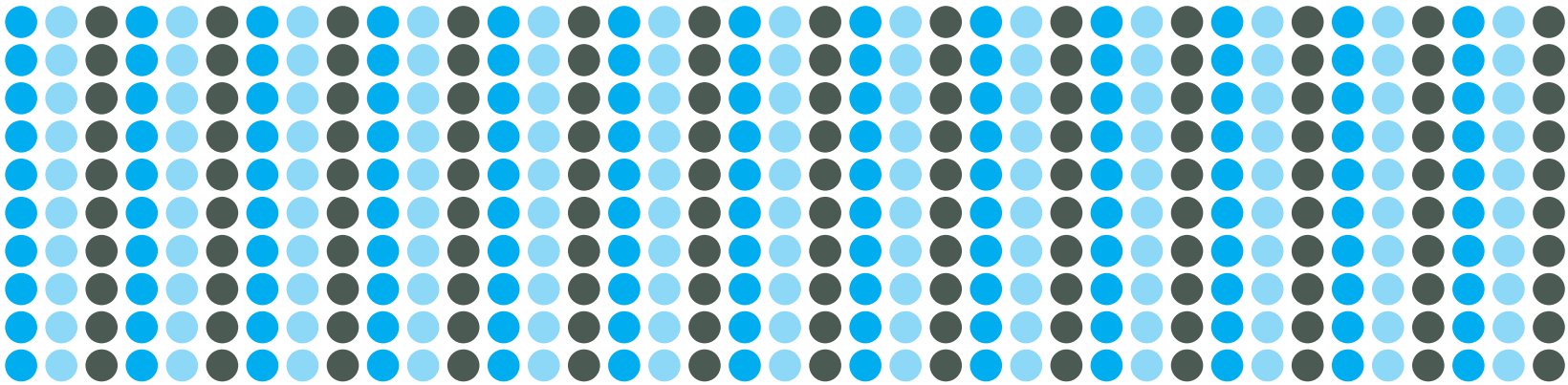
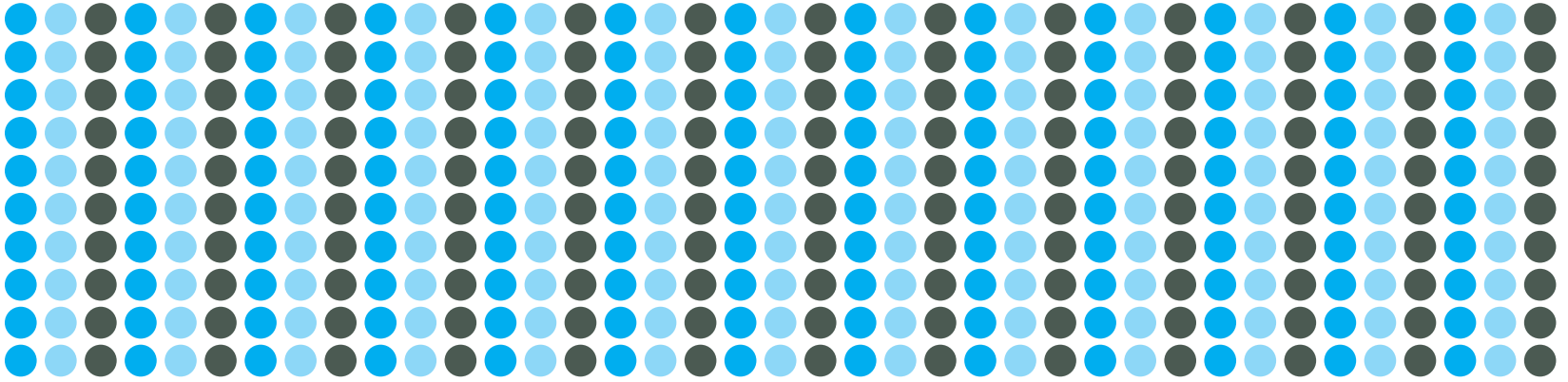


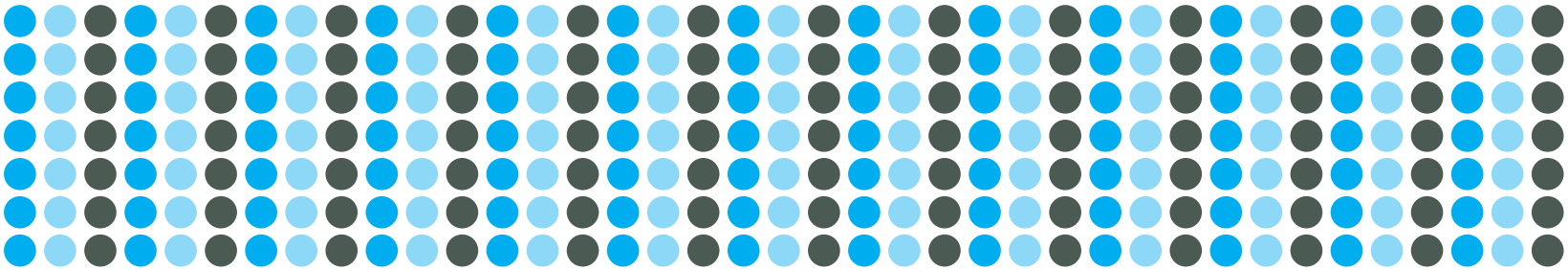
## MISSION STATEMENT

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

# Elements

Spring 2017



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## QUESTIONS & CONTRIBUTIONS

If you have any questions, please contact the journal at elements@bc.edu. All submissions can be sent to elements.submissions@gmail.com. Visit our website at www.bc.edu/elements for updates and further information.

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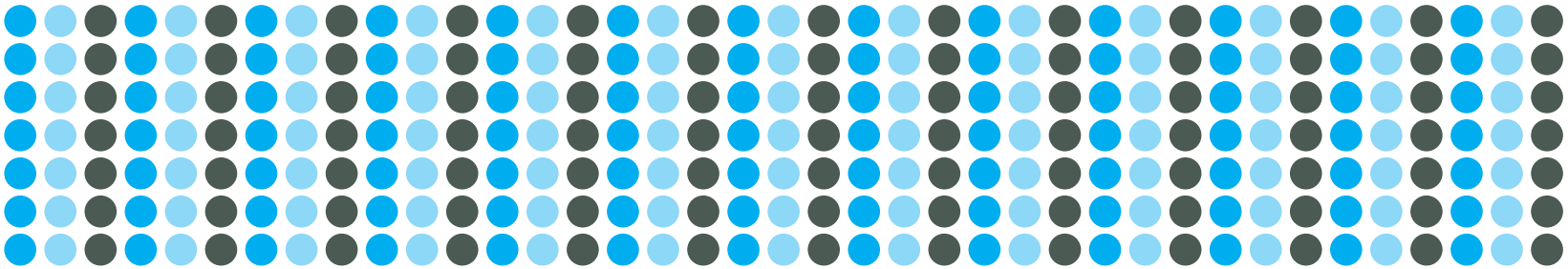

## EDITOR'S NOTE

Dear Readers,

In light of the current political, social, and cultural turmoil in which many countries around the world find themselves, it has become increasingly important for academic research to posit questions that strive for truth and progress. Recently, one of the most significant developments has been the spread—both conscious and unconscious—of false information throughout society, which has resulted in seemingly irreconcilable disagreements on basic facts. The lack of agreement over these basic facts has allowed statements to be made that perpetuate various misconceptions, and the articles published in the Spring 2017 issue of *Elements* demonstrate a commitment to challenging these falsehoods and the status quo through academic research.

Several articles touch upon issues that are salient to ongoing political and cultural discussions within both the United States and throughout the rest of the world. The cover article, "A Pageant Politicized: The Rise of Intersectional Activism in 1968," questions and explores the role of the media in portraying a falsely antagonistic relationship between the Women's Liberation Movement and the Black Nationalism Movement. Author Haley Cormier analyzes the ways in which the media was able to pit the two movements against each other, emphasizing the profound influence that the media has within society. Breck Wills, Samina Gan, Patrick Sheerin, and Jordan Mindlin's article, "Brain Circulation: A Case Study of High-Skilled Immigration from India," touches upon a central topic of the 2016 U.S. presidential election: immigration and employment. Wills, Gan, Sheerin, and Mindlin discuss the increased migration of educated, high-skilled Indian laborers to the United States and the effects that this has had on the economies of the U.S. and India. Carly Barnhardt's article, "Avert the Gaze: An Anti-Self-Portrait of the Disabled Female Body," focuses on artist Laura Swanson's challenge to traditional understandings of disability and gender through art. Finally, "Confronting Cultural Imperialism: Limitations of Secularization and Western Feminism in the Muslim World," explores the concepts of Western cultural imperialism and its role in the Middle East. Author Emma Howe challenges the widespread notion of a backwards, oppressive Muslim world, and instead causes us to reconsider ways in which Western thought has attempted to impose its ideals onto other countries.

Analyzing literature can often shed light upon the political and cultural climates of both the time when the work was written as well as the present. Sabrina Black's article, "Writing in a Surveillance State: Otherness in Christa Wolf's *What Remains*," examines the positions in which writers found themselves under the surveillance of the German Democratic Republic state, and this topic of surveillance and censorship of writers and intellectuals is one that offers daunting implications for today. Author Monica Coscia consider the concepts of truth, justice, and modernity within *The Brothers Karamazov* in her article, "Trial and Error: The Malleability of Truth in the Conviction of Dmitri Karamazov." She concludes that the failure of Western court systems to seek and recognize truth prevents justice from taking its course within Russian society. This relationship between truth and justice is particularly important to the present, especially when considering the increasing prevalence and proliferation of false information and news.

Often times, research can call attention to and question aspects of society that are either taken for granted or forgotten. Elizabeth D'Altrui's article, "Curb the Thirst: Efficacy of Bottled Water Bans in Reducing Plastic Waste," discusses the need to reduce the use of the common plastic water bottle through policies, while Zackary Park's article, "The Road to a Cure: Characterization of a New HIV Antibody," reminds us of the complex (often unacknowledged) research that is required to develop and improve life-changing medicine. Meanwhile, Kyle Baranko's article, "The Point of Payment: A Comparison of Commercial Behaviors Across Regions," studies the ways in which informal economies operate across several countries and are marginalized by the government, and author Caitlin Sullivan examines the cost and inefficiency of incarcerating the elderly in her article, "No Country for Old Men: An Economic Analysis of the Incarcerated Elderly."

*Elements* seeks to support undergraduate research that is diverse and of the highest quality, and we also strive to facilitate discussions that inspire you to reflect upon and ask questions about society. We hope that the articles published in this issue of *Elements* will spark such conversations.

Sincerely,

Annie Kim

ANNIE KIM
Editor in Chief

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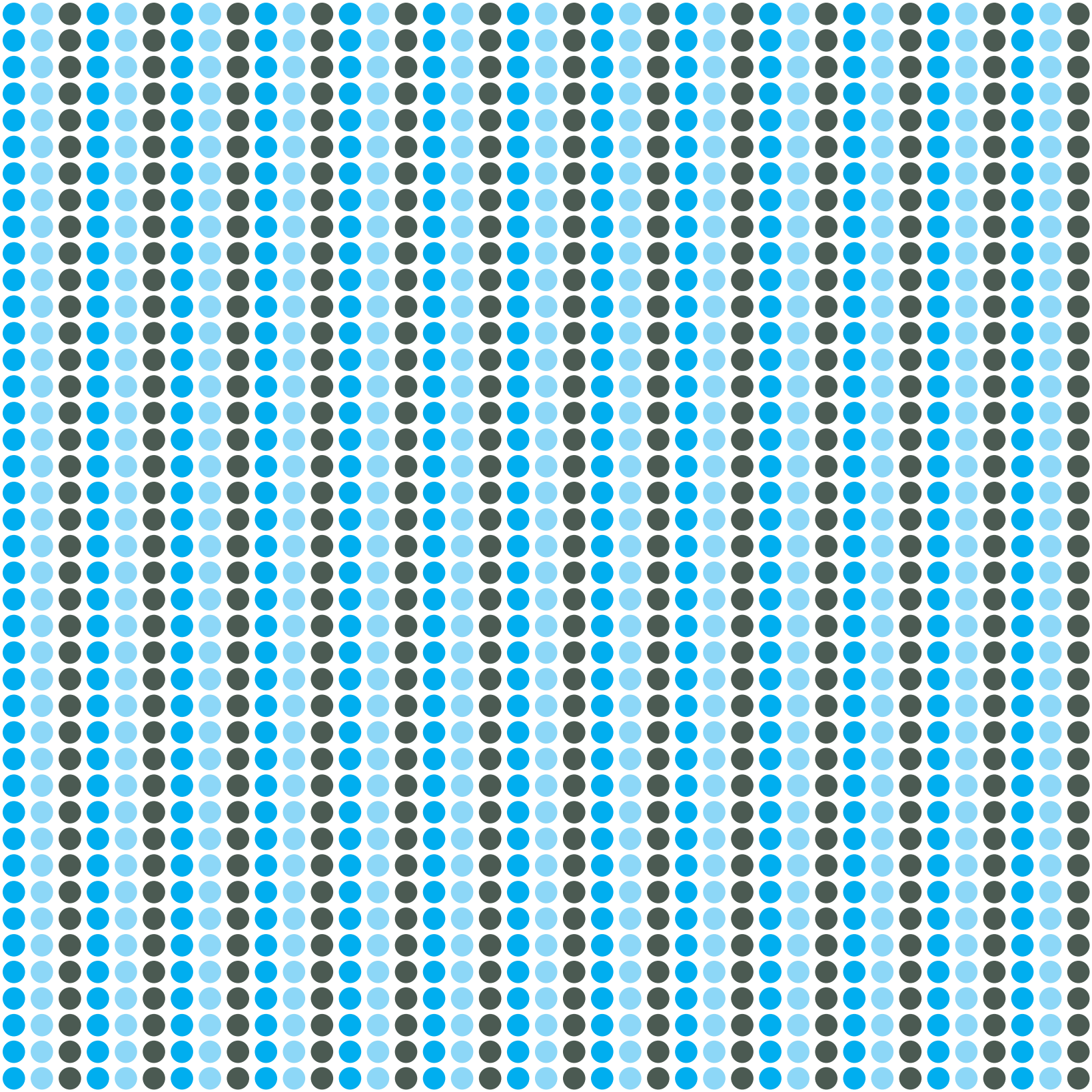
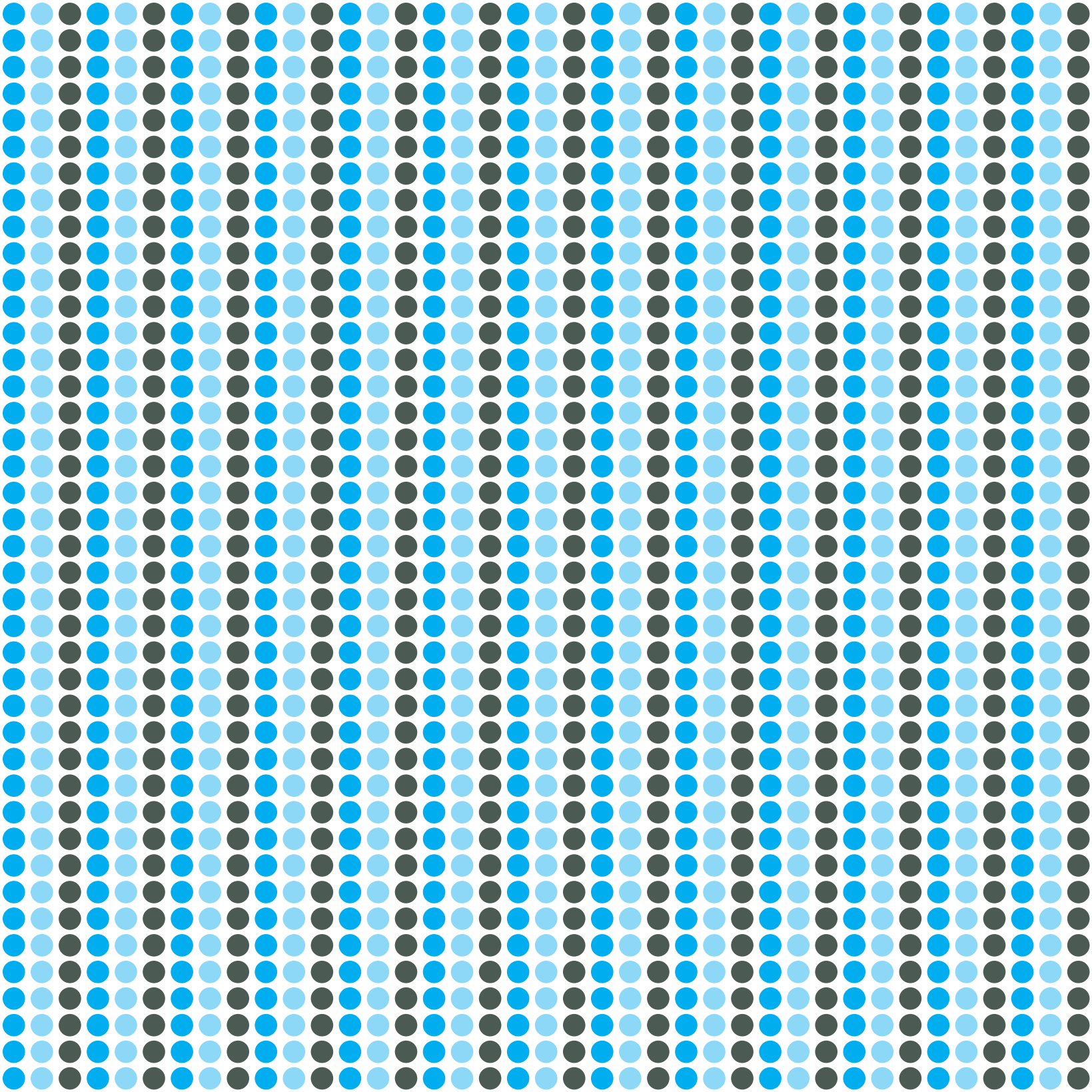




# TRIAL AND ERROR

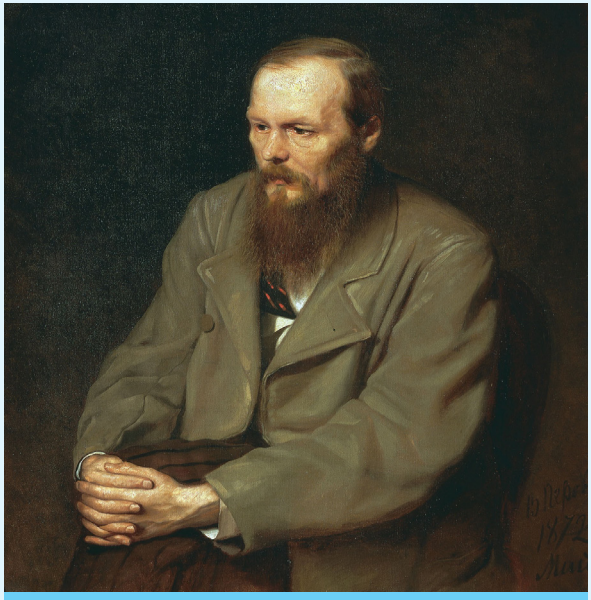
## The Malleability of Truth in the Conviction of Dmitri Karamazov

MONICA COSCIA

FYODOR DOSTOEVSKY'S TIMELESS NOVEL, *THE BROTHERS KARAMAZOV,* EXPLORES THE ETERNAL QUESTION OF WHETHER JUDICIAL SYSTEMS CAN ACTUALLY ATTAIN JUSTICE AND TRUTH. SET IN NINETEENTH-CENTURY RUSSIA, THE NOVEL TELLS THE STORY OF FYODOR PAVLOVICH AND HIS SONS: THE RATIONALIST IVAN, THE RELIGIOUS ALYOSHA, THE SENSUALIST DMITRI, AND THE ILLEGITIMATE SMERDYAKOV. THE SUDDEN MURDER OF FYODOR SPAWNS FAMILIAL AND SOCIETAL DISCORD, AND DMITRI IS CHARGED WITH PATRICIDE. THE NOVEL CULMINATES IN A THRILLING COURTROOM DRAMA THAT CAPTURES THE ATTENTION OF THE KARAMAZOV FAMILY'S ENTIRE COMMUNITY. THIS DISCOURSE VIEWS DOSTOEVSKY'S JURY TRIAL IN *THE BROTHERS KARAMAZOV* NOT ONLY AS THE TRIAL OF DMITRI KARAMAZOV, BUT ALSO AS A TRIAL OF RUSSIAN CULTURE, PITTING TRADITIONALISM AGAINST MODERNITY. THIS PAPER ASSESSES HOW RUSSIA'S DUALISTIC CULTURE SETS THE STAGE FOR DOSTOEVSKY TO INVENT ATTORNEYS, WITNESSES, JUDGES, AND SPECTATORS WHO ILLUSTRATE THE VARIOUS FACETS OF LATE-NINETEENTH-CENTURY RUSSIAN SOCIETY AT ITS PIVOTAL CROSSROADS. THE ARTICLE ULTIMATELY EXPLAINS HOW DOSTOEVSKY'S THRILLING LEGAL BATTLE REVEALS HIS DOUBT THAT THE RUSSIAN COURTS, OR ANY ARBITRARILY ESTABLISHED LEGAL SYSTEM, COULD EVER ACHIEVE TRUE JUSTICE.

During the latter part of Fyodor Dostoevsky's life, Russia lays "between a past which has not quite ended and a future which has not quite begun."[1] The beauty of Dostoevsky's literature lies in its depiction of both sides of this turning point in Russian history: on one hand, he writes of Russia's rich, unique national identity and traditional values. On the other, he expresses ambivalence towards Russia's movement in the direction of Europeanization, populism, and intellectualism.[2] Dostoevsky birthed *The Brothers Karamazov* in 1880 during this turbulence, just fourteen years after Czar Alexander II instituted a distinctly Western judicial system in Russia, which included public hearings and jury trials. Although Dostoevsky initially supported these reforms, he became increasingly critical of their ability to adjudicate fairly.[3] Thus, the judicial trial and error in *Brothers Karamazov* not only determines Dmitri Karamazov's guilt or innocence for the murder of his father, but also reveals Dostoevsky's prediction about the fate of Russia's future in the face of opposing cultural forces and divergent ideas regarding truth and justice.

The dualistic culture that Dostoevsky immersed himself in was integral to his inspiration to construct a trial of his own in *The Brothers Karamazov*. Especially during the end of his life, Dostoevsky was "very much rooted in his time... he was deeply preoccupied with events taking place in both Russia and in Europe."[4] Accordingly, Dostoevsky read innumerable types of literature from all regions of the cultural spectrum-novels, periodicals, Christian literature, classic Western works, psychological treatises, and traditional Russian literature.[5] Dostoevsky learned about Western liberalism and idealism and contrasted it with Russian traditionalism and conservatism. He cultivated a passion for the unique national spirit of Russia and protectiveness over values of family, community, and Christian morality. As a result of his vast reading, Dostoevsky became apprehensive about the threat of Russia's "danger of succumbing to the forces of modernization and capitalism" from the West.[6] However, Dostoevsky also grew to believe that Russia should follow in the footsteps of European domination and exploitation in order to spread those values.[7] His seemingly paradoxical belief that Russia should become simultaneously more Russian and more European mirror the contemporaneous Russian dilemma in which "the old order has come to an end and in which the outlines of a new order are not yet distinguishable."[8]



PORTRAIT OF THE AUTHOR, FYODOR DOSTOEVSKY, IN 1872 (COURTESY OF *WIKIMEDIA COMMONS*)

Dostoevsky also undertook intensive reading of political disputes and trial proceedings; this gave him an extensive breadth of knowledge about the reformed judicial system, enabling him to write his very own, historically accurate trial proceeding in *The Brothers Karamazov*.[9] Even before he wrote this novel, Dostoevsky composed opinion pieces that were frequently published in newspapers and journals, declaring what he thought judges should have decided in various cases.[10] As a result of his broad and purposeful reading of literature from Russia and elsewhere, Dostoevsky developed both an infatuation and a concern for the increased European influence on Russian culture, especially in the judicial realm.[11] Dostoevsky thus orchestrated a Westernized jury trial in *The Brothers Karamazov* to serve as, "the perfect vehicle for advancing his moral, religious, and political ideas."[12] The trial that constitutes a large part of the novel is therefore Dostoevsky's comprehensive commentary on each element of the new judicial system.

*The Brothers Karamazov* stands at the forefront of Russia's crossroads, reflecting Dostoevsky's apprehension about "Russia's historical identity."[13] One of the central features of Russian traditionalism is strong, unbreakable family ties—particularly that of a father-son relationship. Fyodor Karamazov's betrayal of his biological sons and Dmitri's alleged patricide, which inherently corrupts this father-son bond, represent the fact that Russia's most time-honored traditional values are at stake at this trial and at this point

*"The Brothers Karamazov is a call to action for the Russian people to avoid blindly accepting the court as the most civil and equitable means of achieving justice."*



in Russian history.[14] Throughout the novel, "the family... becomes the critical unit of society, and its unity and biological continuity are threatened by the loss of values which characterizes Petersburg society as a whole."[15] The source of Dostoevsky's frustration and his criticism of the Westernized jury trial is the fact that a non-Russian justice system is adjudicating a matter of fundamental, familial Russian values.

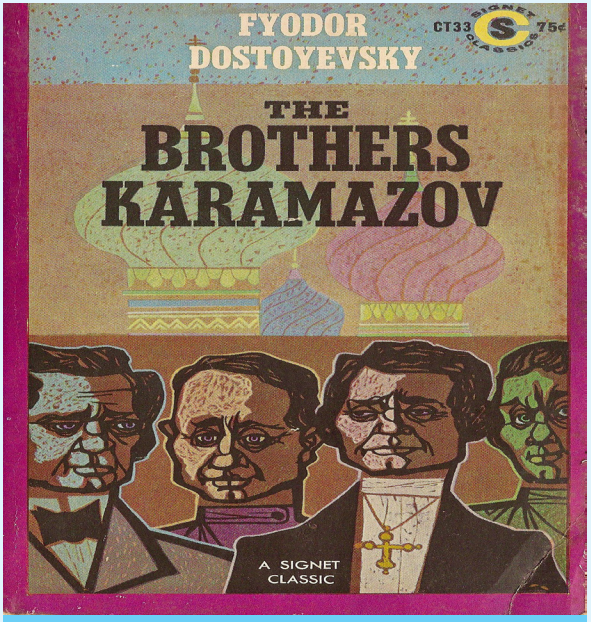
Dostoevsky's primary concern with the European jury trial's artificial transplantation into the Russian social fabric was that the adversarial justice system's alleged discovery of truth would supplant Russia's pure, Christian attitude to truth. One of the most remarkable components of the 1864 judicial reform was its forceful separation of religion and law. Before the Europeanization of the Russian courts, different courts existed for each social class and the system afforded the Christian clergy special treatment. Although European culture fascinated Dostoevsky, he also feared that European modernization would monopolize Russia's future.[16] Consequently, Dostoevsky portrays the Europeanized jury trial as an anti-Russian institution because it purportedly attains truth through deceit and theatrics; the attorneys on both sides intentionally distort reality in order to win the trial. Instead of proposing an alternative to the Europeanized jury trial, Dostoevsky adopts a reluctant acceptance but continues to criticize the system: he resentfully recognizes that, "The future...belongs to the world of the court, that is, to Western law and jurisprudence."[17] *The Brothers Karamazov* is a call to action for the Russian people to avoid blindly accepting the court as the most civil and equitable means of achieving justice.[18] Contained in Dostoevsky's hand-crafted jury trial is a subtle, yet caustic critique of the spectacle of the attorneys' statements, the institution of the jury itself, both the lay and expert witnesses, the judge, and the public's response to the trial, revealing Dostoevsky's disillusionment with the Western judicial reforms of 1864.

Dostoevsky's main criticism of the prosecutor is that he treats Dmitri's murder trial as a performance to advance his career and reputation, rather than as an opportunity to help serve justice. The most convincing proof that the lawyers are performing to please the crowd rather than the jury is the fact that they employ complicated rhetorical arguments and literary allusions in their statements, but the jury is uneducated and does not understand such references.[19] First, the prosecutor Ippolit Kirillovich takes up the case to prove himself as a litigator and directs his speech not to the jurors, but to the lawyers "who have ridiculed him and hindered his career."[20] The prosecutor does not even mention the defendant's name until he is well into his closing statement. He knows that he could not win the case on the facts alone, as the evidence against Dmitri was all circumstantial, so he resorts to preaching about Russia's moral and spiritual values, the civic duty of its citizens, and its future.[21] Kirillovich appeals to Russia's strong family values in asking, "Shall I offend society if I say that [Fyodor Pavlovich] is even one of many modern day fathers?"[22] Instead of focusing primarily on the case at hand, the prosecutor universalizes the charge and condemns society for adopting a "broad, Karamazovian nature" of depravity and degradation.[23] Ironically, Kirillovich preemptively chastises the defense attorney for using "eloquent and moving words, aimed at your emotions," and warns the jurors not to be convinced by them, although the prosecutor has been spewing empty rhetoric for three chapters.[24] The prosecutor also distorts the truth by attempting to illustrate Fyodor Pavlovich as a pitiable, humble, and moral patriarch whom all Russians can relate to, when the community knows quite well that he is a depraved sensualist.[25] It is painfully ironic that Kirillovich, who has just attempted to prove what the reader knows is a lie, ends his speech with a pathos-laden invocation to the jury about serving justice and truth,: "Remember that you are the defenders of our truth, the defenders of holy Russia, of her foundations, of her family, of all that is holy in her!"[26] This statement epitomizes Dostoevsky's ideal judicial system in which justice and truth are inseparable; however, in the context of the prosecution's elaborate lie, it is hypocritical and almost sardonically comical. Although Kirillovich attempts to bridge the Russian conflict between traditional and modern values by appealing to Russian values in his arguments, Dostoevsky implicitly condemns the prosecutor for tainting precious Russian morality by exploiting it to distort the truth.

Similarly, although the defense attorney is supposedly defending the truth by attempting to acquit an innocent man, he is still convoluting the truth by refusing to believe it. The fact that Fetyukovich actually thinks that Dmitri is guilty but still represents him is the strongest evidence that he takes this case to pursue self-aggrandizement, publicity, and "advancing his personal and political agenda."[27] Fetyukovich skillfully pokes holes in the prosecution's case and attacks the credibility of its witnesses,[28] but is "not interested in Dmitri as a person; he 'vouches' for his client from purely technical and strategic considerations."[29] In fact, the defense attorney explicitly admits that it was "certain juridical fact" and "characteristic peculiarities" that urged him to take the case.[30] Through the character of the defense attorney, Dostoevsky comments on the unjust nature of the Westernized court system by pointing out that once the witness examinations conclude, Fetyukovich's theatrical routine is the only word representing Dmitri.[31] And that word is focused on exploiting the impressionability of the people via rhetoric, rather than fulfilling his obligation to fight the charges against his client. Similarly to the prosecutor, Fetyukovich attempts to universalize the case to win over his audience with pathos: "The prosecutor threatens Russia with the wrath of Europe, just as Fetyukovich threatens fathers with the wrath of their sons."[32]

Dostoevsky highlights the difference between truth and justice through characters who contradict themselves in court, while they are under oath. Another element to support the idea that Fetyukovich is simply performing for himself is that he entirely reverses the basis of his argument during his summative statement. He originally declares that Dmitri is innocent: "I swear by all that's holy. I believe completely in the explanation of the murder I have just presented to you."[33] However, just a few minutes later, Fetyukovich asks his audience to consider the possibility that Dmitri did, in fact, kill his father, and begs the jury to "overwhelm [Dmitri] with your mercy" if they believe the defendant is guilty.[34] The fact that Fetyukovich changes his mind about the most important fact in the case mid-speech deals a significant blow to his credibility and makes a mockery of the Western judicial system—the defense attorney blatantly contradicts himself during his own statement, but the public is still invariably in awe of him. In short, Fetyukovich symbolizes "a new stage in the history of the world—and the law—in which the world is torn loose not only from its former moral and spiritual moorings but from its ideological moorings as well."[35] Another character who contradicts herself and perverts the relationship between truth and justice is Dmitri's former fiancée, Katerina Ivanovna, who introduces a genuine piece of evidence: a letter proclaiming Dmitri's intent to kill his father, which distorts the truth. Katerina originally testified on Dmitri's side but suddenly switches to the prosecution, revealing how the justice system even pits lovers against one another just as it pits truth against justice.

Although Dmitri Fyodorovich is the one on trial for the murder of his father, the attorneys and audiences are much less concerned with his fate than they are interested in the spectacle of the courtroom drama.[36] Since he is innocent, Dmitri represents both the truth and Russia itself.[37] Just as Russia is caught between progressive Europe and its traditional past, Dmitri must choose between his father Fyodor Pavlovich's sensualist nature, his brother Ivan Fyodorovich's cold rationality, and his brother Alyosha Fyodorovich's unconditional love. The public essentially perceives Dmitri as a scapegoat for betraying the invaluable Russian paternal bond and for acting upon the impulse to get revenge on his father, which is societally intolerable—despite that most members of society have, and often repress, this vengeful impulse.[38] Dostoevsky depicts "the court as a deracinated un-Russian institution that cannot abide Dmitri's quintessential earthy Russian character."[39] Dmitri makes several attempts throughout




*THE BROTHERS KARAMAZOV* BOOK COVER (COURTESY OF *FLICKR*)

*"This supports Dostoevsky's vision of Westernized court as an instrument of propoganda through which judges adjudicated to advance their political agenda."*



the trial to speak up for himself, both in spontaneous outbursts and solicited answers to the judge's inquiries, but the judge constantly silences him: "'Watch your words, defendant...You are harming yourself in the opinion of your judges.'"[40] The condemnation that Dmitri receives from the court's leader for speaking the honest truth represents Dostoevsky's belief that the modernized judicial system simply cannot perceive and accept the truth accurately: "Dmitri's word, the Russian word, is effectively silenced."[41] He is not given a fair chance to make his voice heard, as the judge continually suppresses his truthful statements.[42] This supports Dostoevsky's vision of the Westernized court as an instrument of propaganda through which judges adjudicated to advance their political agenda.[43] Despite making several efforts to defend himself during the trial, when asked to speak at the end of the trial, Dmitri "was terribly tired in body and spirit. The look of strength and independence...had all but vanished."[44] Since Dmitri represents Russia as a whole on trial, this statement reflects Russia's retreat away from its time-honored values—its culture, too, is tired in body and spirit.

Ivan is another truthful defense witness whose testimony is rejected by the judicial system that, in Dostoevsky's opinion, has little regard for the actual truth. During his testimony, Ivan shakily declares that Smerdyakov is the true murderer of Fyodor Pavlovich, which the reader knows is the actual truth. However, because raw emotion and perceived mental instability accompany Ivan's testimony, "Ivan's confession is too true to be believed."[45] It is ironic that the audience and jury are swayed by the emotional words of the untruthful attorneys and witnesses, but are unconvinced by the emotional testimony of a truthful witness. The judge, who Dostoevsky portrays as a suppressor of truth, bellows at Ivan, "Are you in your right mind? ...Witness, your words are incomprehensible and impossible in this place."[46] The judge's demand for evidence in light of Ivan's confession is frustrating, because he lacks concrete proof to back up his word. On the other hand, the prosecution submits a great deal of concrete proof, in the form of physical evidence and legal exhibits. Dostoevsky thus demonstrates what he believes to be a fundamental paradox of the new judicial system: although Ivan is telling the truth, he cannot possibly back up his claim with evidence; although the prosecution is weaving a lie, they produce a plethora of evidence.[47]

Dostoevsky also emphasizes the unreliability of evidence in the courtroom with the introduction of dubious expert witnesses on both sides of the trial. For example, the Moscow doctor who testifies to Dmitri's temporary insanity without ever meeting him only does so at the behest of Katerina —not even the defense attorney supports this testimony. Dostoevsky satirizes the employment of pseudoscience in the courtroom to prove that expert witnesses are, more often than not, "bought or subjective."[48] The experts contradict one another, and the doctor from Moscow and Doctor Herzenstube take the case to pursue their personal vendettas against each other, overall making "the expert testimony appear ludicrous."[49] The fact that evidence can be misconstrued to deny the truth and the fact that evidence is essential to proving the truth indicates Dostoevsky's belief that "evidence...is a knife (literally "a stick with two ends") that can cut either way...the one small truth on which larger truths hinge."[50]


THE IMPERIAL COUNCIL, WEST SIDE, ST. PETERSBURG, THE BIRTHPLACE OF DOSTOEVSKY (COURTESY OF *WIKIMEDIA COMMONS*)

## *"'Do we have any truth in Russia, gentlemen, or is there none at all?'"*

In addition to insinuating how the participants in Dmitri's trial itself depict the shortcomings of the justice system, Dostoevsky also issues a polemic against the transformation of a judicial trial into a public spectacle. The masses gather in the courtroom not to see justice served, but because they take pleasure in the rhetoric of and competition between famous attorneys as "a contest between gladiators."[51] The public is almost comically irrational in that it believes that "this was not a controversial case at all," and that "the criminal was guilty, clearly guilty, utterly guilty" before the trial even begins, before they see concrete evidence or hear arguments from either side.[52] Dostoevsky portrays the public as extremely fickle—one minute, the prosecutor convinces them that Dmitri is guilty, and the next, they are swayed by the defense attorney's argument. Dostoevsky indicates just how illogical public opinion can be by writing that the women favored Dmitri's acquittal, even though they believed him to be guilty, because "an idea had been formed of him as a conqueror of women's hearts."[53] On the other hand, the men of the city took pleasure in Dmitri's conviction out of jealousy and vanity, because their wives sympathized with him.[54] Both the press and the masses are preoccupied with the trial, and it becomes a source of daily public entertainment. Accordingly, Gary Rosenshield opines that the O.J. Simpson trial is a modern-day reappearance of *The Brothers Karamazov* trial in its transformation into a media spectacle and a theater for lawyers to advance their careers.[55] The malleability and superficiality of the people renders the entire trial a courtroom drama. Ivan's frenzied cry of "Circuses! Bread and circuses!" embodies the public's desire for public amusement in the place of a judicial trial.

