



# FRESH WRITING

VOLUME 10



Matthew Capdevielle, Editor  
Daniel O'Duffy, Assistant Editor

UNIVERSITY WRITING PROGRAM • UNIVERSITY OF NOTRE DAME

HAYDEN  MCNEIL



# FRESH WRITING

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MATTHEW CAPDEVIELLE  
*Editor*

DANIEL O'DUFFY  
*Assistant Editor*

***Editorial Board***

Elizabeth Capdevielle, Patrick Clauss, Ph.D.,  
Nicole MacLaughlin, and Christopher J. Manley

University Writing Program  
University of Notre Dame



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## Acknowledgments

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We need help with our writing—we all do. Good writers share their work with others, and they respond to one another critically and charitably. This is what we do in the University Writing Program at the University of Notre Dame. First Year Composition is a deeply collaborative endeavor. Students collaborate with one another in their workshop groups, faculty collaborate with one another to develop their courses, and Writing Center tutors collaborate with both faculty and students to help students develop their full potential as writers. We are all partners in the project of building and shaping the culture of writing at this university. This book proceeds directly from the spirit of collaboration that pervades the program and inspires us all as teachers and students of writing. We owe our thanks to many members of this community of writers.

The *Fresh Writing* series, now in its tenth year of publication, owes its conception to Dr. Connie Mick, who envisioned an authentic publication opportunity for Notre Dame students that would provide composition classes with high-quality models of student writing. Dr. John Duffy, Francis O'Malley Director of the University Writing Program, has guided the development of this project within the context of a continually advancing curriculum for first-year students.

We of course owe our deepest gratitude to the professors who work with first-year students, both in and out of the classroom, to help them cultivate their ideas and hone their writing skills. In particular, we thank all of those professors who encouraged their students to submit their work to the *Fresh Writing* editorial board for consideration. A special thanks goes to those professors whose students' work appears in this volume: Elizabeth Capdevielle, Beth Covay, Ailbhe Darcy, Karrie Fuller, Dr. Romana Huk, Ed Kelly, Fr. Paul Kollman, Kim Lander, Dr. Stephen Little, Nicole MacLaughlin, Chris Manley, and Katy Wright-Bushman.

This volume of *Fresh Writing* would not have been possible without the hard work of the careful readers on our editorial board: Elizabeth Capdevielle, Nicole MacLaughlin, Chris Manley, and finally Dr. Patrick Clauss, Director of First Year Composition. A very special thanks goes to Mr. Manley, former editor of *Fresh Writing*, for his generous guidance and advice throughout the whole project.

We owe a great measure of gratitude to Terri O'Bryan, who makes sure that everything—*everything*—runs smoothly in the University Writing Program. My personal thanks goes to Lisa Wess, Senior Managing Editor at Hayden-McNeil, for supervising the production of this volume with seemingly inexhaustible patience and equanimity.

And finally, I'd like to thank Assistant Editor Daniel O'Duffy for his expertise and his tireless commitment to this project and to good writing in general. Editing essays in an airplane over the Atlantic, in a tea shop in Dublin, and between speeches at a debate tournament in Texas, Daniel has kept us on track to completion of this project with an extraordinary cheerfulness and professionalism.

Read well.

Matthew Capdevielle, Ph.D.

Notre Dame, Indiana

March 2010

## Foreword

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The art of writing is a blank canvas. Writing can stand for as little or as much as we want it to, from the hastily scrawled note to the flirtatious text message to the world-shaking dissertation. This malleability makes language a powerful tool indeed. The essays from this year's freshman class demonstrate what happens when we actualize the potential of the written word, for here it has been used to convey a plethora of ideas.

Our writing may be used to comment on others' usage of language. Megan Buckingham does just this, analyzing the rhetorical strategies of Ronald Reagan in his 1964 advocacy for the Goldwater presidential campaign. Similarly, Ryan Sullivan discusses the rhetorical moves in Ted Kennedy's defense of church-state division.

In a year dominated by contentious political issues, students have used their essays to analyze various public policy measures. Anthony Abordo probes breed-specific legislation regulating the ownership of dogs. Pat Kissling proposes a change in the way that we assess the "environmental friendliness" of cars by looking at the volume of harmful gases they produce, rather than simply their miles per gallon. He also contemplates the relationship between NASA and private space companies, advising that both should collaborate to ensure that America achieves a successful space program. Leandra Wolf defends a proposed expansion of convict labor programs. Trevor Yerrick ponders the punishment of white-collar crime, concluding that incarceration is an inadequate punishment for such offenses. Joseph Rampino argues that the institution of a cap and trade policy would not only be economically ruinous, but that it would have limited efficacy in protecting the environment. Finally, Alberto Elizondo recommends a change of tactics in Mexico's "war on drugs."

Politics is not the only arena in which students have demonstrated their skill in social commentary. Impressed by the multilingual ability of her peers, Brooke Reid examines the linguistic education of children, specifically when, where, and how they should learn another language. Gabe De Vela argues for expanded undergraduate research opportunities for aspiring health care providers. Adrienne Runge critiques the realism and ethical message of the hit movie *Juno*. Rosemary



Kelly casts a critical gaze on increasing commercialism in sports. Mike Kennedy weighs individuality versus group cohesion in the building of a college community. Sue Yi considers the ramifications of a global decline in usage of local, minor languages in favor of dominant ones such as English.

This year's *Fresh Writing* contributors also seek to touch the Divine in both philosophy and theology. Taking the Bible as her guide, Marta Michalska questions what it means to follow God's will. Amanda Randolph traces the philosophical history of the open poetic form. Edward Sanchez charts the evolution of the Catholic Church's position on capital punishment.

Finally, Brian Appleton and Emily Bienek demonstrate that Domers are individuals grounded in the real-world application of intellectuality. Appleton shares his appreciation of *Thin*, a Notre Dame showcase of art, whilst Bienek takes the real-life case of Dustin, a young boy living in South Bend, and the effect that a local Shakespeare club has on his life.

From global climate change to the life of a single Hoosier boy, Divine will to children's education, the essays in this compendium span the scope of human experience. The contributors to this year's *Fresh Writing* have shown their concern for matters both big and small, using their First Year Composition class as an opportunity to engage with the world. Now, it is your turn to engage with them.

Daniel O'Duffy  
Dublin  
March 2010



## ESSAYS

## *Author's Biography*

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### EMILY BIENIEK

Emily Bieniek is from Chicago, Illinois. She is double-majoring in Management (Entrepreneurship) and Anthropology with the hope of beginning a nonprofit organization to provide sustainable employment to Native Americans living in rural poverty. She based her essay "Reading the Book" on her personal experience participating in the Robinson Community Center Shakespeare Company and a series of interviews with Dustin, an active member of the troupe. She is a resident of Howard Hall and continues to work at the Robinson Community Learning Center. She would like to thank Nicole MacLaughlin for introducing her to the Shakespeare program and the RCLC.

