of the human spirit . . . free living in air and sunlight.¹²

Wright's general concern for the proper use of light stemmed from a desire to give people a sense of freedom and openness while creating a closed, functional shelter for them. Houses were to contain the interplay of shadow and light to give the sense of a soothing shelter. He wanted to have dim intimate spaces interspersed with areas flooded with light. He also desired his houses to have light coming from above, just as the sun would light a landscape, and he started experimenting with the use of rifts and patterned glass ceilings as soon as 1893.¹³

Another major desire, was that the openings would not look like holes in a wall, but rather would form an open, integrated and flowing space.

“Shadow itself is of the light,” according to Wright. He was just as obsessed with shadow as light, as one always accompanied the other.¹⁴ Following the Japanese tradition of *half-light*, Wright was interested in indirect lighting and smooth contrasts. A dwelling is meant to be a refuge, a retreat; this is one of the reasons the Prairie houses have overhanging roofs that cast shadow inside. Shadows are not just aesthetic, for they guarantee privacy and discretion as well as the creation of a quiet and comfortable entrance in a dimly lit space.

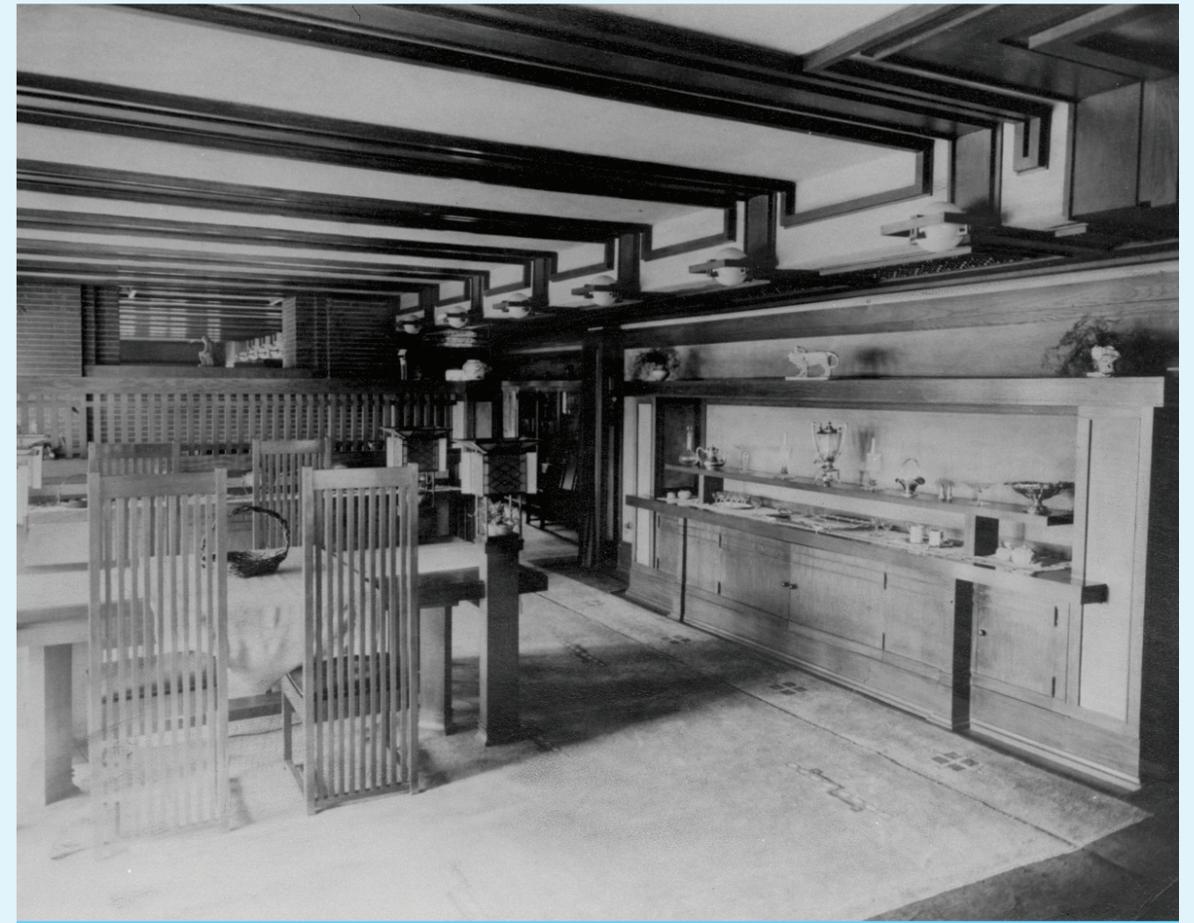
Wright firmly believed that the purpose of the building and its natural environment should determine its shape:

architecture which is really architecture proceeds from the ground and somehow the terrain; the native industrial conditions, the nature of materials and the purpose of the building must inevitably determine the form and character of any good building.¹⁵

The weather conditions would have an effect on the shape of the house and thus the choices of lighting, and the natural lighting was to be either echoed or tempered to supplement artificial sources. In the case of the Prairie houses, for instance,

alternate extremes of heat and cold, sun and storm, have to be considered. The frost goes four feet into the ground in winter; the sun beats fiercely on the roof with almost tropical heat in the summer: an umbrageous architecture is almost a necessity, both to shade the building from the sun and protect the walls from freezing and thawing moisture.¹⁶

The overhanging eaves were meant to exclude the sun from the upper rooms and provide a refreshing shade dur-



THE INTERIOR OF THE ROBIE HOUSE

ing hot summer days, while keeping rain and snow away from the walls in winter times.

Wright mastered the use of natural light. He adapted his architecture to the function of his building, but all of his designs place a premium on light. The classic way to begin a building's relation to light is to orient the building to the South and slightly to the East so that it gets the best light of the day. Wright used this design every time it was possible. The openings are thus concentrated on this facade to let light in. For his openings in dwellings, Wright liked to use high casement windows and French doors. To maximize their effect, and to give vigor to the outdoors and overcome the continuing and enclosing walls, he grouped them as series, which he considered genius. Indeed, the

house walls turned into large light screens would disintegrate in light but still fulfill their protective function.¹⁷ Moreover, this serial use solved the problem of isolated doors and windows that clearly marked separation of the house from the street and the environment. It is particularly true of Wingspread's fifteen-foot high living room windows that completely overshadow the smaller entryway.¹⁸ These rows of windows also often allegorically referred to weed or flower fields, as they were also ornamented with abstracted organic patterns. As Wright worked with open planes and refused to use walls to create indoors spaces, he employed light to articulate and determine the use of the space. In Fallingwater, for instance, narrow rifts from floor to ceiling articulate the walls of servant wings and guest quarters.¹⁹ Wright also pierced the roofs with

riffs to recreate skylighting that would nicely cast flakes of light and contrast the floors from above, suggesting a leafy cover softly pierced by sunlight.²⁰ Conversely, he would use rows of clerestories to give energy, rhythm, and strength to a room, as he did in Wingspread, for the “wig-wam” (the living room). In some buildings dedicated to work or social function, such as the Larkin Building or Unity Church, he would utilize skylight as the primary source of light. In the Larkin Building, a glass roof over the atrium lets light in for all the stories. In Unity church, series’ of square windows on the top of the four sides let a dim light enter, while the auditorium is given “the aerial aura of a cloudless day” thanks to the rifted roof. In his later Johnson Wax Administration building, there are absolutely no windows; all the light comes from the glass roof and the horizontal band of glass tube that replace the traditional cornice.