Ultimately, the jury trial in *The Brothers Karamazov* advances Dostoevsky's opinion that the Westernized courts installed by the Russian government in 1864 do not fairly serve justice because they fail to recognize the truth. Dostoevsky believed that truth of a crime, or lack thereof, should determine a just punishment: "The trial and the judgment that the court passes on Dimitri are a judgment of Russian society's ability to perceive the truth—and they prove to be a withering judgment."[56] Throughout the progression from Smerdyakov's confession to the trial's verdict, the truth progressively grows more distorted through bias and rhetoric.[57] As a result of misperceiving the truth, the court wrongfully convicts an innocent man.[58] In the novel, the relationship between crime and punishment is perverted, contrary to Dostoevsky's belief that this relationship "must be rational—and to a certain extent impartial, standardized, formal, and codified" to serve justice.[59] The Westernized jury trial, however, strays from this standardization, employing deceit instead of truth, especially through deceptive attorneys. Dostoevsky once published an article that epitomizes his pessimism with regards to the jury trial sarcastically entitled "Deceit Is Necessary to Truth. Deceit Multiplied by Deceit Produces Truth. Is This So?[60] His anxiety regarding the new judicial reforms constitutes one aspect of his "fear of the Westernization, secularization, and increasing individualism in Russian society," which he developed during the 1860s and 1870s when Russia was on the brink of modernity.[61] The Western court system and law—"ephemeral, superficial, and of this world only"—are symbols of Dostoevsky's cynicism about Russia's future.[62] After Dmitri's trial concludes and the court spectators converse, Dostoevsky speaks through one of the members of the crowd: "Do we have any truth in Russia, gentlemen, or is there none at all?"[63]

## ENDNOTES

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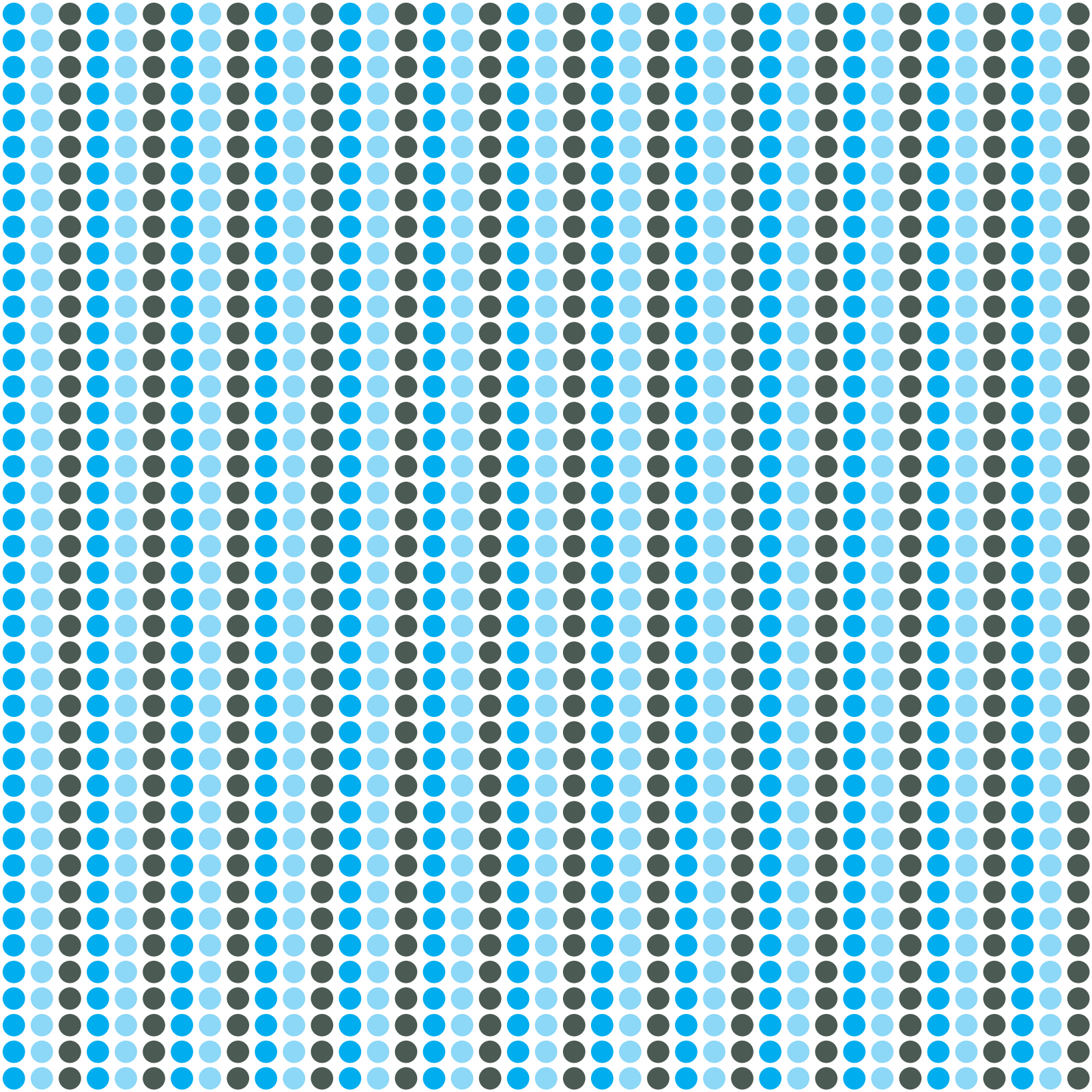


# THE POINT OF PAYMENT

## *A Comparison of Commercial Behaviors Across Regions*

KYLE BARANKO

A NATION-STATE'S POLITICAL STRUCTURE DETERMINES THE LEVELS OF TRUST AND SECURITY INDIVIDUALS HAVE IN THE ECONOMIC SYSTEM AS A WHOLE. HOTBEDS OF COMMERCIAL ACTIVITIES AND CONVINCE MANY PEOPLE TO MIGRATE TO URBAN AREAS IN SEARCH OF OBTAINING A SLICE OF THAT ECONOMIC GROWTH. HOW THESE INDIVIDUALS CONDUCT BUSINESS TRANSACTIONS REFLECT THEIR LEVELS OF TRUST AND SECURITY IN A NATION-STATE'S POLITICAL SYSTEM. THROUGH ANALYZING FORMAL AND INFORMAL COMMERCIAL TRANSACTIONS AT THE POINT OF PAYMENT, THIS PAPER WILL EXPLORE HOW SMALL MERCHANTS AND CONSUMERS REPLACE GAPS IN FORMAL REGULATIONS AND DISTRUST IN GOVERNANCE WITH THEIR OWN SYSTEMS OF TRUST AND SECURITY. RESEARCH IN BUENOS AIRES, HANOI, AND CAPE TOWN SHOWS HOW UNIQUE FEATURES OF EACH NATION-STATE'S POLITICAL ECONOMY SIGNIFICANTLY IMPACT COMMERCIAL BEHAVIOR AT THE POINT OF PAYMENT, BUT RAISE CONCERNS ABOUT UNEQUAL WEALTH DISTRIBUTION IN CITIES INTEGRATED WITHIN THE GLOBAL MARKET ECONOMY.

## INTRODUCTION

Small-scale economic behavior in Buenos Aires, Hanoi, and Cape Town is a byproduct of economic, political, and cultural variables at both the micro and macro level. This paper analyzes how non-quantifiable aspects of individual decision-making affect commercial transactions at the point of payment. Unquantifiable notions of security and trust have a critical impact on how people exchange goods and therefore a significant impact on the political economy of a nation-state as a whole. In essence, macro-level political and economic features of state governance control notions of trust and security among consumers, which in turn determine circumstances at a point of payment. Where the government is either unwilling or unable to instill safety and confidence in micro-level commercial activity, individuals and communities create alternate payment systems to compensate.

The mechanism of this relationship between macro and micro variables operates differently in each city studied. Decades of political upheaval and a financial crisis in Argentina are directly related to the fragmented payment system within Buenos Aires. Economic instability has made it difficult for individuals to build networks of trust and develop security in the Argentine peso, which has resulted in inconvenient payment methods and a widespread distrust of government. A painful national history plagued by recurrent war and resource shortage has allowed the Communist Party of Vietnam to build legitimacy and tremendous faith in its ability to provide security and trust in the economy. However, the government's centralization of power has rendered it unable or unwilling to release most microeconomic activity from a confined payment system of straight cash, as a high percentage of commercial transactions remain informal and unregulated. South Africa's young, dysfunctional democracy has largely avoided economic instability but has been unable to provide essential services needed for stability on the microeconomic level; Cape Town's inability to distribute security forces evenly across the population has had a disproportionate impact on poor, informal business as police protect capital rather than people.

A QUIET STREET IN THE SHOPPING DISTRICT OF HANOI (COURTESY OF *WIKIMEDIA COMMONS*)

## RESEARCH QUESTION AND METHODOLOGY

The purpose of this project is to analyze the similarities and differences of small-scale commercial transactions within and between each city. All research gathered centers on one central question: how do the relationships between micro-level variables at the point of payment and the nation-state's macro-level political economy manipulate notions of trust and security among individuals?

To gather data in each city, I had in-depth conversations with locals, conducted field observations at various types of storefronts, and interviewed small business owners and managers. The relationship between merchant and customer, specifically analyzed regarding security and trust, will be used as the two central themes in which to measure macro and micro-level variables. Macro-level variables include historical legacies, political system, and degree of market intervention. Micro-level variables include technology, information access, currency, brand, regulations, and degree of formality.

## EVIDENCE AND ANALYSIS

Small-scale commercial activity in Buenos Aires is intricately linked to individual attitudes towards the government's management of the economy. These attitudes are the product of a recent traumatic history plagued by political and financial instability; as a result, markets in Argentina show a high distrust in the national currency, the peso, as well as animosity towards foreign multinational corporations. Much of the negative popular sentiment stems from the financial crisis in 2001 and its aftermath. Corrupt political leadership and failed neoliberal policies were the primary culprits of the economic disaster, which vaporized personal savings and destroyed the peso's value while mass protests propelled the populist Néstor Kirch-

*"The majority of microeconomic activity in Hanoi does not take place in great, formal commercial centers like Royal City, but rather in informal shops and markets."*



ner into power. Because the blame fell on free markets, deregulated capital flows, and aggressive foreign multinationals, popular sentiment developed a strong distaste in the tightly integrated international political economy. However, the most recent national elections signaled a change in power as the conservative, market-oriented Mauricio Macri assumed the presidency.

Despite its tumultuous colonial history, Vietnam has seen extraordinary economic success and political stability since the Doi Moi reforms in 1989; individuals have responded with trust in the state-capitalist economy and security in the legitimacy of the Communist Party. Because there is no change of power in government, commercial activity enjoys the absence of whimsical economic policy and the benefit of constant pro-growth regulations. Vietnam has been steadily advancing free market policies and tighter integration with the global economy from the top down.

Since its movement towards democracy, South Africa has experienced a tumultuous political atmosphere but maintained a relatively stable macroeconomic system; negative sentiment regarding trust and security among citizens largely hinges on government legitimacy and policy implementation, not direct economic policy. Governance failures in Cape Town do not stem from a lack of ambition – South Africa has a very progressive constitution – but rather the feasibility of providing services to a population that suffers from blatant wealth disparity and spatial segregation. As a result, commercial activity differs drastically in former townships compared to the Central Business District.

In Buenos Aires, the majority of small business transactions observed used cash payments in Argentine pesos rather than digital payments or plastic debit and credit cards. However, the percentage of digital and card payments was even lower just two years ago; since taking office, the Macri administration has sought to restore confidence in digital credit and debit systems by encouraging small-businesses to accept MasterCard, Visa, and other Western financial services linked to the global economic system.[1] This trend is clearly apparent in Palermo, an area of the city with many small businesses and bustling with tourists. Storefronts in this neighborhood were extremely aggressive in marketing the types of payments accepted at their location, placing signs in windows denoting their willingness and ability to conduct transactions with particular financial services brands, cards, and even high-tech options like Apple Pay. These signs always specified whether stores accept debit or credit cards, or both; although the government has pushed for a more formalized economic system, many Argentines still lack access to credit and banking services.

In Hanoi's sparkling commercial development, Royal City, a point of payment systems are also formal and highly integrated with the international economy. Retail outlets in the mall are predominantly Western brands and foreigners own most of the residential complexes. However, local consumers rarely visit the vast commercial complexes to shop; instead they use the space during the summer to enjoy the air conditioning and admire products without making purchases.[2] The majority of microeconomic activity in Hanoi does not take place in great, formal commercial centers like Royal City but rather in informal shops and markets.

Commercial transactions in the Central Business District of Cape Town are highly formalized. Most small businesses are integrated with Western financial services companies and accept almost all types of credit and debit cards. Many accept Zapper, a mobile payment app that uses a QR code scanning mechanism to instantly charge a credit or debit card digitally. Double swiping and card fraud are the primary security concerns for small businesses in the area, but Zapper is already siphoning 5-10% of total payments in some bars and stores.[3] The minor security problems reflect trust in government's management of the city's economy and a healthy business environment.

The Macri administration has taken initiatives to build safety and transparency through improved, high-tech regulations. Every formal storefront in Palermo, where the majority of research was gathered, had a "Data Fiscal" sign

*"The information is supposedly for the public as a whole, but it remains to be seen whether these new regulations are intended to increase consumer confidence or attract foreign direct investment—or both."*

hanging in the entrance window. This sign consisted of the title of the enterprise and a large QR code intended for potential customers to scan with their smartphone to get instant official data on the establishment's finances. The information is supposedly for the public as a whole, but it remains to be seen whether these new regulations are intended to increase consumer confidence or attract foreign direct investment—or both. Regardless of intention, the Data Fiscal initiative reflects the Macri administration's determination to formalize small businesses, at least in the cosmopolitan Palermo neighborhood.

To maintain control of the population, the Vietnamese political structure remains top-down in nature and is either unable or unwilling to formalize commerce at the micro-level. This has led to juxtaposition; a high percentage of the microeconomic activity in Hanoi is informal and unregulated because the state's centralized political structure is incapable of providing regular commercial services, and as a result, a high percentage of business activity evades state control. Overall, Hanoi residents do not trust banks and credit cards because they do not understand how financial services operate. They elect to use cash because it is consistent and perceived as more secure.[4] The Communist Party has kept the circle of trust between the consumer, the merchant, and the government, represented as the paper currency: Vietnamese dong.

Rather than large, corporate, chain-run firms, many residents of Hanoi purchase most of their goods from small, family-owned businesses. As a result, personal relationships between customer and merchant are often used instead of digital financial services. At one family-owned bar, workers had established an informal system of credit with regular customers whereby payments were made casually or on friendly informal credit systems. Many establishments throughout Hanoi operated in a similar manner, lacking formal structure and standard payment methods but compensating through personal relationships between those involved. Even when commercial transactions between merchant and customer were anonymous, the exchange still lacked direct oversight from the government or the inclusion of a third party in the circle of trust. One manager interviewed did not see the need to accept cards because the business she operated was so small. She had no formal relationship with the government and paid rent to a larger corporation that handled taxes and other legal matters.[5] This is a theme common throughout Vietnam's political economy; interaction between enterprise and government is carried out at a high level as the Communist Party cedes direct control on the micro-level, keeping most small business informal.

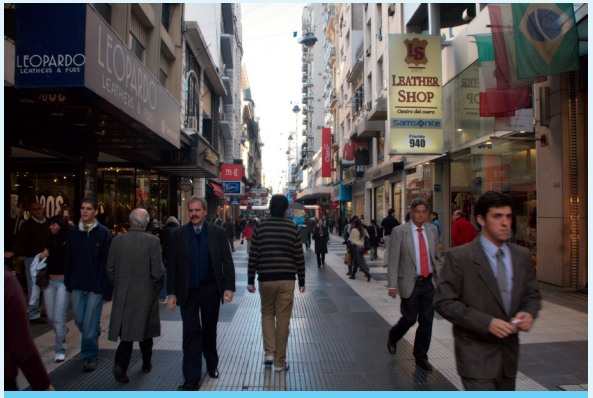
Lack of security services is the defining concern among merchants and consumers conducting commercial transactions in the former South African townships. In these poor, racially divided areas, microeconomic activity takes three dominant forms: locally owned "Spaza" stores, highly mobile street traders, and formal chain stores. One corner of Washington Street in Langa Township acts as a dueling center of economic activity as formal and informal businesses compete for consumers.[6] The corporate general store accepts card payments and employs four private security guards to protect the entrance. To compensate for the lack of labor, the locally owned Spaza store creates a fortress by putting up large metal barriers and accepting cash payments exclusively through a small window. The mobile street trader relies on the community for security, as products are open and especially vulnerable. To compete with the corporate giant's vast financial resources, the Spaza store and street trader use personal relationships and social capital to attract consumers and create informal security networks, a phenomenon common throughout other townships, like Khayelitsha.[7] These small, locally owned enterprises provide discounts and informal credit for their regular customers, which form a high percentage of their total business; in return, these consumers remain loyal and provide protection.[8] Street traders exclusively rely on social capital for security and typically only sell products to customers with whom they have personal relation-

ships. As a whole, merchants in townships and other neglected areas of Cape Town compensate for the lack of formal financial services and public security by using personal relationships and informal networks of trust.

Regardless of the physical form of payments, Buenos Aires is unique in the three cities studied because of consumers' affinity for U.S. dollars. Because of recurrent inflation and deep-seated distrust in the government's ability to back the peso, all expensive commercial transactions, such as houses and cars, are paid for in U.S. dollars.[9] This feature of Argentine microeconomic activity displays a high level of distrust and insecurity in the national government's ability to ensure transparency and long-term stability on a macroeconomic-level.

The point of payment circumstances in the taxi industry, specifically Uber, vary greatly between the three cities and exemplify how macro-level political economy determines features of micro-level commercial activity. In Argentina, a history of strong labor unions and learned cultural aversion to Western multinationals has protected the domestic taxicab industry and kept Uber from spreading to Buenos Aires. Uber is allowed to operate in Vietnam but still faces cultural hurdles; most residents of Hanoi prefer cash-only motorbike and taxi services, as they have familiarity with this type of exchange and hesitate to extend trust to financial services or a Western company with algorithmically-set rates.[10] In contrast, Uber is popular in Cape Town primarily because it extends trust to a third and fourth party. When ride payments remain between an individual consumer and driver, both have the opportunity to exploit the other. Integrating Uber and a credit or debit card company increases transparency and legitimizes the terms of exchange so that a potential contract violation between consumer and driver is less likely. Some drivers insist on having both Uber and a financial services company involved in the transaction, as many refuse to pick up riders in townships when the payment feature is set as "cash" for fear of exploitation.[11] In this case, the government is incapable of providing security in the exchange, so the private sector fills the gap by extending the circle of trust. These varied reactions and attitudes towards Uber reflect thematic sentiments of trust and security in each city and how it is distributed.

Residents of Buenos Aires, Hanoi, and Cape Town engaged in informal commercial transactions have done so out of necessity, not by choice; their plight to make ends meet through personal relationships and informal networks is not a sign of empowerment but rather marginalization by globalization's potent market and political forces. Although admirable, informal entrepreneurship at a point of payment is a symptom of economic exclusion and wealth inequality, not a tool to lift people out of poverty. Neoliberal economist Hernando de Soto argues that informal economies are "an epic struggle waged by informals . . . a long march toward private property, subjugating the state and formal society as they go."[12] Roy is correct in dismissing this flawed argument as the "aestheticization of poverty." De Soto's defining case to just formalize informal property and businesses fails to account for the macro-level structural challenges marginalized small-business owners and consumers face. Because Spaza stores in South African townships and street traders in Hanoi rely on face-to-face relationships with customers for security and payment systems, it is physically impossible to utilize economies of scale to expand their operation. In the case of Langa Township, the Spaza stores and street traders are mired in a perpetual state of disadvantage because they have to expend limited social capital for safety while corporate competitors have the financial resources to pay for private security, a service that should be provided by the government. In Cape Town, the public resources needed to create trust and security – unquantifiable but prime ingredients for economic growth – are not distributed evenly across the population but instead coalesce around formal commercial centers and concentrated wealth. This phenomenon is also evident in Hanoi as the Communist Party actively promotes formal development in Royal City; in this case, the government's resistance to bottom-up civil society at the local level leaves most microeconomic activity informal.




CALLE FLORIDA, A BUSY STREET LOCATED IN THE BUENOS AIRES CITY CENTER (COURTESY OF *WIKIMEDIA COMMONS*)

Globalization exacerbates the disequilibrium in how formality, and the public resources that accompany it, is distributed. As Sassen explains, the profitable fruits of globalization come from "the new growth sectors – specialized services and finance" which "sets in motion a whole series of new dynamics of inequality."[13] Political leaders of these three countries envision grand global cities integrated with the international economy; however, the idealized areas in line with this vision such as Palermo, Royal City, and the CBD exclude the majority of the city's population, which is more active in the informal economy. Until governments eliminate structural systems of oppression, these informal economies will continue to act as a sign of marginalization at the hands of economic inequality and market forces.

## CONCLUSION

This research paper has explored how characteristics of a state's political economy impact commercial activity at the individual, micro level. In all three cities, there is a stark contrast between trust and security at the formal and informal level. The formal payment systems are regulated and encouraged by the government whereas informal economies are created in the absence of official authority. Formal exchange is bolstered by government policy and the liquid capital of the globalized market; informal transactions suffer from the lack of consistent services and accessibility, although individuals have responded by establishing networks of trust and security built on personal relationships. Nevertheless, this disparity poses serious questions about the sustainability of top-down, globalized economic growth in cities. Through unequal distribution of unquantifiable, behavioral precursors to economic growth like trust and security, governments perpetuate wealth inequality by restricting access to the benefits of formal systems of exchange.

## ENDNOTES

1. Mirta Rosovksy (host mother, Argentina Ministry of Culture employee) in discussion with the author, September 2016.
2. Son Kieu Thanh (host brother) in discussion with the author, October 2016.
3. Anonymous (restaurant manager) in interview with the author, November 2016.
4. Anonymous (translator/neighborhood day guide) in discussion with the author, October 2016.
5. Anonymous (manager at Hanoi Medical University) in interview with the author, October 2016.
6. The block mentioned has a striking contrast between informal and formal commerce and was teeming with residents during this time, as many people were shopping on their way home from work. Some people were friendly and willing to talk but many were distrustful and surprised to see a white person in the area.
7. Anonymous (tour guide/Khayelitsha community leader) in interview with the author, November 2016.
8. Anonymous (Spaza store owner) in discussion with the author, November 2016.
9. Mirta Rosovksy in discussion with the author, September 2016.
10. Son Kieu Thanh in discussion with the author, October 2016.
11. Anonymous (Uber drivers) in discussion with the author, November 2016.
12. Ananya Roy and Nezar AlSayyad, "Transnational Trespassings: The Geopolitics of Urban Informality," in *Urban Informality: Transnational Perspectives from the Middle East, Latin America, and South Asia* (Lanham, MD: Lexington Books, 2004), 204.
13. Saskia Sassen, "Whose City Is It? Globalization and the Formation of New Claims," in *Cities and Citizenship*, ed. James Holston (Durham and London: Duke University Press, 1999), 181.

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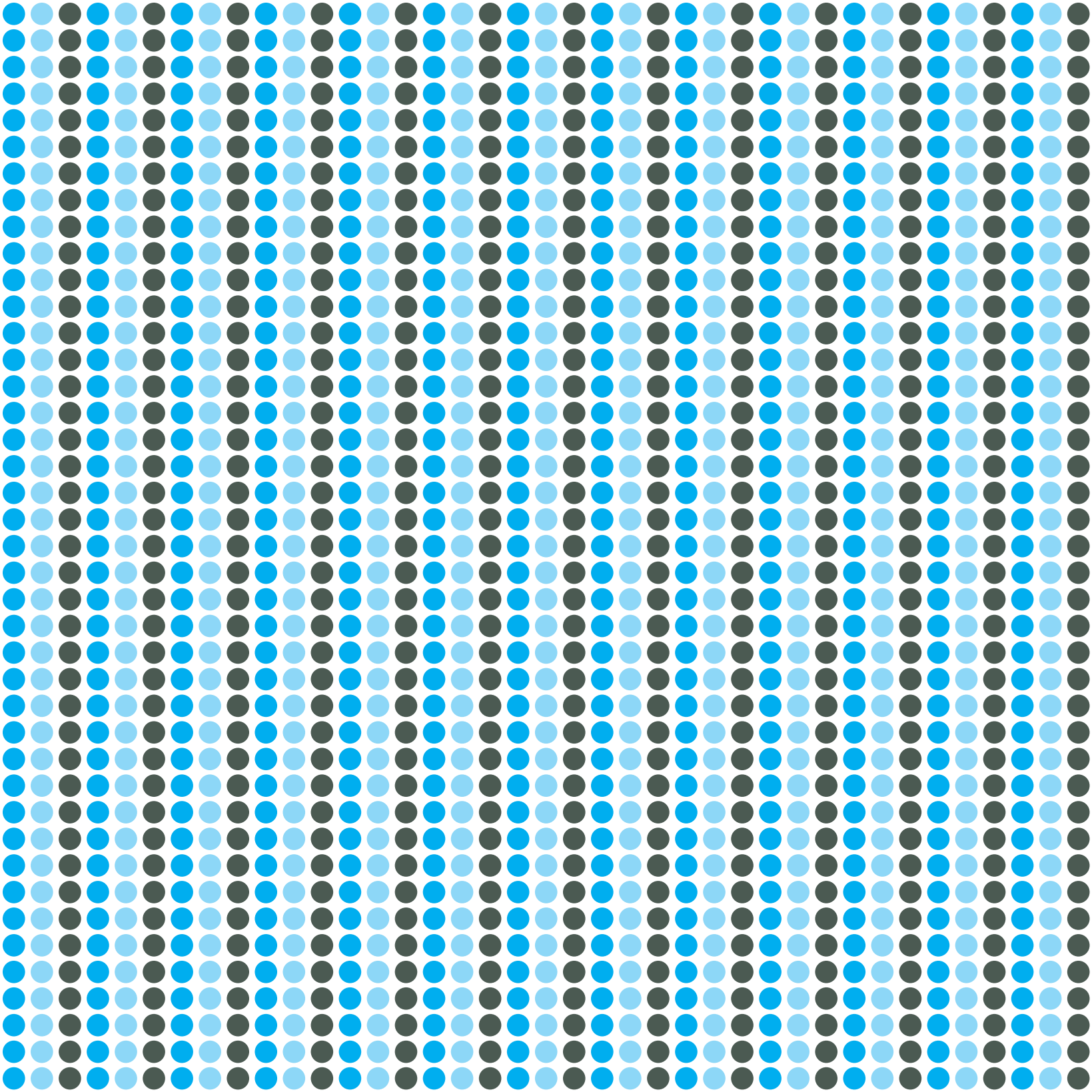

# AVERTING THE GAZE

## *An Anti-Self-Portrait of the Disabled Female Body*

CARLY BARNHARDT

THIS ARTICLE AIMS TO EXPLORE VISUAL ARTIST LAURA SWANSON'S "ANTI-SELF-PORTRAIT" AS A RESPONSE TO TRADITIONAL READINGS OF THE DISABLED BODY IN VISUAL ARTS. SHE RESISTS THE VISUAL RHETORICS THAT FOUNDING DISABILITY STUDIES SCHOLAR ROSEMARIE GARLAND-THOMSON IDENTIFIES IN HER ESSAY THE POLITICS OF STARING: VISUAL RHETORICS OF DISABILITY IN POPULAR PHOTOGRAPHY. SWANSON'S "ANTI-SELF-PORTRAIT" TITLED PEGGY LEE REALIZES GARLAND-THOMSON'S CALL FOR AN INTEGRATION OF FEMINIST CRITICAL THEORY AND DISABILITY STUDIES. THE WORK INTENTIONALLY ENGAGES THE CONVENTIONAL READING OF DISABILITY, WHICH NARROWLY DEFINES AS AN EXOTIC STATE OF DIFFERENCE. THOUGH DECEPTIVELY STRAIGHTFORWARD, PEGGY LEE EXPLOITS SPACE AND POSITION TO REVERSE THE TRADITIONAL POWER DYNAMIC WHICH PRIVILEGES THE VIEWER'S GAZE OVER THE DEPICTED SUBJECT. BY OBSCURING HER FACE BEHIND AN OSTENSIBLE SYMBOL OF SOCIETAL BEAUTY STANDARDS, SWANSON RECLAIMS THE SOCIAL RITUAL OF STARING AT DISABILITY.

Minnesota-born artist Laura Swanson is one of seven adopted children in her family, and one of three with a physical disability. She credits her artistic exploration of identity to her mother, who "wanted [her] to experience a full life without inhibition".[1] In her collection of photographs titled *Anti-Self-Portraits*, Swanson explores her identity as a woman with a physical disability. Her artist statement reads:

> Her work centers around a critical exploration of the behavior of looking at difference: how physical difference is visually depicted and objectified in culture, the consequent behaviors that cause discrimination in everyday life, and the psychological effects of being socially marginalized.[2]

Influenced by images in popular culture, from the "visual tactics used by the advertising and retail industries" to the films of director Wes Anderson, to TV sitcoms like *Friends*, Swanson's work can also be read more generally as a response to the visual rhetoric of popular photography that disability studies scholar Rosemarie Garland-Thomson defines in her essay *The Politics of Staring: Visual Rhetorics of Disability in Popular Photography*. In her response to these visual rhetorics in her "anti-self-portrait" called *"*Peggy Lee*"*, Swanson resists a traditional reading of a disabled body and reclaims her identity through self-representation.

PHOTO OF PEGGY LEE FROM AD ON MAY 5, 1945 FROM *BILLBOARD MAGAZINE* (COURTESY OF *WIKIMEDIA COMMONS*)

A self-representation (or self-portrait) of the disabled, female body provides a visual response to Rosemarie Garland-Thomson's call for the integration of feminist critical theory and disability studies. She writes, "Disability—like gender—is a concept that pervades all aspects of culture: its structuring institutions, historical communities, and the shared human experience of embodiment."[3] Further, Garland-Thomson's work on "the politics of staring" takes into account the feminist principle of the "gaze" in relation to images of people with disabilities, thereby introducing a shared language between feminist discourses and disability studies. Swanson's revision to the genre of the "self-portrait" calls for the consideration of the female body, pushing back against the form of a traditional portrait—a posed, formal drawing or painting that shows only the face or the head and shoulders of a person. The title of Swanson's self-portrait, *"*Peggy Lee*"*, references the name of the singer on the album that covers the subject's face. Drawing on the archive of popular images, Swanson adopts the doe-eyed, flaxen-haired singer's face and name as a critique of beauty standards. Garland-Thompson writes, "The twin ideologies of normalcy and beauty posit female and disabled bodies, particularly, as not only spectacles to be looked at, but as pliable bodies to be shaped infinitely so as to conform to a set of standards called normal and beautiful."[4] Swanson's image of herself is split: she adopts society's beauty standards in her face, but her body contrasts the "mask" she holds, as she is unable to change her body to fulfill the standards of beauty and normalcy. There is an ironic frankness in the self-presentation. Swanson teases the audience with what they want to see: a conventionally beautiful woman. In doing so she draws attention to her own inability to reflect these standards due to the circumstances of her human embodiment.

The frankness of self-presentation asserts the artist's power to command how she is perceived, and is negotiated through the gazes working in the photograph. Visually, the frank and sometimes eye-level gazes of artists on album covers surround the subject, but the subject withholds her own gaze by hiding her face with the album cover. Staring, then, becomes the subject of this photograph. The fragmentation of an otherwise essential process in photography disrupts the power relations that normally dictate the subject-viewer relationship. Garland-Thomson writes in her aforementioned essay,

> Staring thus creates disability as a state of absolute difference rather than simply one more variation in human form. At the

*"Swanson resists traditional images of disability, and in doing so, avoids the role of 'spectacle' in her own image..."*



> same time, staring constitutes disability identity by manifesting the power relations between the subject positions of disabled and able-bodied.[5]

In Swanson's anti-self-portrait, power relations between the subject and the viewer are inverted; the subject wields the power to be seen or not to be seen. She wears a mask, hidden from the viewer, but the mask gives the illusion that she returns the gaze, even as she rejects it. Swanson is dressed in casual, loose-fitting clothes, which resists the sexualization of the female body and the fetishization of the disabled body at once. Swanson's red shirt stands out against the otherwise neutral and cluttered background, but it neither draws attention to the shape of her body, nor hides it among the background. By positioning Peggy Lee's face over her own, the artist asserts control over the terms of the stare and in defining her own identity. The image—one that pairs the ideal standard of beauty with the physically disabled body—asserts human variation over "absolute difference," as the lines between subject and viewer and subject and subject are blurred.

Whereas the categories of visual rhetoric that Garland-Thomson defines in popular photography draw attention to disability as a state of difference, Swanson's anti self-portrait falls into none of those categories. It therefore does not perpetuate a representation of "the wondrous, the sentimental, the exotic and the realistic."[6] The domestic setting belies the careful construction of the image. Geometry plays an important role, as the rectangles in the image help to guide the viewer's eye. Swanson's body can be read as a rectangle that fills in the gap between the two rectangular speakers. In this way, the image addresses Garland-Thomson's formulation of the "wondrous" in which "disability operates visually by juxtaposing the singular (therefore strange) mark of impairment in a surrounding context of the expected (therefore familiar)."[7] Swanson's body, however, is positioned so that it blends rather seamlessly into the background, not drawing attention to her body, but not hiding it either. Coupled with the verbal play of the title, "Anti-Self-Portrait," Swanson, herself (and her body), nearly disappears from the image. The image is also static, barring the "supercrip" character in the "wondrous" image. That is, Swanson is doing nothing out of the ordinary; in fact, she is doing nothing at all.[8] Because the image indicates no movement or action, Swanson draws attention to the fact that it was posed. Barring the possibility of the "wondrous," the closest mode "Peggy Lee" comes to is the realistic, as it is placed in a mundane, domestic setting. The trick of the eye of the Peggy Lee record, however, lends itself to the surreal, which is characterized by the whimsical and irrational juxtaposition of images, unbridled by traditional societal constraints.[9] The visual manipulation of the body to blend in with everyday objects is reminiscent of the work of Surrealist photographers, such as Man Ray.[10] By adopting this new category of image to represent her body and her identity, Swanson challenges expectations of self-representation, adding another possibility for reading the collection title, "Anti-Self-Portraits."

Swanson resists traditional images of disability, and in doing so, avoids the role of "spectacle" in her own image and reverses the power relations of staring in photography, reclaiming what Garland-Thomson calls "the social ritual of staring at disability."[11] She asserts her own identity as the artist in refusing to conform to the visual rhetorics that would define her identity as a woman with a disability. In producing these images, Swanson also adds to the archive of images of people with disabilities, allowing for new categories of images to add to a fuller understanding of individual experience. In this way, Swanson's photography collection can be read as a form of activism, as it promotes different ways of viewing the disabled body. The collection, then, fulfills all of the domains of feminist disability theory that Rosemarie Garland-Thomson defines: representation, body, identity and activism.

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3. Garland-Thomson, "Integrating Disability, Transforming Feminist Theory," *NWSA Journal* (2002): 4
4. Garland-Thomson, "Integrating Disability," 11
5. Garland-Thomson, "The Politics of Staring: Visual Rhetorics of Disability in Popular Photography," *Disability Studies: Enabling the Humanities* (2002): 56.
6. Garland-Thomson, "Politics of Staring," 58.
7. Garland-Thomson, "Politics of Staring," 59-60.
8. Garland-Thomson, "Politics of Staring," 60.
9. Voorhies, "Surrealism," last modified October 2004, http://www.metmuseum.org/toah/hd/surr/hd_surr.htm.
10. See the images *The Coat-Stand* (1920)—which bears thematic resemblance to Swanson's Coat (2005)—and *Ingre's Violin* (1924)
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# BRAIN CIRCULATION

## *A Case Study of High-Skilled Migration from India*

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INDIAN MIGRATION TO THE U.S. DATES BACK TO THE THE 1800S, BUT RECENT LEGISLATION HAS RESULTED IN A LARGE FLOW OF HIGHLY SKILLED INDIAN WORKERS TO THE UNITED STATES. WHILE THIS INFLUX HAS BOOSTED THE U.S. ECONOMY AND HAS CONTRIBUTED TO THE CREATION OF MORE JOBS, INDIA HAS NOT EXPERIENCED THE SAME DEGREE OF BENEFICIAL EFFECTS. THOSE WHO EMIGRATE TYPICALLY CONTINUE TO EXCHANGE VALUABLE INFORMATION— IN THE FORM OF INVESTMENTS AND REMITTANCES— BACK WITH INDIA TO INCREASE PRODUCTIVITY AND STIMULATE THE ECONOMY. HOWEVER, THIS HAS NOT PROVEN TO COUNTERACT THE GREAT ECONOMIC LOSS DUE TO THE OUTFLOW OF THEIR MOST EDUCATED AND SKILLED LABORERS. THIS PAPER EXPLORES THE WAYS IN WHICH INDIAN IMMIGRATION TO THE U.S. HAS CONTRIBUTED TO AN ACADEMIC PHENOMENON KNOWN AS “BRAIN DRAIN”, AND THE ADVERSE AS WELL AS POSITIVE EFFECTS THAT THIS FLOW OF HUMAN CAPITAL HAS HAD ON BOTH THE U.S. AND INDIAN ECONOMIES. FURTHER, WE EXAMINE HOW PRESIDENT TRUMP’S ADMINISTRATION WILL LIKELY HANDLE THE H-1B VISA PROGRAM.

"Labor is prior to and independent of capital. Capital is only the fruit of labor, and could never have existed if labor had not first existed. Labor is the superior of capital, and deserves much the higher consideration."

—Abraham Lincoln, State of the Union Address, 1861

## INTRODUCTION

This statement by Abraham Lincoln in 1861 demonstrates the continuing importance of labor as a factor input in the economy. In terms of immigration, Indian migrant workers are important because capital is a result of labor, which stimulates the United States economy. While Indian migration to the United States dates back to the 1800s, recent legislation has changed the qualifications of the people migrating. As a result of the Immigration and Nationality Act of 1965 and of the Immigration Act of 1990, the majority of Indians migrating to the U.S. are now highly skilled. These high-skilled immigrants make up a key component of the technology boom in the United States, with a high concentration of immigrants living in entrepreneurial hot spots such as Silicon Valley and Denver.[1] Furthermore, India has become the third largest source country of emigrants to the United States, only surpassed by Mexico and China. The resulting influx of high skilled and high performing labor has boosted the U.S. economy and led to the creation of more jobs, yet has also had detrimental effects on the U.S. and Indian economices alike. This paper explores the ways this immigration has contributed to the academic phenomena called the "brain drain." We conclude that the U.S. H-1B program has had ambiguous impacts for the source country of India yet positive effects for the United States as the destination country. Further, we examine how President Trump's administration will likely handle the H-1B visa program, whether it be outright abolishment or revision.