NB: Names have been changed in this essay for privacy considerations.

# Reading the Book

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EMILY BIENIEK



Dustin's hair has been a few different colors over the years: green, purple, and jet-black. It's been styled to be long, short, straightened, naturally curly, and buzzed. He decorates himself with T-shirts advertising metal bands with frightening logos, wristbands, sweatbands with plastic skull icons protruding from the fabric, rings, necklaces, and nail polish. Never the same set of jewelry, always a different black T-shirt. He puts much effort into looking like he doesn't care what other people think of him. He would be intimidating, except that his wide face and affable facial expressions belie his Goth rock metal attire, and his soft voice is absolutely incapable of mimicking the bands and performers he idolizes. On my first day of the Robinson Shakespeare Club, he bounced cheerily over. "You're my person," he said. I was indeed.

Dustin has spent his whole life in South Bend. His parents separated after the birth of his youngest brother, and he lives with his mother, two siblings, and stepfather. His mom is a nurse in Sisters of the Holy Cross Hospital, and his stepfather takes classes online, hoping to land a job as a medical assistant. For now, however, he is unemployed. At home, Dustin watches a lot of television ("What else would I be doing?" he asks ruefully) and does his best to avoid the series of minor punishments his mother inflicts upon him. Bad grades, a broken cell phone, watching too much TV—all of these offenses result in grounding. He hardly ever sees his little brothers. One of them is "the devil," the other is "a snitch." Interactions with them usually end in yet more punishment. Lately, Dustin's real father has begun to try to make amends with his eldest son, but Dustin claims to be uninterested. "He treats me like I'm a little kid. He's like 'I'm gonna let you feel important, but you're not important at all.'"

There are two thousand kids in his high school, but Dustin sits by himself at lunch. His best friend, Nastasia, goes to a private high school, and he only sees her during the summer and on weekends. Recently, though, Dustin says that Nastasia hasn't had much time for him. She spends every possible moment with her live-in boyfriend, Mike. "He doesn't know what he has," Dustin laments. "She's like, perfect. He takes everything he has for granted. I mean, she's beautiful." Her relationship turned abusive at the beginning of the summer. "I feel really bad, 'cause like I'm trying to help" but Dustin says that there's not a lot he can do. Mike told him in no uncertain terms to "stay out of it."

Dustin's mother made him join the Robinson Center Shakespeare Company to "get [him] out of the house." Dustin protested every step of the way, but he has been in the program for over two years and has even participated in the summer camps. Although he still claims to dislike the company, he dives into the skits,

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*Never the same set of jewelry, always a different black T-shirt. He puts much effort into looking like he doesn't care what other people think of him.*

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theatre games, and performance exercises with just as much, and sometimes more, enthusiasm than the other kids. I think that his verbal rebellion is really a way of establishing himself as unique among his peers. When I talk with Dustin, he often returns to the theme of wanting to have control over his life. The clothes, the claiming to be uninterested in the Shakespeare program, the unwillingness to be reunited with his father—these aspects of his life point to a need for independence, an attempt to scamper into adulthood and into a world where he is not punished for things he did not do, in which he can help his friends, and in which he does not

have to rely on a single parent to feed an entire household. Unfortunately, at home Dustin is not given the opportunity to exercise the skills necessary to grow and mature constructively. He cannot act as a mentor to his younger siblings, his brothers control his relationship with his parents, his father dips in and out of his life at random, he feels as if he is powerless over his romantic relationships. "I just can't say no!" he says. "I have to give everyone a chance." With no constant in his life and nothing to build upon, his approach to growing up has been scattered and confused.

During his time in the Shakespeare Club, Dustin has adopted John, a sixth-grade chess master and an ardent student, as his stand-in little brother. Despite their age difference, they roughhouse, joke around with each other, and consider each other's opinions as they practice their monologues. Dustin is trying to teach John how to draw, and smiles quietly as John manically bounces idea after idea off of him, a nonstop stream of incessant chatter. Dustin has learned the appropriate times to interject with a piece of advice, which John considers and then loudly ruminates on. Christy, the director of the Shakespeare Company, has forbidden Dustin to

wear all of his ornamentation (“no nail polish, no eyeliner, half my jewelry gone!”), thereby ridding Dustin of a significant amount of shock factor. He has to socialize with the other kids in the program on a level playing field, unable to throw them off and gain the upper hand by appearances alone. Dustin is easily able to compensate for the lack of his usual physical flashiness with his effervescent personality and gentle natural charm.

Christy never has to tell Dustin to be louder or more exaggerated during the theatre games. She does not have to tell him to make himself bigger, to make the audience watch him. Dustin’s energy spills out into his words and gestures during performance, capturing the room’s attention. He is one of the older teenagers in the program and knows that the other kids watch him; in the Shakespeare Club, he is a leader. He is especially enthusiastic when John is watching, makes an extra effort to show him exactly what he should be doing on stage. Dustin is keenly aware of his role in John’s life and enjoys the responsibility. The younger kids drink up Christy’s comments when she evaluates his performance and remember them when they perform their own skits. Dustin claps and shouts encouragements while they’re on stage.

At the Shakespeare Club, Dustin is able to take control of his relationships and feel like he’s having a positive effect on others’ lives. The kids look up to him for support and advice, and he tries to be a positive role model for them. At the Robinson Center, Dustin is able to establish his independence in a productive manner, even if he does not realize it. The Shakespeare Club is a safe environment in which he can develop essential leadership skills, which he can then apply to his home life. Dustin has stayed in the Shakespeare program for a long time, despite his repeated criticisms of the club. I think that he knows that the program is a step toward being able to take control of all aspects of his life, toward building mature relationships, and toward his journey into adulthood. When the Community Center serves the kids dinner at the end of the night, Dustin does not eat alone.

## *Author's Biography*

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### MEGAN BUCKINGHAM

In “Bridging Political Ideologies,” Megan Buckingham authors a rhetorical analysis on Ronald Reagan’s 1964 “A Time for Choosing” address. This powerful speech extends Reagan’s invitation to the American people to a “rendezvous with destiny.” Megan was inspired by Reagan’s leadership style and his ability to communicate across party lines. Hailing from Huron, Ohio, Megan is an accounting major living in Pasquerilla West. She plans to pursue a career in accounting that also emphasizes her interest in public service.