Wright often used glass to efface the shadowy, enclosed feel of corners. By joining two panels of glass at corners, Wright created new and pleasant effects. One of Wright’s clients recalled that such glass corners gave the impression that the roof was floating above walls.²¹ It also gave a new sense of volume and freedom. In the Johnson Wax building, the walls and roof are in continuity, the contrast between the plaster and the glass filled cornice first, and the cornice and roof secondly, give an aerial feel to the building. In the houses he designed, Wright used glass towers and light wells to create volumes, emphasize specific spaces, and create contrasts. This is the case in Fallingwater, where the horizontals are shadowy elements like terraces and extended parapets while verticals are concerned with light with the three-stories tower of glass and the light screens of the kitchen and West bedrooms. In Wingspread, the “crow nest,” entirely in glass, lets some light in near the massive chimney, creating an interesting contrast, while the Guggenheim museum, entirely lit by its roof, could embody the idea of light itself. Wright loved to put light and openings in unexpected places to create novel atmospheres.

Wright was well aware of the effects that each of his arrangements would create with light. With this knowledge, he manipulated the way light itself would interact with the observer. His stained glass windows patterns would echo the rugs’ design, their shadow superposing the rugs patterns at some hours of the day, as in the Robie house. To create intimate atmospheres while letting light in, he brought the ceilings down to a “human size” and rein-

forced the feel of their lowness with paint and thin wood breading. As he explained

ceilings could be brought down over onto the walls by the way of the horizontal broad bands of plaster on the walls themselves above the windows and colored same as the room ceilings. This would bring ceiling-surface and color down to the very window top.²²

He used colors knowing fully well how they would interact with light and how they could either close a space or diffuse light indirectly. This is why he mainly utilized silvery grey and beige to catch light, as well as oranges, terracotta and oak tones to create warmth.²³ He had the overhanging eaves and sometimes the cantilevers’ bottoms painted in clear colors, so that they would protect the bedrooms from the sun but gently diffuse some light in.²⁴

Wright also used electricity and fire lighting. Fire was important to him because it was earthly, complementary to the “heavenly” sunlight. It also referred to the passage of the seasons, as fire is linked to winter, while bright sunlight is associated with summer. The intimacy of a fire’s warm, dim light is reinforced by the heat it gives off. The fireplace is a common metaphor for family, indoor life and house tasks. For Wright, fire was the soul of the house itself, “the spirit within.”²⁵ Chimneys were at the heart dwellings Wright built, the focal point of the household, both the center of gravity and the gathering place for the family.

As for electricity, Wright was ahead of his contemporaries. He loved to test new technologies and adapt their use. He hid the cables and, obsessed with light coming from above, used lantern-shapes and warm lighting in the places he could not or did not want to skylight. His lighting itself constituted real artworks and while also functioning as little suns, casting a warm toned light from above. He often built lighting into the house, and made wide use of resistance devices that could dim the light from his fixtures.

The sensibility for the use of light which Wright showed early in his career remained central to his progression. Indeed, his concern for light was bound always to his concern for the management of spaces, volumes, ornamentation, and even furniture. Wright’s exceptional feel for the dynamics of light and the technical expression of his intuitions leave an illuminating legacy for architects, but most of all for we who live in the insight of his designs today.

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“The chiasm, the interweaving of nature and history into the fabric of our experience, is fundamental, and thinking of them in a way that is faithful to experience requires thinking through both of them together.”

TRANSCENDENTAL GEOLOGY

Towards a Phenomenology of Nature and History

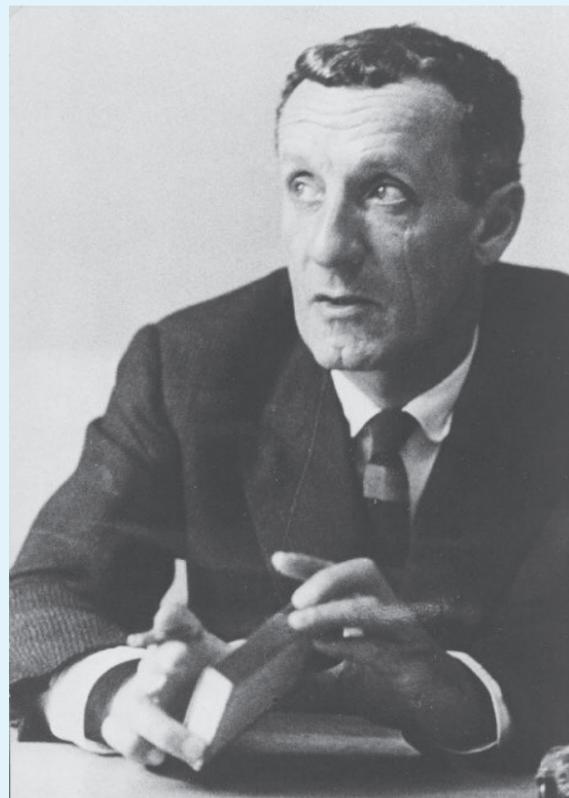
KAREN KOVAKA

IN HIS LECTURE COURSE ON NATURE, THE FRENCH PHENOMENOLOGIST MAURICE MERLEAU-PONTY MAKES THE INTRIGUING CLAIM THAT AN ONTOLOGY OF NATURE IS THE PREFERRED PATH TOWARD ONTOLOGY IN GENERAL. THIS ARTICLE EXPLORES WHY HE MAKES THIS CLAIM AND ASKS WHAT PHILOSOPHICAL SIGNIFICANCE THIS APPROACH TO ONTOLOGY MIGHT HAVE. MAKING USE OF MERLEAU-PONTY'S NOTIONS OF CHIASM AND FLESH AS THE FUNDAMENTAL ONTOLOGICAL TRUTHS, THE AUTHOR ARGUES THAT NATURE AND HISTORY ARE RELATED TO ONE ANOTHER ACCORDING TO THE LOGIC OF THE CHIASM AND THAT THINKING ABOUT THEM IN TERMS OF THIS RELATIONSHIP OPENS UP AVENUES FOR ADDRESSING LONG-STANDING PROBLEMS IN BOTH PHILOSOPHY OF NATURE AND PHILOSOPHY OF HISTORY. SPECIFICALLY, THIS ARTICLE EXPLORES MERLEAU-PONTY'S RESPONSE TO THE PROBLEM OF A SCIENTIFIC-HISTORICAL METHODOLOGY DISTINCT FROM THE METHODOLOGY OF THE NATURAL SCIENCES. HIS RESPONSE, IN ITS RELIANCE ON THE LOGIC OF CHIASM, MOVES THE PROBLEM BEYOND THE STATE IT REACHED IN THE WORK OF WILHEM DILTHEY AND EDMUND HUSSERL.