## MOTIVATION

The India-to-U.S. migration flow is especially unique because of the occurrence of highly skilled workers leaving the third-world country to pursue better opportunities in the U.S., a phenomenon otherwise known as "brain drain." The H-1B visas have allowed for increasingly more highly skilled foreign workers to migrate and work in the United States, most of whom are from India. While the economic effects for the U.S. are beneficial, India seems to experience the opposite. On one hand, India is losing its most educated and skilled laborers, but on the other hand, those who emigrate typically continue to exchange investments and remittances back to India, thereby furthering the flow of productivity and stimulating the economy. Yet, the benefit of these exchanges has not proven to counteract the great economic loss due to this outflow. It is hard to neglect the ways in which this migration flow positively impacts the U.S. — however, there are policymakers that believe H-1B visas should be cut to promote the hiring of native unemployed laborers in the U.S. rather than bring in more foreign workers. With the results of the 2016 election, we believe it is topical to analyze the future of the India-to-U.S. migration flow in the upcoming years, and how this flow will be affected by President Trump's administration.

## HISTORY OF INDIAN-U.S. MIGRATION FLOWS

Indians began migrating to the U.S. as early as 1820.[2] During the nineteenth century, most of these immigrants were "unskilled and uneducated" farmers attracted to California agriculture. This migration flow came to a standstill due to the Immigration Acts of 1917 and 1924 that were fueled by security concerns during World War I. This legislation banned all immigration from Asia except for Japanese and Filipino migrants.[3] As a result, in 1960, Indian immigrants made up only 0.5 percent of the foreign-born population of the United States.[4] The India to U.S. migration flow started up again when the 1965 Immigration and Nationality Act was instituted. While this

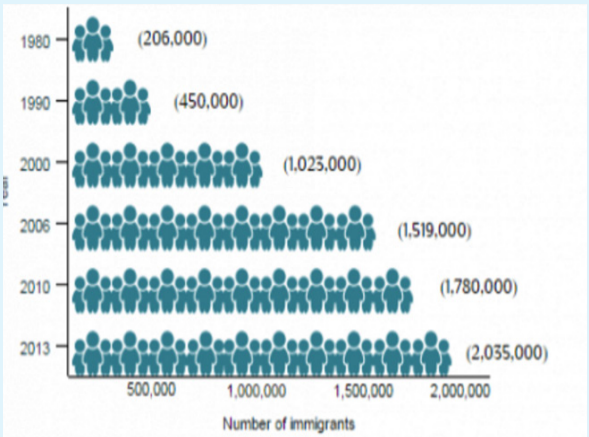


FIGURE 1: INDIAN IMMIGRANT POPULATION IN THE UNITED STATES, 1980-2013 (COURTESY OF *MIGRATION POLICY INSTITUTE*)

abolished the quota system, there remained caps on source countries and the total annual immigration flow remained.[5] U.S. citizen or permanent resident relatives, refugees, or those with skills deemed useful for the country were preferred.[6] The wave of immigrants that followed were "young, educated urban dwellers, with strong English language skills," constrasting sharply with the initial immigrant population from India.[7]

The Immigration Act of 1990 further increased the cap on permanent work-based or H-1B visas, attracting even more high-skilled immigrants. This 1990 act is likely why as of 2010, 37.6 percent of Indian American adults had resided in the United States for ten years or less.[8] The Indian immigrant population grew significantly in the 1990s and by 2010 became the third largest immigrant population in the U.S, lagging only behind Mexican and Chinese immigrant populations.[9] Figure 1 depicts the tenfold increase of the Indian immigrant population in the United States, from 206,000 in 1980 to 2.04 million in 2013.[10] This is a trend for India as a whole, since as of 2015, India has the highest number of international immigrants in the world, with the United Nation's estimate that over 16 million Indians were living abroad.[11]

## ABOUT THE MIGRANTS

As stated before, these immigrants are highly educated and highly skilled workers. This is due to several factors. Indian immigrants are more likely to be proficient in English than the overall foreign-born population, which means that they can engage in high-skilled labor jobs with relative ease. Recent numbers show that only 26 percent of Indian immigrants have limited English proficiency versus the overall average of 50 percent of all immigrants. In addition, 10 percent of Indian immigrants spoke only English at home, showing high levels of English proficiency that could compete even with Native English.[12] Further, Indian immigrants are much more educated compared to foreign- and native-born populations. For example, 28 percent of all immigrants and 30 percent of U.S. born adults over 25 have a bachelor's degree or higher. Meanwhile, 76 percent of Indian immigrants ages 25 and older have achieved this level of education.[13] This number has grown since 2010, as shown in Figure 2. Also, among these college educated immigrants, more than half have either a graduate or professional degree.[14]

A likely factor for many highly skilled Indians immigrating to the U.S. is the aforementioned H-1B visa. This visa program allows highly skilled foreign workers in

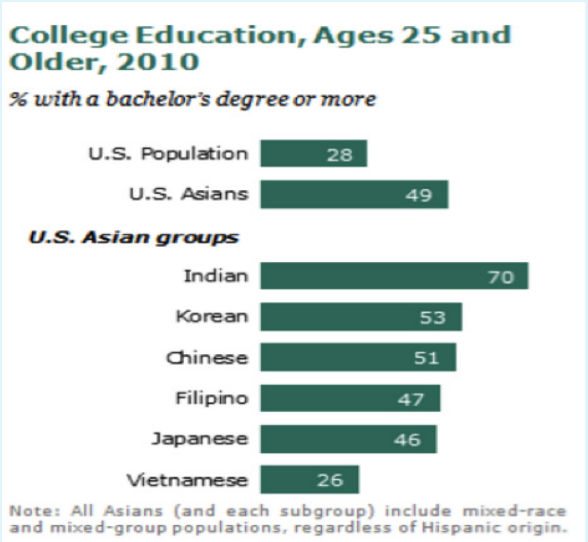


FIGURE 2: IMMIGRANT POPULATION WITH A COLLEGE EDUCATION (COURTESY OF *PEW RESEARCH CENTER*)

"designated specialty occupations" to come and work in the U.S.[15] Today Indian migrants are the number one recipients of temporary high skilled H-1B visas. In 2014, they accounted for 70 percent of the approved H-1B petitions.[16] The Migration Policy Institute has found that Indian immigrants participate in the labor force at a higher rate than overall foreign- and native-born populations.[17] Figure 3 illustrates that Indian immigrants are more than twice as likely to be employed in management, business, science, and arts occupations; these immigrants on

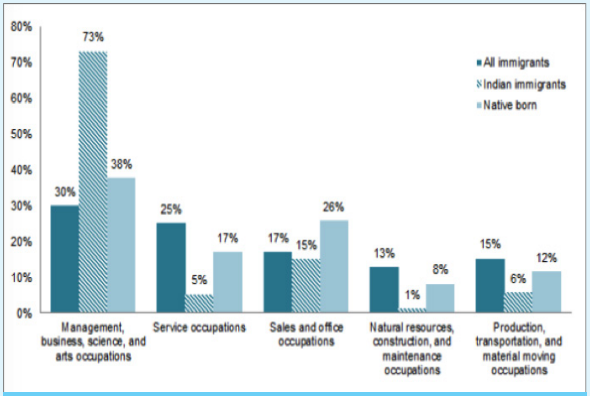


FIGURE 3: EMPLOYED WORKERS IN THE CIVILIAN LABOR FORCE (AGES 16 AND OLDER) BY OCCUPATION AND ORIGIN, 2013 (COURTESY OF *MIGRATION POLICY INSTITUTE*)

average are paid higher than those in other service industries, sales, natural resources, and production.[18] More specifically, in 2013, 18 percent work in science and engineering fields, versus the 5 percent of the U.S. population and 14 percent of overall U.S. Asian population.[19] Thus, the median annual household income for Indian Americans, in 2010, was $88,000, while for all U.S. households it was $49,800.[20] The enactment of the H-1B visa led to an influx in high-skilled Inidian workers in the U.S. that earned high wages and helped advance their respective fields, such as science and engineering. In the long term, the economic value of temporary high-skilled Indian migrants is estimated to exceed $45 billion, which is larger than India's value to US cross-border imports of goods or services. [21]

## INTRODUCTION TO BRAIN DRAIN

Due to the major economic impacts "brain drain" and "brain circulation" have had on India and the U.S., we decided to evaluate the beneficial and adverse of impacts these phenomena have had on the countries between 1990 and 2010. The term "brain drain" was first coined in by the British Royal Society in the 1950s and 1960s to describe the phenomenon of highly skilled science workers leaving the UK to pursue opportunities in the United States.[22] In contemporary times, the term has been transformed to mean the flight of human capital from less developed to more developed countries. This flight exacerbated global income inequality, presenting an additional challenge to developing countries. According to a 1985 textbook in Economic Development: "The people who migrate legally from poorer to richer lands are the very ones that Third World countries can least afford to lose, the highly educated and skilled."[23] One example of the stark trajectory of this human capital flight is the career paths of students who go to the Indian Institute of Technology. With an acceptance rate of just over two percent, this pretigous university sends over two-thirds of its graduates abroad each year, with a majority of those graduates leaving for the U.S.[24]

There is undoubtedly a flight of human capital happening throughout the world, especially in India. According to World Bank data, between 1990 and 2010, high-skilled migration from non-OECD countries rose 185 percent from 6.2 million to 17.6 million.[25] Indian emigrants are the largest population of these high-skilled workers. Between 1990 and 2000, the UK was the largest origin country for skilled laborers, but in 2010, India surpassed the UK with a stock-count of over 2.1 million high-skilled emigrants to the OECD, increasing its emigrant count by 370 percent since 1990.[26] It is important to note here that, because of India's population size, at 4.3 percent, this is still a relatively low percentage of the total Indian population, ranking relatively low on the list of countries losing high-skilled workers. Indian-Americans make up the third-largest immigrant population in the United States, with over 2.8 million residing in the U.S.[27] Based on their median household income level, as well as their compositional education level (over 70 percent hold tertiary degrees), it is evident that there is a large number of high-skilled Indian immigrants to the United States.[28]

## IMPACT ON THE UNITED STATES

The United States has benefitted from this human capital flight. AnnaLee Saxenian of UC Berkeley performed an in-depth analysis on "brain drain" and "brain circulation" in 2005 for Indian and Chinese communities in Silicon Valley specifically. She notes that by 2000, over half of Silicon Valley's scientists and engineers were foreign born, one quarter of those being Indian and Chinese.[29] In 2008, Wadhwa at UPenn conducted research on 2,054 engineering and technology startups, companies founded between 1995-2005 with over $1 million in revenues. Wadha found that over 25.3 percent of the key founders were immigrants, and 26 percent of those immigrants were Indian. In Silicon Valley, the number of immigrant-founded startups was at 52.4 percent.[30] Figure 4 shows the percent of immigrant founded startups by industry.

Furthermore, the majority of $1 billion technology companies are founded by immigrants, with India responsible

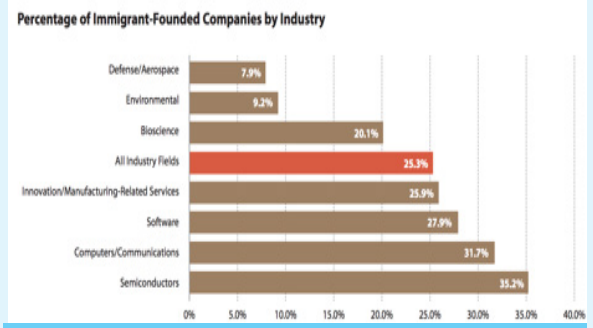


FIGURE 4: PERCENTAGE OF IMMIGRANT-FOUNDED COMPANIES BY INDUSTRY[31] (COURTESY OF *ISSUES IN SCIENCE AND TECHNOLOGY*)

*"[T]he majority of $1 billion technology companies are founded by immigrants, with India responsible for 14 of the 44 companies."*



for 14 of the 44 companies.[32] These companies founded by Indian migrants not only propel the US technology industry forward with new ideas but also create jobs. This pool of immigrant-founded companies was responsible for generating an estimated $52 billion in 2005 sales and creating just under 450,000 jobs as of 2005.[33]

In addition, Indian migrants run many of the massive corporations at the heart of the United States. The chief executive of PepsiCo, Indira Nooya, is a female Indian immigrant. Pepsico is a part of the growing proportion of US companies that are being created or lead by immigrants. Sundar Pichai, the CEO of Google, turned Chrome into the world's most popular web browser and ran the Android division in just 11 years.[34] Microsoft, Adobe Systems, and Citigroup are just a few more examples of prominent Indian immigrants holding leadership roles in big corporations in the United States.

Among these companies, Indian migrants are responsible for new technology innovations in data management, performance management, power generation, internet-based grocery delivery, cloud-based platforms, targeted advertisements, network security, and much more.[35] Beyond startups, Indian immigrants contribute intellectual property. In 1998, Indian immigrants filed 9.5% of the total U.S. patent applications. This number grew to 13.6% by 2006.[36] Figure 5 shows the total number of patents filed by immigrants between 1998-2006.[37]

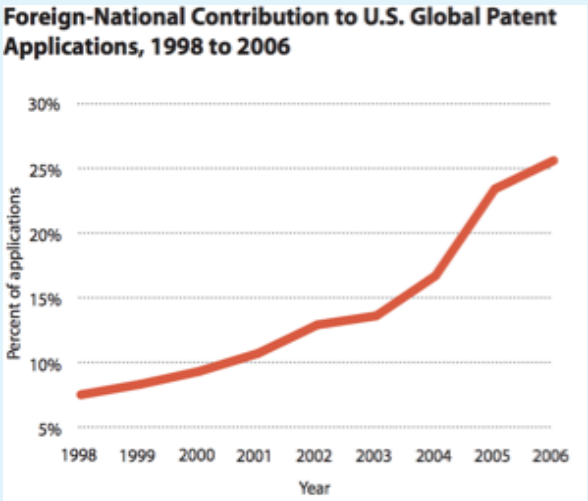


FIGURE 5: FOREIGN-NATIONAL CONTRIBUTION TO THE U.S. GLOBAL PATENT APPLICATIONS (COURTESY OF *ISSUES IN SCIENCE AND TECHNOLOGY*)

Further, Indian immigrants provide the cultural and linguistic links to vital Asian markets. There is measurable economic evidence to back this up. For example, in California, for every 1 percent increase in first-generation immigrants in a state, there is a 0.5 percent increase in exports, and holding everything else equal, California exports 4 times more to the Asia Pacific than any other country.[38] This means that "brain drain" from India has clearly proved to be a boon to the United States, providing new jobs, innovation, and startups that create new technology, as well as provide links that facilitate increased international trade. The effects that this flight of skilled-human capital has on India, on the other hand, has been subject to countervailing forces.

## IMPACT ON INDIA

As for India, there are counteracting impacts from this human capital flight. The growth of trade, investments, and shared ideas from Indian immigrants in the U.S., remittances, as well as potential high human capital emigrants that return all serve to benefit India.[39] Yet, the flight of some of the country's most high-skilled workers can make the country less appealing for direct foreign investment thus hindering the growth and development of "high technology clusters" and institutions, especially universities.[40] Further, those still residing in India will feel the negative effect of higher taxes and lower spending on them. This fiscal burden is harmful on a macroeconomic level because of a lost addition to India's potential GDP from innovation and hard work at home,[41] as well as a documented loss in tax revenue for the government at .5 percent of GDP.[42]

*"[T]he flight of some of the country's highest skilled workers can make the country less appealing for direct foreign investment, thus hindering the growth and development of 'high technology clusters'..."*

A study on the fiscal impact of high-skilled emigration from India to the U.S. by Desai et al. visualizes the impact on the Indians that did not leave, referred to "those left behind" (TLBs). Figure 6 demonstrates that when the number of skilled workers decreases from S0 to S1 due to emigration, and national income is lowered because of the net fiscal loss (shaded green) and lost basic surplus (shaded grey). The total loss depends on the current tax rate, *t*, the skilled wage, *w*, the benefit level, *b*, and the number of emigrants, *E*.[43] Although this simple model cannot explain the entire impact that emigration has on India, it is clear that based on this model and the assumptions of Desai, there is a loss to the national income when high-skilled immigrants leave the country.

This loss could be compensated with investments or remittances from the emigrating stock, which is not accounted for in the above model. Yet, due to the modest Foreign Direct Investment from Non-Resident Indians (NRIs), investment has resulted in little to no fiscal gain for India.[44] On the other hand NRI remittances have a powerful impact on stimulating consumption, thus leading to a positive fiscal impact on the Indian government through indirect tax receipts. There was an estimated indirect tax yield due to remittances reaching 0.07 percent of gross national income in 2005[45] that can offset the net fiscal loss seen in Figure 7, but not by much. So although there is room for some counteracting factors, there is an overall initial loss felt by India due to the emigration of high skilled workers to the United States.[46] Possibly, the only way to reconcile this in their economy is if these Indian immigrants were to return. Borjas found in a 1996 empirical study that return migration is positively related to the income per capita in their home country and negatively related to the distance from the U.S. Since we see a flight of human capital in the first place, high skilled migrants most likely have higher returns in the U.S. Further, India and U.S. are not geographically close to one another, so Borjas' study may hold that there is a reluctance on the part of Indian immigrants to return home. Although there has been very little effort on the part of the U.S. or India to track returnees, there is evidence that Indians may not in fact return back home. [47]

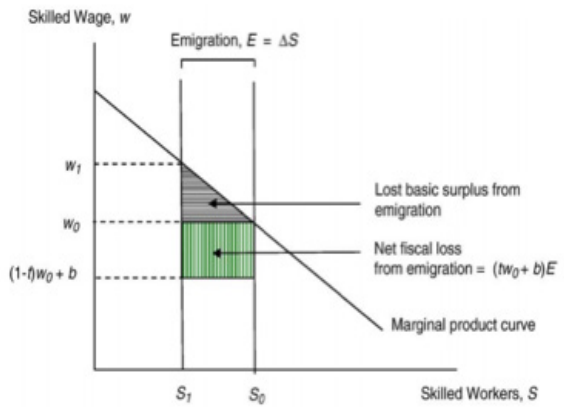


FIGURE 6: THE FISCAL IMPACT OF EMIGRATION ON "TLBS" (COURTESY OF *DESAI ET AL*)

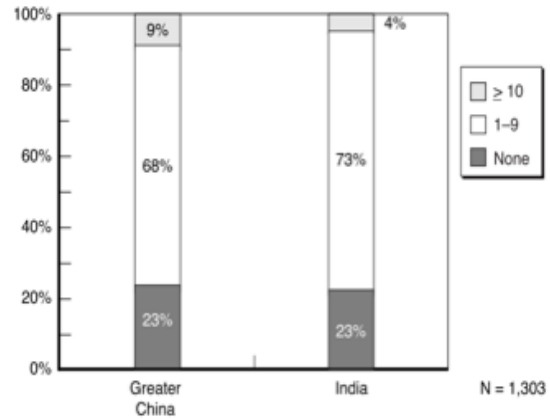


FIGURE 7: PERCENTAGE OF FRIENDS OR COLLEAGUES HAVE RETURNED TO THEIR COUNTRY OF BIRTH TO WORK OR START A COMPANY (COURTESY OF *BORJAS ET AL*)

## BRAIN CIRCULATION

It is important to highlight that "brain drain" may be a bit of a misnomer for this migration flow. In academia, a new term, known as "brain circulation" has been coined. This term is used to describe "training and career paths in which students or workers go abroad to specialize and then return to their country of origin, drawing on the experience they have amassed to secure more advantageous employment conditions."[48] In this scenario, India is not being "drained" of its highly-skilled workers, rather, its workers are acquiring human capital abroad. Talented workers will go abroad and bring back new skills, networks, knowledge, and contacts which creates industries and businesses where otherwise there might have been none.

Studies have shown that immigrants who leave their source country continue to exchange valuable information to their countries back home, some of whom even end up returning home after a number of years. AnnaLee Saxenian of UC Berkeley conducted a survey of Chinese- and Indian-born immigrants in Silicon Valley in 2002. She found that over 96 percent of the Indians she polled knew of friends or colleagues who had returned to their country of birth to work or start a company (see).[49] She also found that over 70 percent of individuals exchanged information with friends, classmates, or business associates in their country of birth regarding jobs or business opportunities in the U.S., jobs or business opportunities in their home country, and technology.[50] There is also evidence that those who work abroad have better success in India. A 2008 survey by Commander et. al. found that 30-40 percent of higher-level employees in India's software industry have relevant work experience in a developed country.[51]

Furthermore, the "loss" of these high skilled workers and their potential impact on the Indian economy may be overstated. These individuals can add more economic value in a place like the U.S. with well developed infrastructure and laws that encourage innovation. Later on, Indian immigrants can use their social networks across borders created in the U.S. in order to "circumvent the barriers arising from imperfect domestic institutions in developing countries."[52] This reveals the important fact that even when Indian immigrants do not return to their home country, they become important intermediaries, facilitating scientific and technical cooperation between India and the U.S. One such example of this phenomenon is in the software industry. There are social connections between Indian CEOs and professionals in Silicon Valley and the low-cost software expertise in India.[53] Despite the positive evidence of brain circulation and the increased globalization of the economy, a 2001 East West Center working paper by AnnaLee Saxian has found that Indian emigrants are often reluctant to return home permanently, and that India is lacking the "critical mass" of returnees that would help improve Indian technological infrastructure to match international standards. [54]

## POLICY

With the results of the 2016 Presidential Election, U.S. policy regarding immigration for high-skilled laborers and H-1B visas is expected to shift significantly. President Trump spoke about the H-1B program several times during his campaign with somewhat conflicting statements.It is therefore unclear how he will reform the current H-1B program and high-skilled immigrants to the U.S. in the future. President Obama implemented a program that will expand the H-1B outsourcing program, which was to go into effect just a few days before Trump is inaugurated.[55] Trump having promised to end the H-1B visas as a cheap labor program during his campaign will likely attempt to abolish or at least revise it.

During President Obama's two terms, his administration expanded the H-1B program considerably. Silicon Valley, in particular, has lobbied to increase the number of H-1B visas they are allowed to us apply for to bring high-skilled workers in from other countries, as well as to sponsor the spouses of these workers to work in the U.S.[56] While Obama's policies were quite friendly to the H-1B program, President Trump's agenda will be less so, since a central point of his campaign was to put American workers first.

Proponents of the H-1B argue that the program is used to recruit and hire the best and brightest from around the world, fill gaps in the U.S. workforce, and retain talented foreign students who received education in the United States. H-1B data and the SCE case do not explicitly prove these arguments to be valid, however, projected data shows that raising the cap of H-1B visas issued to 195,000 would increase revenues by a total of nearly $69 billion over eight years.[57] Opponents of the H-1B visas argue that these migrants are taking the jobs of native, unemployed laborers. However, empirical data shows a demand for more skilled workers in the labor market, specifically in the computer and mathematical fields. Without enough skilled workers

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at home, many American companies must either expand outside the U.S. or not expand at all. An immigration policy focused on increasing economic growth should seek ways to admit more immigrants with the advanced education levels desired by domestic employers. This influx of highly skilled and educated workers has proven to increase U.S. jobs while stimulating the economy and adding astronomical value to the companies to which they are employed. In the early days of Trump's presidency, he will have to weigh the advantages and disadvantages that the H-1B poses to the United States. - Trump has previously spoken out several times regarding H-1Bs, but he has given somewhat contradictory statements regarding on what he plans to do to the program.

Trump's initial view on foreign high-skilled employment early in his campaign was that they are holding down American salaries and hurting employment rates. Trump proposed bringing the H-1B program to an end, citing that it took away many coveted IT jobs from American workers. Trump called for these companies to search for American workers to fill their positions before looking overseas. On October 28, 2015, Trump was asked about these H-1B visas during the Republican debate. His answer was essentially that if these visas are needed in order to fill positions at these companies, and if the immigration is done legally, that he sees no problem with them.[58] In a March 2016 debate, Trump further expressed general support for H-1B visas, explaining that America needs highly-skilled immigrants, and that too many foreign-born people are attending our best colleges and then bringing their talent back to their home country. In regard to this, Trump said, "we absolutely have to keep the brain power in this country," which implies he is in favor of these visas and perhaps even increasing the number of them.[59]

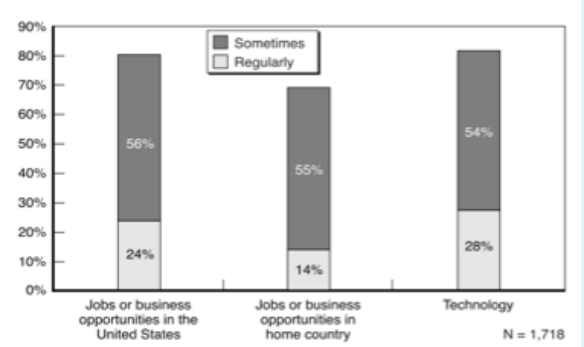


FIGURE 8: PERCENTAGE OF TIMES INFORMATION IS EXCHANGED WITH FRIENDS, CLASSMATES, OR BUSINESS ASSOCIATES IN YOUR COUNTRY OF BIRTH (COURTESY OF *PUBLIC POLICY INSTITUTE OF CALIFORNIA*)

However, almost directly after this debate, Trump released a statement essentially denouncing the H-1B program, which likely means that he either misunderstood the question that was asked, or that he was attempting to express conflicting views. Trump's statement was that he is not in favor the H-1B program because it is not high-skilled immigration, but temporary foreign workers imported in order to substitute for American workers who must be paid more. Trump said that he would forever abolish the H-1B program as a cheap labor program, and institute a requirement to hire American workers first over visa and immigration programs. However, this is somewhat confusing, considering that many workers who are given opportunity by the H-1B visa are high-skilled workers – 55% of H-1B recipients have a bachelor's degree or higher, and their median salary in 2014 was $75,000.[60]

Overall, Trump has shown that his views on the H-1B program have changed over time and have somewhat contradicted each other at certain points. Companies around the United States, particularly in Silicon Valley, are wary of what the Trump presidency will mean for the future of their employment of foreign-born workers. While it is somewhat challenging to speculate what will happen, it is likely that President Trump will not be as friendly to the H-1B visa program as President Obama was, which could cause difficulty for Silicon Valley companies as well as those which rely on foreign-born workers. Trump's plan for H-1B visas, if he follows through with some of what he has said regarding the program, will likely negatively affect the India to U.S. migration flow, as high-skilled Indians tend to benefit the most from this program.

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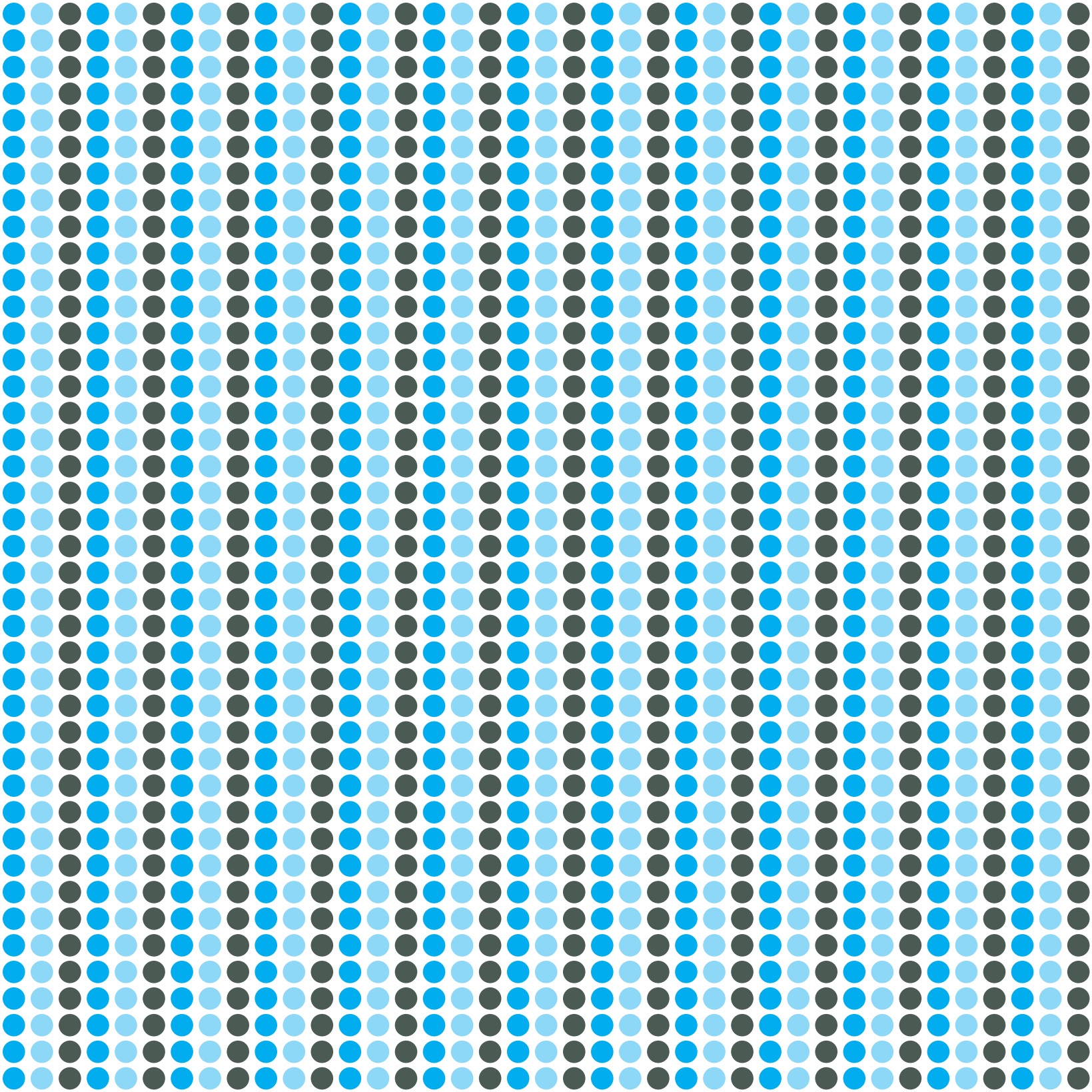

# A PAGEANT POLITICIZED

## The Rise of Intersectional Activism in 1968

HALEY CORMIER

ON SEPTEMBER 7, 1968, THE MISS AMERICA PAGEANT TOOK PLACE IN ATLANTIC CITY, NEW JERSEY, WHERE IT FACED TWO DISTINCT CO-OCCURRING PROTESTS. ONE WAS A SECOND-WAVE FEMINIST DEMONSTRATION THAT CRITICIZED THE PAGEANT FOR ITS SEXISM AND PROMOTION OF OPPRESSIVE BEAUTY STANDARDS. THE OTHER WAS MISS BLACK AMERICA, AN ALL-BLACK RIVAL PAGEANT WHOSE ORGANIZERS CONDEMNED THE INHERENT RACISM OF THE MISS AMERICA INSTITUTION AND PUSHED THE LARGER PAGEANT TO INTEGRATE. ALTHOUGH THE MISS AMERICA PAGEANT WAS THEIR COMMON TARGET, THE TWO PROTESTS—WOMEN'S LIBERATIONIST AND BLACK NATIONALIST—OCCURRED SEPARATELY AND HAD DIFFERENT GOALS. UNDER THESE CIRCUMSTANCES, NEWSPAPER COVERAGE PRESENTED THE WOMEN PARTICIPATING IN THE PROTEST AS ANTAGONISTIC TO EACH OTHER'S CAUSES. IN LIGHT OF FURTHER RESEARCH, HOWEVER, THIS PERCEPTION PROVES FALSE. CONSIDERING INFORMATION OMITTED FROM COVERAGE OF THE PROTESTS AND ARMED WITH AN UNDERSTANDING OF THE ERA'S JOURNALISTIC CONVENTIONS, IT APPEARS THE FEMALE PROTESTORS IN BOTH DEMONSTRATIONS INDEED SUPPORTED EACH OTHER'S GOALS, WHICH IN TURN SUGGESTS THAT RADICAL FEMINISM AND BLACK NATIONALISM OF THE LATE 1960S WERE MUTUALLY SUPPORTIVE MOVEMENTS.

"Women's liberation." "The women's movement." "Second-wave," "radical" feminism. By any of these names, it was clear that a particular something came into being—or, more accurately, announced its being to the nation—on the boardwalk of Atlantic City, New Jersey on September 7, 1968. This date marked the annual occurrence of the nationally-televised Miss America Pageant, which took place, in accordance with tradition, at Atlantic City's Convention Hall. Little else, however, was traditional about the pageant's circumstances that year: directly outside the venue, approximately one hundred women's liberationists staged a groundbreaking, provocative protest of the Miss America Pageant, primarily condemning its sexist objectification of women and its perpetuation of anti-feminist ideals.

The daylong demonstration was the foundational act of the Women's Liberation Movement, and the protestors involved were among the first to politicize and publicly challenge the beloved Miss America institution. The very concept of the protest was particularly audacious considering how benign the pageant seemed to most Americans—it was, after all, the only program that Richard Nixon allowed his daughters to stay up late to watch. Because the American public generally saw the pageant as harmless all-American entertainment, the protestors' intense criticism presented a rather shocking departure from the norm. It was this shock factor—combined with the purposely theatrical nature of the protest—that attracted the attention of the mass media, whose print coverage launched the Women's Liberation Movement into the public consciousness and affirmed its place amongst the various other movements of the late 1960s.

Members of the New York Radical Women (NYRW), a second-wave feminist group established in 1967, arranged the seminal women's liberation protest. One of the key organizers was Robin Morgan, a cofounder of the NYRW and author of the informational pamphlet "No More Miss America!" The brazenly-worded pamphlet contained an outline of the protestors' objections to the Miss America Pageant, as well as an invitation for women "of every political persuasion" to join in a variety of "boardwalk-theater" activities in protest of the oppressive and unrepresentative image of Miss America, the nation's supposed "ideal." Morgan, who helped to distribute copies of the pamphlet to spectators on the boardwalk on the day of the event, presented the specific grievances of the women's liberationists in the form of a ten-point list. Targets for protest included: "The Degrading Mindless-Boob-Girlie Symbol" (the evaluation of contestants based on their physical characteristics, which ultimately reduced women to farm animals), "The Unbeatable Madonna-Whore Combination" (the paradoxical necessity for women to be both sexy and innocent in order to win social approval), and "The Irrelevant Crown of the Throne of Mediocrity" (that only "unoffensive, bland ... [and] apolitical" contestants could win the contest because they behaved how society believed women were "supposed to"). The protestors—who would only speak to female reporters—also wielded signs reading "Miss America Is a Big Falsie" and "Up Against the Wall, Miss America," crowned a live sheep winner of the pageant and paraded it around the boardwalk, and chained themselves to a Miss America dummy to portray what Morgan called women's enslavement to "ludicrous 'beauty' standards."

Although all of these activities were intentionally dramatic, the event that by far generated the most publicity was the assembly of a "Freedom Trash Can" into which bras, girdles, lipstick, false eyelashes, high-heeled shoes, copies of Playboy and other symbols of oppressive beauty standards were thrown. The protestors intended to draw a comparison to the burning of draft cards by setting the items on fire—just as draft cards represented a restriction of freedom, the various items in the Freedom Trash Can represented a restrictive standard of femininity. Local ordinances ultimately prevented this symbolic burning, but the media, having caught wind of the rumors, leapt at the opportunity for a scandalous story. Most reports on the protest thus falsely claimed that "several of the women publicly burned their brassieres," thereby creating the

ATLANTIC CITY AT NIGHT (COURTESY OF *WIKIMEDIA COMMONS*)

*"[T]he movement behind Miss Black America was black nationalism, which was more radical in nature than the Civil Rights Movement and often utilized separatist strategies."*



enduring stereotype of radical feminists as "misled" and unreasonably bitter bra-burners. The final event of the day occurred inside Convention Hall during the outgoing Miss America's nationally-televised farewell speech, when several protestors began shouting as they unrolled a large banner reading "Women's Liberation." Although police quickly arrested two of the women and forcibly removed the rest, the day's final act of protest helped to facilitate the overnight transformation of the fledgling radical feminist movement from essentially unknown to widely recognized.

As evidenced by its exclusion from most 1960s historical literature I have come across and the limited amount of scholarship I was able to find on the subject, few people today are aware that merely a few blocks from the women's liberation demonstration, a second protest of the Miss America Pageant occurred on the evening of September 7, 1968. This protest was the Miss Black America Pageant, an all-black answer to the blatantly racist Miss America Pageant, which had yet to produce a black finalist since its founding in 1921 (and had even introduced an official rule in the 1930s stating that "contestants must be of good health and of the white race.")

Due to the rapid organization of Miss Black America, the architects of the protest recruited only a dozen participants to compete in the talent, swimsuit, and evening-gown events held at the Ritz Carlton Hotel. The number of contestants was in any case secondary to the pageant's goals, which were to force the Miss America Pageant to integrate (ironically through separatist tactics) and praise black beauty and culture in their own right, instead of insisting upon their equality with Anglo-centric ideals. To emphasize this second point, the organizers of the event selected contestants with various skin tones and hair textures in order to demonstrate the diverse beauty of black American women. Nineteen-year-old Philadelphian Saundra Williams, who, according to *The New York Times* coverage, "[wore] her hair natural" and performed an African dance for the talent section of the competition, was crowned the contest's winner. Like the women's liberationists further down the boardwalk, the organizers of Miss Black America understood that press coverage would transmit their message to a wider audience, and thus had intentionally concocted a "newsworthy" event. The intriguing combination of pageant and protest proved more than enough to attract the media, and in consequence what Americans read in the morning paper was almost unbelievable: the seemingly invulnerable, nationally-cherished Miss America Pageant had been challenged by not one, but two distinct protests.

Before moving on, it is important to determine the greater social and political movements behind these concurrent 1968 demonstrations. While women's liberation was clearly the larger movement behind the radical feminist protest, less clarity surrounded the coordination of Miss Black America. According to press coverage from 1968, as well as several contemporary sources drawing from that coverage, the National Association for the Advancement of Colored People (NAACP) was responsible for the organization of the protest. Such reports suggested to readers that Miss Black America belonged under the umbrella of the Civil Rights Movement.