# Bridging Political Ideologies

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MEGAN BUCKINGHAM



In 1964, Ronald Reagan was a recently converted Republican working as a spokesperson for GE. His eloquent speeches on decentralization of government had led him to become one of the most well known speakers in the nation. It was a presidential election year and, as a new Republican, Reagan had chosen to support Barry Goldwater. Goldwater was running against Lyndon B. Johnson, the current president. Due to negative campaigning by the Democratic Party and previous policy decisions, Goldwater was viewed by the public as a militaristic conservative who had a severe lack of compassion (Quinn). After giving several speeches as the cochair of *Californians for Barry Goldwater*, Reagan was approached by the Republican Party to give a national speech on behalf of Goldwater (Reagan, Televised Nationwide Address on Behalf of Senator Barry Goldwater). In this speech, “A Time for Choosing,” Reagan seeks to bridge the gap between Republicans and Democrats. His speech works to soften Goldwater’s image through specific examples of his empathetic actions. Reagan uses rhetoric, primarily pathos, to make an impact on his audience.

The first challenge Reagan undertook in this speech was gaining the trust of his audience through ethos. He understood that he needed to prove that he was a trustworthy and knowledgeable source on the United States and on Barry Goldwater. Reagan begins by stating that he has been a member of the Democratic Party for his whole life until this point. Reagan knew that his audience was the American people—Republicans, Democrats, and Independents alike. By stating that he was a Democrat at one point, he builds ethos with the more liberal members of the audience by proving that he has shared the same ideals in the past. He was also a respected and charismatic speaker, which made him trustworthy to the entire audience. He frequently uses the pronoun “we,” connecting him to the public, making it clear that



he is affected by the future of the country as well. Besides proving himself as a concerned citizen with the country's best interest in mind, Reagan needed to confirm that he truly was familiar with Barry Goldwater. He states that he "knew him long before he ever dreamed of trying for high office" (Reagan, "A Time for Choosing").

Reagan proves that he is a knowledgeable source by means of logos. He provides this by giving specific facts on the budget and inflation, which supports his argument that a change needs to be made in the federal government. He frequently uses quotations from current political leaders as logical evidence, or logos, to prove their beliefs about a more centralized government. Reagan was aware that to gain the trust of his audience, he would need to provide specific statistics and to also clearly state what policy changes Barry Goldwater pledged to make. Reagan discusses at length inflation, the farming economy, and the federal budget. By using quotations, exact figures, and personal accounts, Reagan proves that his claims are not assumptions, but rather the truth.

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*In this speech, "A Time for Choosing," Reagan seeks to bridge the gap between Republicans and Democrats.*

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Finally, Reagan makes a strong appeal by means of a third aspect of rhetoric: pathos. Pathos appeals to the values of the audience and will keep them concerned with the message of the speech. Freedom is a theme that Reagan uses to draw the emotional attention of the audience. He uses pathos to remind the people of the importance of freedom by sharing a story about a Cuban who had no freedom in his own country and found free America a safe haven. Reagan makes the statement, "This is the last stand on earth." He claims that freedom could easily be taken from the American people if they were not vigilant. He also asks whether the actions of historical figures such as Moses, Jesus Christ, and the soldiers from the American Revolution and Second World War were all for waste. "You and I have a rendezvous with destiny," he states. Reagan asks the American people to make a change in the country in order to preserve freedom for future generations. When addressing the current "peace" in the United States, he poses the question, "I wonder who among us would like to approach the wife or mother whose husband or son has died in South Vietnam and ask them if they think this is a peace that should be maintained indefinitely." This question tugs on the heartstrings of the audience because he reminds them that there are Americans dying in Vietnam, despite the federal government's claims that the nation is in a state of peace. Reagan uses pathos to describe Barry Goldwater as a person. He tells stories about the generous benefits Goldwater provided to his employees when he owned his own business and about the soldiers he flew home in his private jet from Korea for Christmas. He also states that Goldwater took time off from campaigning in order to spend time with a friend dying of cancer. Reagan is clearly using these touching sentiments to paint Barry

Goldwater as a man that the average American could relate to and trust to run their country. His final thought on the candidate's character is a quote from Goldwater himself: "There is no foundation like the rock of honesty and fairness, and when you build your life on that rock, with the cement of the faith in God that you have, then you have a real start." In closing, Reagan makes this final statement: "[Barry Goldwater] has faith that you and I have the ability and the dignity and the right to make our own decisions and determine our own destiny." Reagan knew that it was important to bring significant pathos into his speech because often voters rely on their hearts to place a vote instead of logical facts. Reagan's intention was to make the hearts of the audience believe that America needed a change.

However, while Reagan's argument was well organized and eloquent, it was not without flaws. There is frequent "name calling" and polarizing throughout the speech, making all liberal political figures appear as socialistic totalitarians. He also claims that if Barry Goldwater is not elected, then all freedoms will be taken from the people and America will be a Socialist nation. This logical fallacy is known as "Slippery Slope" because the belief that all freedoms will be taken away with the election of the Democratic candidate is a rash claim. Reagan also makes several non-sequitur statements. For example, "We're going to spend each year just on room and board for each young person we help [in a Civilian Conservation Corps-like program] 4,700 dollars a year. We can send them to Harvard for 2,700!" This is a non-sequitur statement because the two facts are unrelated—the students involved in the civil service program may not have the qualifications required for admittance at Harvard. Despite these fallacies, Reagan's argument is effective and well organized overall, complete with plenty of specific evidence to support his claims. He also makes successful use of ethos and pathos to appear trustworthy to his audience and to appeal to their emotions.

"A Time for Choosing" was given by Reagan on several occasions in addition to the television broadcast *Rendezvous with Destiny*, most notably as the nomination speech for Goldwater at the 1964 Republican National Convention. Although Reagan's speech resulted in his label of "The Great Communicator," Goldwater lost the presidential election. To this day, Reagan's speech is known as the greatest speech given on behalf of another candidate ("A Time for Choosing"). "A Time for Choosing" pushed Ronald Reagan into a political career, beginning with his election as Governor of California in 1966. Barry Goldwater's loss of the election proves that the quality of the argument does not guarantee its success. Sometimes there are outside factors—such as the preconceptions of the audience—that are beyond the control of the arguer.

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## *Author's Biography*

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### ALBERTO ELIZONDO

Alberto Elizondo hails from Monterrey, Mexico, and is proud to be a member of the Notre Dame community. He is pursuing a double major in Finance and Economics and plans to work in Wall Street upon graduation. He enjoys playing guitar and is an avid fan of anything that runs on wheels and gasoline.