Nature as a leaf or layer of total Being—the ontology of Nature as the way toward ontology—the way that we prefer because the evolution of the concept of Nature is a more convincing propaedeutic, [since it] more clearly shows the necessity of the ontological mutation. We will show how the concept of Nature is always the expression of an ontology—and its privileged expression.¹

Maurice Merleau-Ponty

Why is the ontology of nature the way toward ontology in general? And why, in turn, is a history of the ‘evolution’ of nature as a philosophical concept the way toward the ontology of nature? This article seeks to understand the significance of historical-philosophical reflection on nature by way of Maurice Merleau-Ponty’s ontology of the visible and the invisible. The answer to this question lies in two ideas. First, if we assume the validity of Merleau-Ponty’s ontology as presented in *The Visible and the Invisible*, we find that



MAURICE MERLEAU-PONTY

a relation of chiasm exists between nature and history. Second, if we think of nature and history in terms of this relation, we obtain a fruitful approach to apprehending the meaning of both.

The question that focuses Merleau-Ponty’s later philosophical work is that of chiasm as the fundamental ontological insight. We understand chiasm as ‘the self-mediating reconversion of transcendence and immanence.’² Following the lead of other philosophers, most notably Edmund Husserl and Martin Heidegger, Merleau-Ponty critiques western philosophy’s tendency to define reality in terms of opposing conceptual pairs.

Rather than accepting that conceptual pairs such as transcendence/immanence or material/spiritual accurately describe reality, Merleau-Ponty argues that in the absence of certain assumptions, the clear lines that demarcate these conceptual pairs do not hold. More basic than these concepts is the relation of continual reversibility that exists between them. Habits of thought formed over time lead us to believe that it is easy to categorize aspects of reality as belonging to one side or another of a conceptual system. Either something is visible or it is not. Either something is reflective or unreflective. However, a sustained investigation reveals a phenomenon analogous to the twilight period that comes between clear hours of light and darkness. When one tries to point out precisely where something ceases to be visible and becomes invisible or where transcendence ends and immanence begins or what constitutes the difference between a being that reflects and a being that does not, once-clear concepts bleed into each other.

The secret of being does not ultimately rest in the things which enter *into* this relation; in fact, making being a static property of things leads to incoherence. One of the great lessons that phenomenology has drawn from the history of philosophy is that the assumption of the primacy of things is flawed precisely because it is impossible to pin down what things *are* while simultaneously assuming that being is concentrated *within things*. Instead, being rests in the *movement* of the chiasm. Being is more productively associated with the dynamic relationships between a given subject and its possible objects. Examining this back-and-forth reveals a stuff that is neither material nor spiritual, what Merleau-Ponty calls ‘flesh.’

[F]lesh is an ultimate notion . . . a relation of the visible with itself that traverses me and constitutes me as a seer, this circle which I do not form, which forms me, this coiling over of the visible upon the visible.³

Rather than have us think of reality as ultimately material or ultimately spiritual or as some dualistic mixture of the two, Merleau-Ponty dismisses the tradition dialectic of the basic substance. Flesh is a meaning relation, but not an intellectual one. It is not matter, but neither is it thought, because it is a *relation* that involves tangibility and visibility. Although discovering flesh involves working back from traditional concepts of matter and spirit, flesh is not constituted by these two things. Merleau-Ponty asserts that flesh is an always-already present relation, out of which traditional concepts emerge as dynamic poles. As an ultimate notion, the structure of flesh is also the structure underlying and manifested in the world and ourselves. What we perceive as objects are intelligible as such only by means of their engagement in this relationship of the flesh. “What exists are not present ‘things’ or forces but systems of differential relationships in an ongoing process of integration, disintegration and reformulation.”⁴

Given flesh, given this relational system, how is ‘the concept of Nature’ related to ontology, and why might it be the ‘privileged expression’? Why do we treat nature, and thus ontology, historically, through studying the evolution of the concept? These are the questions which can be answered by asserting the existence of a chiasm between nature and history. We must begin by seeing what Merleau-Ponty means by *Nature*. One of the implications of the idea of flesh is that meaning is not existentially dependent on sentience; rather, it can exist beneath thought. There is un-

“As an overarching concept or horizon of experience, nature is ‘a carrier of all the possible,’ a configuration that is the originary source of any sentient reflection concerning it.”

reflective meaning that lies within the sensible, constituting the sensible. This unreflective meaning is the starting point for understanding nature. “Nature is what has a meaning without this meaning being posited by thought.”⁵

It is also what underlies all of our experiences—perception, reflection, and so on. Expanding on Husserl’s remark in *Foundational Investigations of the Phenomenological Origin of the Spatiality of Nature*, Merleau-Ponty distinguishes “the Earth” as a horizon within which we are given everything else. It is the “soil of our experience,” as Husserl puts it, “not an object among other objects but the living stock from which the objects are engendered.”⁶ As an overarching concept or horizon of experience, nature is “a carrier of all the possible,” a configuration that is the originary source of any sentient reflection concerning it.⁷

The sensibility of nature must then exceed attempts to reflect upon it because it is both the point from which reflection begins and toward which reflection is oriented. This aspect of nature captures the trait of simultaneous transcendence and immanence which Husserl, and later Merleau-Ponty, understood as an essential characteristic of all perception. Sentient reflection on nature is “ontologically continuous” with nature, springing from the “soil,” the “Earth,” and the “unreflective – in a word, nature – remains for the personal self a prehistory, an irrecoverable past.”⁸ Reflection takes up nature and in doing so deals with something ontologically related to itself. But the reverse of this familiarity, this immanence, is the inexhaustible transcendence of nature. Reflection cannot capture every possible relation with nature in its gaze, and it is this experiential fact that preserves reflection from being identical to nature in its totality.