On the contrary, recent scholarship by historian and feminist scholar Georgia Paige Welch has demonstrated that this was not the case. Welch consulted NAACP records in the Library of Congress, and discovered correspondence between local NAACP members and the executive director of the NAACP regarding the Miss America Pageant. The records revealed that top NAACP officials considered the pageant to be a trivial and local issue, and therefore did not help to organize or even sanction the Miss Black America protest. It was instead devised by Phillip Savage and J. Morris Anderson, who were affiliated with the NAACP but based in Philadelphia, a hotbed of black nationalism as opposed to liberal activism. Welch determined that it was not the famous civil rights group but the radically-inclined independent activists who were the driving force behind

Miss Black America. Furthermore, the participants in the rival pageant were exclusively black and competed in a pointedly separate contest in opposition to the Miss America Pageant. In combination with Welch's research, these organizational details indicate that the movement behind Miss Black America was black nationalism, which was more radical in nature than the Civil Rights Movement and often utilized separatist strategies.

The women's liberation protest and Miss Black America thus individually garnered attention for their critiques of the official Miss America Pageant, but did the women involved in these contemporaneous protests (and, by extension, other followers of their respective movements) support each other's goals? Or does the very fact that the two 1968 demonstrations, despite their simultaneous occurrence, shared location, and common target, occurred separately with no shared participants indicate a lack of mutual support, as was typical amongst so many of the decade's factionalized, polarized, and fragmented social movements? Although most print coverage from the time of the protests seems to suggest blatant antagonism between the two groups of participants, it becomes clear upon closer analysis that omission and journalistic framing conventions are responsible for this erroneous conclusion. Considering these factors, the women's liberation and Miss Black America protests—along with their respective parent movements, women's liberation and black nationalism—emerge as far more intersectional than press coverage indicated in 1968.

When reading various newspapers' coverage of the Miss Black America and women's liberation protests, it immediately seems evident that each group of participants was unsympathetic or, at best, ambivalent toward the other's cause. For example, *New York Times* reporter Judy Klemesrud wrote that Miss Black America winner Saundra Williams "looked bored" when questioned about the women's liberation protestors, and included a dismissive quote: "They're expressing freedom, I guess. To each his own." Charlotte Curtis, also from *The New York Times*, quoted women's liberation organizer Robin Morgan as denouncing "all beauty contests" including the black nationalist demonstration while hastily countering any racist overtones: "We deplore Miss Black America as much as Miss White America but we understand the black issue involved." Curtis also noted that "at least of the few [women's liberationist] pickets were Negroes" who were "aware of the Miss Black America contest, but . . . were not sure what they ought to do about it." She went on to quote "Negro Bronx housewife" Bonnie Allen, who came across as confused and conflicted, "I'm for beauty contests. But then again maybe I'm against them. I think black people have a right to protest."

The women quoted in these articles appear to have either disassociated themselves from, failed to comprehend, or directly condemned whichever protest they were not involved with, which seems to confirm a lack of support between participants in the two demonstrations—and, by extension, between the women's liberation and black nationalist movements. Print media framing, however, can account for what initially appears to be conspicuous evidence against mutual support, as well as for other features that appear in the coverage of these two protests that seem to render their intersectionality impossible. As Welch has cautioned, "We must take the quotes from Morgan, Williams, and Allen—as compelling as they are—not as self-evident utterances that reveal the meaning of the protests and their relationship to each other, but as props" used to support late-1960s journalistic conventions.

Perhaps the most standard of these reporting practices was to seek out and focus on conflict, which journalists easily achieved by framing two events in oppositional or antagonistic terms. The majority of articles covering the Miss Black America and the women's liberation protests adhered to this strategy in various ways. One was the manipulation of layout, which allowed for certain events to be distinguished as separate or conflicting even before readers consumed the content of the articles. *The New York Times,* for example, ran a separate piece on each protest and a third on the Miss America Pageant itself; as a result,

ACTIVIST ROBIN MORGAN BEING ARRESTED AT ONE OF HER PROTESTS (COURTESY OF *WIKIMEDIA COMMONS*)

each group of protestors was forced to comment on the other (and on the official pageant) from physically separate stories dedicated to distinct reasons for protest. *Life* magazine took a similar approach by including a separate photograph and caption for each of the three events, thereby reporting the proceedings of September 7, 1968 through what Welch has called "the paradigm of a three-way competition." Coverage in *The Washington Post* followed suit, printed beneath a photograph of Saundra Williams was an article on Miss Black America, which appeared directly alongside a story on the official Miss America Pageant and a portrait of Judith Anne Ford, the blonde and smiling winner. A considerably shorter third article on the women's liberation protest occupied the space beneath these two pieces, thereby creating a triangulation of three seemingly-independent events. As evidenced by these examples, various publications used layout to frame the Miss Black America and women's liberation protests as ideologically unrelated and thus oppositional by summarizing them in separate articles that in some cases physically opposed each other on the page.

Another late-1960s journalistic convention was the framing of race in opposition to sex. According to Bonnie J. Dow, Professor of Communication Studies at Vanderbilt, the press used "claims of racism", which were well-established by the end of the decade due to years of activism, to "discredit claims of sexism," which represented a newly-politicized (and thus narrowly recognized) set of complaints. In short, radical feminists "were fighting for precisely the kind of recognition of their grievances that civil rights [and black nationalist] activists had already achieved." Both print media outlets and society at large thus failed to "[understand the] interrelationships" between race and sex, viewing them instead as separate issues of unequal gravity. Art Buchwald expressed this attitude in his column of *The Washington Post*, declaring that "[i]f the women in Atlantic City wanted to picket the Miss America beauty pageant because it is lily-white, that is one thing . . . [b]ut when they start asking young American women to burn their brassieres ... dissent in this country has gone too far." Although his column was satirical, Buchwald ridiculed the belief that race was a more important issue than sex, thereby demonstrating the prevalence of that very conviction in American society. Therefore, because the Miss Black America and women's liberation protests focused primarily on issues of race and sex respectively, the press—drawing from both popular opinion and standard journalistic practices—framed them as incompatible at best and contradictory at worst.

The oppositional framing and distinct treatment of race and sex additionally contributed to print media's "whitewashing" of the women's liberation protest—as well as the overall movement—despite the participation of black female protestors. Because issues of race and sex could not coherently intersect according to journalistic convention, reporters covering the two protests attempted to maintain a racial divide between the women's liberationists and Miss Black America participants. To do so, they characterized the radical feminist protestors as all-white and unconcerned with racial issues, and any black women who joined them as misguided pseudo-feminists. In other words, journalists emphasized a link between whiteness and feminism by undermining both the anti-racism of white feminists and the feminism of black feminists.

One publication whose coverage of the protests exhibited such race-sex framing was the *New York Times*. In her article on the Miss Black America Pageant, Klemesrud described the women's liberation protestors using the racial modifier "mostly white." In her report for the same publication, Curtis separated race and sex by questioning Allen, a black participant in the women's liberation demonstration, only on issues of race. Additionally, Curtis wrote that besides their feminist objections to the Miss America Pageant, the women's liberationists "denounced the beauty contest's 'racism.'" By pointedly enclosing the word "racism" in quotation marks, Curtis undermined the feminist demonstrators' earnest anti-racist position, and thus further polarized the issues of race and sex.

Furthermore, by focusing primarily on Morgan as a leader of the women's liberation demonstration and quoting her the most extensively, Curtis assigned a white woman's face and voice to the fledgling radical feminist movement. Other publications did the same. Louise Cook of *The Boston Globe* described and quoted only Morgan when providing details about the imminent feminist protest in an article published the day before the demonstration, and Pauline Tai of *The Wall Street Journal* explicitly called Morgan the "organizer of the protest." Print media outlets therefore utilized various race-sex framing strategies when covering the protests to perpetuate the view that feminism was synonymous with (and therefore only relevant to) white women—and consequently, as Dow puts it, "almost entirely insensitive to racial issues." By differentiating and separating issues of race and sex despite their frequent intersectionality, the press misleadingly implied that the women's liberation and Miss Black America protestors did not support each other's goals.

*"The necessity to present conflict ... meant that journalists overlooked the intersectional politics existing between the Miss Black America and women's liberation protests."*



The necessity to present conflict whether between the two protests or between issues of race and sex meant that journalists overlooked the intersectional politics existing between the Miss Black America and women's liberation protests. Instead, journalists presented an inaccurate and grossly oversimplified picture of mutual antagonism. Consequently, the quotes from Allen, Williams, and Morgan that seem to support this view cannot be accepted at face value. They must instead be evaluated against the backdrop of oppositional framing, a convention of late-1960s journalism that rendered the support for both anti-racist and feminist causes incomprehensible and divided the two issues along racial lines. Framing in these aforementioned forms can thus account for the portrayal of Allen as politically confused, as well as Williams's apparent ambivalence toward the women's liberation demonstrators, and Morgan's seeming disregard for racial causes.

Moreover, additional research reveals that none of the media-constructed characterizations of these three women were accurate. Allen's role in the women's liberation protest involved chaining herself to a Miss America puppet, thereby representing her own double "enslavement" to sexually and racially imposed beauty standards. Her politics were not confused, but instead were interconnected. Williams certainly did not support the anti-feminist beauty ideals that Miss America perpetuated, and stood against them in a way that was specifically relevant to her race. Finally, Morgan, who was both a leading radical feminist and a veteran of civil rights activism, specifically included "Racism with Roses" (the fact that no black contestant had ever won the Miss America crown, nor a woman of Puerto-Rican, Hawaiian, Alaskan, or Mexican-American descent) amongst her ten criticisms of the pageant. While all three of these women supported both anti-racist and feminist causes, journalists rendered their politics contradictory by adhering to the era's standard reporting practices. Print media framing thus worked to perpetuate a false account of the women's liberation and Miss Black America protests (along with their respective movements, women's liberation and black nationalism) as mutually exclusive—or even, as Welch has argued, "inimical to each other's aims."

Framing was not, however, solely responsible for the apparent discord between the two protests of the Miss America Pageant and their corresponding parent movements. Another equally important factor was omission. When covering the events of September 7, 1968, journalists from various publications selectively excluded certain information that would otherwise have disturbed their presentation of the two demonstrations as unrelated and oppositional. For example, journalists failed to recognize Morgan's history in civil rights activism despite selecting her as the face of the women's liberation protest and instead included other biographical details, such as her irrelevant stint as a child actor and her interest in poetry. Similarly, stories on the Miss Black America protest naturally included a discussion of Williams's racial advocacy, but did not mention that she also rejected the Miss America Pageant's sexist values. The calculated erasure of Florynce Kennedy, however, was by far the most glaring of these omissions.

Florynce "Flo" Kennedy was a poster child for intersectional politics. She was a black radical activist committed to fighting race, sex, and class oppression. She participated in a range of movements including civil rights, consumer rights, black nationalism, and second-wave feminism during the 1960s. She was also a foundational member of the October 17th Movement (later called "The Feminists"), which broke off from the liberal feminist National Organization for Women (NOW) in 1968 to become one of the first radical feminist groups.

Kennedy believed that oppression in its various forms could best be attacked through coordinated activism, and often worked to build connections among different movements. She was a catalyst for intersectionality who brazenly invited white women's liberationists to Black Power meetings, challenged NOW to adopt black nationalist views, and encouraged black radicals to embrace feminism. Thanks to Kennedy and her inclusive brand of activism, Black Power and black feminism had an early influence on the Women's Liberation Movement, and a generation of young activists involved in various other movements were exposed to feminist ideology.

Kennedy was not only a feminist and racial activist but also a prolific lawyer, famous for representing Black Power leaders Assata Shakur and H. Rap Brown as well as the radical feminist Valerie Solanas, who attempted to assassinate pop artist Andy Warhol in 1968. Notably, Kennedy's defense involved depicting Solanas as a radical feminist who had armed herself against the injustices of sexism. In addition to her provocative activism and legal prowess, Kennedy was known for hosting television and radio shows and writing newspaper columns—in short, as her biographer Sherie M. Randolph has claimed, "Kennedy was the most well-known black feminist in the country" during the late 1960s.

As Dow has pointed out, Kennedy's heavy presence in politics and in the media should have made her "as recognizable [to journalists] as Morgan was." Indeed, *The New York Times* had reported on Kennedy and her provocative protest strategies no less than three times in the few months before the 1968 Miss America Pageant demonstrations occurred. Furthermore, Kennedy was one of the primary organizers of the women's liberation protest. She brainstormed protest tactics, contributed to drafts of Morgan's "No More Miss America!" pamphlet, provided legal advice, and helped coordinate the busing of participants to Atlantic City. Her absence from all newspaper coverage of the protests is therefore shocking. Despite Kennedy's social prominence and her critical role in organizing the women's liberation demonstration, the closest that any publication came to mentioning her was a *Wall Street Journal* article in which Morgan explained that "lots of women lawyers" would be present at the feminist protest.

THE FORMER RITZ CARLTON IN ATLANTIC CITY, NJ (COURTESY OF *WIKIMEDIA COMMONS*)

As Dow has explained, a basic element of journalistic protocol is to "seek out the most recognizable figures present to give focus to a story." The press certainly recognized Kennedy and was familiar with her newsworthy actions—why, then, was she erased? The only logical explanation is that her intersectional brand of politics conflicted with the era's standard journalistic practices of framing racism against sexism and black activism against feminism. Kennedy was an outspoken black feminist whose role in the women's liberation protest was too important to be adequately downplayed as Allen's had been, and therefore news workers could not report on her involvement without allowing issues of race and sex to intersect. Kennedy was also inarguably dedicated to both black nationalism and women's liberation, and as a black woman she embodied the intersection between the two movements. Journalists therefore could not have included her in their coverage of the Miss Black America and women's liberation protests without acknowledging that the two demonstrations—and the ideologies behind them—were not antagonistic. Kennedy was, in short, a problematic case: framing strategies were not enough to rationalize her interrelated politics, and so the press's solution was to omit her crucial role altogether.

As demonstrated, omission and various forms of framing permeated print media coverage of the Miss Black America and women's liberation protests of September 7, 1968. These two factors combined to construct an erroneous account of mutual opposition between the two demonstrations and their respective parent movements, black nationalism and women's liberation. Importantly, and unfortunately, this misleading version of events may seem accurate to readers who have no knowledge of late-1960s journalistic conventions; without such information, the reports on these two influential protests cannot be truly understood. For instance, uninformed readers might easily assume based on press coverage that in 1968, race and sex were separate issues, radical feminism was solely relevant to white women while black women were only concerned with racial causes, and that black nationalism and women's liberation (represented by the Miss Black America and women's liberation protests) were mutually exclusive, competing movements.

Although these false conclusions inaccurately represent the relationship between women's liberation and black nationalism in 1968, some of them have nonetheless persisted in modern historical scholarship. As Randolph has noted, "most contemporary observers and scholars see

[black nationalism and radical feminism] as inherently oppositional movements;" additionally, most "scholarship ignores or undervalues the connections between black [nationalism] and feminist struggles." Likewise, historian Wini Breines has criticized "the accepted historical narrative of youthful second wave feminism" as a movement in which "Black women were not welcome or were repelled by white women's racism." Furthermore, Kennedy's omission from print coverage on the two protests has been reproduced in modern scholarship. As Randolph has pointed out, Kennedy's "activism is marginalized or completely erased from most histories of 'second-wave' feminism," which is just one example of the overall "exclusion of key black feminist organizers from most feminist scholarship on the movement."

The fact that historical scholarship has been influenced by misrepresentative print media accounts of the 1968 women's liberation and Miss Black America protests—accounts that arose, as I have demonstrated, through omission and framing—underscores the importance of considering journalistic conventions when analyzing press coverage as a primary source. To put it simply, what was reported cannot be isolated from how it was reported, and certain journalistic practices may be specific to certain eras. Taking this into account alongside other aforementioned details that suggest mutual support, a very different picture of the women's liberation and Miss Black America protests emerges. According to my research, the participants in each protest were largely supportive of each other's goals. By extension, the women's liberation and black nationalism movements were not mutually antagonistic but mutually supportive, and their paths, as well as the politics of their respective followers, often intersected in the late 1960s.

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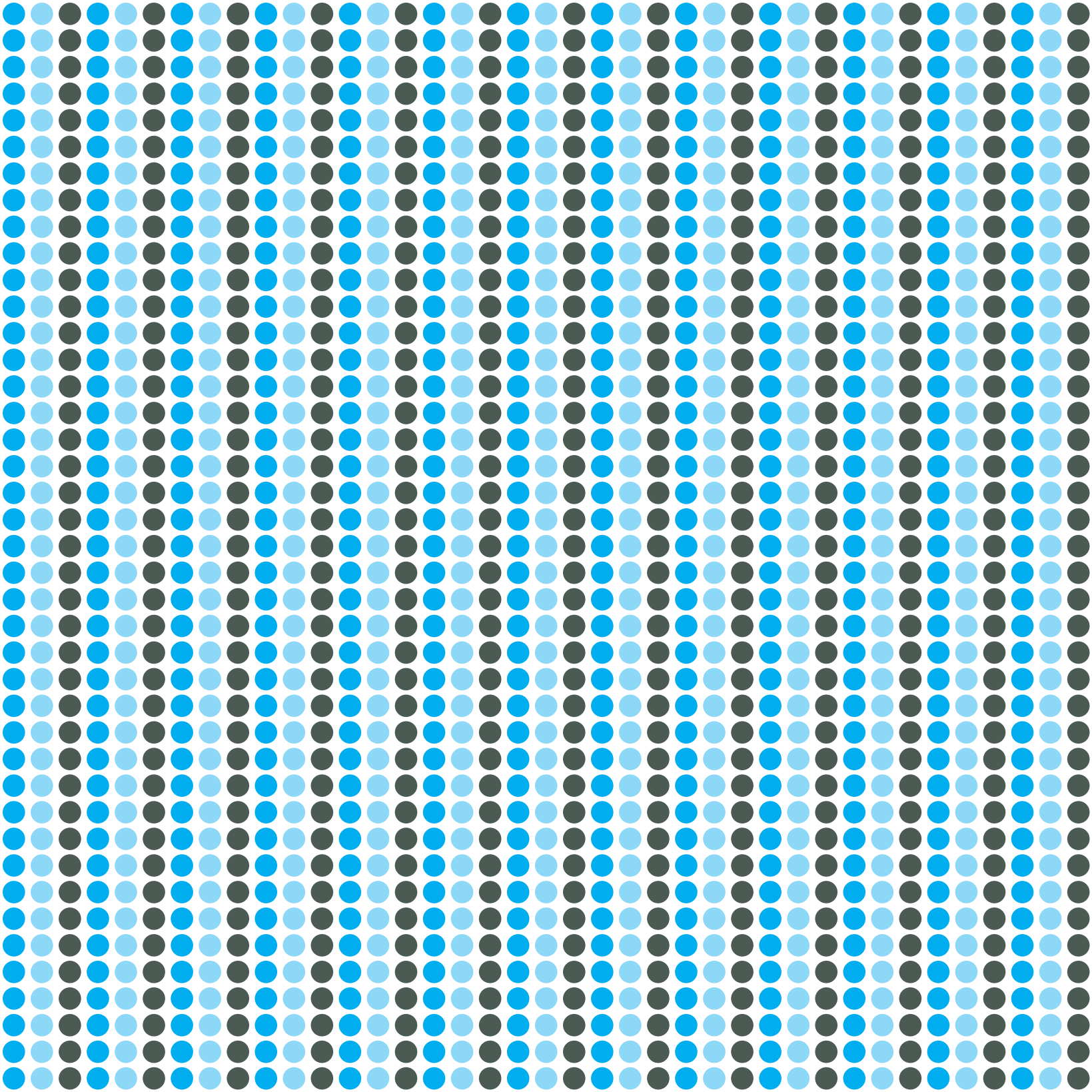

# CURB THE THIRST

## *Efficacy of Bottled Water Bans in Reducing Plastic Waste*

ELIZABETH MARY D'ALTRUI

OVER THE PAST DECADE, DRINKING PLASTIC BOTTLED WATER HAS BECOME INCREASINGLY POPULAR. AS THE DEMAND FOR BOTTLED WATER HAS INCREASED, THE DAMAGING EFFECTS OF UN-RECYCLED PLASTICS AND THE POLLUTION CREATED IN THE MAKING OF THE PLASTIC BOTTLES HAVE GREATLY HARMED THE PLANET. MANY POLICYMAKERS HAVE SOUGHT NEW WAYS TO AVOID THIS PROBLEM. ONE OPTION HAS BEEN TO COMPLETELY BAN THE SALE OF SINGLE-USE PLASTIC WATER BOTTLES IN SOME CITIES AND ON SOME COLLEGE CAMPUSES. TO ILLUSTRATE THE EFFECTIVENESS OF THE BAN OF PLASTIC WATER BOTTLES, THIS ARTICLE WILL EXAMINE TWO CASE STUDIES: UNIVERSITY OF VERMONT AND WASHINGTON UNIVERSITY IN ST. LOUIS. THESE CASES ARE INDICATIVE OF THE TWO VERY DIFFERENT POSSIBLE OUTCOMES OF THIS BAN.

## INTRODUCTION

Drinking bottled water has become increasingly popular during the past decade.[1] With the rising demand for plastic bottled water, comes the negative externality of greater pollution both on land and in the oceans. Policymakers in cities, towns, and even universities have sought new methods to lessen the dramatic negative impact of plastic water bottles on the environment. A new and unique proposal has been to ban the sale of bottled water entirely in selected towns, national parks, and college campuses. Why has this been the chosen policy and what have the outcomes been thus far been?

The past decade has shown an increasing consumer preference of bottled water over tap water. As of 2015, bottled water held 19% of the consumption share of beverages in the United States, whereas tap water and other beverages only amounted to 13.6% of the consumption share. According to Parag and Roberts, the effects of the creation, transportation, and disposal of bottled water on the environment is more than 100 times higher than that of drinking tap water.[2] The rise in bottled water use has huge implications for the environment. Consequently, policy makers have sought new ways to reduce bottled water consumption.

This paper will focus on the policy option to ban bottled water in select cities and college campuses. First, the paper will analyze the behavior of consumers. Following, it will show the environmental effects of bottled water and the reasoning for the ban of bottled water. Then, it will report on the findings of the ban at Washington University in St. Louis that show the environmental benefits of the prohibition of sale on campus and then analyze the negative externalities of the ban at the University of Vermont. It will list the other potentially harmful effects of possible future bans. After this pro-con analysis of the policy, the paper will describe the best solution to resolve, or at least mitigate the current issue. It will also consider other attempts to alleviate the environmental damage of bottled water. Incorperating ideas from all the different policies, I will demonstrate what I believe to be a comprehensive solution to the thirst for bottled water.

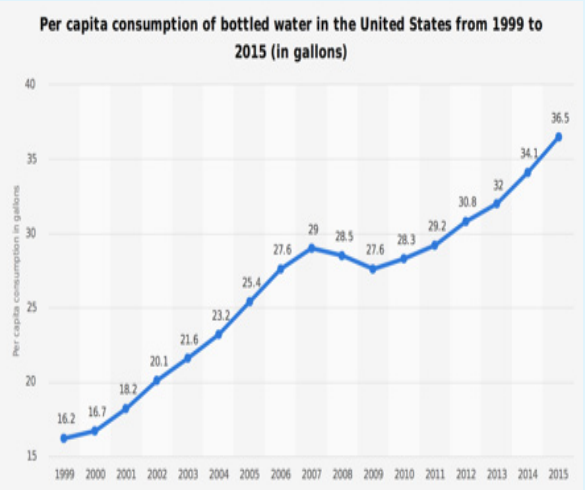


FIGURE 1. UNITED STATES PER CAPITA CONSUMPTION OF BOTTLED WATER, 1999-2015 (COURTESY OF *INTERNATIONAL BOTTLED WATER ASSOCIATION*)

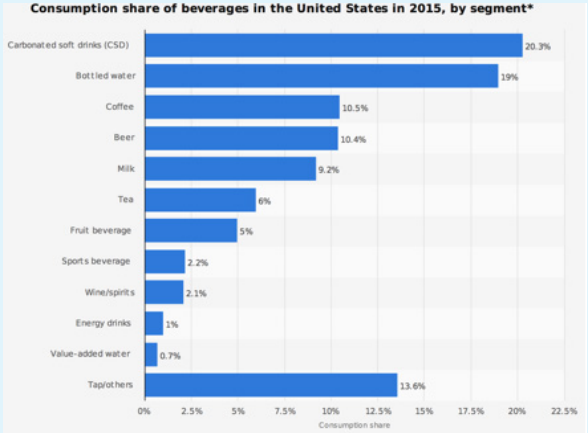


FIGURE 2. UNITED STATES BEVERAGE CONSUMPTION BREAKDOWN IN 2015 (COURTESY OF *INTERNATIONAL BOTTLED WATER ASSOCIATION*)

## BACKGROUND

Numerous studies have analyzed why consumer preferences have changed significantly over the past decade. Annual US consumption of bottled water tripled from 12 billion bottles in 2000 to 36 billion bottles in 2006.[3] This number has continued to rise over the past ten years. In 2015, the total volume of bottled water consumed in the US was 11.7 billion gallons, which is roughly 88.6 billion bottles Since 2000, there have been two years of double-digit percentage growth rates of bottled water volume.[4] In 2002, bottled water volume grew by 12 percent and 10.8 percent in 2005. Bottled water is now the second largest commercial beverage category in the US after carbonated soft drinks.[5] The increase in the popularity of bottled water

is not limited to the US. There was an increased consumption worldwide from 2007 to 2012, and forecasts predict 391 billion liters to be consumed in 2017. Also, consumption of bottled water in liters almost doubled between 2000 and 2006 in the United Kingdom.[6] For many consumers, bottled water has become a complete substitute for tap water.

*Consumer Preferences*

In many ways this rise is impossible to justify based on the market economy; the cost to drink bottled water is thousands of times more than tap water.[7] Consumers do not act in the expected manner. There are, however, many other factors that contribute to consumers' preference for bottled water. Studies have shown that the reasons include convenience, taste, mistrust of tap water, and health concerns.[8] Bottled water's versatility makes it suitable for consumption at any time or place. The portability and various packaging types allows for a variety of uses.[9] When considering taste of bottled water and mistrust of tap water, Viscusi et al. found, "over two-fifths of the sample"[10] believe that bottled water tastes better than tap water, and almost one-third of all respondents believe that bottled water is "safer than tap water."[11] According to Ward et al., most participants in a BMC Public Health study believed that, compared to tap water, bottled water conferred additional health benefits even though the majority were unsure as to why.[12] In actuality, bottled water has to meet less stringent regulations than tap water. This means that it can contain bacterial or chemical contaminants that exceed industry standards, whereas tap water must be inspected daily and contains small amounts of chlorine to kill bacteria.[13] Finally, bottled water is chosen due to health concerns. Due to worries about obesity and other health matters, bottled water's lack of calories and artificial ingredients attracts conscientious consumers.[14] When analyzing the public policy issue of the ban, it is crucial to understand the recent change in consumer preferences because it will help to predict the response. Bottled water has become more popular primarily because of its convenience, taste, and the perception that it is healthier.

*Environmental Impacts*

Since the demand for bottled water has steadily increased during the last decade, the damaging effects of bottled water on the environment has also risen proportionally. According to Parag and Roberts, bottled water's environmental impacts are local and global. Pollution impacts stem from the production, to distribution, and disposal.[15] One major environmental impact involves the extracting and processing of oil to make the plastic containers. Bottled water production uses 17 million barrels of oil per year and requires triple the amount of water to make a bottle as it does to fill it.[16] The Earth Policy Institute found that it takes over 50 million barrels of oil every year to pump, process, transport, and refrigerate bottled water.[17] Most plastic bottles are not recycled and accumulate in landfills, taking hundreds of years to biodegrade.[18] In 2005, two million tons of plastic bottles were dumped in landfills.[19] Water bottles are made completely of Polyethylene terephthalate plastics (PETs), but PETs do not biodegrade quickly. They break down into smaller fragments that absorb toxins that pollute the waterways, contaminate the soil, and sicken animals.[20] Plastic bottled water companies also cause harm and damage to local bodies of water and watersheds by pumping groundwater to bottle and sell, causing local water levels to drop. For example, in Mecosta County, Michigan residents fought Nestlé, a leading supplier of bottled water, to lower the amount of water pumped from Dead Stream and Thompson Lake in fear of reduced flow levels.[21] Plus, plastic bottles cause air pollution because the manufacturing of one ton of PETs, the main component of plastic bottles, produces around three tons of carbon dioxide. According to Palliser, in 2006, more than 2.5 million tons of $CO_2$ were emitted to make plastic water bottles.[22] These plastic bottles clearly have damaging effects on the environment and many campuses and towns have taken action to protect the environment by banning the sale of bottled water.

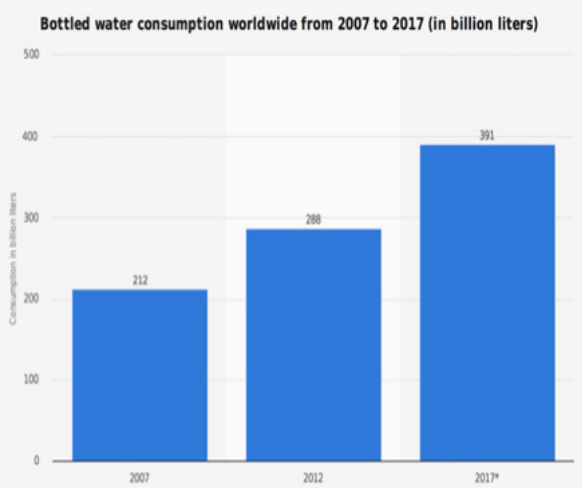


FIGURE 3. GLOBAL CONSUMPTION OF BOTTLED WATER, 2007-2017 (COURTESY OF *NESTLÉ*)

*What is the ban?*

In response to environmental damages from bottled drinking water, cities such as San Francisco and Concord, and college campuses such as Washington University in St. Louis and the University of Vermont, have implemented controversial policies to ban plastic bottles. The bans have been more pronounced on college campuses with more than 70 universities in the United States having implemented a campus-wide ban on the sale of plastic water bottles.[23] What is the motivation for these bans and what are the specifications? Most of these entities cite environmental reasons for implementing a ban. In the Massachusetts town of Concord, the bylaw states, "It shall be unlawful to sell non-sparkling, unflavored drinking water[24] in single-service polyethylene terephthalate (PET) bottles of 1 liter or less in the Town of Concord on or after January 1, 2013."[25] In Concord, stores that violate the law first receive a warning, then a $25 fine, followed by a $50 fine for all subsequent infractions.[26] San Francisco took similar action to ban the sale of plastic water bottles on city property. This ban exempts sporting events and gives food trucks and large nonprofits until 2018 to comply. In San Francisco, all vendors selling single-service plastic bottles on city grounds after October, 2014, are subject to a fine up to $1000.[27] Among colleges, Washington University in St. Louis and the University of Vermont enacted similar bottled bans.

*Possible Limitations*

It is necessary to note that there have been neither formal program evaluations of the bans nor in-depth analyses of the economic repercussions in any of the cities or universities with the exception of Washington University in St. Louis.[28] The University of Vermont, however, did publish qualitative evaluations. Therefore, this paper will examine the ban at each university, interestingly, each universities produced very different results. A possible cause for the discrepancy could be the location of the school and the culture of the student body. Washington University is located in the city of St. Louis, whereas the University of Vermont is located in the smaller town of Burlington. In the city of St. Louis, students might have access to different options to buy other than bottled water. Also, Washington University took other steps to increase sustainability across campus by adding newly retrofitted refill water stations, which might have had a positive impact on the results. The fact that St. Louis tap water was rated as the best in the country in 2007 certainly could have positively influenced the school-wide movement to switch from bottled water to tap.[29] Additionally, while difficult to measure, the culture of the student body can directly affect the way in which students change their behavior, which could contribute to the discrepancy in results at each university.

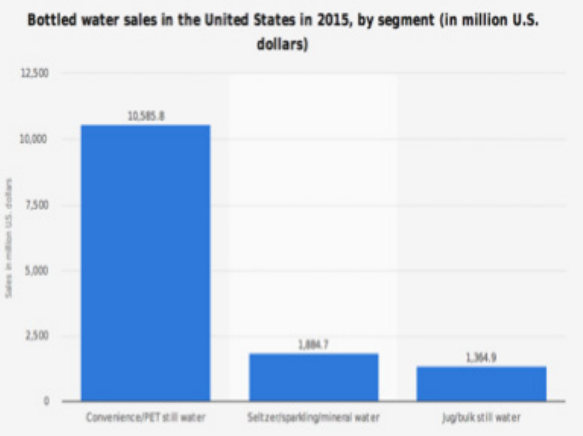


FIGURE 4. UNITED STATES BOTTLED WATER SALES BY TYPE IN 2015 (COURTESY OF *BEVERAGE WORLD*)

## ARGUMENTS FOR THE BOTTLED WATER BAN

*Washington University in St. Louis*

Washington University in St. Louis was the first university to ban the sale and use of bottled water in administrative offices, dining services and vending machines. Because of concerns about the environmental impact of bottled water, the University ended sales of the product, and administrative offices were no longer able to offer bottled water at events or meetings. Students and faculty were encouraged to drink tap water especially through the student-led campaign of "Tap it" on campus.[30]

On January 1, 2009, the university stopped selling bottled water in all retail outlets and vending machines on the primary campus, the Danforth Campus, and administrative West and North Campuses.[31] The University published an update on the policy in 2015, reporting that "since the 2009 bottled water ban went into effect, both bottled beverage purchases and fountain drink purchases have significantly decreased during a time when the University's population has continued to increase".[32] The data indicate an overall 39.4% decrease of all bottled product purchases in the academic year 2014-2015 compared to the academic year 2008-2009. This decrease in plastic bottles confirms the effectiveness of the policy. The Washington University update shows that the single-use plastic bottles are associ-

*"Bottled water production uses 17 million barrels of oil per year and requires triple the amount of water to make a bottle as it does to fill it."*



ated with a number of major environmental and public health issues. These issues stem from the production, storage, and transportation of the bottles. In response to these negative effects, the university enacted their plan to stop selling bottled water.

According to Figure 5, the purchases of all bottled beverages declined significantly since the beginning of the ban. Carbonated beverages had the most significant decrease of almost 50%.[33] The only category of bottled product purchases that increased was called "Other," which consisted of specific brands of energy drinks, flavored water, sparkling water, coconut water, and lemonade. Previously, bottled water cases made up 10% of purchases, but as of the 2014-2015 academic year, bottled water purchases represented 2%[34] of the total bottled purchases.[35] The initial goal was to decrease the number of single-use plastic bottles consumed, and the significant drop in total purchases of bottled beverages confirms the success.

Another positive result of the Washington University policy is that it allowed the school to plan for the long-run and enact new initiatives to continue to help the environment.

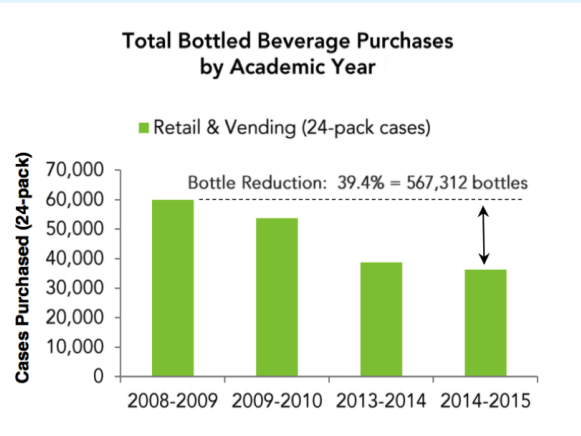


FIGURE 5. WASHINTON UNIVERSITY IN ST LOUIS BOTTLED BEVERAGE PURCHASES, 2008-2015[31] (COURTESY OF *WASHINGTON UNIVERSITY*)

For example, the school has invested time and money to retrofit approximately 108 water fountains, and plans to retrofit 170 more. Additionally, the school added drinking fountain areas with refill stations in all newly constructed buildings.[36] The University also installed 20 Elkay Filling Stations.[37] New students have the chance to learn about the bottled water ban through Washington University's team of 30 Green Ambassador peer-educators.[38]

The ban of bottled water produces an estimated net benefit of $337,030 each year for the University of Washington. According to Curtis-Murphy and Sessions, the benefits of the bottled water ban include decreased recycling costs and student expenditures, along with environmental benefits.[39] The upfront costs of this ban include new and retrofitted water fountains and administrative costs. The ongoing yearly costs include increased water usage, lost revenue to food services, maintenance of new water fountains, administrative costs, and health costs.[40] The "Kaldor-Hicks Tableau" in Table 1, clearly shows there are winners and losers of this ban, and the students/faculty/staff benefit far more than the administration. Why then would the administration choose to implement a ban like this? It is likely

| Kaldor-Hicks Tableau | | |
|---|---|---|
| | **Administration** | **Students/Faculty/ Staff** |
| **Yearly Costs** | | |
| Increased Water Usage | $38,610 | $0 |
| Water Fountain Maintenance | $6,790 | $0 |
| Loss in Revenue From Sale of Water Bottles | $233,760 | $0 |
| Administrative Costs | $2,950 | $0 |
| Health Costs from Substitution | $.001 | $0.001 |
| **Yearly Benefits** | | |
| Decreased Recycling Costs | $37,270 | $0 |
| Saved Expenditures | $0 | $593,940 |
| Environmental Benefits | $0.0006 | $0.0006 |
| **Yearly Net Benefits** | **-$244,880** | **$593,940** |

TABLE 1. COST-BENEFIT ANALYSIS OF BOTTLED WATER BAN AT WASHINTON UNIVERSITY[37] (COURTESY OF *WASHINGTON UNIVERISTY*)

that the university would receive reputational benefits far exceeding the monetary costs.

## ARGUMENTS AGAINST THE BOTTLED WATER BAN

*University of Vermont*

The most surprising consequence from a bottled water ban occurred at the University of Vermont, where the ban was initiated in 2012. The University of Vermont enacted a two phase program to study the effects of a plastic water bottle ban. In August 2012, phase one of the plan required all campus locations to provide a 30% healthy beverage ratio in accordance with the Alliance for a Healthier Generation's beverage guideline.[41] By January 2013, phase two required campus locations to remove bottled water while still maintaining the 30% healthy beverage ratio.[42] The study used shipment data as a means for calculating calories, sugars, and total consumption under the assumption that the university only ordered drinks that consumers were buying, and people on campus purchased only beverages that they intended to consume. Shipment data was collected one semester before any changes were made (Spring 2012), the semester when beverage offerings were changed to meet the health guidelines (Fall 2012), and the semester when bottled water was removed while still meeting the health guidelines (Spring 2013). Per capita shipments of bottled beverages did not change significantly between Spring 2012 and Spring 2013, but they did increase significantly from Fall 2012 to Spring 2013 shown in Table 2. Once the ban of bottled water was enacted, the number of bottles shipped to campus increased. This contradicts the purpose of the policy. The university made several efforts to increase the use of reusable water containers on campus, but bottled water consumers instead decided to purchase other plastic bottled beverages.

| Variable | Spring 2012 | Fall 2012 | Spring 2013 |
|---|---|---|---|
| Bottles | 24.21[a,b] | 21.82[a] | 26.27[b] |
| Calories, kcal | 3248.91[a] | 3106.19[a] | 3957.93[b] |
| Total sugars, g | 714.11[a] | 675.77[a] | 863.97[b] |
| Added sugars, g | 528.45[a] | 492.26[a] | 638.12[b] |

*Note.* In spring 2012 the baseline campus population = 16 582. In fall 2012, when the minimum healthy beverage requirement was enacted, campus population = 16 968. In spring 2013, when bottled water was banned, the campus population = 16 220. Values in a row with different superscripts were significantly different ($P < .05$).