His inspiration for this essay comes from Lauren Greenfield's *Thin* exhibit at the Snite Museum of Art. Alberto found the images highly disturbing, and he believes that there must be underlying personal motivations that cause eating disorders. In his essay "Effect of the Cause," he analyzes the visual rhetoric of Greenfield's exhibit and offers a new cause and effect framework of such syndromes.

Alberto gives special thanks to his First Year Composition instructor, Professor Kimberly Lander, for her support and dedication throughout the writing process of this work.

## Effect of the Cause

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ALBERTO ELIZONDO



If you look up the words “eating disorder” on Google, you will come across millions of websites that offer assistance for overcoming anorexia, bulimia, and binge eating and give lengthy explanations of the repercussions that these conditions have on physical and mental health. There will be thousands of testimonials that narrate the misery people have undergone because of them and millions of strategies to help halt or prevent these syndromes. Further, they will all suggest that eating disorders are the cause of numerous problems and that the solution lies in professional treatment and changing eating habits. Lauren Greenfield’s *Thin* photographic exhibit portrays the cases of several women with eating disorders. Among them is the case of Shelly, a 25-year-old girl from Salt Lake City who attended Renfrew Center for treatment and was fed through a tube that went directly into her stomach. In Shelly’s section of the exhibit, Lauren Greenfield makes visual appeals to logos and pathos to claim that eating disorders are the effect of psychological problems rather than their cause, and that there are underlying motivations, larger than fixation with physique, that drive these disorders.

One of these influencing factors is the profound depression that Shelly reflects throughout her pictures. She projects it primarily through her facial expressions. Regardless of the stage of her eating disorder and treatment, Shelly consistently conveys a sense of depression through her face and body language. The picture in which Shelly is trying on her wedding dress is a clear demonstration of this melancholy. Shelly shows a gloomy face, with sunken eyes and her lips pursed, without the faintest smile or sign of happiness. Not only does Shelly look apathetic at the very time that many women consider the best of their lives, but her hands-on-hips posture projects readiness and aggression. This demeanor is also evidence of her depression, especially because as the picture’s caption indicates, she was seriously

considering committing suicide at this time. Greenfield appeals to logos by magnifying this sense of sorrow with the surrounding photographic elements. Shelly is dressed in white and stands in a white room in front of a window through which a bright light shines and creates a white halo around her figure. This color scheme, together with Shelly's expression and bearing, hints to an angelical setting that resembles a deathbed with heaven's white light more than a wedding. This entire frame of Shelly's depression includes no reference whatsoever to her eating disorder, allowing Greenfield to make her claim that Shelly's depression is a cause of her anorexia and not vice-versa.

Moreover, Shelly also projects a sense of rebellion against reality throughout her pictures. Her discontent goes beyond depression, and she takes refuge in her disorder to escape her circumstances. The picture of her first day of treatment is an appeal to pathos that produces a feeling of disgust in the audience, as it depicts

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*Shelly is dressed in white and stands in a white room in front of a window through which a bright light shines and creates a white halo around her figure.*

---

a grotesque scene in which Shelly smiles while she pulls up her blouse and looks at her newly implanted feeding tube. Her grin suggests that she feels satisfied with her achievement and she seems to challenge the very purpose for which she was interned at Renfrew. Also, she is wearing black clothes that sharply contrast with the background's light and colorful hues. She therefore seems to rebel not against her nutritional impositions, but rather against her reality as a whole. Greenfield further depicts Shelly's evasion of reality in the picture in her garden. Shelly stands sideways to the camera

with her arms crossed and wears an inexpressive face. Despite the picture's inspirational setting, which consists of a beautiful garden at the edge of a forest and that could so easily facilitate a relaxed and joyful state of mind, she seems unwilling to let go of her troubles and resolute to rebel. She projects a lack of activity through the pajama-like comfort clothes that she wears that could well be interpreted as a refusal to engage in her present reality. Through these two pictures, Greenfield depicts the comfort that Shelly finds in rebelling against reality. Seen in this light, her eating disorder as a whole becomes a form of rebellion and a shelter from the actual circumstances that she fears.

Greenfield challenges the common perception that eating disorders are the cause of a series of problems, and proposes instead that they are the effect of deeper underlying personal issues. Through Shelly's exhibit, she exposes a sense of depression and a need for rebellion against reality that Greenfield claims to be independent of Shelly's disorder and the true problem behind it. Greenfield restructures the cause and effect framework of Shelly's eating disorder in relation to her other pathological symptoms. She takes a step back in the chain of circumstances that lead to the eat-

ing disorder and observes the whole of Shelly's problems. In this manner, Greenfield fosters awareness for both anorexics and the people who surround them, allowing victims themselves to better understand the seriousness of this pathology and attack its roots rather than merely disguise its symptoms. Greenfield uncovers the machinery beneath her subjects' illness and gives them hope to overcome it.

***Work Cited***

Greenfield, Lauren. *THIN*. 2009. Photograph. Snite Museum of Art, Notre Dame, IN.



## *Author's Biography*

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### ROSEMARY KELLY

Rosemary Kelly hails from Omaha, Nebraska, and can typically be found either studying Environmental Science or immersed in water polo practice. She is an impassioned flag football player for Cavanaugh Hall and is equally enthused about swing dance nights at Legends. “Take Me Out to the Ballgame, Where if You Don’t Buy It’s a Shame” reflects her interest in how consumerism and marketing affect America’s youth sports culture, in connection with her eventual goal to coach and teach middle schoolers. Rosemary provides applicable experience in the consideration of this topic, due to the hours she spends working at the men’s baseball College World Series, where she apprehends the unfortunate souls who attempt to sneak NCAA merchandise past her, mainly by hiding items under their shirts.

## Take Me Out to the Ballgame, Where if You Don't Buy It's a Shame

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ROSEMARY KELLY



Jack Ferris knows what he wants even before I see him step into the broiling merchandise tent. I coach Jack on a recreational swim team, and we play capture the flag when I babysit him, but his first love is for baseball. He's seen the cap on television; his favorite amateur slugger, Dustin Ackley, number two, thumbs it before each at bat, while he knocks the dirt from his cleats. Jack isn't very good at hitting the ball out of the infield yet, and he frequently drops easy catches in his farm league games, but he knows how a real baseball player looks. That look is what he searches for now. From my post as tent security, I watch him skirt the visors and flatbills and the myriad of T-shirts, each sporting an emblem that reads "2007 NCAA MEN'S COLLEGE WORLD SERIES" in different colors. He has eyes for only one cap, however: the cornflower blue, with the North Carolina insignia blazing white hot on front, the Nike swoosh sign embroidered sleekly onto the left—the hat that all members of the UNC team don when they come out to play ball.