Reflection emerges *from* the unreflective when a subject, an instance of sentient meaning, doubles back on itself to explore its history. This phenomenon introduces a paradox. We seem to experience nature directly and unreflectively all the time as we perform habitual tasks in our daily lives. But if the unreflective expresses itself only through reflection, then this mediation is a condition for understanding nature and direct access is impossible. As soon as nature is thematized, as soon as it stands out from the background of the world one lives through, then reflection comes into play.

What are we doing in the majority of our relations with nature? At any given moment, the meaningful sensibility

of nature is flowing into the meaningful sentient of human life which is its expression. The doubling back of reflection, the effort to join itself to its originary source, must always be incomplete. Reflection cannot seamlessly rejoin the unreflective that is its beginning.

Although a seamless rejoining is impossible, there is reversibility between reflection and the unreflective. Not only does nature flow into human reflection, but reflection enters into nature. The act of reflecting seeks a passage from sentient, articulate meaning back to sensible, lived-through meaning: “We are looking for the primordial, non-lexical meaning always intended by people who speak of nature.”⁹ Reflection, in trying to ‘return’ in this way, discloses a crucial moment in which lies the being of both reflection *and* nature. It moves through and in time, in order to circle back to nature, finding that:

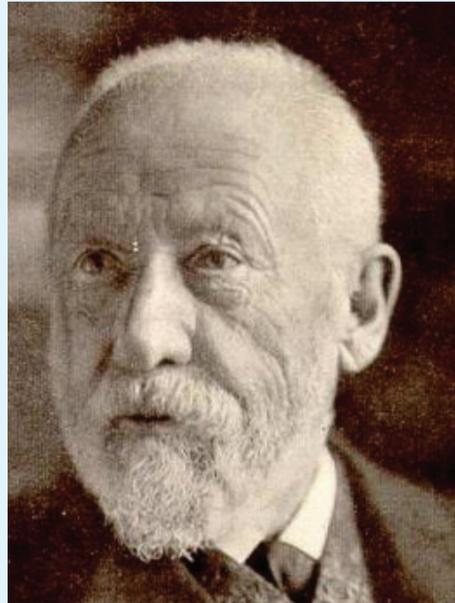
this self-rendering movement of expression is not a potentiality of the human subject so much as an event of nature itself, of its own duplicity, which entails that our “alienation” from nature, if this word has any sense, can only be a moment of nature’s own self-unfolding expression through us.¹⁰

This temporal expression of nature is historical. Reflection inescapably passes into history, concerns itself with history, and maintains its connection with unreflective.

Human thought and activity in history, even as it moves forward and differentiates itself from nature, also seeks to re-enter that from which it came, to understand the secret of its originary meaning. The motivation for history begins in nature, in prehistory, and the continued movement of history receives its force from the effort to fold the sentient back over to meet and apprehend the sensible. One could understand natural scientific thought and technological advancement, for example, as thoroughly historical and reflective events which find their meaning and movement in their desire to plumb the depths of the unreflective that is their *soil*. Therefore, what happens between nature and history, the movement from one to the other which is con-

stitutive and expressive of both—this movement is precisely that of crossing, of chiasm.

When nature passes into reflection, it passes into history; when reflection enters into nature, so too does history enter into nature. This relation of reversibility, of chiasm, obtains between nature and history because of the dynamic of reflection. Now we must cash out this dynamism in order to reframe some traditional philosophical problems. As a beginning, I will trace a question which was important in neo-Kantian German thought, next examined in Husserl, and finally taken up by Merleau-Ponty in the working notes of *The Visible and the Invisible*. The problem is this: can the conclusions of historical study be endowed with scientific validity if they do not obtain by a methodology parallel to the natural sciences?



WILHELM DILTHEY

The neo-Kantian Wilhelm Dilthey saw history (and the human sciences in general) as directed toward capturing important moments in the flow of the ‘nexus of life’ [*Lebenszusammenhang*], by which he meant the web-like continuity between nature and psychic life. Due to the fleeting nature of experience, the human sciences are tasked with working to relate human life back to this nexus, “back to a creative, evaluative, and active source, something that expresses and objectifies itself.”¹¹ Their goal is to come to an understanding of the invisible contours of life from within. Dilthey wants

the human sciences to be scientific, but recognizes that because their orientation is different from that of the natural sciences, so then must their method differ. Rather than beginning from a hypothetical basis as do the natural sciences, the human sciences as Dilthey understands them must begin and remain rooted in lived experience [*Erlebnis*]. Their efforts to study the nexus of life will not be successful if they postulate for theoretical purposes a discontinuity between the psychical and the physical. This is because there is no experiential basis for seeing such discontinuity in the nexus of life. A study that begins from this abstraction already distances itself from the nexus of life and will not be able to get at the real object of its in-

quiry. This condition introduces a tension which Dilthey does not resolve. How can the human sciences be appropriately general with respect to history when carried out by historical persons who begin from their own lived experiences which are determined by their own particular historical horizons? Dilthey’s own philosophical and historical assertions are merely expressions of life which have their place amongst the interconnected systems that form the socio-historical nexus, but which do not constitute an Archimedean point from which to make universal statements about the essence of the human sciences.

Husserl, in reading Dilthey, paid close attention to this problem and attempted to move beyond it in formulating his own philosophy of history in *The Crisis* and in his essay “The Origin of Geometry.” In these works, the solution to the dilemma of the scientificity of the human sciences, especially history, is that reflection upon these sciences discloses an a priori structure always already operating in our experience of and reflection on history. “The historical horizon . . . has its essential structure that can be revealed

“Reflection must add more and more layers to history in its attempts to double back and access the structure of what lies beneath it.”

through methodological inquiry.”¹² What this structure consists of is bound up in Husserl’s metaphor of sedimentation, a metaphor that Merleau-Ponty continues to make use of in *The Visible and the Invisible*. He tells us that “history is from the start nothing other than the vital movement of the coexistence and the interweavings of original formations and sedimentations of meaning.”¹³ The metaphor of sedimentation combines the geological image of an exposed cut of bedrock with the structure of a deductive discipline like geometry in which each new discovery builds upon previous ones. Husserl asks us to imagine horizontal layers of sedimentary deposits (works of philosophers, cultural artifacts, etc.) which have hardened into rock, so to speak, or which have become the ground, or bedrock, upon which our present cultural world rests. In addition to these horizontal layers, we must imagine vertical chains or nets of meaning, such as those logical links which unify the axioms and theories of Euclid’s *Elements*. Husserl would have us understand the structure of history as consisting of horizontal layers shot through by vertical chains of reflection which link the meanings in

each of the sedimented layers. The purpose of historical-philosophical reflection would be to reactivate chains of meaning which would otherwise be forgotten over time.