TABLE 2. UNIVERSITY OF VERMONT PER CAPITA SHIPMENTS OF BOTTLED BEVERAGES, SPRING 2012-SPRING 2013 (BAN ENACTED FALL 2012)[42] (COURTESY OF *UNIVERSITY OF VERMONT*)

As a result of phase one of the plan, the percentage of bottled water shipped to campus decreased significantly from 17.6% of total shipments to 13.2% as seen in Table 3. Table 3 also shows sugar-free drinks and sugar sweetened drinks increased from Spring 2012 to Fall 2012. Once bottled water was banned, the consumption of these other beverages continued to increase.[43] Along with an increase in the shipments of bottles to campus, there was an increase in calories, total sugars, and added sugars according to Table 2. This unintended negative consequence could have damaging effects on the student population and potentially lead to higher rates of obesity.

Although there are many causes of excess weight gain, many studies have shown that sugar-sweetened beverages (SSBs) are large contributors.[44] "A 20-ounce soft drink has nearly 17 teaspoons of added sugars, far exceeding the American Heart Association's recommended limit of 6 teaspoons per day for women and 9 teaspoons per day for men."[45] They also reported on other intervention studies that found limiting the consumption of SSBs by providing only bottled water or low-calorie beverages reduces the

| Beverage | Spring 2012, % | Fall 2012, % | Spring 2013, % |
|---|---|---|---|
| 100% juice | 15.3[a] | 13.6[a] | 15.1[a] |
| Sugar free (≤ 10 kcal/8 oz) | 11.9[a] | 14.5[a] | 21.2[b] |
| Low calorie (≤ 50 kcal/8 oz) | 11.2[a] | 8.4[b] | 9.4[a,b] |
| Sugar sweetened (> 50 kcal/8 oz) | 28.2[a] | 32.2[a,b] | 35.3[b] |
| Milk and protein drinks | 17.3[a] | 20.6[a] | 20.2[a] |
| Water | 17.6[a] | 13.2[a] | 0.0[b] |

*Note.* In spring 2012 the baseline campus population = 16 582. In fall 2012, when the minimum healthy beverage requirement was enacted, campus population = 16 968. In spring 2013, when bottled water was banned, the campus population = 16 220. Percentages in a row with different superscripts were significantly different ($P < .05$).

TABLE 3. PERCENTAGE OF VARIOUS BEVERAGES SHIPPED TO 8 CAMPUS LOCATIONS AT THE UNIVERSITY OF VERMONT[42] (COURTESY OF *UNIVERSITY OF VERMONT*)

body mass index, skin-fold thickness, and fat mass of children compared to a control group with no intervention.[46] According to Block et al., "one major determinant of weight gain among adolescents and young adults is the consumption of sugar-sweetened beverages."[47] Young adults consume the most calories from sugar sweetened sodas of any age group, about 230 calories per day.[48] A study was performed to see how college students respond to intervention messages encouraging them to make healthier choices. The main result of the study regarding SSBs is that the major factors in beverage choice are taste and price. Health and nutritional content of beverages were of limited interest for the young adults.[49] It was also discovered that water is mostly only consumed for hydration.[50] Therefore, it is reasonable based on this study to assume that college students will substitute water with SSBs. The only other way to avoid the increased consumption of sugary drinks would be to raise the prices.

*Other objections*

One major objection to the policy is that bottled water is crucial for certain situations. Bottled water, for example, serves as the emergency source of drinking water when the public water system becomes contaminated.[51] Under the Safe Drinking Water Act, the utility must notify residents of such contamination so that they can switch to bottled water or purify their tap water.[52] For example, in Flint, Michigan, the city's water supply was contaminated with "toxic levels of lead and iron," making unfiltered water unsafe to drink.[53] In an effort to help the community of Flint, organizations were sending shipments of bottled water. Convoy of Hope has donated and distributed more than 100 truckloads of bottled water to the city.[54] The policy enacted in Concord did adjust the bylaw to resolve any issues by declaring that there is an exemption for an "emergency adversely affecting the availability and/or quality of drinking water to Concord residents."[55] This exemption was of extreme importance to the city because residents and tourists were purchasing plastic-bottled beverages by the truckload to cope with the extreme drought and record-breaking temperatures in August.[56]

Additionally, the complete ban of bottled water is simply not realistic for larger venues that prohibit individuals from bringing in open containers containing any liquid beverage. According to San Francisco's ban, for events on public property with 100 or more attendees, it is prohibited to sell plastic water bottles if there is an alternative city potable supply. The provision will eventually impact the venues for sporting teams such as the San Francisco Giants at AT&T Park as well as other major sports teams in the city. However, it will not happen for decades, because it is not feasible or cost efficient for the businesses.[57] Even at Washington University in St. Louis, the school made the decision to provide bottled water at a very limited number of special events where other methods of water access proved especially "challenging or costly."[58] Clearly this issue is a realistic and reasonable aspect of the policy or else the policymakers would not be writing in provisions to their bans.

The policy to ban bottled water is strongly opposed by the American Beverage Association, which represents the nonalcoholic beverage industry. According to spokeswoman for the American Beverage Association, Kate Krebs, "The consumers should have a choice on how they drink their water."[59] The policy decision to ban plastic bottles limits the freedom of choice for the residents and visitors to those cities and schools.

## POLICY OPTIONS

Is there anything better that can be done to solve the environmental concerns? Some other policy options have been to restore the public's trust in tap water, incentivize recycling, or simply add a bottle tax. Many of the studies mentioned above have noted that bottled water is strictly preferred to tap water partially because of health concerns. Parag and Roberts suggest a five stage plan to restore the trust in tap water.[60] Stage one is to create public awareness. Media often highlights the trust-destroying events such as water contamination like the case of Flint, Michigan, but the media does not display the positive events such as reports of good tap water. Stage two is to analyze and explore new tap-water quality standards. Stage three is to ensure transparent decision-making procedures to contribute to building trust. The "Consumer Confidence Reporting Rule" is one example of a policy with the potential for trust building. It ensures the public is informed annually about the quality of tap water. Stage four involves policy implementation and enforcement, both critical aspects of the plan. Finally, stage five is continual policy evaluation.

Another policy worthy of consideration is to implement recycling laws and deposit policies. Water bottles are made completely of recyclable PETs, so why does society not recycle? The national recycle rate for PETs is only 23 percent, which means $1 billion worth of plastic that should end up in the "recycling stream" is lost.[61] There are

two principal policy instruments that promote water bottle recycling: bottle deposits and recycling laws.[62] The bottle deposits provide a financial incentive to recycle, while the recycling laws reduce the time costs by providing curbside recycling and convenient recycling centers. Most states do not include plastic water bottles on their deposit bills.[63] Oregon and Connecticut both added water bottles to their deposit bills in 2009, right around the same time as the bottled water ban. In both of these states, the laws proved to be effective.[64] To investigate the effect of the recycling laws and deposit policies, Viscusi et al. examined data on recycling behavior for Oregon and Connecticut both before and after they each implemented their expanded bottle bills.[65] In each case, individual consumers shifted from not recycling at all to becoming committed recyclers. They found that recycling and deposit policies have their greatest effect on those who would not already choose to recycle.[66] This is a key aspect of human behavior that needs to be considered when instituting a new public policy.

In early 2010, Washington Governor Christine Gregoire proposed taxing bottled water, both because of a need for tax revenue and because "products that negatively impact our environment or public health should be taxed to pay the costs of their effects."[67] By knowing the tax elasticity of water bottle demand, it is possible to know how best to reduce the purchasing of the product. Berck et al. estimated that a 2.8% to 5.9% drop in bottled water consumption will occur in response to a tax of between 6.5% and 9.5%.[68] Unfortunately, this policy is unable to drastically change the behavior of the consumer. The growth rate of bottled water has been far above 5.9% over the past decades as mentioned above, so this drop would not make the difference that the policy makers intend to achieve. Because of the low price elasticity of bottled water, a tax much greater than 6.5%-9.5% would be necessary to change the behavior of buying bottled water.[69] A Pigouvian tax, a tax levied on any market activity that generates negative externalities, would be most appropriate in the case of plastic bottled beverages.[70] It would be implemented in order to eliminate the negative externality plastic bottles impose on the environment. According to Figure 6, the optimal level of bottles would be found where the marginal social cost equals marginal benefit. Unfortunately, a critique of the the Pigouvian tax is that it would reduce willingness to produce. For the tax to prevent unwillingness to produce, it would have to be imposed on the polluting aspect of the factory rather than directly imposed on output levels, which can be difficult to do. This leads us back to wondering if the complete ban is really the best option.

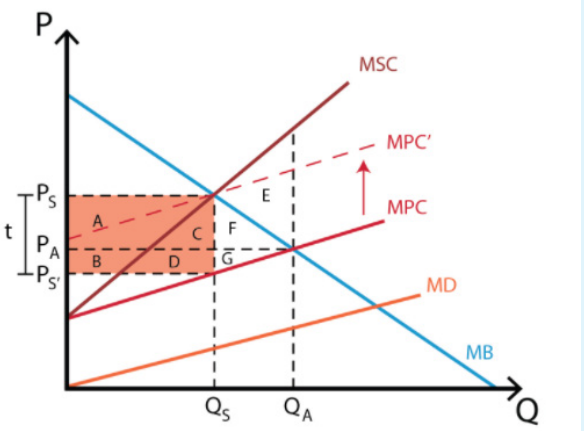


FIGURE 6. PIGOUVIAN TAX MODEL AS POSSIBLE SOLUTION TO REDUCE BOTTLED BEVERAGE CONSUMPTION (COURTESY OF *POLICONOMICS*)

## CONCLUSION

To answer the question posed in the beginning of this paper, the outcomes of the bottled water bans have not been the same in all cases. Some studies have shown that the ban of bottled water has led to a decrease in consumption of bottled beverages, whereas other studies have shockingly displayed that the ban of bottled water has led to an increase in sugar sweetened beverages which is a main contributor to weight gain. Based on these results, what really is the best policy option? Many policymakers, politicians, and even economists have analyzed the pro and con list of this policy ban, and after reading this list, this paper would advise against a complete ban of bottled water. Although Washington University found that students reduced usage of plastic bottles, it cannot be assumed that all universities and even cities will act in the same manner. This policy is very clearly related to consumer preferences, and it is impossible to predict the behaviors of people in different age groups and regions.

This paper believes the problem is not what is in the bottle, but the bottle itself. The best policy option would therefore be a plastic bottle tax. The governor of Washington has proposed taxing bottled water, but what about taxing all beverages sold in plastic containers? Increasing the price of all of these beverages, should result in a decreased demand and a reduction in the number of plastic bottles being used. This paper believes a Pigouvian tax is the best

choice. There are flaws with all of the policy options, but it is important to find the option that will best achieve the goal with the fewest negative externalities.

In a world concerned with global climate change, more must be done to completely eliminate the production of PETs. It should not matter what people choose to drink. There should be efforts in place that ensure all options are not damaging to the earth.

## ENDNOTES

1. Figure 1 shows that the per capita consumption of bottled water in the U.S. has more than doubled since 2000.
2. Parag and Roberts. "A Battle Against the Bottles: Building, Claiming, and Regaining Tap-Water Trustworthiness." *Society & Natural Resources* (2009).
3. Viscusi, et al. "Discontinuous behavioral responses to recycling laws and plastic water bottle deposits" No. w15585. Cambridge, MA: *National Bureau of Economic Research* (2009).
4. Ward, et al. "Health beliefs about bottled water: A qualitative study". *BMC Public Health*, 9 (2009)
5. The total volume of carbonated soft drinks shrank in 2014, as it has done every year since the mid-2000s (Rodwan, 2014). This reduction decreases the gap between soft drinks and bottled water. Huerta-Saenz, et al., "Tap or bottled water: drinking preferences among urban minority children and adolescents." *Journal of Community Health*, (2012).
6. Ward, et al. "Health beliefs about bottled water: A qualitative study". *BMC Public Health*, 9 (2009)
7. Bottled water is considered a Giffen good because it is a product that people consume more of as the price rises. It is often viewed as a symbol of status especially when looking at how consumers will choose the more expensive brand of bottled water, such as choosing Smart Water instead of Poland Spring. Parag and Roberts. "A Battle Against the Bottles: Building, Claiming, and Regaining Tap-Water Trustworthiness." *Society & Natural Resources* (2009).
8. Huerta-Saenz, et al., "Tap or bottled water: drinking preferences among urban minority children and adolescents." *Journal of Community Health*, (2012).
9. Rodwan. "Bottled Water 2014: Reinvigoration." *U.S. and International Developments and Statistic* (2014).
10. The sample used for the analysis was taken from the author's survey administered through the Knowledge Networks(KN) Web-based panel in October 2009. The KN panel is regarded as the highest quality Web-based panel. 1,639 panelists were invited to participate (Viscusi et al., 2015).
11. Viscusi, et al. "Discontinuous behavioral responses to recycling laws and plastic water bottle deposits" No. w15585. Cambridge, MA: *National Bureau of Economic Research* (2009).
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13. Karlstrom and Dell'Amore. "Why Tap Water is Better than Bottled Water." *National Geographic* (2010).
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15. Parag and Roberts. "A Battle Against the Bottles: Building, Claiming, and Regaining Tap-Water Trustworthiness." *Society & Natural Resources* (2009).
16. O'Connor. "Bottled Water Ban In San Francisco Would Be One of Nation's Strictest." *The Huffington Post* (2013).
17. Schriever. "Plastic Water Bottles Causing Flood of Harm to Our Environment." *The Huffington Post* (2013).
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19. Palliser. "Banning the bottle." *Science Scope* (2010).
20. Schriever. "Plastic Water Bottles Causing Flood of Harm to Our Environment." *The Huffington Post* (2013).
21. Palliser. "Banning the bottle." *Science Scope* (2010).
22. Ibid.
23. Boston College has not officially implemented a ban of plastic water bottles. However, bottled water is not available in the main dining halls of Carney, Corcoran, and Lyons. Bottled water may only be bought in vending machines, On the Fly markets, and Hillside, which all require the use of the flex meal plan. In an effort to decrease bottled-water consumption, Boston College has promoted awareness of recycling and use of local water supplies. Carapezza. "Better Bring your Own: University of Vermont Bans Bottled Water." *National Public Radio* (2013).
24. The bans only limit the sale of non-sparkling, unflavored drinking water in single-service PET bottles. According to Figure 4 seltzer/sparkling/mineral water is a much smaller percentage of bottled water sales in the US. Sales are only $1.9 billion compared to those of bottled water which are $10.6 billion. In the initial stages of the bottled water ban, it is not worth the extra costs to also ban the less popular sparkling water.
25. "Massachusetts General Laws." Chapter 40, §32
26. An infraction is when a store is caught selling single-service PET bottles of 1 liter or less (Massachusetts General Laws, 2012).
27. Timm. "San Francisco bans sale of plastic water bottles on city property." *MSNBC* (2014).
28. Curtis-Murphy and Sessions. "Ban the Bottle: Implementing a Ban on the Sale of Plastic Water Bottles at the University of Washington." *The Evans School Review* (2014).
29. Daues. "Washington University in St. Louis ends sales of bottled water." *The Source, Washington University in St. Louis* (2009).
30. Ibid.
31. Vasquez, et al. "Bottled Water Ban: Update 2015." *Washington University in St. Louis* (2015).
32. Ibid.
33. Ibid.
34. The remaining bottled water purchases were for the School of Medicine and special events. Due to concerns about limiting water access to medical patients, the School of Medicine continued to sell bottled water (Vasquez et al. 2015).
35. Ibid.
36. Ibid.

37. Curtis-Murphy and Sessions. "Ban the Bottle: Implementing a Ban on the Sale of Plastic Water Bottles at the University of Washington." *The Evans School Review* (2014).
38. Ibid.
39. Ibid.
40. In the economic analysis of the policy, Curtis-Murphy and Sessions (2014) found that there could possibly be a very small long-term health cost as a result of some students switching to sugar-sweetened beverages. While the health impacts are important to be considered, the actual cost incurred is negligible (Ibid.).
41. The guideline presents a table of proper sized containers of different beverages that should be distributed at different school levels. The categories of beverages include plain water, low fat milk, non fat milk, 100% fruit or vegetable juice, no calorie beverages that are flavored and/or carbonated, and low calorie beverages that are flavored and/or carbonated.
42. Berman, and Johnson. "The unintended consequences of changes in beverage options and the removal of bottled water on a university campus." *American Journal of Public Health* (2015).
43. Ibid.
44. Ibid.
45. Ibid.
46. Ibid.
47. Block et al. "'If it tastes good, I'm drinking it': qualitative study of beverage consumption among college students.'" *Journal of Adolescent Health* (2013)
48. Ibid.
49. Ibid.
50. Ibid.
51. Viscusi, et al. "Discontinuous behavioral responses to recycling laws and plastic water bottle deposits" No. w15585. Cambridge, MA: *National Bureau of Economic Research* (2009).
52. Ibid.
53. Gulledge. "How to help with the Flint water crisis." *CNN* (2016).
54. Ibid.
55. "Massachusetts General Laws." Chapter 40, §32
56. Although there have been no official records published regarding the effectiveness of the ban in Concord, town officials said the ban has produced no measurable reduction in plastic waste. The stores in town responded to the original ban by stocking their shelves with 1.5-liter water bottles, instead of the banned one liter bottles, and flavored beverages in plastic bottles. Assistant Public Health director of Concord, Stanley Soshicki, proposed that a statewide ban could have much more significant results.Cline. "Town that banned bottled water now can't get enough of it." *AMI Newswire* (2016).
57. Sabatini. "Supervisor proposal seeks to ban plastic water bottle sales on SF property." *The San Francisco Examiner* (2013).
58. Vasquez, et al. "Bottled Water Ban: Update 2015." *Washington University in St. Louis* (2015).
59. Sabatini. "Supervisor proposal seeks to ban plastic water bottle sales on SF property." *The San Francisco Examiner* (2013).
60. Parag and Roberts. "A Battle Against the Bottles: Building, Claiming, and Regaining Tap-Water Trustworthiness." *Society & Natural Resources* (2009).
61. Schriever. "Plastic Water Bottles Causing Flood of Harm to Our Environment." *The Huffington Post* (2013)
62. Viscusi, et al. "Discontinuous behavioral responses to recycling laws and plastic water bottle deposits" No. w15585. Cambridge, MA: *National Bureau of Economic Research* (2009).
63. The unit price deposit raises the price paid at the time of purchase, but for every bottle returned to a recycling location or stores that accept the bottles, the recycler is paid the deposit amount (Viscusi et al., 2009).
64. Ibid.
65. Viscusi, et al. "Discontinuous behavioral responses to recycling laws and plastic water bottle deposits" No. w15585. Cambridge, MA: *National Bureau of Economic Research* (2009).
66. Ibid.
67. Berck, et al., "Measuring Consumer Responses to a Bottled Water Tax Policy." *American Journal of Agricultural Economics* (2016).
68. Ibid.
69. Ibid.
70. Polinsky and Shavell. "Pigouvian taxation with administrative costs." *Journal of Public Economic* (1982).

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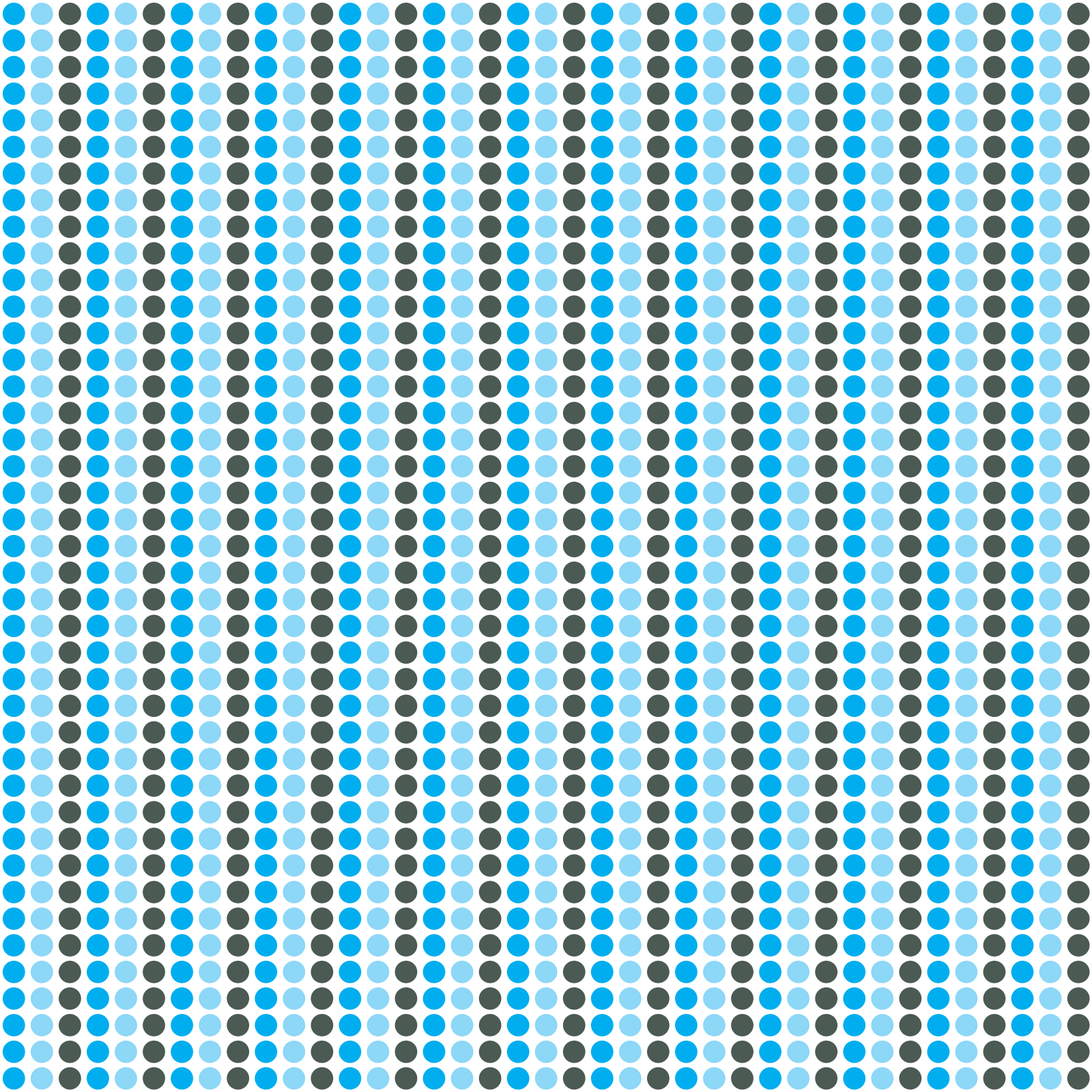

# WRITING IN A SURVEILLANCE STATE

## *Otherness in Christa Wolf's* What Remains

SABRINA BLACK

THE AUTHOR ANALYZES THE POSITION OF THE WRITER IN THE GERMAN DEMOCRATIC REPUBLIC (GDR) THROUGH AN ANALYSIS OF CHRISTA WOLF'S NOVELLA *WHAT REMAINS*. THE EXTENSIVE SURVEILLANCE OF INTELLECTUALS IN EAST GERMANY PROVIDES A CONTEXT FOR WOLF'S WORK, WHICH DEMONSTRATES THE BURDEN WHICH THIS GOVERNMENTAL SCRUTINY PLACED ON THINKERS IN THE GDR. THE TENSION BETWEEN THE PERCEIVED MORAL RESPONSIBILITIES OF WRITERS AND THE PRESSURES TO CONFORM TO THE REGIME'S STANDARDS OF ACCEPTABILITY IS IN THE FOREGROUND OF WHAT REMAINS. THIS ESSAY EXAMINES HOW THE NARRATOR'S INABILITY TO RECONCILE THESE DEMANDS CAUSES HER TO UNDERGO A PROCESS OF "OTHERING" THAT LEAVES HER ALIENATED FROM THE GOVERNMENT, HER FELLOW CITIZENS, AND HERSELF.

When Christa Wolf's novella *What Remains* was published a decade after it was written, a wave of controversy surged around it. Some viewed her choice to delay the publication of her work as an act of cowardice. Her text explores the position of writers in the German Democratic Republic (GDR) and elucidates the pressures that led to her decision. In *What Remains,* Wolf provides first-hand insight into the role of the intellectuals in the GDR, illuminating the effects of state surveillance on East German writers. These authors had felt a duty to serve as moral beacons for their readers but remained subject to the regime's standards of acceptability. Wolf's narrative reveals the consequences of authors' inability to reconcile these obligations. Through the motif of otherness, Wolf demonstrates the various forms of alienation writers faced as a result of these irresolvable tensions.

A number of scholars concur in asserting that the German intelligentsia has traditionally been tasked with parsing the complexities of life and serving as moral leaders. Literary scholar Robert von Hallberg observes that the works of GDR authors such as Wolf might have enabled contemporary readers to "[become aware of] contradictions of which they were not yet fully conscious in their own lives," to "feel consoled to read that others had similar difficulties," and to "expand the range of political discussion in the public sphere."[1] Similarly, historian Michael Geyer posits that "[i]n the German system of checks and balances, culture ascertained moral justice. The control of intellectuals over the sphere of culture guaranteed not just the reign of good taste but social betterment and *Bildung*."[2] Geyer identifies a tendency among Germans to entrust cultural authorities with the responsibility of helping them navigate the world. Scholars and GDR writers alike shared this understanding of literature as having both cultural and social significance. Wolf herself stated, "'[p]eople needed me. [...] People needed something to give them strength.'"[3] This presumption of importance, which was perhaps reasonable given the great anticipation and remarkable sales of their works,[4] caused GDR writers to be acutely aware of their perceived duties to provide emotional support and moral direction to their public.

THE AUTHOR CHRISTA WOLF DURING A BOOK READING IN BERLIN, 2007 (COURTESY OF *WIKIMEDIA COMMONS*)

This authorial sense of duty manifests itself not only in the psyche of the GDR author, but also in his or her works, as evidenced in *What Remains* by a pattern of references to the narrator's role as a writer. The narrator states that "if there was one ethic I held to, it was the work ethic, not least because it seemed to be capable of balancing out inconsistencies in other ethical systems."[5] The protagonist's conviction reveals Wolf's own assessment of her function in the GDR: that through her work she could ameliorate ethical shortcomings by providing moral guidance to her readers. Subsequently, upon seeing that the Berliner Ensemble was performing Galileo, the narrator reflects that "this was a play from the time when purified dialectics still counted for something, [...] when there was a reason for speaking the 'truth' and it was evil to suppress it; it was evil not to speak of the nasty lie which was harmful and gave the liar a bad conscience."[6] The narrator hearkens back to a time of clearly-defined dichotomies, implicitly contrasting it with her current lack of clarity regarding right and wrong, true and false, good and evil. The diarist's moral muddle reflects Wolf's own position as an author who found herself unable to provide guidance to her readers with the simplicity with which she imagined her forebears, such as Brecht, performed this task. Wolf's consciousness of her perceived moral obligations manifests itself in this text, but circumstances that limit her ability to fulfill these obligations also appear.

The obstacle that impaired writers' ability to exercise moral authority was the hulking threat of state scrutiny. As evidenced both by Wolf's depiction of the Ministry for State Security (MfS or Stasi) in her text and by historical data, the shadow of surveillance loomed large over GDR writers. If anything, it was perhaps GDR authors' moral purview that made them especially obvious surveillance targets. Joseph Stalin referred to writers as "'Ingenieur[e] der menschlichen Seele,'"[7] (engineers of the human soul) and leaders in the GDR shared his understanding of the potential power authors might wield. Therefore, as scholars Paul

Cooke and Andrew Plowman assert, "[f]rom the early days of the GDR, writers were seen as a crucial weapon in the state's propaganda arsenal [...] who would help to educate the masses in the ways of socialism."[8]

Cultivating cooperation with authors was critical to the SED regime for purposes of promoting socialist values, encouraging citizen contentment, and improving the GDR's reputation abroad. Historian Mike Dennis explains that the Stasi's tactics of *Zersetzung* (corrosion) as laid out in Ministerial guideline 1/76 directed that "'hostile-negative forces' were to be 'paralysed, disorganized and isolated' and their activities 'prevented, significantly reduced or completely terminated.'"[9] The Stasi employed a number of strategies to this end, including spreading injurious rumors about their targets, engineering setbacks for them, and intimidating them through phone calls and letters.[10] They also employed comprehensive surveillance techniques, including tapping phones, searching residences, and reading correspondence,[11] all methods which appear in Wolf's text.[12] This degree of extremely insidious surveillance, impeded the expression of subversive views.

Intellectuals were particularly restrained, as they were subject to especially close watch. Starting in 1969, an entire branch of the MfS (*Hauptabteilung XX*) was devoted to cultural surveillance, and there were a significant number of *inoffizielle Mitarbeiter* (IMs) in this department.[13] Wolf herself was subject to surveillance as the target of *Operativen Vorgang (OV)* (unofficial employee) *"Doppelzüngler"* (operation "Double tongue") from 1969 on.[14] The high degree of surveillance created an environment in which writers had to be constantly wary of their behavior to avoid trouble with the Stasi. A need to be on good terms with the regime, asserts scholar David Bathrick, prevented writers from

> Calling for modes of reform that lay outside or at ideological variance with the normative discourse of socialist institutional life: for the abolition of censorship, for a multiparty system, for a genuinely representative parliament, for total freedom of speech.[15]

These and similar taboos severely inhibited authors' ability to provide meaningful moral judgments in their writings for fear of invoking the wrath of the state.

The effects of Stasi presence in preventing intellectuals from realizing their moral authority are evident in the texts produced by writers living in fear of surveillance. Throughout *What Remains*, surveillance is depicted as a counterforce to the narrator's moral authority. Contemplating the difficulties of living under the Stasi, she muses, "we are all trapeze artists."[16] Writers in the GDR had to attempt a balancing act between upholding their moral obligations and avoiding trouble with the Stasi, knowing that they risked falling into either the rapacious jaws of the MfS or the pits of self-betrayal and public scorn. The protagonist imagines developing a new language, reflecting,

> My other language [. . .] would stop describing objects by their appearance [. . .] and would increasingly allow their invisible essence to emerge. This language would be gripping, loving, and protective, that much I thought I could foresee. I would hurt no one but myself.[17]

The narrator dreams of being able to express herself fully and without endangering others, likely mirroring Wolf's own desires in the face of oppression that prevented her from airing criticisms that might have resulted in negative consequence for herself and for her loved ones. Ultimately, the narrator, imagining her former friend Jürgen as the embodiment of the Stasi, concludes, "since his objects are made of flesh and blood and do not exist only on paper, like my own, *he* is the actual master, the real lord."[18] She finds that she must surrender her moral power because of the very real threat of persecution by the Stasi, demonstrating how the GDR writer became subservient to the forces of state surveillance.

The conflict between state surveillance and the author's moral jurisdiction is evident in Wolf's treatment of otherness. Throughout the novella, the narrator refers to the Stasi and the SED regime in terms of "the other," indicating the negative effects surveillance has had on her. At one point, she describes the agents who are watching her as "messengers of the other."[19] It is clear from her discourse of otherness, which casts herself in opposition to the Stasi and the GDR government, that the narrator views these agents as opponents rather than allies. The narrator subsequently reflects that "the measures taken by the others and our reactions to them meshed together like the teeth of a smoothly functioning zipper."[20] Wolf's language here conveys an atmosphere of ever-present hostility, in which she must constantly be on her guard in the face of state surveillance. In this way, the use of otherness in relation to the state reveals the dynamic of apprehension and unease that plagued GDR authors as a result of surveillance, impairing their exercise of moral authority.

*"The use of otherness in relation to the state reveals the dynamic of apprehension and unease that plagued GDR authors as a result of surveillance, impairing their exercise of moral authority."*

The narrator also senses a specter of "otherness" haunting her relationship with fellow GDR citizens as a result of the surveillance to which she is subjected, which further isolates her. When the narrator sees Jürgen M. in the department store, he does not acknowledge her, and she admits that she is accustomed to "the curtain lowering before the eyes of the other."[21] The surveillance creates divisions between the narrator and those with whom she had previously been friends; awareness of the regime's suspicion of her, she presumes, is responsible for Jürgen M.'s snub. The fact that she is being watched creates a rift between the narrator and her old friends, for whom the surveillance and the accompanying threat of association with a subversive renders it advantageous not to know her. She is cut off from both her friends and from the general public: while standing in line at the grocery store, she notes that "that strong, isolating feeling of otherness would not go away."[22] She believes that rumors of surveillance cause her to appear "other" to citizens. Thus, the surveillance that inhibits her moral authority also isolates her from the people whom she otherwise would have guided: an ironic effect of the socialist regime considering its collectivist values.

The narrator's level of success, however, affects her position as a moral leader, casting her as other even from those with whom she would presumably be able to commiserate: fellow writers. This is demonstrated in the case of the young poet who seeks her advice regarding his work; although the narrator does not explicitly use the terminology of otherness in his case, she clearly senses such a division between them. She writes, "[t]he young gentlemen standing in front of my door would not hesitate to pass through his door. That was the difference between the two of us—a major difference. A moat."[23] The narrator's prominence as a popular writer renders her distinct from the young poet, because her eminence gives her some degree of power in relations with the Stasi: while she dare not openly defy the regime, the Stasi dare not persecute her in the same way they would an unknown subversive. While the Stasi agents might "hesitate" at her door, they are ultimately willing to exert their authority over her, as demonstrated by the surveillance and intimidation tactics the protagonist describes. In this way, the very popularity that would have granted the narrator the ability to reach a large audience and effectively propagate a model of ethics contributes to the overwhelming isolation she feels even from other intellectuals. Her fame, however, is not so great a force as to make her immune to the risks of defying the state.

The divergent pressures of surveillance and morality render the narrator isolated from everyone in her society, and her inability to reconcile this tension creates a constant internal conflict that culminates in a process of self-othering and self-alienation. In one of her internal monologues, the narrator interrogates herself, writing,

> I myself. Who was that? Which of the multiple beings from which 'myself' was composed? The one that wanted to know itself? The one that wanted to protect itself? Or that third one that was still tempted to dance to the same tune as the young gentlemen there outside my door?[24]

The oppressive surveillance fractures the narrator into three different personas, leading her to be detached from her identity as a whole and conscious only of these existing pulls within her: to seek truth, to keep her head down, and to cooperate with the Stasi. Her self-alienation results from the conflicting desires she experiences living under surveillance and is embodied by her self-censor: she observes that "[t]here was hardly anything left to think or say without getting my censor upset at me."[25] The voice of the censor expresses the narrator's internal conflict that results from the self-fragmentation that occurs in life under surveillance, in which the cautious voice of self-preservation must silence the persistent voice of morality. This continuous state of conflict in which she resides alienates the protagonist from her own identity, reducing her to conflicting voices. The narrator observes at one point that "[i]t is a happy man who can place his enemy outside himself."[26] Life in a surveillance state has caused the narrator

to become her own enemy, constantly engaging in a battle of wills with herself over whether to defy the Stasi or submit to them, whether to take a moral stand or protect herself and those she loves. Through this self-alienation, Wolf depicts the perpetual internal division produced by the competing pressures that beset GDR writers.

Wolf's use of otherness in *What Remains* spells out the conflict between moral duty and submission to the state experienced by authors in the GDR. The competing pressures felt by the narrator culminate in a condition of alienation from all people, including herself, which is representative of the condition of GDR authors at large. Based on an understanding of the author in the GDR as a moral guide, the SED regime's surveillance of intellectuals arguably resulted in much larger-scale oppression than affected only those who were under watch. The restrictions on authors resulted in a body of writing that tread softly around certain potential subversive topics, thereby undermining the consciences of all those who turned to literature for guidance.

## ENDNOTES

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11. Ibid., 6-7.
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13. Dennis, "The East German Ministry of State Security," 16-17.
14. Wolfgang Emerich, "Autobiographical Writing in Three Generations of a GDR Family: Christa Wolf — Annette Simon — Jana Simon," in *Twenty Years On: Competing Memories of the GDR in Postunification German Culture*, ed. Renate Rechtien and Dennis Tate (Rochester: Boydell & Brewer, 2011), 145, http://www.jstor.org.proxy.bc.edu/stable/10.7722/j.ctt1x72d3.14.
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# THE ROAD TO A CURE

## *Characterization of a New HIV Antibody*

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A PHAGE DISPLAY LIBRARY WAS PREVIOUSLY CONSTRUCTED FROM AN SIV-INFECTED RHESUS MACAQUE. SEVERAL SINGLE CHAIN FV (SCFV) WERE SELECTED USING PHAGE DISPLAY TECHNOLOGY. SEQUENCES CORRESPONDING TO SU24, SU343 AND LL25X WERE OPTIMIZED FOR EXPRESSION IN A MAMMALIAN SYSTEM AND COMMERCIALLY SYNTHESIZED. IN THIS STUDY, WE AIMED TO CHARACTERIZE THE SPECIFICITY OF SU24, SU343, AND LL25X. THE CODON-OPTIMIZED VERSION OF THE SCFV LL25X GENE SEQUENCE WAS CLONED INTO A MAMMALIAN EXPRESSION VECTOR (PCEP4). LL25X DNA WAS AMPLIFIED BY PCR, AND THE PCR PRODUCT AND MAMMALIAN EXPRESSION VECTOR WERE BOTH DIGESTED WITH KPNI/SAPI RESTRICTION ENZYMES. THE FRAGMENTS WERE LIGATED USING T4DNA LIGASE. E. COLI CELLS WERE TRANSFORMED WITH THE LIGATION REACTION. SINGLE COLONIES WERE SELECTED ON LB AGAR PLATES CONTAINING THE SELECTIVE ANTIBIOTIC (AMPICILLIN). POSITIVE COLONIES WERE IDENTIFIED WITH KPNI AND SAPI. SANGER SEQUENCING CONFIRMED CLONING RESULTS AND DNA SEQUENCE ACCURACY. FOLLOWING TRANSFECTION OF MAMMALIAN CELLS (293T), LL25X-FC CELLS, AND PURIFYING OUR PROTEIN, THE BINDING OF LL25X-FC TO THE SIV GP140 ENVELOPE PROTEIN WAS CONFIRMED.