Grinning now from ear to ear, Jack checks the fit in the small mirror taped to the hat rack and practically bounds to the checkout line. I see another member of the security team move as though to stop him, afraid this kid is trying to shoplift—as four others have done today—but then he relaxes as Jack reaches into his pocket and pulls out his money, twenty-five dollars from a recent birthday. Then at last, at long last, the hat is his. *The hat* that Ackley wears, the superstar shortstop from UNC, who (rumor has it) will go at a high pick in the MLB draft in a few years—Jack has *the same hat*! Jack steps from the tent, places the hat snugly over his ginger hair, and—maybe imagining he resembles the college baseball player he's seen in countless images—he joins the throng walking to Rosenblatt Stadium for the six o'clock game.

Every summer, during the first two-and-a-half weeks of June my hometown, Omaha, Nebraska, is flooded with thousands upon thousands of baseball diehards who come to experience the College World Series: soaking up the atmosphere of charming Rosenblatt, tasting Zesto's ice cream, raising a ruckus in the beer gardens on Thirteenth Street, and generally enjoying college baseball heaven while watching the best teams in the nation face off. What these people, both locals and tourists, do not seem to be aware of (or at least don't admit to) is the level of exploitation reached by the hordes of NCAA-approved vendors and media groups stationed on and surrounding the stadium grounds. "Official" CWS attire is sold for exorbitant prices, and the sporting gear is even worse—Little League bats and helmets can sell for \$300.

Consumer culture is rampant at the College World Series, mostly because the NCAA recognizes how to associate their products with the ol' "American pastime"

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*In essence, "The Greatest Show on Dirt" is like a commercial stretched out over seventeen days, all directed toward fans, young athletes, and the unsuspecting grandparent.*

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nostalgia that causes people to justify their expenditure by way of "because it's tradition" type reasoning. Spectators don't just get great baseball when they come to Omaha; they get two ears and eyes full of the NCAA and its sanctioned companies—Mizuno, Spaulding, Rawlings, Coca-Cola, Lids, Pro-Image—all hankering to sell the gear that will allegedly assist the fan in more fully appreciating the time they spend at the CWS. Many focus directly on young athletes, backing their sales pitches with comparative advertising and underlying remarks, such as Mizuno, which sells baseball gear under the imperative "Never Settle," a catch phrase implying that those who buy Mizuno gear also increase their level of play,

while those who do not have settled for a lower standard. Likewise, the Rawlings merchandise tent boasts giant posters of the college athletes in the series who use Rawlings bats, offering the subtle suggestion that these are the bats that make successful hitters. At the Pro-Image venue, one can buy an exact replica of a player's jersey, including even the custom CWS patch sewn on the sleeve, allowing fans to step into the shoes of the athletes they want so much to become. In sum, these sport companies attempt to associate their products with the athletes themselves, many times projecting the idea that the athletes are successful due to a certain product, and that a serious young player should thus own it as well. In this way, passionate youth and parents alike are easily coerced into buying a glove made by "Mizuno Pro with 4D™ Advanced Technology," guided by the idea that the product will help develop ability. In essence, "The Greatest Show on Dirt" is like a commercial stretched out over seventeen days, all directed toward fans, young athletes, and the unsuspecting grandparent.

Author George Saunders, while not specifically a sports writer, deals with intrusive and influential commercialism in his short work “Jon,” in ways applicable to the College World Series and the astounding commercial capacity of the NCAA. Saunders’ argument in “Jon” is that an advertisement seeks to sell not only a product, but also a feeling or other intangible notion. Just as the NCAA and its CWS affiliates correlate expensive baseball merchandise with increased confidence on the playing field, the reality in “Jon” is that all intangibles—feelings, dreams, thought processes—are defined by commercial products. Without a commercial basis for reference, Jon reflects that he would have no “previous knowledge of [...] a certain feeling,” nor would he be able to “cite a precedent-type feeling” (Saunders 30–31). The underlying claim from Saunders is that this twofold identity of a product is harmful to our society, because material gain becomes a means for self-expression, and, therefore, commercialism becomes a dominating reference in our own self-evaluations. Using Saunders’ view, such product-feeling association also allows the advertisers to determine both the physical and mental standards—the ideal image—of a college baseball player.

This description is not indicative of just the CWS or the NCAA, however. Many other high-profile sporting events are also huge venues for entertainment and marketing; after all, this commercial exposure is how a sport and its athletes become widely recognized. For example, during the 2008 Olympic Swim Trials, also hosted by Omaha, the city was virtually plastered with images of USA swimmers competing for places on the Beijing-bound team. Michael Phelps’ face glowered down from billboards; posters excitedly promoted autograph sessions with Natalie Coughlin, and Omaha locals learned to recognize the smile of Scott Spann, a Nebraska-born breaststroker. *The World-Herald*, the Omaha newspaper, dedicated giant sections of its print space to the Trials and the athletes’ personal stories, all of which tended to glorify the competitors and treat them like an exciting new exhibit at the zoo. This excessive hype resulted in a huge payoff for the city and USA Swimming, as fans lined up to purchase meet tickets, pay for tours of the Qwest Center swimming facility, and—in some way—attempt to gain access to the world of swimming being so ostentatiously advertised.

As the Trials took hold, Omaha enjoyed great monetary benefits; however, possibly the largest beneficiary of the Trials and the resulting popular explosion of swimming nationwide was Speedo, Inc. Indeed, since the arrival of swimming as a main ticket item at the 2004 Olympics, and the 2008 Trials, many of the young swimmers I coach have begun to wear Michael Phelps’ Speedo brand goggles and cap, printed with the American flag and “Phelps” on each side. Sponsored by Speedo, Phelps only wears Speedo-made gear, and since almost every image of Phelps includes his

cap, suit, and goggles, Speedo is the brand young swimmers want. Other brands may be just as good for my swimmers to compete in, but Speedo is the one they know.

Although such petty imitation is harmless in itself, a danger to the sports world, particularly for youth, does lie on a wider horizon. When athletes attempt to progress in ability by comparing themselves against the physical standards set by widespread media exposure and commercial advertising, they are in a position to seriously lose out on the larger purpose of sports, which is to build values of teamwork, discipline, and confidence that can later be applied to life. The end goal of sports is not supposed to be a mention in *Sports Illustrated* or a D-1 scholarship or a career as a professional athlete. Rather, these are side effects of hard work and personal sacrifice (and sometimes lucky circumstances). Still, companies, such as Gatorade, attempt to associate these aspects with their sports products. Ironically the motto “Is it in You?” serves as a reminder that even if you confine your fluid intake to a sports drink of an acclaimed 4:1 carb-to-protein ratio, you are not necessarily an athlete.