This idea is fascinating, but “The Origin of Geometry” leaves the structure of history undefined and unexplored. In the end, Husserl’s contention that reflection upon history can uncover the a priori structure of history is still susceptible to a critique. The trouble is not that there is no a priori structure to discover: Husserl has given us an account of structure that moves us beyond the formulation of the issue in Dilthey. That said, it is still difficult to see how reflection is equipped to discover this structure. The essence of reflection is mediation. How then can reflection penetrate back through sedimented layers of meaning to disclose the structure of history? Reflection must add more and more layers to history in its attempts to double back and access the structure of what lies beneath it. In other words, the tension that emerges here is the same tension that characterizes the chiasm between reflection and the unreflective.

Merleau-Ponty has this difficulty in mind in his discussion of history and philosophy in the working notes of *The Visible and the Invisible*. His idea for moving forward relies on the chiasm between nature and history. He formulates the problem by talking about the history of philosophy and asking if it is necessary to distinguish between the views that past philosophers took of their own problems and the ways in which we understand their problems in retrospect. Can there be continuity in philosophy if we understand the questions of past philosophers differently from how they understood them? His answer is: “Not if the philosophies in their integrality are a *question*, the interrogative thought which makes them speak is not overcome by what comes later.”¹⁴ We can trace the structural development of something like philosophy through time if there is a questioning movement through philosophy at all times which allows thinking at a later time to be faithful to the projects and problems of previous times.

There is but one solution: show that there is transcendence, to be sure, between the philosophies, not reduction to one unique

plane, but that, in this plane, staggered out in depth, they nevertheless refer to one another, it is nevertheless a question of the same Being—show between the philosophies a perceptual relation or relation of transcendence. Hence, a vertical history, which has its rights along the “objective” history of philosophy.¹⁵

This idea of the continuity of questioning through time is similar in structure to the passing of the sensible meaning into sentient meaning – the logic of chiasm permeates them both. Nature has doubled over itself to produce history, and the process of history is a continuation of this doubling over in order to move forward. I said before that the movement from nature to history is reversible, that the march of history finds its motivation in its desire to re-enter the mute sensible which generated it. So, adherence to the logic of the chiasm requires not only a continuity of questioning through time, but that this continuity also be a folding back over which seeks to complete the circle of its reflection. In this dynamic the act discovers the impossibility of its completion that is very condition for its being. This is, in fact, the next step Merleau-Ponty takes in his notes.

He works to show that a structural philosophy of history such as he is outlining must circle back to nature, and that the crossing of history and nature is what resolves the problems that both Dilthey and Husserl deal with in their works. Near the very end of the notes for *The Visible and the Invisible* he talks about a philosophical account of history as a philosophy of structure, one which may be better understood in terms of geography than in terms of history:

Whereas geography—or rather: the Earth as *Ur-Arche* brings to light the carnal *Urhistorie* (Husserl—*Umsurtz*). In fact it is a question of grasping the *nexus*—neither “historical” nor “geographic” of history and transcendental geology, this very time that is space, this very space that is time, which I will have re-discovered by my analysis of the visible and the flesh, the simultaneous *Urstiftung* of time and space which makes there be a historical landscape and a quasi-geographical inscription of history. Fundamental problem: the sedimentation and the reactivation.¹⁶

Here Merleau-Ponty references Husserl’s concepts of sedimentation and reactivation which are so important to “The Origin of Geometry.” How this sedimentation and reactivation occurs and how understanding is possible (epistemology), must be grappled with within the context of an

ontology which apprehends being in terms of crossing, or movement between. When the being of time and space, or history and the natural world, is found in the moment of their crossing, then there can be a structural philosophy that begins to make out the landscape it is traversing, all the while recognizing the truth of incomplete reversibility as a condition for any reflection.

The way to come to this point is, as Merleau-Ponty points out in his lecture course on Nature, to begin with the ontology of nature. The chiasm between the reflective and the unreflective points the way to the fundamental notion of reversibility and shows that history, too, is incorporated into this pattern by being that which nature touches and that into which nature flows. The chiasm, the interweaving of nature and history into the fabric of our experience, is fundamental, and thinking of them in a way that is faithful to experience requires thinking through both of them together.

ENDNOTES

1. Merleau-Ponty 2003 (204)
2. Merleau-Ponty 1968 (VI 90)
3. Merleau-Ponty 1968 (IV 140)
4. Toadvine (33)
5. Merleau-Ponty 2003 (6)
6. Merleau-Ponty 2003 (77)
7. Ibid.
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10. Toadvine 2009 (132-3)
11. Dilthey 2002 (109)
12. Husserl 1970 (369)
13. Husserl 1970 (371)
14. Merleau-Ponty 1968 (199)
15. Merleau-Ponty 1968 (VI 185-6)
16. Merleau-Ponty 1968 (VI 258)