## INTRODUCTION

Since the discovery of HIV-AIDS in 1984, an effective vaccine has remained an elusive goal, despite the conjugation of numerous efforts. Progress made in the RV144 Thai vaccine trial has hinted that HIV envelope glycoprotein variable loop V1-V2 has a role in the prevention of infection.[1] The isolation of anti-SIV monoclonal antibodies (mAb) will allow a pre-clinical evaluation of such antibodies in the SIV-rhesus macaque model of HIV/AIDS pathogenesis and vaccine.

A phage display library was previously constructed from a SIV-infected rhesus macaque, and several single chain variable fragments (scFv) such as SU24, SU343, and LL25X were selected using phage display technology.[2] Sequences corresponding to SU24, SU343, and LL25X were optimized for expression in a mammalian system and commercially synthesized (IDT DNA). SU24 and SU343 had previously been cloned in a mammalian expression vector. In this study, we aimed to characterize the specificity of SU24, SU343, and LL25X.

## MATERIALS AND METHODS

*PCR( Polymerase Chain Reaction) Amplification*

The codon-optimized version of the LL25X gene was to be amplified by PCR. A PCR mixture was prepared in a PCR tube. The PCR mixture consisted of 1 µL of template DNA (100 ng - 1 µg), 2 µL of forward primer (FP), 2 µL of reverse primer (RP), and 45 µL of Platinum PCR Supermix High Fidelity from Thermo Fisher Scientific. The forward primer was LL25-co-F (GGCCGGTACCGGCGCGCCACCATGG) and included the restriction site for KpnI. The reverse primer was LL25-co-R (ATTGTACTGCTCTTCCCGTGGCTTGGTTTTCGC) and included the restriction site for SapI. The PCR tube was closed tightly, mixed via vortex, and spun down using a small bench-top rotor.

The PCR tube was placed in a thermocycler for 25 cycles. The initial denaturation step was performed at 94°C for 5 minutes and was followed by 25 cycles of denaturation (94°C for 30 seconds), annealing (50°C for 30 seconds), and extension (68°C for 1 minute). A final extension step was performed at 62°C for 10 minutes.

DNA gel electrophoresis of the PCR products was performed on 1% agarose gel. The DNA vector was observed around 1092 bp under a UV transilluminator and was extracted using a gel extraction kit (QIAGEN).

*Extraction of PCR Products*

The PCR products were extracted from the 1% agarose gel following the QIAquick Gel Extraction Kit by QIAGEN. Instead of the recommended 50 µL of Buffer EB, 30 µL of double distilled water was added to the QIAquick membrane column to elute DNA and centrifuged immediately. Loading Dye was not added to purified DNA.

*Double Digestion of PCR Products with KpnI and SapI*

After gel extraction, the DNA vector from PCR was double digested with KpnI and SapI. The double digest reaction mixture consisted of 30 µL of the DNA vector, 4 µL of CutSmart Buffer from New England Biolabs, 1 µL of KpnI, 1 µL of SapI, and 4 µL of double distilled water for a total concentration of 40 µL. DNA gel electrophoresis of the double digested LL25X PCR product was performed on 1% agarose gel for 1 hour.

*Extraction of PCR Fragment Double Digested with KpnI and SapI*

The DNA of the insert vector resulting from the PCR fragment double digested with KpnI and SapI was extracted from the 1% agarose gel using the QIAquick Gel Extraction Kit protocol by QIAGEN. Instead of the recommended 50 µL of Buffer EB, 30 µL of double distilled water was added to the QIAquick membrane column to elute DNA and centrifuged immediately. Loading Dye was not added to purified DNA.

*Double Digestion of Mammalian Expression Vector pCEP4 with KpnI and SapI*

Three samples were prepared for the double digest with KpnI and SapI was performed on the mammalian expression vector pCEP4. One sample was the reaction mix for the double digest consisted of 1 µL of cloning vector pCEP4, 2 µL of CutSmart Buffer from New England Biolabs, 1 µL of KpnI, 1 µL of SapI, and 15 µL of double distilled water. The other two samples served as controls. Control 1, the reaction mix for the single digest using KpnI, consisted of 1 µL of cloning vector pCEP4, 2 µL of CutSmart Buffer from New England Biolabs, 1 µL of KpnI, 0 µL of SapI, and 16 µL of double distilled water. Control 2, the reaction mix for the single digest using SapI, consisted of 1 µL of cloning vector pCEP4, 2 µL of CutSmart Buffer from New England Biolabs, 0 µL of KpnI, 1 µL of

SapI, and 16 µL of double distilled water. DNA gel electrophoresis was performed on the sample reaction mix and the reaction mixes of the two controls on 1% agarose gel for 1 hour.

*Extraction of Mammalian Expression Vector pCEP4 Double Digested with KpnI and SapI*

The DNA backbone vector of mammalian expression vector pCEP4 double digested with KpnI and SapI was extracted from the 1% agarose gel using the QIAquick Gel Extraction Kit protocol by QIAGEN. Instead of the recommended 50 µL of Buffer EB, 30 µL of double distilled water was added to the QIAquick membrane column to elute DNA and centrifuged immediately. Loading Dye was not added to purified DNA.

*Ligation of LL25X into Backbone Vector pCEP4*

DNA gel electrophoresis of 2 µL of the double digested backbone vector pCEP4 and 2 µL of the double digested LL25X PCR product was performed on 1% agarose gel for 1 hour. Based on the band intensities on the gel, the volumes for the backbone and insert vectors could be estimated to achieve a backbone-to-insert ratio of 1:2 or greater. Two tubes were prepared. One tube was for ligation, and the other tube served as a control. The reaction mixture for ligation of the double digested LL25X PCR product into backbone vector pCEP4 consisted of 2 µL of the backbone vector (KpnI/SapI-digested pCEP4), 4 µL of the insert vector (KpnI/SapI-digested LL25X), 2 µL of T3 DNA ligation buffer (10x), 1 µL of T4 DNA ligase, and 11 µL of sterile water. The reaction mixture for the control consisted of 2 µL of the backbone vector (KpnI/SapI-digested pCEP4), 0 µL of the insert vector (KpnI/SapI-digested LL25X), 2 µL of T3 DNA ligation buffer (10x), 1 µL of T4 DNA ligase, and 15 µL of sterile water. The ligation reaction products were incubated overnight at room temperature.

*Transformation of Ligation Reaction Products into E. coli TOP10F*

Frozen electrocompetent *E. coli* TOP10F' was removed from a -80°C freezer and thawed on ice for 10 minutes. The *E. coli* was aliquoted to obtain 50 µL in a tube, and 7 µL of ligation reaction was added to it. The tip of the pipette was swirled in the tube to mix the solution, and the tube was incubated on ice for 30 minutes. The transformation tubes were heat shocked at 42°C for 1 minute and put on ice for 2 minutes. The heat shock allowed the bacterial membranes to be permeable enough for vector pCEP4 containing the LL25X DNA to enter the cells. Afterwards, 1 ml of LB media without antibiotics was added to the tube and cultured at 37°C for 45 minutes in a shaking incubator at 250 rpm. The tube was centrifuged at 9,000 rpm for 1 minute, and all but 100 µL of the supernatant was pipetted out. The remaining 100 µL of supernatant was mixed with the bacterial pellet using a pipette tip. All of the bacterial mix was plated onto an LB agar plate containing Ampicillin. A background control of cloning vector pCEP4-Fc-HA, digested and ligated without the LL25X insert vector, was also plated on the selective media.

*Colony Screening of Positive Clones on Selective Media*

Growth of the bacterial cells transformed with the pCEP4/LL25X ligation product was observed on the LB agar plate containing Ampicillin. Two colonies were picked up from the LB agar plate containing Ampicillin and were inoculated with 3 ml of LB media containing 50 µg/ml of Ampicillin in a 15 ml culture tube. The tube was cultured overnight at 37°C in a shaking incubator at 250 rpm. The day after, 2 ml of bacteria was aliquoted into a 2 ml Eppendorf tube and centrifuged at 13,000 rpm at room temperature to pellet down the bacteria. The supernatant was discarded, and the pellet was obtained.

*Extracting the pCEP4/LL25X DNA from the E. coli Cells via Miniprep*

The QIAprep Spin Miniprep Kit protocol by QIAGEN was followed to isolate the pCEP4/LL25X DNA from the *E. coli* cells. The recommended step involving washing the QIAprep spin column with 0.5 ml of Buffer PB was omitted because endA+ strains or other bacterial strains with high nuclease activity or carbohydrate content were not used. None of the optional steps were taken, such as adding LyseBlue reagent to Buffer P1. The DNA concentration, determined by using Nanodrop, was 120.2 ng/µL.

*Determination of a Positive Clone by Restriction Analysis*

One reaction mix contained the DNA template, and one control tube contained the cloning vector pCEP4. The reaction tube consisted of 3 µL of mini-prep DNA, 2 µL of CutSmart Buffer from New England Biolabs, 1 µL of KpnI-HF/SapI, 1 µL of KpnI-HF/BamHI-HF, and 13 µL of sterile water. The control tube consisted of 3 µL of cloning vector pCEP4, 2 µL of CutSmart Buffer from New England Biolabs, 1 µL of KpnI-HF/SapI, 1 µL of KpnI-HF/BamHI-HF, and 13 µL of sterile water. Both tubes had a total volume of

*"The isolation of anti-SIV monoclonal antibodies (mAb) will allow a pre-clinical evaluation of such antibodies in the SIV-rhesus macaque model of HIV/AIDS..."*



20 µL. The tubes were incubated at 37°C for 1 hour, and the products of the double digest were analyzed on a 1% agarose gel.

*Preparation of Samples for DNA Sequencing*

After DNA mini-prep, samples were prepared for DNA sequencing. Recommendations for DNA sequencing from Eton Bioscience were followed. For successful DNA sequencing, the reaction mix consisted of 8 µL of the LL25X PCR product, 8 µL of plasmid that was less than 6 kb and had a concentration of 50-150 ng/µL (obtained by DNA mini-prep and determined by Nanodrop), and 5 µL of primer that had a concentration of 5 µM. The reaction mix was sent to Eton Bioscience for DNA sequencing.

*Sequence Analysis of LL25X*

Once the DNA sequence results were received from Eton Bioscience, the software Geneious was used to analyze the sequence of LL25X.

*Bacteria Culture in Aqueous LB media with Ampicillin, followed by DNA Maxi-prep*

A selected positive clone was cultured for 8 hours in a culture tube containing 3 ml of LB/Ampicillin media. From the tube, 100 µL of the culture was transferred to a flask with 500 ml of LB/Ampicillin and cultured overnight. The culture was transferred into centrifugation tubes the next day. The centrifuge was set at 7,000 rpm for 15 minutes to pellet the cells. The supernatant was discarded, and the pellet was obtained.

The PureLink HiPure Plasmid DNA Purification Kit Maxi-prep procedure by Invitrogen was followed to extract DNA from the pellet. The supernatant was removed, and the pellet was air-dried for 10 minutes and resuspended in 100 µL of double distilled water, rather than the recommended 500 µL of TE Buffer (TE).

*Initiation to Tissue Culture*

Human Embryonic Kidney 293 cells (HEK293) of the 293T cell line were used. For storage, cells were transferred into a new T75 flask containing 500 ml of medium consisting of 440 ml of RPMI + 50 ml of 10% FBS, 5 ml of supplemental glutamine 200 mM L-glu, and 5 ml of 1x Penicillin and 1x Streptomycin.

*Transfection of 239T Cells*

The pCEP4/LL25X DNA that was isolated via maxi-prep was used to transfect 293T cells by following the Lipofectamine 2000 DNA Transfection Reagent Protocol.

One day before transfection, the 293T cells were trypsinized and resuspended into a 10 ml/T75 flask. Using a haemocytometer, the cell number was determined, and trypan blue was added to determine cell viability. The cells were seeded at 6x10^6 cells/T75 flask.

On the day of transfection, the culture media (DMEM consisting of 10% FBS, 1x PBS (Phosphate Buffer Saline)/Strep, 1x Glutamine) replaced the old media 1 hour before transfection. The transfection mixture was prepared using 500 µL of Serum-free media (SFM ie. OPTI-MEM) + 10 µg of maxi-prep DNA, 500 µL of SFM + 10 µL of Lipofectamine 2000 reagent, and DNA mix, which was incubated before at room temperature for 20 minutes. The transfection mixture was added to the cell culture and incubated overnight at 37°C, 5% $CO_2$, and 70% humidity. Cleavage of SIVmac239gp140 into monomeric surface subunit SIVmac239gp120 and ectodomain SIVmac239gp41 occurred once the proteins were expressed in the 293T cells.

One day after transfection, the culture media was replaced with 10 ml of SFM=DMEM (1x Pen/Strep, 1x Glutamine, and without FBS). Five days after transfection, the culture supernatant was transferred into 15 ml conical tubes. The tubes were centrifuged at 3,000 rpm for 10 min to pellet the debris in the tube. The supernatant was transferred to new 15 ml conical tubes.

*Protein Purification*

The Purification on Protein A-Agarose Protocol by Roche was followed to purify the protein. The resulting eluate,

containing the protein, was mixed by vortex and transferred into a dialysis cassette (10,000 Molecular Weight Cut-Off MWCO). Dialysis was performed overnight in 1xPBS at 4°C and was slowly stirred.

The next day, a centrifugal filter unit (Amicon Ultracel 10,000 MUCO) was used to concentrate the protein eluate until the remaining buffer was around 100-200 µL. The unit was centrifuged at 3,000 rpm for 30 minutes.

*Protein/Antibody Characterization by ELISA (Enzyme-Linked Immuno-sorbant Assay)*

Antigens (SIVmac239gp140, SIVmac239gp120, and control BSA) were prepared at 1 ng/µL with 1xPBS. A plate was divided so that 100 µL of each diluted antigen was added to each corresponding well. The coated ELISA plate was incubated for 1 hour at 37°C. After incubation, the plate was washed once with 1xPBS containing 0.5% Tween20. The tray was blocked by adding 500 µL of 5% skim milk in 1xPBS. The tray was sealed and incubated for 1 hour at 37°C.

A 1000x serial dilution of the primary antibody/protein was prepared, beginning with 10 µg/µL. The dilutions were 10 µg/µL, 1 µg/µL, and 0.1 µg/µL. The dilutions were prepared using 1xPBS/FBS 2%, and 50 µL of the antibody/protein dilution was added to each well. For each antigen, one of each dilution was added. Therefore, each antigen would have three different dilutions. The tray was incubated for 1 hour at 37°C . The plate was washed 10 times with 1xPBS containing 0.5% Tween20 and flipped over on a paper towel to dry for 1 minute. After drying the tray, 50 µL of secondary antibodies, HRP-conjugate anti-human IgG antibodies (1000x dilution in 5% skim milk), were added to all of the wells. The tray was sealed and incubated for 1 hour at 37°C. The plate was washed 5 times with 1xPBS containing 0.5% Tween20 and flipped over to dry on a paper towel for 1 minute, and 100 µL of TMB solution was added. The plate was incubated for 30 minutes at room temperature. Once blue color was observed, the reaction was stopped with 100 µL of TMB stop solution. The absorbances of the wells were read on Wallac (Victor plate reader) at 450 nm.

*Protein Charcterization by Coomassie Blue Staining*

A 12% agarose gel was prepared. Samples to be loaded into the wells consisted of 5 µg of each envelope protein (gp120 and gp140) and 1xPBS was added to each sample until a total volume of 10 µL was achieved. To the 10 µL of each sample, 10 µL of 2x Sample Loading Buffer was added for a total volume of 20 µL. The samples were boiled at 100°C for 5 minutes, spun down, and loaded onto the gel. Lane 1 contained the ladder, Lane 2 contained the Env glycoprotein, gp120, and Lane 3 contained the Env glycoprotein, gp140. After the gel was run, the gel was stained with Coomassie Blue, and the protein bands were observed.

*Protein/Antibody Characterization by Western Blotting*

A 12% agarose gel was prepared. Samples to be loaded into the wells consisted of 5 µg of each protein/antibody (SU24, SU343, and LL25X) and 1xPBS was added to each sample until a total volume of 10 µL was achieved. To the 10 µL of each sample, 10 µL of 2x Sample Loading Buffer was added for a total volume of 20 µL. The samples were boiled at 100°C for 5 minutes, spun down, and loaded onto the gel. Lane 1 contained the ladder, Lane 2 contained SU24-Fc, Lane 3 contained SU343-Fc, and Lane 4 contained LL25X-Fc. After the gel was run, the proteins in the gel were transferred to a nitrocellulose membrane. The membrane was blocked by using 5% skim milk to prevent nonspecific binding and was treated with the primary antibody, Anti-IgG-HRP. The membrane was left for 1 hour in 5% skim milk that was prepared with 1xPBS. The gel was washed 3 times with 1xPBS for 10 minutes each. This membrane, Blotting Gel 1, consisted of SU24, SU343, and LL25X and used anti-human IgG-HRP as the primary antibody.

Three 12% agarose gels were prepared. Samples to be loaded into the wells consisted of 5 µg of each protein/antibody (SIVmac239gp120 and SIVmac239gp140) and 10 µL of 2x Sample Loading Buffer, and 1xPBS was added to each sample until a total volume of 10 µL was achieved. The samples were boiled at 100°C for 5 minutes, spun down, and loaded onto the gel. Lane 1 contained the ladder, Lane 2 contained the Env glycoprotein, gp120, and Lane 3 contained the Env glycoprotein, gp140. After the gel was run, the proteins in the gel were transferred to a nitrocellulose membrane.

For the first gel, Blotting Gel 2, the membrane was blocked by using 5% skim milk to prevent nonspecific binding and was treated with the primary antibody, SU24. The membrane was left for 1 hour in 5% skim milk that was prepared with 1xPBS. The gel was washed 3 times with 1xPBS for 10 minutes each. Anti-human IgG-HRP was added as the secondary antibody. The gel was washed 3 times with 1xPBS for 10 minutes each. The chemiluminescence reagent was added to the gel. The gel was observed under UV light, and pictures were taken

using the Chemiluminescence Dock. The first gel contained SIVmac239gp120 and SIVmac239gp140, used SU24 as the primary antibody, and used anti-human IgG-HRP as the secondary antibody.

For the second gel, Blotting Gel 2, the membrane was blocked by using 5% skim milk to prevent nonspecific binding and was treated with the primary antibody, SU343. The membrane was left for 1 hour in 5% skim milk that was prepared with 1xPBS. The gel was washed 3 times with 1xPBS for 10 minutes each. Anti-human IgG-HRP was added as the secondary antibody. The gel was washed 3 times with 1xPBS for 10 minutes each. The chemiluminescence reagent was added to the gel. The gel was observed under UV light, and pictures were taken using the Chemiluminescence Dock. The second gel contained SIVmac239gp120 and SIVmac239gp140, used SU343 as the primary antibody, and used anti-human IgG-HRP as the secondary antibody.

For the third gel, Blotting Gel 2, the membrane was blocked by using 5% skim milk to prevent nonspecific binding and was treated with the primary antibody, LL25X. The membrane was left for 1 hour in 5% skim milk that was prepared with 1xPBS. The gel was washed 3 times with 1xPBS for 10 minutes each. Anti-human IgG-HRP was added as the secondary antibody. The gel was washed 3 times with 1xPBS for 10 minutes each. The chemiluminescence reagent was added to the gel. The gel was observed under UV light, and pictures were taken using the Chemiluminescence Dock. The third gel contained SIVmac239gp120 and SIVmac239gp140, used LL25X as the primary antibody, and used anti-human IgG-HRP as the secondary antibody.

## RESULTS

After PCR, the bright band was observed, as shown in Figure 1a. The location of the band is approximately at 1092 bp, which is the size of the LL25X fragment. This indicates that the LL25X fragment was successfully amplified. The PCR products, corresponding to a codon-optimized version of LL25X plus the hinge region (H) of a human IgG1, were extracted from the gel. The amplified LL25X fragments were double digested with KpnI and SapI, and the double digest products were run on 1% agarose gel. The resulting insert vector, an scFv, was extracted from the gel. The mammalian expression vector pCEP4 was also double digested with KpnI and SapI, and the double digest products were run on 1% agarose gel. The resulting backbone vector was extracted from the gel.

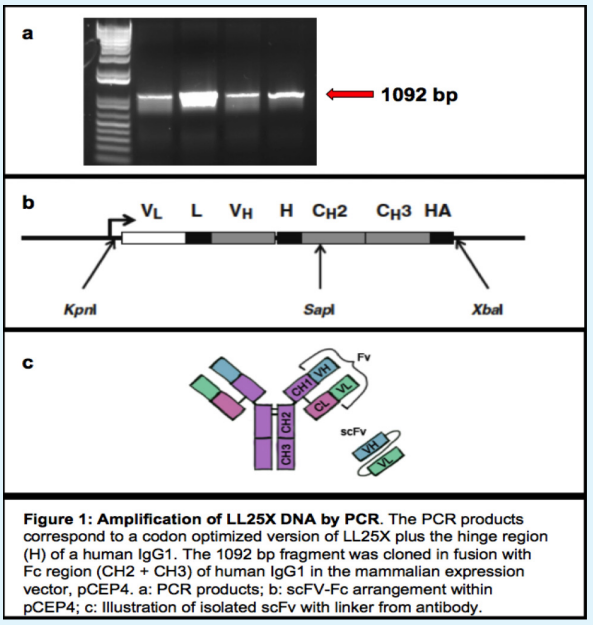


**Figure 1: Amplification of LL25X DNA by PCR**. The PCR products correspond to a codon optimized version of LL25X plus the hinge region (H) of a human IgG1. The 1092 bp fragment was cloned in fusion with Fc region (CH2 + CH3) of human IgG1 in the mammalian expression vector, pCEP4. a: PCR products; b: scFV-Fc arrangement within pCEP4; c: Illustration of isolated scFv with linker from antibody.

Using complementary "sticky ends," which resulted from the double digest, the insert vector, LL25X, was effectively ligated into the backbone vector, pCEP4. TOP10F' *E. coli* were transformed with the ligation product; the 1092 bp fragment was cloned in fusion with the Fc region (CH2 + CH3) of human IgG1 in the mammalian expression vector pCEP4. These cells, containing the ligation product, were grown on LB agar plates containing Ampicillin, as shown in Figure 2b. A negative background control with *E. coli*

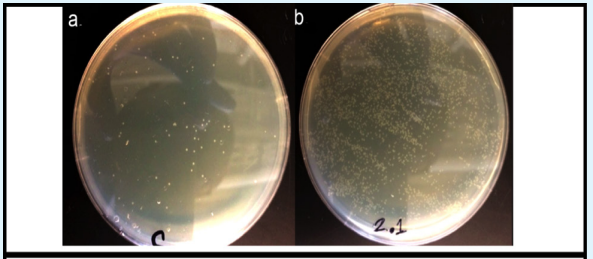


**Figure 2: Identification of Positive Clones on Selective Media**
LL25X was ligated into pCEP4, and TOP10F' *E. coli* were transformed with the ligation product. Single colonies were selected and inoculated into culture tubes containing 3 mL LB media supplemented with 50µg/ml of Ampicillin. a: negative control with the digested vector only b: vector + insert ligation product. The greater amount of colonies obtained with "vector + insert" suggested a successful ligation reaction.

containing mammalian expression vector pCEP4-Fc-HA, digested and ligated without the LL25X insert vector, was also grown on LB agar plates containing Ampicillin, as shown in Figure 2a.

Theoretically, there should not be any growth on the negative control. The vector, digested and ligated without LL25X, would not be able to provide antibiotic resistance because the replication machinery of the bacteria would be affected, preventing the replication of the plasmid. Since the plasmid is not replicated, the Ampicillin resistance gene cannot be expressed. However, the growth of a few colonies is clearly visible. This incidence may be due to some of the pCEP4 not being completely digested, resulting in a functional Ampicillin resistance gene. There is an abundance of colonies on the plate with the bacteria that contain the ligation product. The ligation of LL25X to the backbone vector pCEP4 allows the cell to replicate, resulting in the expression of the Ampicillin resistance gene. The greater amount of colonies present on the plate with the bacteria containing the ligation product compared to the plate with the bacteria containing pCEP4, digested and ligated without LL25X, suggests a successful ligation reaction. A colony, corresponding to the bacteria transformed with the pCEP4/LL25X ligation product, was selected, and the pCEP4/LL25X DNA from the colony was extracted via DNA mini-prep.

The pCEP4/LL25X DNA and the pCEP4-Fc-HA DNA, used as a control, were double digested with KpnI-HF/SapI and KpnI/BamHI-HF. The products of the double digests were run on 1% agarose gel. The pCEP4/LL25X DNA double digested with KpnI-HF and SapI produced a band at approximately 1092 bp, and the pCEP4-Fc-HA DNA double digested with KpnI-HF and SapI also produced a band at approximately 1092 bp. The double digested DNA fragments were similar in size; therefore, it could not be verified that the ligation product contained the LL25X DNA based on this result alone. When double digested with KpnI and BamHI-HF, pCEP4/LL25X DNA and pCEP4-Fc-HA DNA resulted in bands with different sizes. This is due to the BamHI restriction site residing in different locations between the two vectors. The pCEP4/LL25X contains a BamHI restriction site that appears before SapI, and the pCEP4-Fc-HA DNA contains a BamHI restriction site that appears after SapI; therefore, the double digested pCEP4/LL25X DNA will result in a smaller fragment than the fragment produced by the double digested pCEP4-Fc-HA DNA. This result verified that the ligation product contained the LL25X DNA.

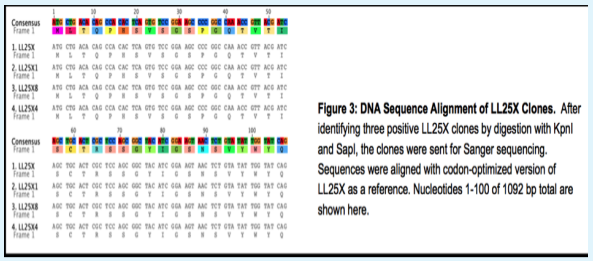

**Figure 3: DNA Sequence Alignment of LL25X Clones.** After identifying three positive LL25X clones by digestion with KpnI and SapI, the clones were sent for Sanger sequencing. Sequences were aligned with codon-optimized version of LL25X as a reference. Nucleotides 1-100 of 1092 bp total are shown here.

After identifying three positive LL25X clones via double digestion, the clones were sent to Eton Bioscience for Sanger sequencing. Once the DNA sequence results were received, the software Geneious was used to analyze the sequence of LL25X. The sequence analysis confirmed that the correct LL25X sequence had been cloned into the mammalian expression vector pCEP4. The sequences of all three LL25X clones were aligned identically to the original codon-optimized version of the LL25X sequence, as shown in Figure 3.

A positive LL25X clone was also selected to be cultured in a tube containing 3 ml of LB/Ampicillin media, and the resulting pCPE4/LL25X DNA from the bacteria was extracted via DNA maxi-prep. The extracted pCEP4/LL25X DNA was used to transfect 293T cells. Cleavage of SIVmac239gp140 into monomeric surface subunit SIVmac239gp120 and ectodomain SIVmac239gp41 occurred once the proteins were expressed in the 293T cells. Five days after the transfection, the culture supernatant was centrifuged to remove the cell debris, and the supernatant was transferred to new tubes. The proteins in the supernatant

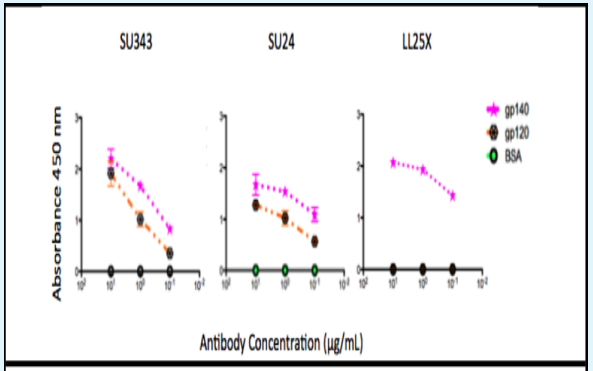


**Figure 4: Analysis of mAb SU343, SU24, and LL25X binding by ELISA**
SU343, SU24 and LL25X binding specificity to gp120 and gp140 was analyzed. Each well was coated with 100ng of gp120 and gp140 antigen. BSA antigen was used as a negative control for background readout. Serial dilutions (0.01µg/mL, 0.1µg/mL, and 1.0 µg/mL) of SU343, SU24 and LL25X were used as primary antibodies. Anti-human IgG-HRP was used as a secondary antibody. TMB substrate was used for detection. The plate was read at 450nm. SU343 and SU24 bound envelope protein gp120 and gp140. LL25X bound gp140 but not gp120.

*"ELISA determined that the protein, LL25X-Fc, binds to Env glycoprotein SIVmac239gp140 and not monomeric surface subunit SIVmac239gp120."*



were isolated via Protein A-Agarose beads and dialysis, and ELISA was performed, as shown in Figure 4.

The binding specificity of antibodies, SU24, SU343, and LL25X, against antigens, SIVmac239gp140, SIVmac239gp120, and BSA (Bovine Serum Albumin – used as a control), was analyzed. SU24, SU343, and LL25X were used as primary antibodies, and anti-human IgG-HRP was used as a secondary antibody. TMB solution was used for detection, and the plate was read at 450 nm. SU24, SU343, and LL25X did not bind to BSA, which was expected. SU24 and SU343 bound to the envelope proteins gp140 and gp120; however, LL25X bound to gp140 but not gp120. ELISA determines the binding specificities of antibodies to antigens; however, ELISA does not reveal the specific location on the antigen to which the antibody binds. Further tests were required to determine the location of where the binding of LL25X occurred on gp140.

Coomassie Blue Staining was performed to determine the presence and quantity of proteins since the dyes bind directly to the proteins, as shown in Figure 5b. The Coomassie gel displayed equal loading amounts of both gp140 and gp120. Western blotting was performed to determine the locations on antigens where the binding of antibodies occurred, such as the location where the binding of LL25X occurred on gp140. Figure 5a displays the immunoblotting of SU24, SU343, and LL25X with Anti-IgG-HRP. The gel confirmed successful purification of antibodies since Anti-IgG-HRP was able to bind to all 3 antibodies.

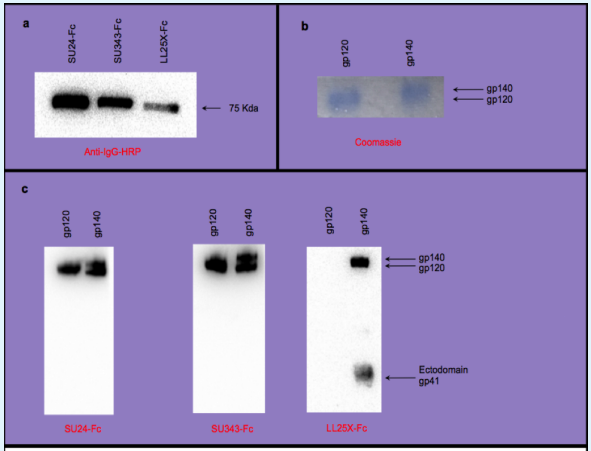


**Figure 5: Analysis of SU24, SU343 and LL25X binding to SIV Env glycoprotein**
Proteins were submitted to electrophoresis onto 12% SDS gel and transferred onto a nitrocellulose membrane.
a) Immunoblotting of SU24-Fc, SU343-Fc, and LL25X-Fc with Anti-IgG-HRP. Confirmed successful purification of antibodies.
b) and c) SIV239 gp120 in left lanes and SIV239 gp140 in right lanes. b) Coomassie staining showing equal loading of both gp120 and gp140. c) binding specificity of SU24, SU343 and LL25X. Corresponding antibody was used as a primary and anti-human IgG-HRP as a secondary antibody. Blots were visualized using a chemiluminescence reagent. SU24 and SU343 are gp120-specific and bind to gp120 and gp140. LL25X is gp41-specific and bind to the ectodomain of gp41, as well as gp140.

Figure 5b displays the binding specificity of SU24, SU343, and LL25X, which were used as primary antibodies, and anti-human IgG-HRP was used as a secondary antibody. The results of the Western blots supports the data received from ELISA. SU24 and SU343 were revealed to be gp120-specific, and thus, bound to both gp120 and gp140, as illustrated by the dark bands. LL25X was revealed to be gp41-specific, and thus, bound to both gp41 and gp140, as illustrated by the dark bands. A band is present at the gp140 location because not all of the gp140 was cleaved. LL25X binds to ectodomain gp41 that that remained a part of Env glycoprotein gp140. The lack of a band at the gp120 location indicates that LL25X did not bind to the monomeric surface subunit gp120 of the Env glycoprotein gp140. The band at the gp41 location indicates that LL25X binds to the ectodomain gp41 of Env glycoprotein gp140.

## CONCLUSION

The LL25X DNA fragment was successfully cloned into the mammalian expression vector pCEP4 by digesting the LL25X PCR products and the cloning vector pCEP4 with KpnI and SapI, ligating the resulting LL25X insert vector and the resulting pCEP4 backbone vector, and transforming *E. coli* TOP10F' cells with the ligated product. The LL25X scFv fragment that was inserted and fused to the Fc region (CH2 + CH3) of human IgG1 in the mammalian expression vector pCEP4 was confirmed and verified by DNA sequence analysis. ELISA determined that the protein, LL25X-Fc, binds to Env glycoprotein SIVmac239gp140 and not monomeric surface subunit SIVmac239gp120. Monoclonal SIVmac239 antibodies SU24 and SU343 were also revealed to bind to monomeric surface subunit SIVmac239gp120 and Env glycoprotein SIVmac-

239gp140. Western blotting determined that monoclonal SIVmac239 antibodies SU24 and SU343 bind specifically to monomeric surface subunit SIVmac239gp120 of Env glycoprotein SIVmac239gp140. Western blotting also revealed that monoclonal SIVmac239 antibody LL25X binds specifically to ectodomain SIVmac239gp41 of Env glycoprotein SIVmac239gp140. Future work should be directed at testing the ability of SU24, SU343, and LL25X to neutralize diverse SIV strains, such as the sensitive strain SIVmac316 and the resistant strain SIVmac239.


## ACKNOWLEDGMENTS

Ismael Fofana, Anindita Sinha, Zachary Strongin


## ENDNOTES

1. Yates, Nicole L. et al. "Vaccine-Induced Env V1–V2 IgG3 Correlates with Lower HIV-1 Infection Risk and Declines Soon After Vaccination." *Science translational medicine* 6.228 (2014): 228ra39. *PMC*.
2. Ita, Sergio et al. "Analysis of SIVmac-specific Antibodies Selected via Phage Display" *AIDS research and Human Retroviruses* (2017).

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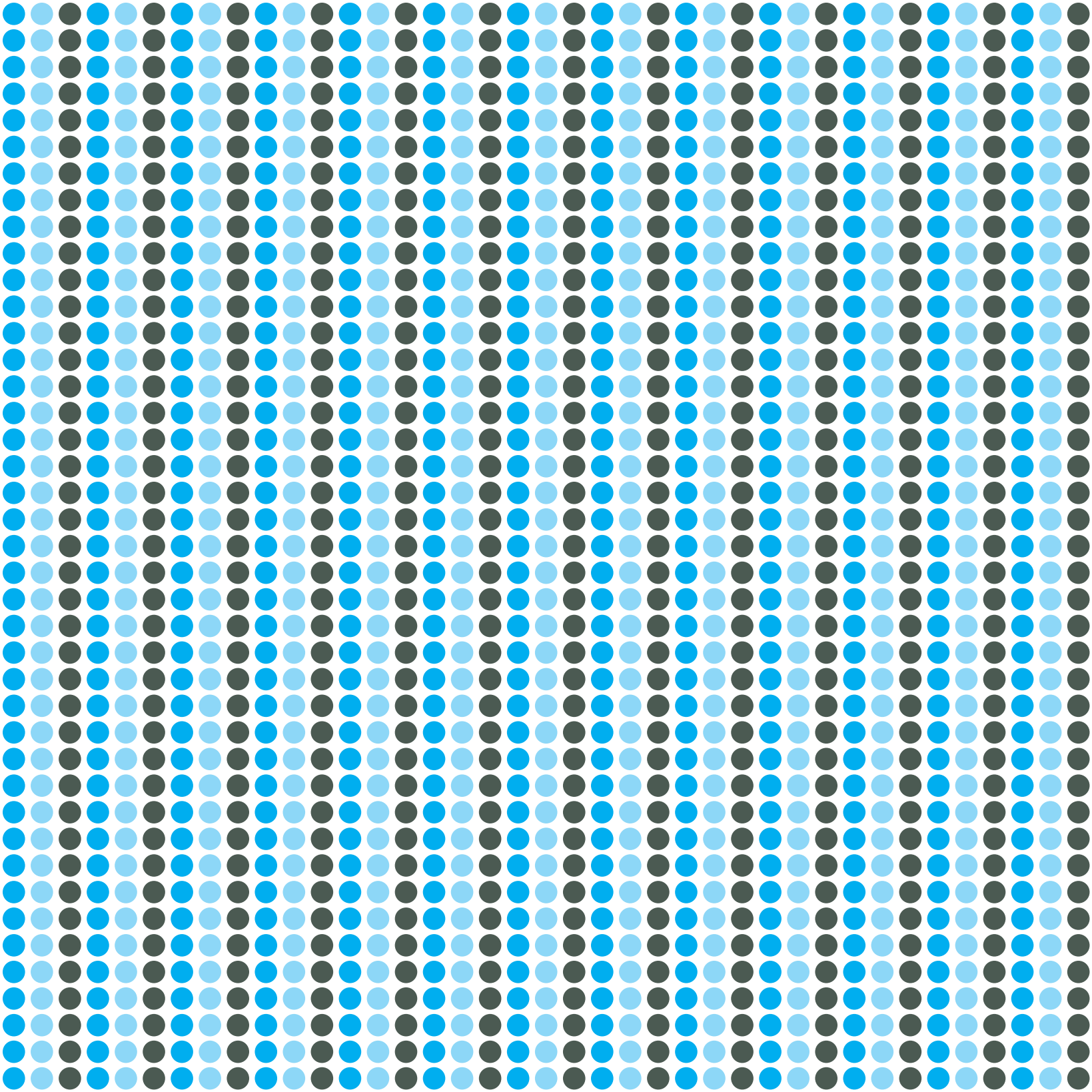

# NO COUNTRY FOR OLD MEN

## *An Economic Analysis of Incarcerating the Elderly*

CAITLIN SULLIVAN

PRISON SENTENCES HAVE LONG BEEN A SOURCE OF CONTENTION AMONGST POLICYMAKERS AND THE GENERAL PUBLIC. THIS PAPER EXAMINES THE MULTIFOLD ISSUES OF ELDERLY INCARCERATION ON A FISCAL, POLITICAL, AND SOCIAL LEVEL. THE AUTHOR CONDUCTS A COMPREHENSIVE COST-BENEFIT ANALYSIS, TAKING INTO CONSIDERATION ARGUMENTS BOTH FOR AND AGAINST ELDERLY INCARCERATION. GIVEN THE DISPROPORTIONATELY HIGH ECONOMIC AND OPPORTUNITY COSTS OF ELDERLY INCARCERATION AS OPPOSED TO GENERAL INCARCERATION, THE AUTHOR ARGUES THAT POLICY REVISIONS SHOULD ENSUE TO ALLOW FOR EARLY RELEASE PROGRAMS AS WELL AS MORE TRANSPARENT PAROLE PRACTICES. ELDERLY INCARCERATION IS A DERIVATIVE OF THE PROBLEM OF MASS INCARCERATION. ALTHOUGH THE TOPIC HAS GOTTEN MORE ATTENTION IN RECENT YEARS, THE GRAVITY OF THE PROBLEM IS OFTEN OVERLOOKED OR UNBEKNOWNST TO THE GENERAL PUBLIC.