Would the sports culture be better off without such overbearing commercialism? Not entirely. In “The Braindead Megaphone” Saunders claims that poor storytelling and constant bombardment by the news media are negative attributes, because they cause people to react quickly and with less information about the situation at hand (Saunders 8). However, in the sports world this can have positive effects. If increasing numbers of children are being exposed to images of athletes, constantly, then perhaps they will want to become athletes themselves. While they may initially focus on the physical traits of their idol—dress, possessions, mannerisms—eventually they may come to differentiate between the ideal athletic images projected by the media and the ideal athletic mentality which is truly necessary for athletic success and beneficial to personal development.

The sports realm is a good model of a larger, consumer-crazed society. The materialism involved is a pressing issue, as Saunders would agree, since it can potentially change the focus of the entire discipline of sport. When athletic competition becomes associated with physical gain and glory, the goals become such. However effective these goals may be in the short-term for aspiring athletes, the overall regard of our sports culture should be for the development of qualitative, rather than quantitative, values, and certainly should not be centered on attempting to “look” or “feel” like the athlete. The twofold identity of sporting merchandise with which we identify today—the actual function of a product plus its ability to include us in an athletic ideal—is a powerful tool being used by large sports corporations to sell products. Media exposure of athletes has led to the illusion that to appear similar to a touted athlete or to buy the gear said to be the most advanced has the result of boosting, not only one’s own confidence, but also athletic ability. Although this

notion can be easily disproved, it is a concern in the area of youth sports, in which such imagery along with a lack of realism leaves young athletes vulnerable to and extremely conscious of aesthetics on the playing field. In this case, the dual nature of sports merchandise can create a barrier in player development, misleading youth in the perception that the product makes the player and that without such adherence to the projected media image they are lacking in ability. On the other hand, saying media exposure has only negative effects on sports culture and youth sports, is incorrect. Saunders maintains zero tolerance for commercialism in general, but in the case of sports it may be precisely this exposure which promotes greater participation and opportunity for athletes of all ages. Advertising and commercialism has a widely accepted presence in modern sports culture, and in many ways has become inseparable from sporting experiences, whether one is an athlete or fan. A moderate indulgence in the media-fostered image for athletes can be enjoyable and even inspiring, but our general response to the sales-driven claims of merchandise companies should be grounded firmly in reality and a healthy self-image. Admit it, Nike, our better really is better than yours.

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## *Author's Biography*

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### PATRICK KISSLING

Patrick Kissling is a native of Plymouth, Minnesota. As a member of the class of 2012, he is pursuing a double major in Finance and Spanish at the University of Notre Dame. After graduation, he hopes to work on Wall Street. Patrick would like to thank Professor MacLaughlin for all her help during FYC and for submitting this essay to *Fresh Writing*.

This essay was inspired by Patrick's long-standing fascination with automobiles. As a strong advocate of protecting the environment, Patrick wanted to explore the future possibilities of environmentally friendly automobiles that were also exhilarating to drive. What he found was that our current definition of "green" vehicles is misguided. Before any move could be made toward producing automobiles that are both invigorating and "green," we need to revise our definition of what constitutes an environmentally friendly vehicle.

# Looking Past MPG

## The New Environmental Standard

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PATRICK KISSLING



A Mercedes-Benz representative recently said, “[Our] company’s diesel engines were very fuel efficient, which is an ‘inherently green benefit’” (Jensen). To most Americans this statement rings true because they believe that gas mileage, found in a miles-per-gallon (MPG) rating, is the ultimate determinant of whether a vehicle is environmentally friendly. This number indicates on average how many miles a car can be driven on a single gallon of gas. However, upon closer investigation by the American Council for an Energy-Efficient Economy, it was found that these engines referred to by the Mercedes representative scored in the bottom five of a list of the worst polluting vehicles on the road, an obviously environmentally detrimental side effect (Jensen). The idea of MPG is an important one and the recent pursuit of cars with better gas mileage has led to the development of new technologies such as hybrid and full-electric vehicles, and even hydrogen powered concept cars. These developments are certainly environmentally and economically beneficial, but their intentions are misguided by the assumption that gas mileage is the most important criterion for determining a “green” vehicle. Contrary to this belief, the real definition of an environmentally friendly vehicle should rest on the amount of CO<sub>2</sub> and other greenhouse gases (such as carbon monoxide, nitrous oxides, methane, and unburned hydrocarbons) emitted by a car, because this definition accurately represents the health dangers associated with vehicle emissions and the near impossibility of reversing the emission of dangerous greenhouse gases.

Presently, a car buyer does not look at the pollution emitted by her vehicle, but rather at the MPG rating alone. However, a change in the accepted definition of an environmentally friendly vehicle and the widespread distribution of this figure for all cars would change the decisions involved in buying a car. First, it is important to note that all gasoline-powered cars produce CO<sub>2</sub> during the combustion of gasoline.



Furthermore, except for a few newer cars, all gas-powered vehicles also produce sizeable amounts of other greenhouse gases, such as those mentioned above. The process of burning a hydrocarbon such as petroleum unavoidably results in the release of  $\text{CO}_2$ , but given our current technology, the other gases are largely avoidable. However, without an incentive to lower emissions beyond government mandates, they will not be significantly decreased. The average consumer thinks that buying a car with good gas mileage is environmentally friendly enough. A change in the popular definition of an environmentally friendly vehicle would provide this incentive because consumers would consciously try to minimize their greenhouse emissions. It is important to note that although there is an individual financial benefit to buying a car with a higher MPG rating because of the savings in gas, and therefore money, there is no such benefit to buying a low-emissions vehicle. To some car buyers, especially those with lower incomes, this factor would be very important. However, if buyers were offered two otherwise identical cars, it is logical

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*Presently, a car buyer does not look at the pollution emitted by her vehicle, but rather at the MPG rating alone.*

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to conclude that the awareness of the cars' different emissions levels would be the deciding factor in their purchase.

Reducing the amount of greenhouse gases is significant because automobile emissions pose an immediate health risk through environmental changes. As greenhouse gases accumulate, global temperature quickly increases, which in turn creates a myriad of other effects such as the rise in ocean levels, the melting of polar ice caps and the destabilization of

weather patterns. These effects occur very much in the short term and are therefore difficult to combat in time. By using greenhouse gas emissions as the definition for gas efficiency instead of MPG, consumers would be made more aware of their immediate effect on the environment. Instead of simply worrying about how many miles until the tank is empty and how much it will cost to fill the gas tank in their cars, drivers will consider their effect on the environment. Although this will probably not make a huge impact on how much they drive, it will provide an incentive for drivers to buy lower emission vehicles, and subsequently for car manufacturers to produce such vehicles. The effect will be that drivers as a whole emit fewer emissions.