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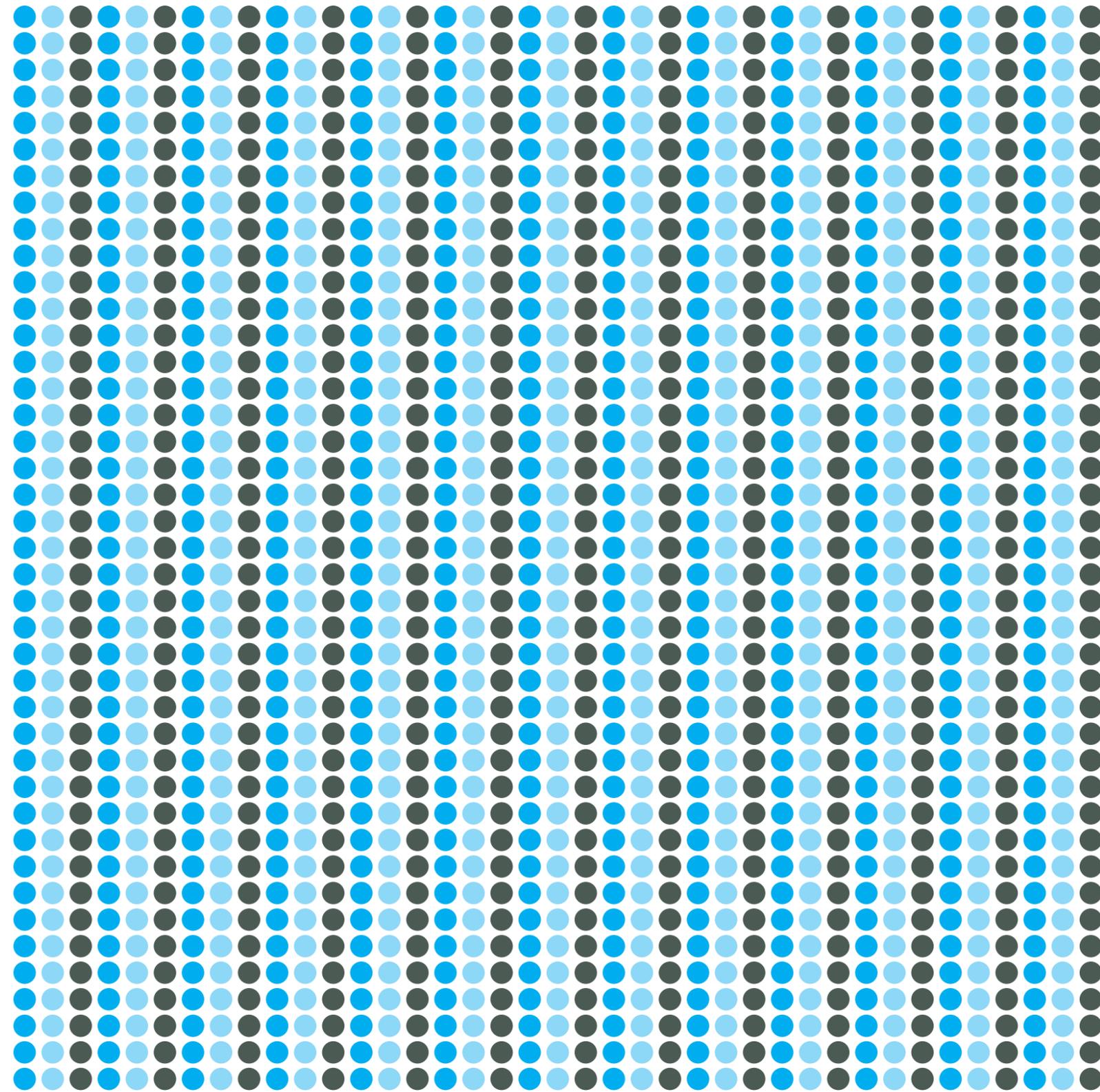
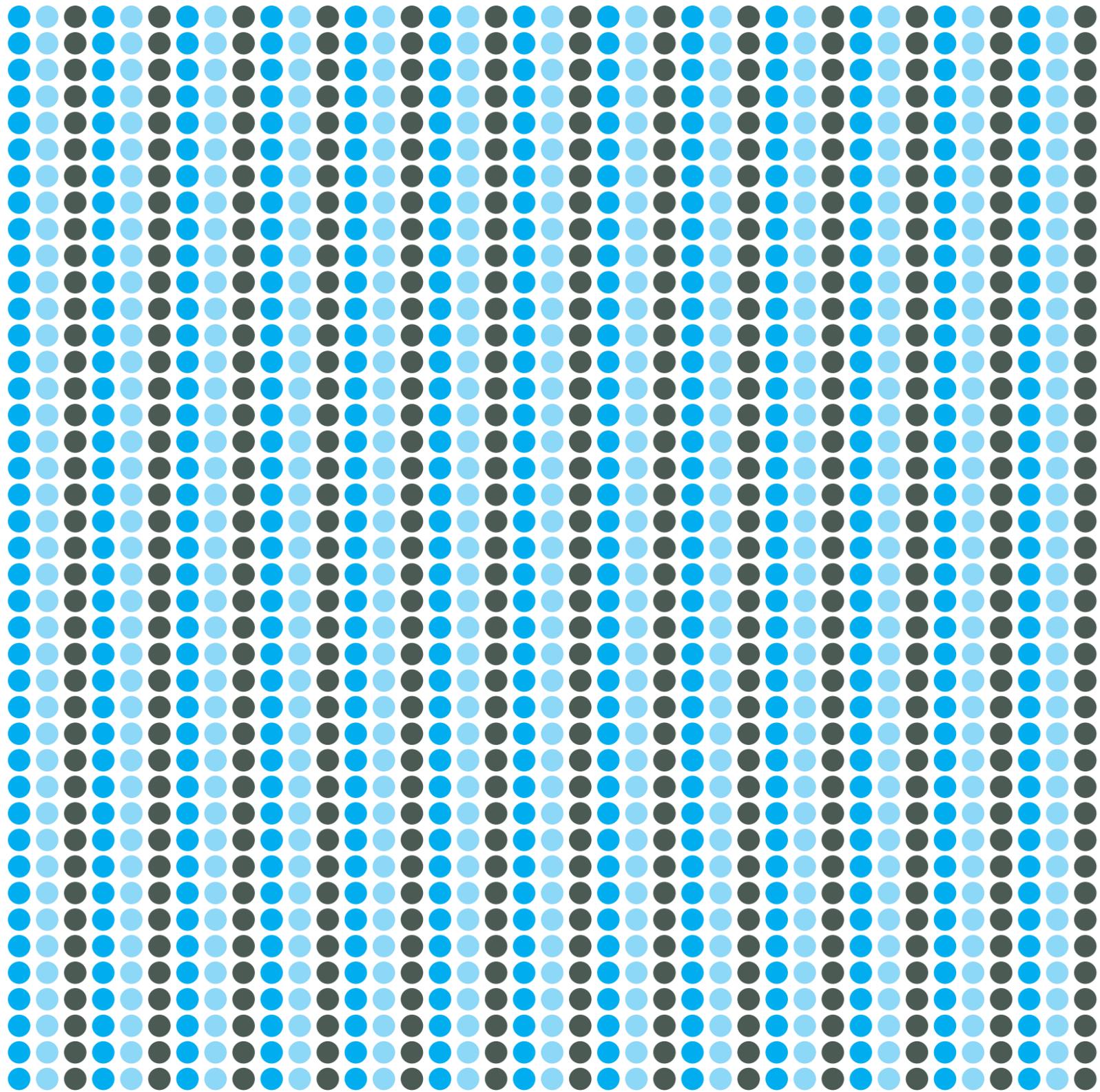
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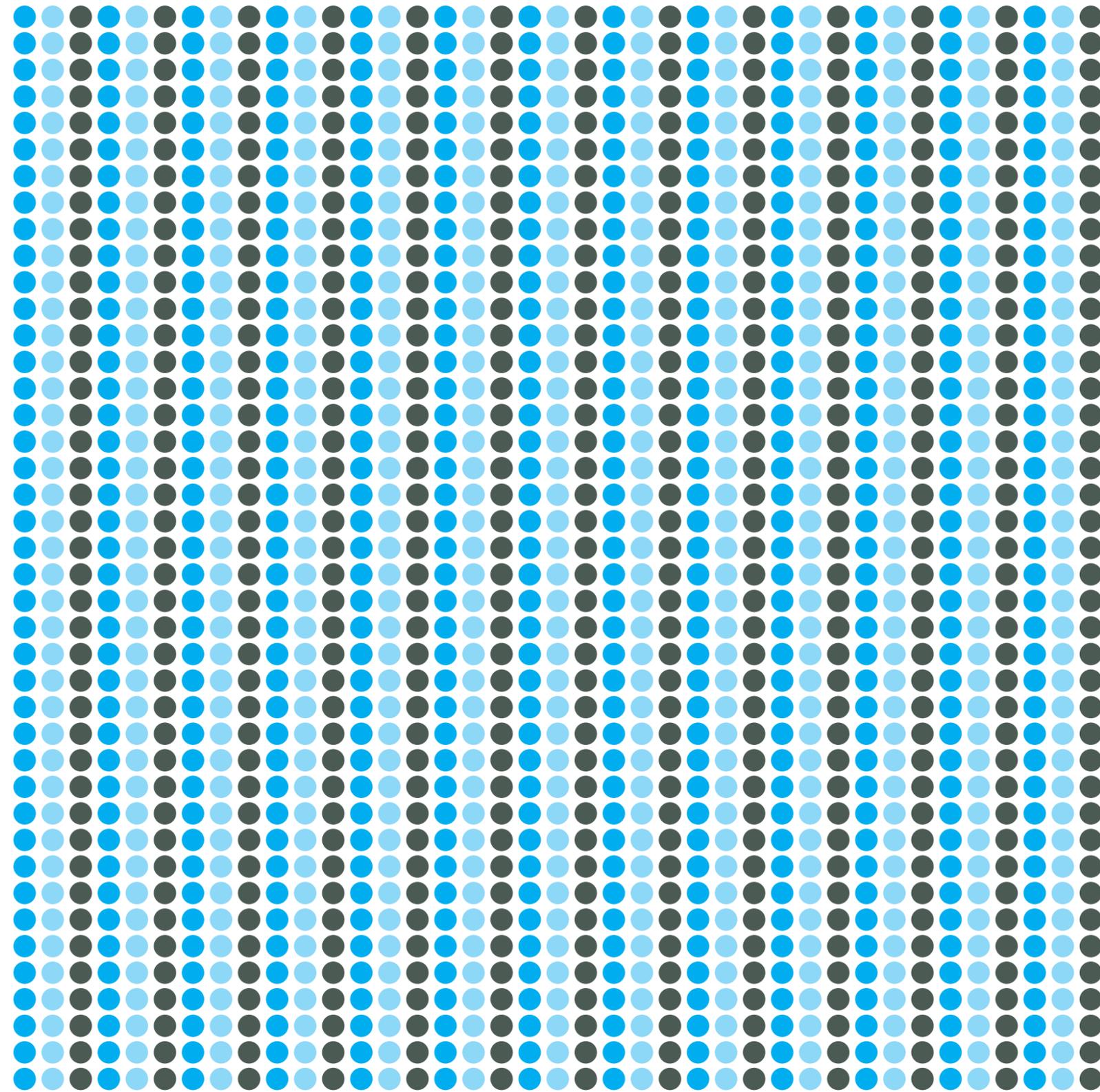
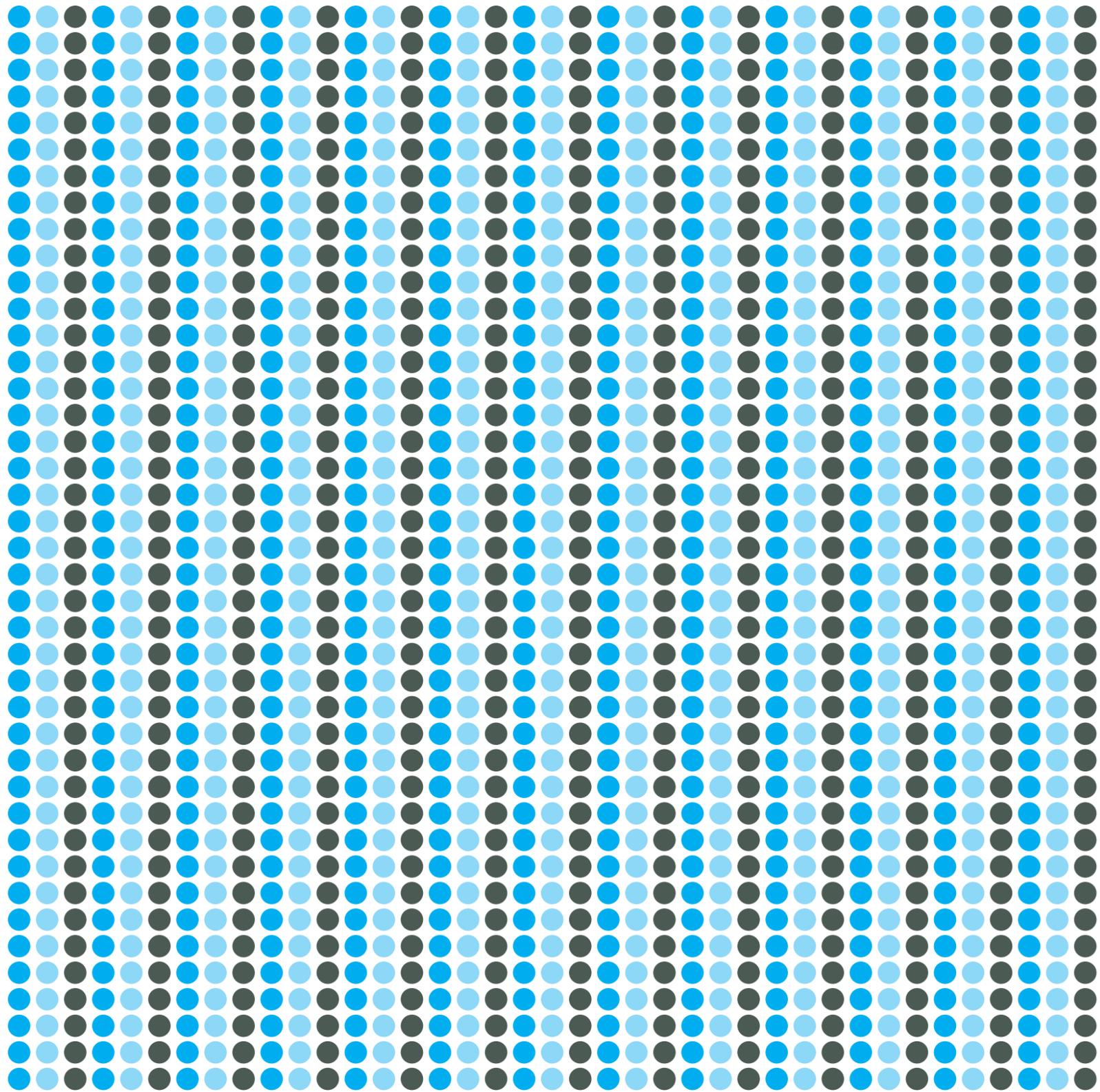