## BACKGROUND

The United States is widely recognized as "the land of the free, home of the brave," but are we really the land that we say we are? What many may not recognize is that the US incarcerates a greater percentage of our population than any other nation in the world — with just 5% of the global population, we incarcerate one quarter of the total global prison population,[1] and our booming prison populations are not dwindling any time soon. In fact, overall incarceration rates have increased fivefold between 1975 and 2005.[2] Figure 1 demonstrates the drastic increase in prison populations on a federal level. The US is struggling to deal with this rapidly growing prison population, and incarceration is comsuming a growing percentage of both federal and state budgets. Collectively, the national government spends roughly $77 billion each year to run our penal system, while state spending on corrections has grown 674% over the last 25 years.[3] The issue of mass incarceration has called into question some of our current incarceration policies, specifically, the controversial issue of whether it is sensible to keep elderly populations that pose little threat to society behind bars. The question of incarcerating the elderly tests has become a contentious issue, testing the boundary between cost effectiveness and legal stringency in our justice system.

As the general inmate population continues to skyrocket, the growth rate in the number of inmates that can be categorized as elderly has increased at a disproportionately rapid rate. Figure 2 below[4] demonstrates the growth rate in the number of prisoners aged 50 and older, in comparison with to a general prison population growth rate of roughly 40% in the US (and an average of 34% in the Southern states). The rising population of incarcerated people

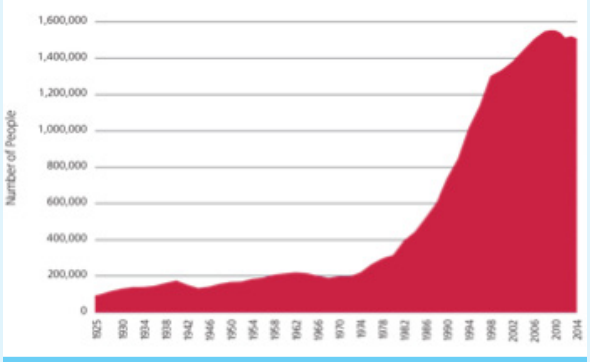


FIGURE 1: US AND STATE FEDERAL PRISON POPULATION, 1925-2014 (COURTESY OF *BUREAU OF JUSTICE STATISTIC*)

age 50 and older has resulted in a noticeable presence, comprising over 17% of the total prison population.[5] It is also important to note that this growth rate does not lessen when tighter parameters are imposed; according to a study done by Harrison & Beck, the inmate population over the age of 55 nearly doubled in size between 1995 and 2003.[6] The economic burden of caring for this ever-growing elderly inmate population has sparked petitions for changes in public policy, namely, the implementation of early release programs. In examining the economic and social implications of such a public policy adjustment, it is important to examine all the conceivable effects and externalities, including the monetary costs of incarcerating the elderly, the likelihood of recidivism or repeated crime, the moral implications of early release versus sustained imprisonment, and the tangible and intangible costs of crime to society.

There are a variety of reasons for the booming elderly prison populations that the United States faces. The "tough on crime" mentality coupled with the "war on drugs" policies of the 1980s and 1990s resulted in stricter incarceration policies, such as the "three strikes you're out" rule, sentencing many to a life behind bars. These reforms were largely successful, and crime plunged as more criminals were removed from society. According to *WSJ* author Jason Riley, the 1990s saw declines of between 23% and 44% for homicide, rape, robbery-aggravated assault, burglary, auto theft, and larceny. However, as

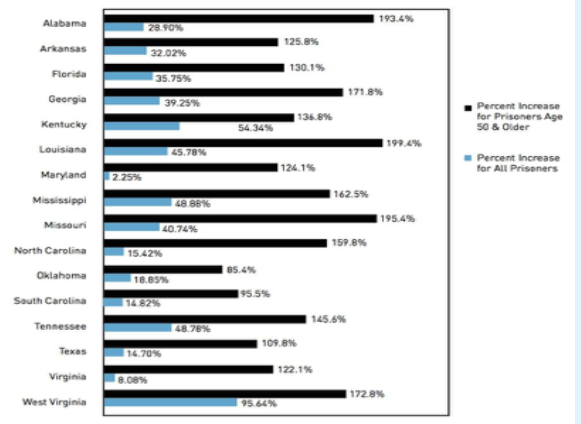


FIGURE 2: GROWTH OF PRISONERS IN SOUTHERN STATES BY AGE (1997-2006). TOP: PERCENT INCREASE FOR PRISONERS AGE 50 & OLDER; BOTTOM: PERCENT INCREASE FOR ALL PRISONERS (COURTESY OF *THE US DEPARTMENT OF JUSTICE*)

criminals were swept off the street, it was penal systems of the United States that absorbed the blow.[7]

Additionally, the creation of mandatory minimum sentencing guidelines resulted in thousands of prolonged and uncompromising sentences. These umbrella sentences were primarily implemented for drug offenses, although Congress has enacted them for a variety of other reasons such as economic and arms-related offenses. Mandatory minimum sentences have undermined the ability of judges to fit the punishment to the circumstances of the crime and the offender, resulting in overcrowding and longer sentences. Specifically, the number of prisoners serving life sentences has steadily increased over the last few decades, as shown Figure 3.

Just as the first wave of baby boomers born in 1946 (now approaching 70 years of age) once crowded public institutions such as school systems, they continue to present fiscal and overcrowding problems for prisons. According to the American Civil Liberties Union, the tally of prisoners age 55 or older throughout the country has reached approximately 125,000. This number has grown precipitously, as there were fewer than 8,900 prisoners age 55 and older in 1981. By 2030, estimates predict this elderly prison population to increase to over 400,000, a 4,400% increase over a mere 50 year timespan.[8]

In this paper, I will outline the high economic and opportunity costs of incarceration for the elderly as well as the roots of these high costs. I will then outline the low risks of recidivism for elderly ex-convict populations and compare this to the perceived societal costs of crime, taking into account a variety of tangible and intangible factors. Next, I will consider some of the ethical arguments, incorporating an analysis of some of the current parole practices. Lastly, I will conclude with an examination into some of the recent policy revisions in light of the discussed issues, and culminate my research with personal insight into potentially beneficial revisionary practices.

## HIGH COSTS OF INCARCERATION

While incarceration is expensive in itself, incarceration of the elderly is disproportionately so. The cost of incarcerating someone aged 50 or older is two to five times the cost of incarcerating someone 49 and younger.[9] A study from the National Institute of Corrections estimated that the United States spends a minimum of $16 billion annually on incarcerating the upwards of 250,000 inmates age 50 and older.[10] This lofty price tag exceeds the majority of other federal expenditures by category, including that of the Federal Department of Education.[11]

According to a report by the American Civil Liberties Union (ii), it costs an average of $34,135 annually to house the average prisoner, compared to an average of $68,270 to house a prisoner age 50 or older. One of the main reasons for such a difference in cost is the prevalence of medical ailments amongst the elderly population, which is only exacerbated by the often stressful and unpleasant prison environment. Such high levels of stress can lead to a variety of negative physiological reactions, including nervousness, anxiety and hypertension.[12] According to one study, in 1997, age ws directly related to the percentage of all state prisoners who reported any type of medical condition. Whereas only 24% of prisoners age 24 and younger reported a medical ailment, that number rose to 48% in prisoners age 45 and older.[13] The lack of personnel with extensive medical knowledge staffed in these prisons often exacerbates these ailments which could otherwise have been easily treated with specialized care. Although incarceration facilities could hire personnel trained in geriatric care, it is unlikely that they would be able to do so without simultaneously having to increase wages. Because disease and illness (Alzheimer's, diabetes, heart conditions, etc.) runs rampant in elderly communities, many prisons have no choice but to send these elderly inmates to receive off-site treatment on account of the lack of adequate care at the prisons, adding an array of expenses including transportation, specialized treatment, and staff supervision costs.

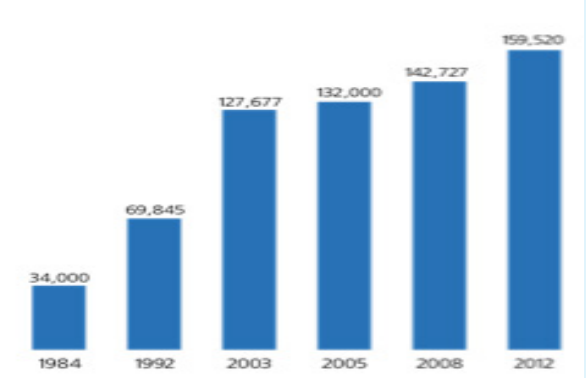


FIGURE 3: NUMBER OF PEOPLE SERVING LIFE SENTENCES, 1984-2012. (COURTESY OF *THE SENTENCING PROJECT*)

Perhaps one of the largest costs incurred by prison facilities in caring for these ill inmates is the rapidly increasing price of drugs and medication. In their *WSJ* article, Loftus and Fields outline the pressing issue of the hyper-expensive Hepatitis C medications. According to their survey of the Department of Corrections in 50 states, only 34 states had data a total of over 100,000 inmates with the condition. Treating Hepatitis C costs thousands of dollars per patient, and with such a large prison population with this ailment, costs for prisons run very high. As a result, most prisons have implemented a rationing system, in which only the sickest populations receive the treatment. According to the same survey from the Department of Corrections, only 3.4% of inmates received treatment with a new, more than 90% effective drug for Hepatitis C. The treatment can range from $54,000-$94,000 per person for the typical 12 week course of treatment. . Consequently, the cost for treating even the most ill prisoners is incredibly high; if only 10% of the 100,000 inmates with the condition received treatment, it would still cost prisons, at minimum, $540,000,000.[14]

Despite the arguments that early release of these elderly inmates would slash the costs incurred by our nation's penal systems, many argue that implementing such early release programs would merely deduct from one expense and add to another. That is, many propose that such elderly populations who have ostensibly been out of the workforce for quite some time will have little savings or income to rely on, and consequently will turn to federal aid programs such as Medicaid and subsidized housing. However, a report from the ACLU estimates from a statistical analysis of current data that each elderly prisoner released will save states more than $66,000 per year, including in their analysis healthcare, parole, and other public benefits.[15] Part of their reasoning is based upon the statistic that anywhere from 63% to 88% of elderly released prisoners live with a family member or friend, thereby reducing their need for government assistance and lessening the economic burden on the government.[16] It is likely, however, that those inmates who do not have family or friends to rely on will turn to the government for aid.

## OPPORTUNITY COST OF INCARCERATION

Opportunity cost is a key principle of economics, and it would be remiss not to incorporate this perhaps non-obvious consideration into the analysis. When civilians are incarcerated for years and decades at a time, they are withdrawn from society; any skills, talents, and working productivity that they could have contributed to the workforce, had they not been incarcerated, are void. Consequently, there is an inherent opportunity cost when potential labor force contributors are removed from society and locked behind bars.

However, the opportunity costs of incarceration are not only relevant to society, but also pertinent to the individual incarcerated person as well. For incarcerated individuals, the years spent behind bars represent thousands of dollars not only in lost earnings, but also lost future earning potential. By age 45, individuals who have not been incarcerated are expected to make $41,000 more on an annual basis than individuals who have been incarcerated at some point in their lives. The discrepancy in earnings only widens as individuals age, as demonstrated in the Figure 4. The loss in earnings as a result of being incarcerated can be attributed to a variety of factors. According to the Bureau of Labor Statistics, those who have never been incarcerated obtain on average 2.3 more years of education than those who have. Additionally, the opportunity cost of missed work experience as well as the gravity of a criminal history severely impacts the ability of ex-convicts to obtain a job. According to a recent study amongst black job candidates, only 5% of applicants with a criminal record were called back for an interview, as opposed to 14% with no criminal record. Amongst white candidates, 17% of applicants with a criminal record were called back, whereas 34% with no criminal record were called back, also highlighting the inequitable impact that race has on employment.[17]


FIGURE 4: MEDIAN ANNUAL EARNINGS FOR THOSE INCARCERATED VS THOSE NOT INCARCERATED (COURTESY OF *THE HAMILTON PROJECT*)

*"By age 45, individuals who have not been incarcerated are expected to make $41,000 more on an annual basis than individuals who have been incarcerated at some point in their lives."*



## RISK OF RECIDIVISM AND OVERALL SOCIETAL COSTS AND EFFECTS

Perhaps one of the principal sources of contention amongst the public is the fear that these aging inmates will commit crimes upon release. However, statistical analysis illustrates the drastic drop-off in crime rates as former offenders age. In his study, Samuel Roberts says that only 6.4% of inmates released at age 50 or over returned to prison with new convictions – this number drops even lower to 4% for those released at age 65 or older.[18] Additionally, many of these recidivisms stem from marginal missteps, such as missing meetings with a parole officer, as parole officers have discretion over the punishment received and may choose to turn the case over to a judge for review. This number is exceedingly low compared to a recidivism rate of 40-60% amongst the general prison population.[19]

Furthermore, the elderly pose little risk for disruptive behavior amongst inmate populations. The following table demonstrates the significantly lower instances of disruptive behavior among elderly inmates as opposed to various other categories of inmates.[20] Although this elderly population has the lowest likelihood of exhibiting destructive behavior (to themselves or to others), this group is at a high risk for victimization within prison systems, second only to inmates with mental illnesses.

Despite this empirical evidence, many deem the costs of crime too great to risk repeat offenses, thus deeming it more beneficial to fund the government's incarceration efforts through their taxpayer dollars. The over 23 million criminal offenses that were committed in 2007 in the US resulted in nearly $15 billion in tangible economic losses to the victims, plus an additional $179 billion in government expenditures for corrections, police protection, and judicial and legal activities, funded by taxpayer dollars.[21]

Indeed, there are many direct and indirect costs associated with crime. Direct costs include victim costs, opportunity costs of lost earning potential and overall contribution to the economy, and criminal justice system costs, which have been previously outlined. There are also indirect costs, or intangible costs. Such intangible costs accounted for in the data below include indirect losses suffered by the victims, such as pain and suffering, psychological distress, as well as decreased quality of life. Although tangible costs (i.e. direct economic expenses incurred by victims) may be more straightforward to calculate, McCollister (et al.) describes a methodology he uses to calculate the intangible, or indirect, costs of crimes, known as the compensation method. This method uses jury award data from personal injury trials to measure the corresponding dollar value of pain, suffering, and psychological distress that may be incurred by the victim of a criminal offense. Essentially, the intangible costs are calculated by subtracting the victim's direct economic loss (medical expenses, lost earnings, etc.) from the jury's total award. Multivariate regression models are then used to predict the proportion of these costs that can be attributed to pain and suffering in a jury award. Figure 5 depicts the exorbitantly high costs of various offenses, taking into consideration both tangible and intangible costs to victims

Many critics of early release policies argue that prison can reduce the cost of crime to society in more ways than just keeping criminals off the streets. Leading criminologists argue that prison, a severe repercussion for committing crimes, creates a general deterrence that keeps some people from committing crimes that otherwise might have. Criminologists also refer to a concept known as specific deterrence, in which the experience of prison makes previous offenders want to avoid recidivism at all costs, and thus refrain from engaging in crimes.

The high societal costs associated with crimes as well as strong moral objections to releasing criminals early on account of sympathy, fiscal constraints, or overcrowding has sparked controversy and social unrest in many communities. Various states (including Michigan, Colorado, Illinois, and California) have attempted to

reduce their prison populations through enacting early release programs, and have been welcomed by a wave of resistance. Many of these programs have been met with backlash, forcing some states to reduce or even suspend their programs. For example, in California, a non-profit group entitled "Crime Victims United of California" (often referred to as CVUC) went so far so as to sue the state on account of their early release law (Senate Bill X3 18), which they claim violates California's Victim's Bill of Rights Act. Specifically, the advocate group contends that SBX3 18 undermines their right "to prevent the early release of felons," which appears in the California constitution, and violates the clause that prohibits the legislature from releasing prisoners early on account of overcrowding and fiscal problems – which are ostensibly the impetuses behind the early release program.

Despite this opposition, changes in policy have occurred on a national level. For example, President Obama released hundreds of inmates and pressed for less austere sentencing guidelines. As of October 2016, Obama had individually commuted the sentences of nearly 800 federal inmates, which is more than the previous 11 presidents combined.[22] Obama expressed his negative view on the issue of mass incarceration, stating in a 2015 address, "Our nation is being robbed of men and women who could be workers and taxpayers, could be more actively involved in their children's lives, could be role models, could be community leaders." Additionally, in April 2014, the United States Sentencing Commission voted unanimously to reduce the penalties for many nonviolent drug crimes, also adding that these guidelines could be applied retroactively to many inmates serving long drug sentences. These new guidelines allow prisoners to ask federal judges to reassess their sentences. An analysis of their behavior in prison as well as their likelihood to act out violently if released are all factors that are assessed before any inmate is deemed eligible for early release. According to the United States Sentencing Commission, this amendment will reduce penalties by an average of 11 months for 70% of drug trafficking offenders. Additionally, over 40,000 incarcerated offenders could be eligible to retroactively reduce their sentences by an average of 25 months.[23]

| Type of Offense | Tangible Cost | Intangible Cost | Total Cost[a] |
|---|---|---|---|
| Murder | $1,285,146 | $8,442,000 | $8,982,907 |
| Rape/Sexual Assault | $41,252 | $199,642 | $240,776 |
| Aggravated Assault | $19,472 | $95,023 | $107,020 |
| Robbery | $21,373 | $22,575 | $42,310 |
| Arson | $16,429 | $5,133 | $21,103 |
| Motor Vehicle Theft | $10,534 | $262 | $10,772 |
| Stolen Property | $7,974 | N/A | $7,974 |
| Household Burglary | $6,169 | $321 | $6,462 |
| Embezzlement | $5,480 | N/A | $5,480 |
| Forgery and Counterfeiting | $5,265 | N/A | $5,265 |
| Fraud | $5,032 | N/A | $5,032 |
| Vandalism | $4,860 | N/A | $4,860 |
| Larceny/Theft | $3,523 | $10 | $3,532 |

FIGURE 5: TOTAL (TANGIBLE PLUS INTANGIBLE) PER OFFENSE COST FOR DIFFERENT CRIMES IN 2008 DOLLARS. (COURTESY OF MCCOLLISTER ET AL.)

Furthermore, action has been taken on a federal level against mandatory minimum sentences. The Justice Department has ordered prosecutors to refrain from charging low-level, nonviolent drug offenders without connection to gangs or drug organizations with offenses carrying severe mandatory minimum sentences.[24] Such policy revisions have been implemented with the hope of curtailing the pervasiveness of chronic incarceration as well as decreasing the number of elderly that are incarcerated.

## ETHICAL CONSIDERATIONS

These policy revisions have been sparked for more than just fiscal reasons, however. Many claim that while it makes little sense economically to keep elderly populations in prison, it is also unethical to keep them behind bars for a crime that they committed decades ago. The executive director of the Correctional Association of New York comments on this very notion, saying, "The continued imprisonment of a group of people who have significantly aged out of crime, who pose little public safety risk and could in fact contribute to our communities, expresses clearly the revenge principle. It tells us that for some people - especially people of color - growth and change do not entitle you to a second chance." Some criticize our nation's federal prison system as a punishment paradigm of sorts, which "criminalizes social vulnerability such as poverty and mental illness, and tells people that despite your best efforts at making amends, you are no better than your very worst moment."[25]

Additionally, the fact that many inmates are denied parole with no explanation adds to the moral culpability of this

*"Even inmates with exemplary behavior in prison who wait years for the opportunity to be granted parole can be denied—and with no transparency into the board's decision making, they are never given a reason."*



seemingly retributive system. Currently, more than 10% of inmates are serving a life sentence, and thus have little to no hope of ever reintegrating into the outside world.[26] However, it is not just inmates serving life sentences who are being denied parole. Even inmates with exemplary behavior in prison who wait years for the opportunity to be granted parole can be denied — and with no transparency into the board's decision making, they are never given a reason. According to a recent report, the average daily cost of a former prisoner on parole is only about $7.50, yet thousands of inmates are being turned away from early release despite faultless behavior in prison.[27] According to the Correctional Association of New York, only 20% of people who appear before the Parole Board for a general assessment of eligibility for parole are released from prison, despite having served the minimum sentence for their respective crimes. In New York alone, over 10,000 inmates are denied parole each year.[28]

## CURRENT POLICY REVISIONS & CONCLUSION

Despite the policy changes that have begun to unfold in various parts of the country, the United States as a nation is far from reaching a solution to the problem of elderly incarceration. For example, the Attorneys General's "Smart on Crime" initiative, which strives to release eligible inmates early, has largely proved too restrictive to affect any type of noteworthy change in early release policy. The Department imposed strict eligibility requirements (which included that inmates be age 65 or older), leading to only a handful of inmates being granted early release. Even with the advent of some of these early release programs, there are thousands of elderly inmates with no hopes of seeing freedom in the limited time on earth that they have left. Although the risk of repeated crime and recidivism plummets as individuals age, the relative cost of incarcerating them skyrockets, as age-related expenses accrue. Consequently, a simple cost-benefit analysis demonstrates that as inmates age, incarceration becomes more and more costly and less and less beneficial.

Looking beyond the emotional aspects of the issue, the empirical evidence shows that by releasing some of these elderly inmates who pose little threat to society, both state and federal government could save billions on their prison expenditures. Rather than funneling money into a system that favors retribution over restoration, the United States has the power to redirect taxpayer dollars into efforts that are capable of affecting positive change in our society – rather than 'teaching a lesson' to an inmate who committed a petty crime fifty years ago and was caught in the tough on crime environment of the '80s.

It is almost guaranteed that policymakers will face criticism whether or not they choose to implement early release programs. Crime is undoubtedly a sensitive topic amongst the general public, and society is risk averse. However, when continued imprisonment means billions of taxpayer dollars directed towards elderly inmates with a low likelihood of repeat crime, more harm than good is created. Although incarceration facilities should not release inmates solely based on their age, policymakers can create successful early release programs centered on an analysis of the individual offender to create a more equitable and economically efficient world.

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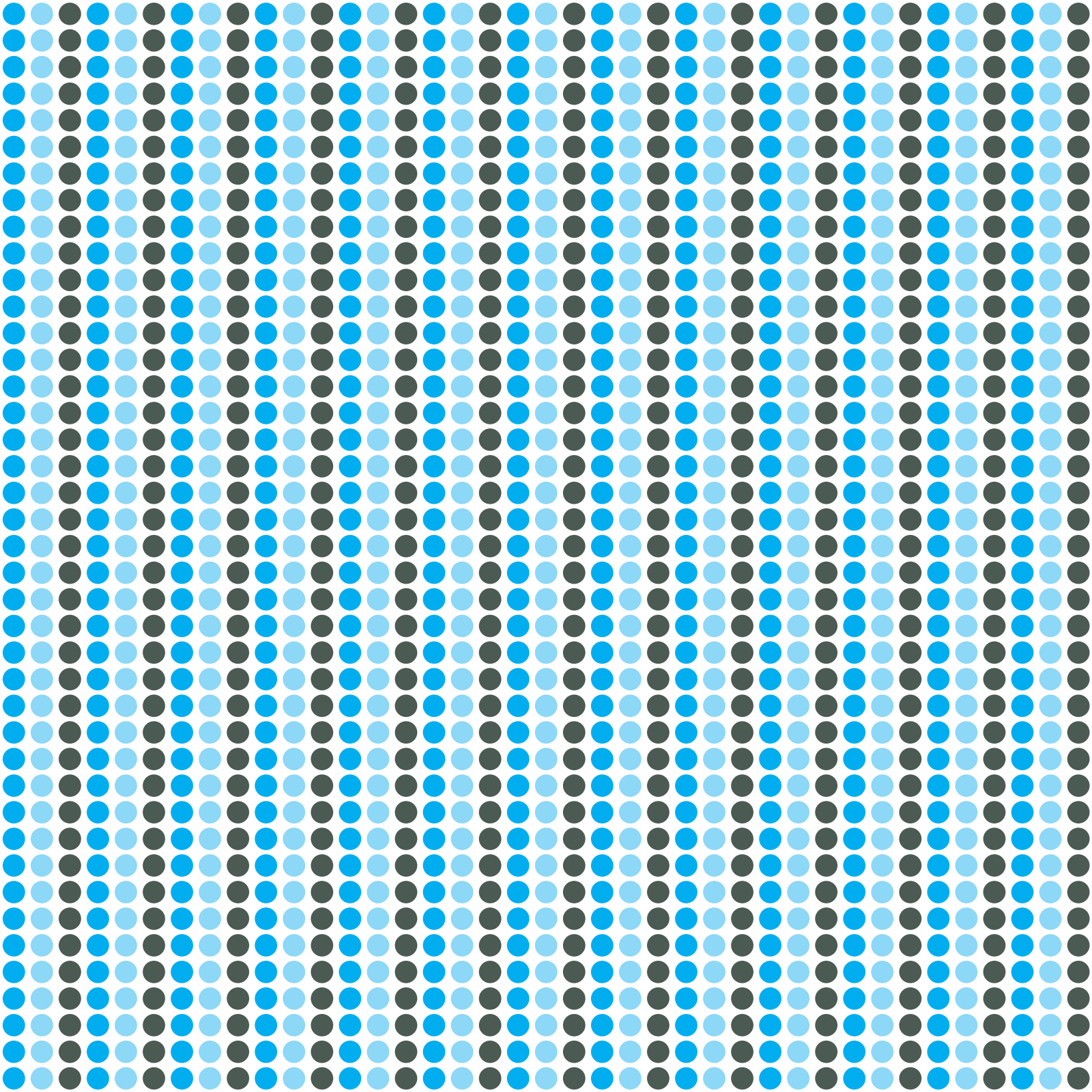


# CONFRONTING CULTURAL IMPERIALISM

## *Limitations of Secularization and Western Feminism in the Muslim World*

EMMA HOWE

WITH THE RISE OF RELIGIOUS FUNDAMENTALIST MOVEMENTS AND THE ENDURANCE OF RESTRICTIVE MARRIAGE LAWS, IT APPEARS THAT PREVIOUSLY ACCEPTED WESTERN THEORIES SUCH AS SECULARIZATION AND FEMINISM HAVE BEGUN TO LOSE THEIR GENERAL APPLICABILITY AND VALIDITY IN THE MODERN WORLD. IN ORDER TO ADEQUATELY ADDRESS THIS ISSUE, IT IS CRUCIAL TO EXAMINE THE CONTEXT IN WHICH THESE WESTERN THEORIES WERE INITIALLY DEVELOPED, TAKING INTO ACCOUNT THE DEVELOPMENTAL AND CONSEQUENTIAL FAILURES OF THE "SECULARIZATION THESIS," AS WELL AS THE CONSTRUCTION OF WESTERN FEMINISM AND ITS LIMITATIONS IN THE MUSLIM WORLD. BY CONTEXTUALIZING THE BIRTH OF THESE TWO CONCEPTS, ADDRESSING THEIR LIMITATIONS, RE-CONTEXTUALIZING THEM WITHIN THE MUSLIM WORLD, AND OFFERING DIVERSE ACADEMIC PERSPECTIVES ON THE ISSUES, THIS PAPER SEEKS TO BETTER ASCERTAIN THE NUANCED RELIGIOUS, CULTURAL, AND IDENTITY-RELATED ELEMENTS THAT UNDERLIE THE UNSUCCESSFUL INCORPORATION OF THESE WESTERN CONCEPTS INTO THE MUSLIM WORLD.

## INTRODUCTION

One of the most puzzling issues facing society today is the claim that certain "progressive" Western paradigms, i.e. secularization and feminism, have lost their validity due to failures to take root in the Muslim world. In order to properly address this issue, it is crucial to examine the context in which these Western theories were initially developed, taking into account the development and consequential failures of the "secularization thesis" and the limitations of the second wave feminist movement in the Muslim world. The Western narrative of Islam is largely shaped by Western media, which tends to portray the religion as unfairly biased in terms of gender issues and its implicit assumptions of the inferiority of women. Yet, when taking into account the views of many prominent Muslim intellectuals, especially those who highlight the importance of the large gap between what Islam stands for and what the social reality is in the Arab world, particularly in terms of secularism and the status of women, the alleged incompatibility of Islam with these Western constructs becomes unclear.

The belief that secularization is simply the natural and inevitable result of modernization—i.e. that the entire world will be rid of religion as it progresses—seems to be increasingly unlikely in the modern world. In fact, according to Professor Peter Berger of Boston University, the process of secularization, which mainly concerns a decline of the social significance of religion is now proving to be false.[1] In recent years, this "secularization thesis" has failed to reflect society, especially when considering the increasingly salient role that Islam has played in the Arab world. The main issue here is that since a major component of Islam deals with how society should be managed and regulated via Sharia law, secularization comes not just as relinquishing legal social control, but also implies renouncing a substantial part of Islamic doctrine, one that teaches that all aspects of human private and social life equally represent God's will. This is what makes secularization so complex and limiting in the Arab world, as it entails the restructuring of the entire Islamic identity and culture.

A PROTESTER WAVING THE TUSINIAN FLAG DURING THE ARAB SPRING PROTESTS (COURTESY OF *FLICKR*)

Secularization renounces the holistic character of Islamic teaching, and thereby derails a great number of social norms and regulations declared to be God's law. In fact, some Muslim scholars even suggest that when Islam becomes entangled with Western theories such as secularization, the Arab world succumbs to Gharbzadegi (or "Weststruckness"). The famous Iranian writer and scholar Jalal Al-e Ahmad argues that if the Arab world were to "continue to behave as Westerners superficially" then it would be seen as "the donkey who posed as a lion and ended up being eaten by one," revealing the perceived dangers of surrendering to the Western standard that would surely incite social alienation and eventual self-destruction.[2] Since secularization in the Arab world entails the reimagining of Islam and its transformation "to a shell of its religious philosophy," it seems very unlikely that the secularization thesis will hold and continue to be viewed in high regard in the future.[3]

Similarly, Western intellectual feminists have often found serious issues with Islam due to its discrimination of gender and its implicit assumptions of the inferiority of women. Often failing to acknowledge the gap between Western and Muslim social realities for women, these elites often see feminism in a reductionist manner.[4] Because feminism in the Middle East is not an idea that arose indigenously, but rather one that came to the Arab world externally, many Muslim women have come to see the movement as a new sort of colonialism that overgeneralizes women's rights. Thus, in order to fully grasp what feminism means in the Arab world, one must first understand the limitations of Western feminism, following the transplantation of the concept into a "Middle Eastern, predominantly Islamic environment, and its different interpretations in the locally different cultures of the Middle East."[5] Though many Western feminists argue that Islam is simply incompatible with feminism, others believe that Western feminist movements have laid the framework for

the development of a new sort of feminism, one that takes into account issues surrounding Islam and Sharia law.

When viewing Western feminism in this context, it seems that two crucial factors are at play: first, the Arab world seems to have increasingly complex cultural traditions regarding women, and second, the society's attitudes and relationship toward the origin of feminism are problematic as the concept comes from the Western world. Lelia Ahmed, an Egyptian American writer on Islam and Islamic feminism, states in her book *Women and Gender in Islam: Historical Roots of a Modern Debate* that "since the late nineteenth century, when feminist ideas first began to gain currency in the Middle East, a Middle Eastern society's formal stand on the position of women has often been perhaps the most sensitive index of the society's attitude to the West—its openness to, or its rejection of Western civilization."[6]

Since both secularization and Western feminism have had similar impacts on the Arab world, it is useful to examine the initial development of each concept and the reasons prohibiting their successful indoctrination into the Arab world. By first contextualizing the indigenous birth of these two concepts, addressing their limitations, re-contextualizing them within the Arab world, and offering divergent academic perspectives on the issues, this paper seeks to better identify the nuanced religious, cultural, and identity elements that underlie the unsuccessful incorporation of these Western concepts into the Arab world.

## RETHINKING THE SECULARIZATION THESIS

*Failures and Limitations of the Secularization Thesis in The Arab World*

Throughout the nineteenth century, many believed the world to be progressing in a linear manner that would ultimately lead to a complete separation of religion from the public sphere. As this discourse spread throughout the world during the nineteenth and twentieth centuries, its developers, i.e. the vanguard social thinkers of the time such as Auguste Comte, Herbert Spencer, Karl Marx, and Sigmund Freud, argued "that religion would gradually fade in importance and cease to be significant with the advent of industrial society."[7] This secularization thesis was not a new concept, however, as leading intellectual figures had been postulating that religious practices were simply products of the past that would soon be surpassed in the modern era ever since the Age of Enlightenment. As pointed out by scholar John L. Esposito, modernization and development theory had postulated for decades that "the development of modern states and societies required Westernization and secularization" and that religion would thereby become restricted to private life.[8]

Stemming from what appeared to be clear evidence of secularization in Western Europe after the Second World War, "the death of religion was the conventional wisdom in the social sciences during most of the twentieth century."[9] American sociologist C. Wright Mills, a staunch proponent of the thesis, argued that the secularization was unequivocally sweeping across the globe in the twentieth century, loosening the dominance of the sacred and that "in due course, the sacred [would] disappear altogether except, possibly, in the private realm."[10] Yet despite the rapid de-Christianization of Europe in the late twentieth century, the fervor for secularization did not spread to other areas of the world. In fact, much of the world, the Middle East in particular, was starting to see a great resurgence of religion instead. This increasing religiosity became even more pronounced after the Iranian Revolution of 1979, which brought with it the rise of "Islamic fundamentalism" and various other forms of religious nationalism, serving to further entangle Islam within the public sphere.

Islam complicates the secularization thesis because the Quran is seen as the source of ultimate legislature and serves to link religion and the public sphere. This can be seen, for example, in Saudi Arabia's very strict public connection between Islam, politics, economics, and other areas of society. Even greater evidence stems from the fact that the nation is called the "Holy House of Muslims" as it contains the two holiest mosques in the Islamic world: Masjid al-Haram in Mecca, destination of the annual Hajj pilgrimage, and Medina's Masjid an-Nabawi, burial site of the prophet Muhammad. Thus, Saudi Arabia is also the perfect example of the failures of secularization to take root in the Muslim world. In Saudi Arabia, Sharia law is a source of the state's rule and legislature, as it places Islamic rules at the forefront of public life and society, which goes directly against the supposition that modernization necessitates the complete separation of religion from the public sphere.

On the other end of the spectrum, Turkey, one of the only nations in the Muslim world to have successfully "secularized," is now seeing numerous attempts to reject secularism in favor of Islam. Modern Turkish politics reveals the

struggle between religion and secularism, as Islamic parties have tried to fight for a return to religious law by reinstating Islam in the state's secular constitution in recent years. Secularism in Turkey has been widely contested by various Muslim intellectuals, especially regarding its origins, as it came about as a sort of radical fundamental secularization over all aspects of life without taking into consideration the demands of a large number of Turkish people who refused to live without Islamic rules. For nations like Turkey, "secularism is not simply the separation of religion and politics but, as past and current history demonstrates, an anti-religious and anticlerical belief."[11]

These two examples highlight the failures and limitations of the secularization thesis in the Muslim world, illustrating the complex relationship between secularism and Islam in countries like Saudi Arabia and Turkey. While the former takes hardline stances against secularization, the latter, which initially embraced secularization in its efforts to modernize, is now experiencing great backlash from the Islamic religious groups and political parties. This increase in religious fundamentalism has now opened the doors for challenging other Arab secular regimes, including Egypt, Algeria, Syria, Iraq, and Sudan, perhaps signifying the need for a new teleological paradigm.[12]

*Re-Contextualizing Secularization in The Arab World*

In contrast to the nineteenth century, when many believed secularization to be inevitable and inextricably linked with modernization, today's world is now seeing the increasing incidence of religious fundamentalism in the world, especially in the Middle East, as evidence for the unraveling of this thesis. While the conventional wisdom of the nineteenth and early twentieth century was that religion would become a solely private affair, the ideology has been widely contested in much of the Arab world today. Thus, it seems the resurgence of Islam in Muslim politics and society has triggered, what John L. Esposito has called, a "retreat from the secular path."[13]

For over three decades, the Muslim world has seen the rise of Islam in public life in newly created Islamic states and republics, as well as from mainstream political and social movements and in major jihadist movements. The global political resurgence of religion has challenged, and perhaps even discredited, the theory of secularization. The debunking of secular paradigms has been particularly salient in the Islamic world with the occurrences such as the Iranian revolution, the emergence of new Islamic republics in Iran, Afghanistan and Sudan, and the use of Islam by Muslim governments and opposition movements.[14] Though some Muslim critics speak of the collapse or bankruptcy of secularism and the need to replace it with religiously based states, others seek to modify secularism by placing it in a more religious, pluralistic framework.