Some people argue that vehicle emissions are not important because they make up such a small proportion of the overall greenhouse gases that are emitted into the atmosphere. According to one estimate "cars and trucks contribute perhaps 15 percent of the world's anthropogenic  $\text{CO}_2$ ," or man-made  $\text{CO}_2$ , a relatively small percentage, given the attention that transportation receives (Simanaitis). This point does have some value behind it because  $\text{CO}_2$  is produced by a variety of other human processes such as the production of steel and concrete, the combustion of

municipal waste and everyday breathing by humans and animals; as well as non-human processes such as the rotting of dead trees, the maintenance of livestock, and agriculture (*Human-Related*). However, these critics overlook the fact that because anthropogenic carbon emissions are currently on track to double from 7 gigatons a year to 14 within the next 50 years, this 15% is still a sizeable amount (Simanaitis). Furthermore, cars are one of the easiest sources to tackle because it is impossible to eliminate the decomposition of dead trees and the breathing of humans and animals, and it is economically disastrous to abolish the creation of steel and concrete. It is much more feasible to change the design of the cars that we drive. Besides the reduction in unnecessary CO<sub>2</sub> emissions, it is crucial that the vehicular release of other greenhouse gases, such as carbon monoxide, methane, and nitrous oxide is all but eliminated. This is because in identical quantities, their effects on global warming are significantly larger than that of carbon dioxide (Simanaitis).

In the U.S., very few drivers, even environmentally conscious ones, worry about the carbon emissions of their vehicle. All the attention is instead placed on gas mileage. Most car owners fail to notice that there is a window decal on most new cars, showing, among other acronyms, LEV, ULEV, or SULEV. These stand for Low Emission Vehicle, Ultra-Low Emission Vehicle, and Super-Ultra Low Emission Vehicle, respectively. Each new car is placed into one of these categories based on the amount of pollution they expel, with SULEV being the least polluting and LEV being the most ("Low-Emission"). Although it is great that this information is available to the consumer, and that the government mandates certain minimum emission standards for new vehicles, this information is always of secondary importance to the consumer behind MPG, which is displayed prominently on new car window stickers. However, the priorities are mistaken. It is much more important to minimize the amount of pollution than to minimize the amount of fuel used. Yes, it is necessary to understand the fact that there is a limited amount of petroleum on this planet, and that excessive use would result in drastic consequences in the future, but this preoccupation cannot overshadow the effects of the release of greenhouse gases. The act of extracting the oil from the ground does sometimes involve some environmental costs due to the destruction of natural habitats and the potential of oil spills, and the transportation and refining of the crude oil also negatively affects the environment. However, the true environmental damage is caused by the release of harmful gases into the atmosphere as an effect of the actual combustion of this fuel.

As explained earlier, a change in the understanding of what an environmentally friendly vehicle is would result in less environmental damage through pollution. With a more responsible amount of emissions emitted in the first place, we would not have to worry about undoing this pollution. One of these processes of reversal is

carbon sequestration, which although still far from being effective on a large scale, is concerned with the “capture, separation and storage or reuse” of carbon in the atmosphere and on the ground (“Carbon Sequestration”). There are many variations, such as pumping CO<sub>2</sub> into coal beds to replace the methane previously there, and planting extensive forests. Unfortunately, the processes used in sequestration are still extremely expensive, with estimates “in the range of \$100 to \$300[per] ton” (“Carbon Sequestration”). Given that the U.S. had 8.5 billion tons of CO<sub>2</sub> emissions from burning fossil fuels and manufacturing cement in 2007 alone, the price to sequester this pollution would be exorbitant (Walli). Furthermore, it is even more challenging to extract the more harmful greenhouse gases such as carbon mon-

oxide than it is to sequester CO<sub>2</sub> (“Carbon Sequestration”). With more attention paid to vehicle emissions as a standard for automobile efficiency, however, the costs of fighting global warming could be minimized, if not eliminated altogether.

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The redefinition of an environmentally friendly vehicle would create significant changes in the way that people view their cars. Drivers would not be able to defend their use of highly polluting vehicles on the basis that they are the ones paying for the gas, but would rather be justly criticized for the large environmental damage they inflict. This new definition of environmentally friendly vehicles would reveal what is truly important about the efficiency of cars—the amount of harmful gases that are emitted—and would promote a culture of social responsibility.

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## *Author's Biography*

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### BROOKE REID

Born and raised in Miles City, Montana, Brooke Reid is a Psychology major currently living in Lewis Hall. She wrote her rebuttal to Jeff Ropelato's article, "When Should a Child Learn Another Language?" for a number of reasons. Brooke's first roommate at Notre Dame was from Spain, and as a result she knew many international students who were fluent in multiple languages. Also, she had studied the critical learning period for language acquisition in her psychology classes. Interested in the importance of learning foreign languages early as well as the evident disparity between countries' language requirements, Brooke wrote "The Monolingual Dilemma." After ND, Brooke hopes to attend graduate school and to continue studying neuropsychology and the fascinating qualities of our brains.

# The Monolingual Dilemma

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BROOKE REID



At about 11:00 p.m. on any given night, my roommate can be found talking with her parents by means of her webcam. Ane, who is from Spain, will chat rapidly in Spanish as I get ready for bed. Suddenly, she will switch tongues and ask me a question in unbroken English. I will answer her in my native language, she'll nod, and my words will effortlessly be translated into a language that, despite the two years of Spanish I took in high school, I cannot understand. Ane, on the other hand, has been speaking Spanish, English, and Basque since she was just five years old.

“When should a child learn another language?” This intriguing question serves as the title for Jeff Ropelato’s argument. Ropelato encourages parents to have their children start studying foreign languages when they are very young, like Ane did in Spain. He explains that, due to a critical learning period, children are better able to learn other languages before the age of ten, and students who begin practicing second (and third, fourth, etc.) languages early in life have more success with those languages than those who aren’t exposed until later. He insists that studying a foreign language should become a regular part of a child’s early life, with the parents’ guidance to guarantee their success.