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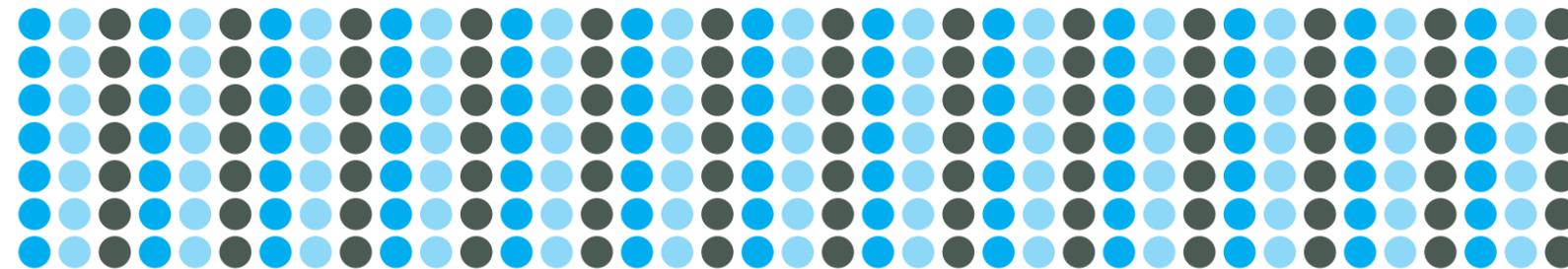
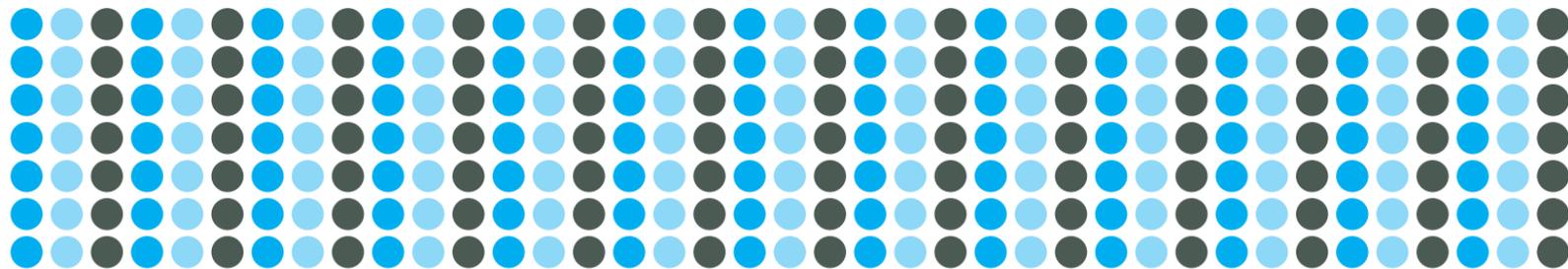
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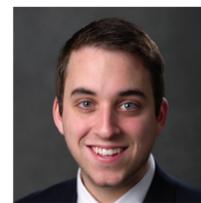
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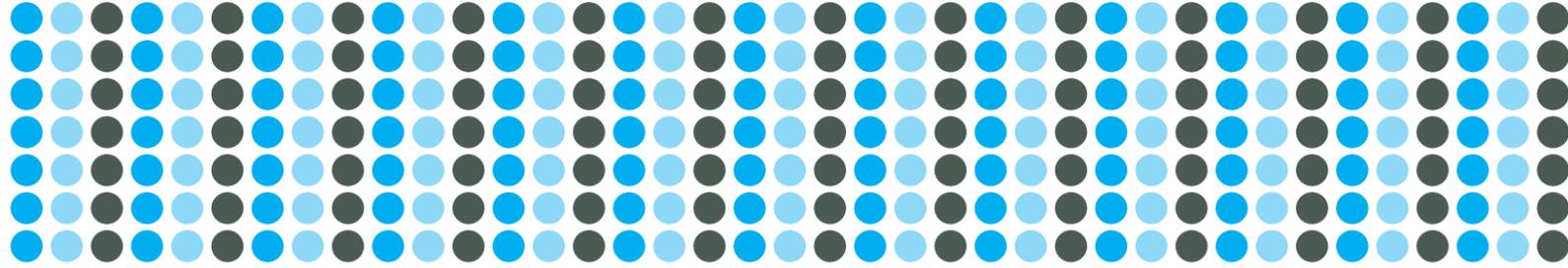
ANDREW ORR