Proponents of secularization have often viewed it as the only means to promote tolerance, pluralism and fairness in a society by ensuring that the government is not dominated by any one religious ideology. As Talal Asad warns, however, secularism does not necessarily guarantee peace and tolerance, despite its roots in the liberal Enlightenment movement. Asad warns that "a secular state does not guarantee toleration," but rather "puts into play different structures of ambition and fear" where the law never seeks to eliminate violence since its object is always to regulate violence.[15] This negative view of secularism has led many Muslims, and Islamists in particular, to cast out secularism as stemming from a completely foreign, inaccessible idealolgy imposed on the Arab world by colonial powers. Putting religious fundamentalism in stark contrast to secularism, Islamists have constructed an ideal model reflecting religious principles guiding the Ummah (community) in all areas of life, aspiring to renege on traditional Islamic society and values.

In response to these issues, the renowned judge and Arab historian Tariq al-Bishri presents several reasons why all Muslims should reject the idea that modernization and secularization are inextricably linked. Citing Muhammad Ali's "so-called" secular regime in Egypt, Bishri argues that Ali's regime was not purely secular, but rather it took aspects of military science and technology from Europe to

A WOMAN ATTENDING A PROTEST (COURTESY OF *FLICKR*)

*"Thus, until the day comes when a genuine state based off Islamic consultation (shura) principles is established, the next best option is to implement secular democratic regimes, as such regimes abide by the rules of reason."*



aid an essentially Islamic political entity. He believes that the non-sectarian Islamic movement started in response to the "geographically-based secular nationalist movement," which allowed it to grow until there was a clear split between "an inherited and revitalized Islam and a newly-arrived secularism."[16] This initial split, according to Al-Bishri, has amounted to a fully entrenched "war of ideas" between the two sides to this day.

Though many see little hope for the secularization of the Arab world, others still believe the concept of secularism itself can be re-contextualized and reinterpreted within the modern Arab world. In fact, several prominent Islamic intellectuals and activists such as Abdullahi Ahmed An-Na'im and Rachid al-Ghannouchi have dedicated their lives to demonstrating the complex relationship between the theory and the political and historical aspects of the Islamic tradition within modern states. Ghannouchi, in particular, emphasizes that a major issue underlying the secularization of the Muslim world is that fundamentalism and secularism are almost always pitted against each other. Ghannouchi argues that authoritarian secular governments take the worst of secularist doctrine and use it as a weapon against Islamists by equating Islam with extremism and secularism with democracy. Paradoxically, this often results in the secular regimes themselves serving as impediments "to the preservation and development of civil society."[17] Ghannouchi contrasts an ideal, Islamic civil society with that of "pseudo-secular" and "pseudo-modern" regimes, linking secularism with liberalism and highlighting the factors of Western secularism that serve to undermine society, "i.e. violence, crime, isolation and lack of trust and cooperation between neighbors."[18] Thus, Ghannouchi claims that the process of secularization is inextricably linked with liberalism, which he sees as an outlet for selfishness, greed, and individualism to grow from its distinctly western roots.[19] By separating the doctrine of secularism from the Western roots of secularization, Ghannouchi rejects the common assumption that religion leads to violence and extremism in favor of a tolerant, pluralistic Islamic world where religion is closely linked to both the public and private sphere.

Though it seems that a state based on religious principles as well as pluralistic tendencies is perhaps the best adaptation of secularism in the Middle East, Ghannouchi and many other prominent Muslim intellectuals recognize that this ideal regime will be very difficult if not impossible to achieve under current circumstances. Thus, until the day comes when a genuine state based off Islamic consultation (*shura*) principles is established, the next best option is to implement secular democratic regimes, as such regimes abide by the rule of reason and are less harmful than despotic systems of government.[20]

*An Intellectual Conversation: Berger vs Berger*

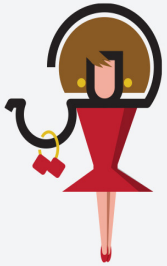
Up until the 1980s and early 1990s, many social scientists believed that the modern world was becoming increasingly less religious. Renowned theologian Peter Berger was particularly influential in the development of this "secularization thesis," which is quite astonishing as he is now one of the most adamant challengers of the paradigm. In 1974, Berger began to refute some of his previous suppositions about secularization, arguing it was a mistake to assume that modernization necessitates a global decline in religiosity.[21]

In the late 1960s, Berger had made two very important contributions to the secularization thesis: first, he argued for the "increased rationalization of the world," and second, he promoted the impact of the pluralization of life worlds[22] on the "plausibility of religious belief systems."[23] Berger's 1963 essay on the Israelite prophets was especially crucial in sowing the seeds of rationalist monotheism in the Old Testament, building upon the framework that Max Weber and Robert Merton had laid out for secularization by supposing that Judaism, Christianity and Protestantism had inadvertently "nurtured the seeds of their own decline."[24] He also asserted that there was no way for the world to modernize while maintaining a religious attitude

in the public sphere due to the conflicting nature of pluralism and the natural progression of tolerance. Berger is also quick to address the political and social consequences of cultural diversity. He claims that if the modernizing state must encompass diversity, it logically follows that it must become increasingly accepting towards religious diversity in the private sphere in order to avoid high levels of social conflict. This relegating of religion to the private sphere, Berger asserts, is the only way for a society to properly incorporate and accept many competing religions without biasedly imposing one on its people.

Years later, however, Berger repudiated his earlier claims of the linear progressivity of secularization, arguing instead that "the world today, with some exceptions ... is as furiously religious as it ever was, and in some places more so than ever."[25] Berger thinks that due to the failure of intellectual elites to recognize the limitations of their theory in areas of the world other than Europe, the "whole body of literature by historians and social scientists loosely labeled 'secularization theory' is essentially mistaken." With the rise of religious fundamentalism in the world and public sphere, Berger believes there must be some factors preventing the success of the secularization thesis in the Muslim world.

Berger also reflects on his contributions to the development of the secularization thesis, claiming that secularization is inherently flawed because of its predominately Western origins and is "essentially a globalization of the Enlightened intelligentsia of Europe." This is problematic because the intelligentsia consists mostly of a non-representative minority of elite thinkers who at the time were ignorant of the mass support for religion in the Arab world. Berger claims that it was their failure to take into account the distinct cultural and religious differences of Islam that ultimately led to the demise of the secularization thesis.



AN ARTISTIC REPRESENTATION OF THE ARABIC WORD FOR SHE "HIYA" (COURTESY OF *BEHANCE*)

Berger goes on to describe how his only visit to Iran occurred in 1976, two years prior to the Iranian revolution, and though all of the intellectuals he met were opposed to the shah and expected a revolution, none of them thought this revolution would actually succeed. About the same time, his wife, who was lecturing in Turkey and on her way through Istanbul, noticed green flags flying from houses and storefronts.[26] She asked her host, an enlightened university professor, whether these flags signified a resurgence of Islam. He replied, "Not at all, they are just put up by migrants from the provinces, ignorant people, who will never have much of an influence."[27] Thus, the dismissive reaction of intellectual elites to religious fundamentalist movements allowed for the creation of an intense division between the westernized, secularized elite and the more obdurately religious general public.

Berger ultimately concludes that though fundamentalism is destructive for democracy, it is crucial to recognize that there exist both religious and secular fundamentalists in the world. Both are unwilling to question their assumptions and tend to be militant, aggressive, and contemptuous of anyone whose thought differs from theirs. Berger points out that "there are fundamentalists of one stripe who think that religious tyranny is around the corner if a Christmas tree is erected on public property," while there are fundamentalists of the other stripe who believe that the nation is about to sink into moral anarchy if the Ten Commandments are removed from a courtroom.[28] Thus, Berger believes that the secularization thesis has seen its last days and that the root of its failure stems from the negligence of intellectual elites to recognize increasing notions of religiosity in areas of the world such as the Middle East. Perhaps it is now more accurate to say that the Western world is the exception to a new type of theological thesis, rather than to say that the Muslim world is the exception to the secularization thesis.

## RETHINKING WESTERN FEMINISM

*Limitations of Western Feminism in the Arab World*

Second-wave Western feminism began in the 1960s and was characterized by the formation of active networks of women's groups in the United States and parts of Europe. Its inception is often dated from the publication of Betty Friedan's *The Feminine Mystique* in 1963, in which Friedan calls for a feminist revolution that "had to be fought

*"[T]he key distinction between the current and past definition of feminism is the inherent ideological differences between Western feminism and Islam..."*



because women quite simply were stopped at a state of evolution far short of their human capacity." While there was a diversity of perspectives within second-wave feminism, including liberal, radical, and socialist/Marxist approaches, much of this work was predicated on the concept of "universal womanhood."[29] Unfortunately, this meant that no attention was paid to racial or cultural distinctions/variations, allowing Euro-American feminists to wrongly assume that their voice represented the experiences of all women.[30]

Nevertheless, African American feminists as well as Third World feminists are now challenging Western notions of feminism, arguing they cannot adequately address marginalized groups of women. They claim that Western feminism only represents the realities of a particular group of women, namely, First World, white, middle-class women. In fact, Muslim feminists such as Sa'diyya Shaikh point to major shortcomings of the Western feminist discourse, arguing that because general feminist thought ignores issues related to cultural and social differences, it cannot be used to empower Muslim women. Thus, she and many other Muslim intellectuals believe it is now their duty to "reflect the conceptual difficulties and ideological biases experienced by many groups of Muslims with regard to certain developments in Western feminism."[31]

Shaikh defines feminism as including a critical awareness of the structural marginalization of women in society and the engagement in activities directed at transforming gender power relations in order to strive for a society that "facilitates human wholeness for all based on principles of gender justice, human equality, and freedom from structures of oppression."[32] However, the key distinction between the current and past definition of feminism is the inherent ideological differences between Western feminism and Islam, which are embedded in a history of larger civilizational harangues between the Islamic world and the West.[33] Gender discourse in contemporary Islam is haunted by a deep history of conflict between early European colonial encounters in different parts of the Muslim world. As a result of the processes of imperialism and globalization, neo-colonial power structures exist throughout the economic and social spheres of the Muslim world. From the perspective of many Muslims, Euro-American cultural hegemony remains largely coupled with a prejudice propagated against Muslims. This problem is accentuated by the Western stereotyping of Islam as a "violent, medieval, and, especially, misogynist religion," as reflected in the enduring legacies of colonial scholarship on Islam.[34]

The homogenization of women within dominant Western feminist paradigms, in particular, has led to limitations on the ideology's applicability, serving to further marginalize women that live in societies with certain cultural traditions and values. The Western feminist approach does not examine the particular material conditions and ideological frameworks that engender disenfranchisement for a specific group of women. Instead, many Western feminist intellectuals cite very basic examples of disempowerment in order to prove the general thesis that women as a group are "powerless." For example, as Omid Safi writes in Progressive Muslims, "Western feminist discourses that represent the hijab as simply symbolic of Muslim women's subjugation often muddy both the particularity of such a phenomenon as well as the multiple levels of meanings that it may have for different Muslim women."[35]

These different interpretations have led to a very complex relationship between "Western feminism" and the Muslim world to coalesce, one that is further complicated by the imposition of Western feminist ideals and ideology on Muslim societies. Though many Western scholars argue that recent trends in the Middle East are serving to undermine previous accomplishment of the feminist movement, this assertion woefully ignores the underlying cultural, social, and political factors at play in the Arab world. For example, women in the Middle East are actually increasing their political activism by embracing what many in the Western world assume to be oppressive practices, instead using these traditions as tools to effectively work within the social, cultural and political system in place in the Middle East.

*Re-Contextualizing Feminism in the Arab World*

In response to the failures of Western feminism and current social pressures stemming from the rise of Islamist ideology, many modern Muslim feminists are now seeking to adopt a new strand of feminist thought. Many have sought to find aspects of gender equality within the Quran, working within the confines of the Islamic ideology in order to reclaim their Islamic rights. This type of behavior has opened the door for a new wave of feminism in the Muslim world. "Islamic feminism" stems from the belief that the feminist commitment is integral to Islam and responsive to the core call to justice in the Quran. However, there still exists a clear schism between the true egalitarian ideals of Islam and the problematic reality that many Muslim women experience injustice in the name of religion.[36]

Though past feminist movements laid down crucial groundwork for the development of Islamic Feminism in the Middle East, these movements were also inherently flawed as they often ignored the cultural, social, and economic needs facing the most impoverished, religious women in the Middle East. Even more concerning is the fact that the modern world seems to be engaged in a period of religious revivalism, which clearly points to the failure of Western women's movement to address these crucial cultural differences and traditions. The Western stereotypes surrounding the dangers of Islamic fundamentalism rarely encompass the nuances of how the movement has affected national and local politics and women's rights issues in the Muslim world. For example, women's demands for greater political voice in any Islamic-based state may have seemed absurd half a century ago, yet great progress is being made in many of these places today. In fact, there are now twice as many women in school in Iran than there were under the previous "secular" regime.[37] Clearly, the place of women is not set within Islamic societies, but rather amenable to each society's perceived needs and historical contexts and backgrounds.

Thus, many modern Muslim feminists have rejected traditional colonial feminist representations of Muslim women as the "victimized" and voiceless "other," in support of the re-defining of feminist discourse, providing a more heterogeneous representation of cultural and identity-related factors. Islamic feminism not only addresses contextual issues, but it also takes into account the multiple identities of women. By definition, the ideology makes the salient the question of religious identity in the experience of Muslim women, allowing for the "collusion of feminist discourse with Muslim women's articulation of their engagement with gender issues."[38] This re-contextualizing of feminism in the Arab world allows for the crucial development of a meaningful dialogue between groups of Muslim women and women from other religio-cultural backgrounds.

*An Intellectual Conversation: Mohanty vs Wadud*

In staunch opposition to Western notions of feminism, author and scholar Chandra Mohanty stresses the importance of recognizing the political significance that the term "colonization" has come to characterize everything from the most evident economic and political hierarchies to the production of a particular cultural discourse about what is called the "Third World." In particular, Mohanty argues that the way in which the second wave feminist movement has defined feminism has had a lasting impact on the way Muslim women describe their own experiences and struggles. Mohanty sees immense fault in the fact that privilege and ethnocentric universality are fundamentally part of feminist theory, as this has led for women in the third world to see themselves as living in the context of a world system dominated by the West.[39]

Mohanty argues that, because Western feminism entails cross-culturally monolithic notions of patriarchy, this only leads to the construction of a similarly reductive and homogeneous type of "Third World Difference." She believes the term perfectly captures the essence of the oppression of most (if not all) women living in the Third World, stemming from vastly different patriarchal and gender-related traditions and values. Western feminists are quick to "appropriate and "colonize" the fundamental complexities and conflicts which characterize the lives of women of different classes, religions, cultures, races, and castes in these countries" within the context of this "Third World Difference."[40] Mohanty claims that this very process of Western homogenization and systematization, which has allowed for the oppression of women in the Third World, must now be re-interpreted within a third world context.

One such significant effect of the dominant "representations" of Western feminism is its likeness to imperialism in its view of particular third world women. The "average third world woman" leads a predominantly restricted life based on her feminine gender and also her being "Third World," something that Mohanty feels represents ignorance, poverty, lack of education, tradition-bound, and vic-

timized. She suggests that modern representations depict women with the freedom to make their own decisions, which stems from implicit self-depiction of Western women as being educated, modern beings with the freedom to make their own decisions. The distinction between the Western representation of women in the third world and the Western feminist self-representation is the fact that "the privileging of a particular group as the norm or referent has allowed western feminists to cast Third World women in terms of ourselves undressed." Mohanty claims that this problematic premise must be fully overcome if there is to be any success for the Islamic feminist movement moving forward.[41]

In contrast to Mohanty, Muslim scholar and professor Amina Wadud is not so quick to reject Western feminism, seeing the ideology as an important catalyst for the larger feminist movement in the Muslim world.[42] Wadud has made it her mission to argue against the influence of patriarchy on their interpretation of the Quran and the practices of Muslims, as she believes this has constricted the true realization of the Quranic message of equality and justice. One of her key arguments is that the patriarchy is a form of shirk or making partners to God, and because one fundamentally contradicts the Quranic vision of equal and reciprocal relationships when one places men above women, this violates the prerequisite that God is supreme. She remarks that though she used to think that "Islam" and "Muslim" were one and the same, she now recognizes that there a number of situations that may arise where one may be forced to choose between the two.

Since writing the book *Qu'ran and Women: Rereading The Sacred Text From A Woman's Perspective*, Wadud has consistently found others calling her "Western" and a "feminist." But rather than see this as a negative label, Wadud optimistically interprets the name-calling, taking "Western" to mean that she "can only be who [she] [is]: a daughter of the West, born and raised American of African descent.[43] Yet, she feels the true intent of the label is to be meant in a reductionist manner that is anti-Islamic, which she finds to be rather offensive. Similarly, she interprets the term "feminist" to mean that all women are human beings, yet again asserts that others simply use the term in a derogatory fashion without reference to the true definition of feminism. Wadud is appalled that even though she never refers to herself by this title, this does not prevent others from calling her "out of her name," as if she does not even count as a human being.[44]

Yet, with great humility, Wadud remarks that in the battle for gender parity where the trenches are deep and the fighting unfair, she has come to the conclusion that she must keep leading the fight for feminism in the Muslim world. She feels that one of the most special merits of Islam is *din*, or way of life, is that the "establishing and re-establishing orthodoxy sets an agenda for Islamic praxis," and that one cannot stand on the sidelines in the face of injustice and still be recognized as fully Muslim.[45] Though she does not necessarily agree with the term "Western feminist," she still dedicates her book to all women: young and old, wise and simple, rich and poor, who are [her] sisters in Islam." Though Wadud made the decision in her early twenties to become Muslim and did not personally witness Islam as oppressive to women, she still devotes her entire scholarly life to rereading the Quran to find Islamic equality for women.

Both Mohanty and Wadud agree that Western feminism is flawed in its ability to properly address cultural and Islamic issues in the Muslim world, but both women share very different interpretations and perspectives for why they feel this way. While Mohanty staunchly opposes Western feminism as another form of oppressive colonialism, Wadud more of less accepts the label in the sense that she is in the most basic sense a "Western Feminist" due to her background and activist work, both of which have fueled her passion to keep finding new ways to place issues of equality and feminism within the context of the Quran.

## CONCLUSION: A NEW WAY MOVING FORWARD

Since both secularization and Western feminism have had similar impacts on the Muslim world, it is useful to examine the initial development of each concept and the reasons prohibiting their successful indoctrination into the Muslim World. In recent years, with increasing occurrence of religious extremism as well as enduring practices such as veiling and arranged marriages, it seems these Western teleological theories long believed to promote stability and tolerance are now losing their general applicability and validity. Paradoxically, it seems that secularization and western feminism have often served to undermine these values through the marginalization of religion as well as women in the Third World.

One of the key issues with secularization in the Middle East is that secularism, a political doctrine that grew out of Christian Europe, is often seen as being indissolubly linked with a history of foreign colonial invasion and oc-

cupation. For many Muslims, the efforts of colonial regimes to impose secular political doctrines from above were only the beginning of a supposition that secularization was inextricably linked with modernization. As Abdelwahab Elmessiri writes, "secularism is a world-outlook that is embedded in the simplest and most innocuous cultural commodities, and that forms the unconscious basis and implicit frame of reference for our conduct in public and in private." Elmessiri believes that the secular state as it stands in the Arab world is not only aimed at dominating public life, but has also problematically made it its goal to exploit private life.[46] Thus, it seems increasingly likely that a more tolerant society requires a more pluralistic view of religion for society, a paradigm that may be able to better incorporate issues related to Islam and Sharia law as the supreme governing legislature in the Muslim world.

In a similar vein, many of the traditional feminist movements in the Middle East came out of secular movements based on Western models and espoused Western ideologies. Yet, this type of movement was often in direct contention with the powerful religious elite, as it often ignored basic religious doctrine and challenged the patriarchal structure of Islam itself. Thus, many of the religious elite saw this rebellion by women as a symptom of a bigger disease, Western imperialism, or "Weststruckness," a problem that had to be refuted at all costs. As this tension threatened the power relationship between the political elite and the religious elite, many Muslim feminists felt that the only way they could move their feminist agenda forward was through the creation of a new thread of feminist dialogue, one that was able to operate within the bounds of Islam. Again, this is primarily a reason why Western feminism has failed in the Muslim world. It fails to take into account the context and culture of the Muslim world. Thus, it seems that the best way for Muslim women to move forward is to realize that they no longer have to abandon their socio-cultural identities to have a voice, but can instead refuse to operate within the bounds of Western feminism by placing their feminist movement within the context of Islam.[47]

Thus, if both concepts were to be reinterpreted with regards to the cultural, religious, and identity-related boundaries within the Muslim world, this would allow for the creation of a new Muslim identity—particularly the renegotiating of gender and religious identity. Furthermore, it is important to note that identity negotiation is, to a large extent, dependent on future circumstances and the nature of the Muslim world. Though the modern Western world believes Islam to be prohibiting the development of tolerance, secularism, democracy, and women's rights, we may very well see a change in the dominant paradigms of secularization and feminism if these ideologies can be reinterpreted in a more pluralistic and inclusive manner.

## ENDNOTES

1. Peter L. Berger et al., *Peter Berger and the Study of Religion* (London: Routledge, 2001), 87-88.
2. Jalal Al-e Ahmad, "The Outline of a Disease [Weststruckness]," In *Lloyd Ridgeon, Religion and Politics in Modern Iran* (London: I. B. Tauris, 2005), 163-174.
3. Ibid., 173.
4. For the purposes of this paper, the term elites refers to a select and small group of citizens and/or organizations that controls a large amount of power. Most of these selected groups are constantly searching differentiation as well as separation from the rest of society.
5. Leila Ahmed, *Women and Gender in Islam: Historical Roots of a Modern Debate* (New Haven: Yale University Press, 1992).
6. Ibid.
7. Norris Pippa and Ronald Inglehart, *Sacred and Secular: Religion and Politics Worldwide* (Cambridge, UK: Cambridge University Press, 2004).
8. John L. Esposito, "Islam and Secularism in the Twenty-First Century" (New York: NYU Press, 2000), 1.
9. Pippa and Inglehart, *Sacred and Secular*, 2.
10. C. Wright Mills, T*he Sociological Imagination* (Oxford: Oxford University Press, 2000), 32-33.
11. Nazik Saba Yared, "Secularism and the Arab World: 1850:1939" *Choice Reviews Online*, 2003.
12. Binbing Wu, "Secularism and Secularization in the Arab World" *Journal of Middle Eastern and Islamic Studies* (in Asia), (2007): 63.
13. John L. Esposito, "Rethinking Islam and Secularism (ARDA Guiding Paper Series" (State College, PA: The Association of Religion Data Archives at the Pennsylvania State University), 3, accessed December 4, 2016.
14. Ibid.
15. Talal Asad, *Formations of the Secular: Christianity, Islam, Modernity* (Stanford: Stanford University Press, 2003), 6-7.
16. Esposito, "Rethinking Islam and Secularism" 5-6.
17. Rachid Al-Ghannouchi, "Secularism in the Arab Maghreb" (New York: New York University Press, 2000), 97-124.
18. Esposito, "Rethinking Islam and Secularism" 9.
19. Ibid., 6
20. Al-Ghannouchi, "Secularism in the Arab Maghreb" 97-124.
21. Peter L. Berger, Linda Woodhead, Paul Heelas, and David Martin, *Peter Berger and the Study of Religion*, (London: Routledge, 2001), 87-88.
22. LIfe worlds can be defined as the world as immediately or directly experienced in the subjectivity of everyday life, as sharply distinguished from the objective "worlds" of the sciences, which employ the methods of the mathematical sciences of nature; although these sciences originate in the life-world, they are not those of everyday life. The Editors of Encyclopedia Britannica. "Life-world." *Encyclopedia Britannica*, July 20, 1998. Accessed January 19, 2017. https://www.britannica.com/topic/life-world.
23. Ibid., 88.
24. Ibid.
25. Ibid., 87
26. The green flags are associated with Islam as it is said in the Quran (Surah 18:31) that "those who inhabit paradise will wear fine silk garments of green." This particular verse has thus been interpreted over the centuries and the color green has now been associated with Islam for a very long time. "Islamic Symbols." *Islamic Symbols*. N.p., n.d. Web. 05 Dec. 2016.
27. Peter L. Berger, "Secularization Falsified," *First Things* (2008), accessed December 5, 2016.
28. Ibid.
29. Here, universal womanhood refers to the values and rights that the predominantly white, educated, middle-class women of the second wave feminist movement believed to be undeniable. Sa'diyya Shaikh , *Transforming Feminisms: Islam, Women, and Gender Justice*. Pg 153. (2003).
30. Sa'diyya Shaikh, "Transforming Feminisms: Islam, Women, and Gender Justice" In *Progressive Muslims: On Justice, Gender and Pluralism* (Oxford: Oneworld Publications, 2003), 153
31. Ibid., 152
32. Ibid., 147
33. Ibid., 148
34. Ibid.
35. Ibid., 152
36. Ibid., 155
37. Chandra Talpade Mohanty, *Feminism Without Borders: Decolonizing Theory, Practicing Solidarity* (Durham: Duke UP, 2003)
38. Ibid., 158-159
39. Ibid.
40. Ibid.
41. Mohanty, *Feminism Without Borders*
42. Born into a Methodist African-American family, Wadud became a Muslim at the age of twenty, and moved on to become a Professor of Religion and Philosophy at the Virginia Commonwealth University and was also one of the founders of the group Sisters in Islam"Amina Wadud." *Islam & Feminism*. N.p., n.d. Web. 04 Dec. 2016.
43. Amina Wadud, *Qur'an and Woman: Rereading the Sacred Text from a Woman's Perspective* (New York: Oxford UP, 1999).
44. Ibid., xviii, xix
45. Ibid.
46. Abdelwahab Elmessiri, "Secularism, Immanence, and Destruction" (New York: New York UNiversity Press, 2000), 52-81.
47. Safi Omid, *Progressive Muslims: On Justice, Gender, and Pluralism* (Oxford: Oneworld, 2003), 2-3. *Pluralism* (Oxford:

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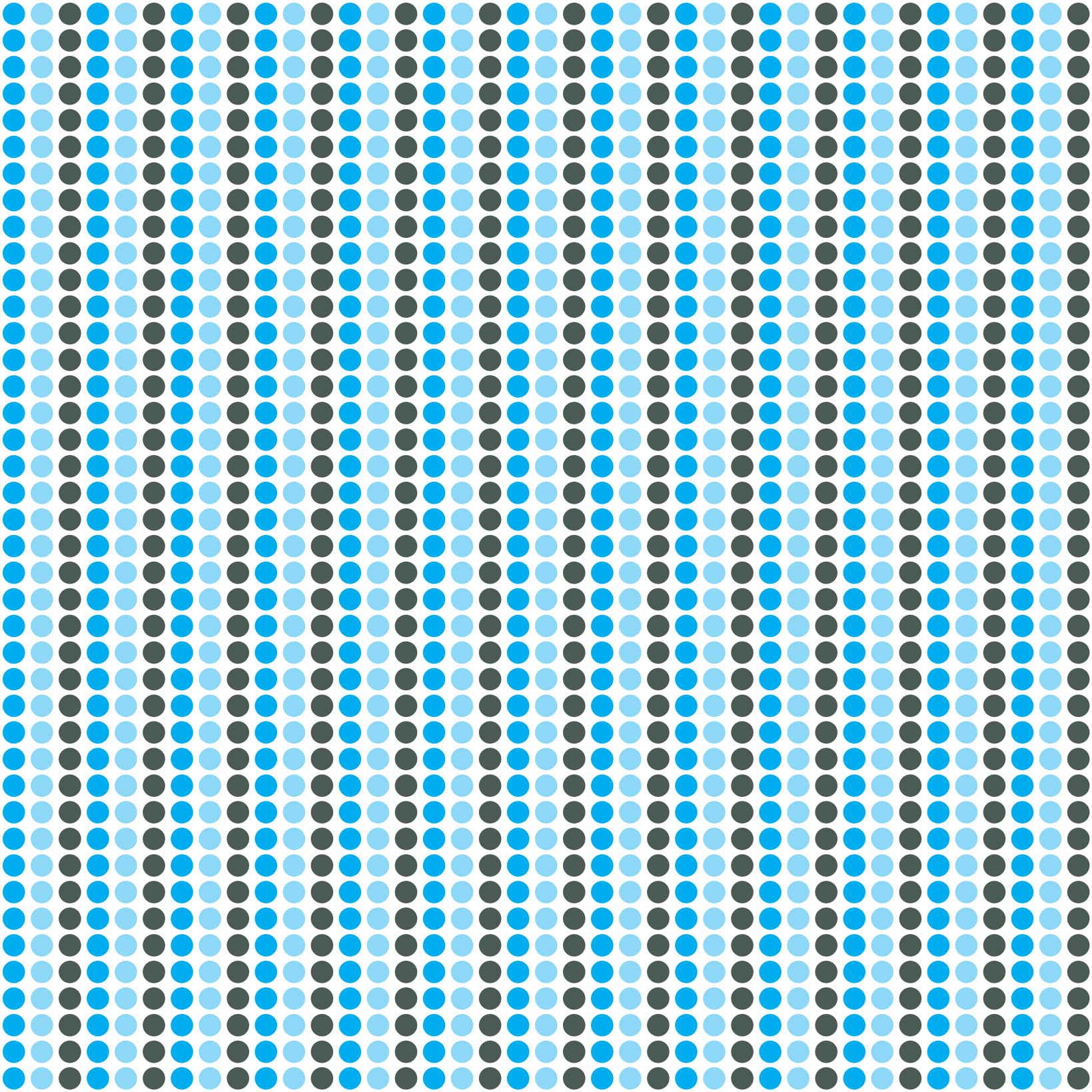

## AUTHOR BIOGRAPHIES

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is a junior majoring in International Studies with a concentration in political economy. He is originally from Salt Lake City, Utah, and enjoys hiking, skiing, and other outdoor activities in his free time. The research for this paper came from his semester abroad with the International Honors Program, which focused on social science in three cities: Buenos Aires, Hanoi, and Cape Town. Kyle hopes to go on to graduate school or a career in political economy once he graduates.

### CARLY BARNHARDT

will graduate from Morrissey College of Arts and Sciences in 2017 with a degree in English, a minor in American Studies with concentration in journalism, and a minor in French. She is currently writing a senior honors thesis on the poetry and memoirs of Beat-era poet Diane di Prima. She has a special interest in feminist theory, American literature, and creative nonfiction, and hopes to pursue these academic interests at the graduate level. When she is not reading or writing, you can find her in the kitchen, not following a recipe, or in the *Stylus* office.

### SABRINA BLACK

is a sophomore majoring in German Studies and minoring in English. She is from Milwaukee, Wisconsin. On campus, she is a member of several musical ensembles, a teaching assistant in the German Department, and an international assistant. Within the field of German Studies, her primary area of interest is twentieth-century literature. Having completed an internship at Universität Kassel the summer of 2016 Sabrina intends to return to Germany to study abroad during her junior year. She is likely to pursue graduate studies in the future. She would like to thank Professor Daniel Bowles for his guidance on this project.

### HALEY CORMIER

is a senior in the Morrissey College of Arts and Sciences pursuing Bachelor's degrees in both History and Psychology. She is drawn to topics and events that exhibit an intersection between the two disciplines—which, combined with an interest in feminism, led to her research on the 1968 Miss America Pageant protests. Currently living in Northern Connecticut with her parents, brother, and sister, Haley hopes to travel and work abroad after graduation before returning to Boston to attend law school.

### MONICA COSCIA

was born and raised in an Italian family in Montville, New Jersey. She is a third-year senior at Boston College studying Political Science and History in the Morrissey College of Arts and Sciences Honors Program. Coscia is currently a teaching assistant for the Business Law department, a senator in UGBC, a lead attorney in Mock Trial, an editor for the *Pre-Law Review*, and a co-president of dance group "On Tap." Her academic interests include Supreme Court jurisprudence, American politics and foreign policy, constitutional history, Freudian philosophy, and Russian literature. She plans to start law school in the fall of 2017 in preparation for a career in civil litigation.

## ELIZABETH D'ALTRUI

is a sophomore in the Carroll School of Management Honors Program at Boston College. She is currently concentrating in Accounting and Economics. She is also taking classes in the Lynch School of Education to obtain a minor in Inclusive Education. After graduation, she plans to become CPA certified and work at one of the Big Four Accounting Firms. At Boston College, Elizabeth is involved in 4Boston, Women in Business, and Relay for Life. She also works as a lifeguard at the Plex. Her interests include running, traveling, visiting new restaurants, and spending time with friends.

## SAMINA GAN

is a Senior in the Morrissey College of Arts and Sciences with a double major in International Studies and Economics. Her interests include international economic development and studying the impacts of globalization. She will be working in financial consulting next year in New York City.

## EMMA HOWE

is a junior studying International Studies and Economics in the Morrissey College of Arts and Sciences. She plans on attending graduate school after she graduates from Boston College in order to further her knowledge about environmental policy and the situation in the Middle East. After that, she hopes to obtain a job working for an environmental consulting group with an overarching goal of accelerating and promoting the global environmental economic agenda.

## JORDAN MINDLIN

is a senior currently pursuing a Bachelor's degree in Economics, with a minor in Studio Art. She spent the fall of junior year studying at Universidad de Complutense in Madrid, taking her classes in Spanish. Her academic interests stretch from global conflicts and refugees to finance and management to photography and digital design. On campus, she has worked as an editor on *The Heights*, a marketing assistant in the music department, treasurer of the Fashion Club, and an Appalachia volunteer. Professionally, she has worked as an analyst at Merrill Lynch, and following graduation, will pursue a strategic advisory position as an associate at MediaLink.

## ZACKARY PARK

is from Raleigh, North Carolina, and is currently studying Biochemistry in the Honors Program of the Morrissey College of Arts and Sciences. From a young age, he has always been interested in science, and had a desire to understand how and why things worked. After graduation this year, he will be taking a gap year to research other topics of interest. He will be applying to medical school in the following year in hopes of achieving his dream of becoming a doctor. His other interests include weightlifting, traveling, and eating the best food in the world.

## PATRICK SHEERIN

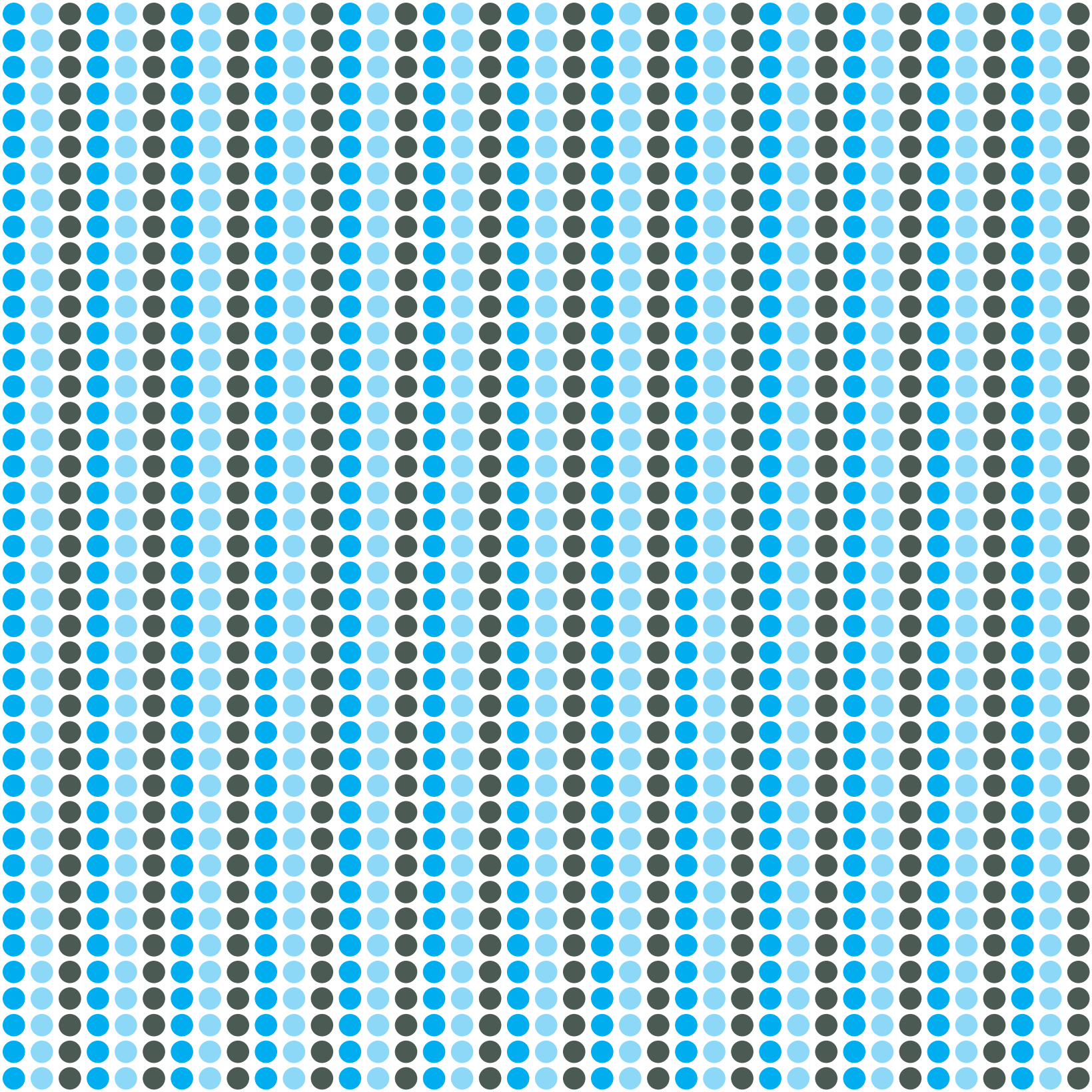
is an Economics and Political Science double major in the Morrissey College of Arts and Sciences, Patrick is a four-year member of the Men's Varsity Swimming and Diving Team. Aside from his academic and athletic schedule, Patrick has also been an upperclassmen leader for both the Freshman and Sophomore Leadership Program(s) for Student-Athletes, and is a member of the Bellarmine Law Society. Patrick has also been published in the Boston College Pre-Law Review.

## CAITLIN SULLIVAN

is a current junior majoring in Economics with a Spanish minor. She is spending this spring semester abroad in Madrid, Spain and will spend the summer as an intern for Synchrony Financial. In addition to economics and spanish, Caitlin has a strong interest in finance and plans to pursue it after graduating from Boston College. Caitlin selected this topic of research for an economic policy class "Microeconomic Public Policy Issues" after seeing a presentation in 2015 by the Gabelli Presidential Scholars on the issue of mass incarceration.

## BRECK WILLS

is a senior at Boston College where she studies Economics, Computer Science, and Studio Art. Upon graduation she will begin her job as a business systems analyst, while also pursuing a Master's degree in applied economics. Breck's main areas of interest within economics include economic development and economics of the public sector.



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