is a former chemistry major in the Boston College Class of 2011 and is now continuing his education at Robert Wood Johnson Medical School in his home state of New Jersey. His feature paper was written for the "Law, Medicine, and Public Policy" seminar and was prompted by a search for how to best maintain the dignity of those who struggle with Alzheimer's disease.



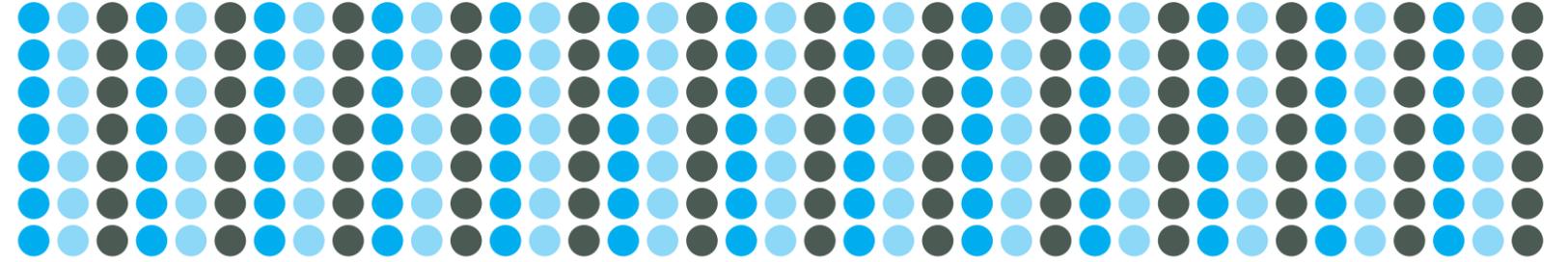
BRIAN VARIAN

is a former Editor-in-chief of *Elements* who graduated summa cum laude in the class of 2011 from the Carroll School of Management with a double major in finance and history. He authored this paper while taking Professor Pamela Berger's eye-opening course, "Great Art Capitols of Western Europe." Originally from Mahopac, New York, Brian hopes to return to "the land of the bean and the cod" temporarily before pursuing a PhD in U.S. Economic History, with the goal of one day teaching at Boston College.



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