To effectively persuade his audience, Ropelato uses strong rhetorical techniques, especially in his appeal to the values of his readers. “If you, as a parent,” he insists, “truly want your child to have a greater understanding of the English language and to do better in school, then start teaching your children a foreign language now.” Ropelato’s targeted audience includes parents of young children (in the United States), and this urgent order provokes their interest; all parents want their children to do well. He instructs parents to become “actively involved” in their children’s learning, which is especially motivating to those who want to spend more one-on-one time with their kids. He shows that he understands a parent’s desire to help

their children succeed. Ropelato also gains the trust of the audience and improves his argument by referring to studies and research he has done, rather than simply stating his opinion. With this support, he lists detailed reasons and methods for parents to teach their children a second language. By the conclusion of Ropelato's argument, parents are successfully persuaded to take on the role of their child's foreign language instructor.

Even though I'm not a parent, I agree with Ropelato. I believe that more students in the United States should be bilingual, or fluent in more than one language. According to Ropelato, the ability to speak two languages provides children with many advantages, including increased academic scores, a greater knowledge and understanding of different cultures, and more career opportunities when they are adults. I think the

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*If we want our youth to have more global opportunities and to be able to survive a more diverse society, then we should start teaching second languages at the same time and place we expect children to begin learning everything else—elementary school.*

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best way for our youth to achieve this multilingualism and reap the benefits is to begin studying second languages long before junior high and high school.

However, the approach Ropelato suggests is insufficient. He strongly advocates bilingualism, but he only reaches out to parents. The question is, do all parents have the time or resources to effectively teach their children another language? Just like math and science, a foreign language requires formal instruction and constant practice to understand and master the subject. We wouldn't hire somebody to teach algebra to kids if he were not familiar with the subject matter or could not guarantee his presence in the classroom every day. For these reasons, we should not depend on parents to take full

responsibility for their children's foreign language acquirement. Ropelato suggests, "Take your child to cultural events that feature music, dance, or food from the country that they are learning about. Learn the language yourself." Is this possible, though? Most parents hold steady jobs, take care of regular household responsibilities, and have hectic schedules. I can't imagine that most parents could afford to make time to start studying a foreign language, and if they don't understand it, they probably won't serve as sufficient teachers. If the cultural events Ropelato suggests weren't readily available in their local area, parents may not be able to regularly venture to other cities to expose their young ones to diversity. While many parents may wish they had the ability to teach a second language to their children, most could not do so to the level that Ropelato describes.

What should we do, then, to increase our nation's exposure to other languages and cultures? Where should Ropelato have directed his proposal? If we want our youth to have more global opportunities and to be able to survive a more diverse society,

then we should start teaching second languages at the same time and place we expect children to begin learning everything else—elementary school. By requiring elementary schools to teach foreign languages, we can allow our nation's children to frequently practice the language under the instruction of a trained teacher. Each child would have similar learning opportunities, since public schools' curricula can be standardized. While this may not affect the approximately 11% of elementary students who attend private schools or are homeschooled ("Trends"), it is a start, and eventually private schools would need to follow suit. The problem should be addressed not by each individual parent, but by the nation's educational systems.

Many foreign countries already use this educational system. In a study conducted by the Center for Applied Linguistics, researchers compared the instruction of foreign languages in nineteen countries: Australia, Austria, Brazil, Canada, Chile, the Czech Republic, Denmark, Finland, Germany, Israel, Italy, Kazakhstan, Luxembourg, Morocco, the Netherlands, New Zealand, Peru, Spain, and Thailand. According to the study,

Seven of the countries studied have widespread or compulsory education in foreign languages by age 8, and another eight countries introduce foreign languages in the upper elementary grades. In many cases, a second foreign language is offered or required in the elementary grades. This contrasts starkly with the United States, where the majority of students who study a foreign language do not start before age 14. (Pufahl, Rhodes, and Christian)

With an average of 6 additional years of foreign language instruction, it's no wonder that students in other countries are more likely to be bilingual than those in the United States. While these students begin practicing second languages when they still have most of their baby teeth, American students are usually deprived the opportunity to study languages other than English until high school. This can hinder both the student's ability to learn and his or her enthusiasm for the subject.

Not only do Americans have little exposure to other languages until their teenage years, some are not even required to take foreign language classes at all. At most, students in the United States only need to pass two years of the class, but their peers across the ocean are usually required to study two or more languages throughout their educational careers. According to the Center for Applied Linguistics, "In all European countries and in Canada, Kazakhstan, Morocco, and Thailand, at least one foreign language is compulsory for all students" (Pufahl, Rhodes, and Christian). The United States should follow in the footsteps of these other countries. In order for American students to truly learn and understand foreign languages, they should be treated as core subjects, not electives. Furthermore, these core classes should be taught in the early years of schooling, such as the first grade or



second grade. Being bilingual is no longer a luxury but an essential characteristic of successful students and employees, and we should reflect this in our school systems.

Ropelato successfully points out that it is critical for our children to learn second languages, and he insists that they learn them sooner rather than later. He believes that all parents can be held responsible for teaching these subjects to their young ones, but the unfortunate reality is that most cannot. It is simply not enough for parents to tutor their children. Perhaps Ropelato's question should not have been *when* children should begin learning second languages, but *where* they should learn them, and perhaps he should have looked for the answer in the fundamental learning environments we call elementary schools.

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## *Author's Biography*

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### ADRIENNE RUNGE

Adrienne Runge is a Pasquerilla East Pyro originally from Indianapolis, Indiana. She really enjoyed the time spent in her FYC class and is so excited to have been selected as a *Fresh Writing* contributor. She is currently in the Arts and Letters Pre-Professional Program here at Notre Dame and hopes to one day enter into dentistry. Outside of class, Adrienne enjoys being a member of Harmonia, Notre Dame's only all-female a cappella group.

Adrienne was inspired to write this essay because of that feeling that we all have from time to time of wishing that our lives were like the movies. Instead, we should realize that a movie is a story like any other story. Whether it makes you laugh or cry, a writer created it for your entertainment. So although it is nice to witness true love blossom on the big screen or to see that the day has been saved yet again by your favorite crime-fighting action hero, remember: life isn't always like the movies.

# Juno

## Glorifying Teen Pregnancy?

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ADRIENNE RUNGE



When *Juno* came out in 2007, I was a junior in high school and all of my friends were raving about it. With its feel-good message and hilariously quotable lines, the film was an instant hit among teenagers and it wasn't hard to see why. *Juno* remains one of my favorite movies to this day, but upon closer inspection of the underlying message that this film is relaying to teens of my generation, I have developed some criticisms of it. The film is so aesthetically pleasing that one almost forgets that it is a story of a young girl's struggle through an unwanted teenage pregnancy. For the sake of the audience's immediate response, the uplifting conclusion is the perfect way to end the movie. However, audience members must remain conscious that Juno's situation is not going to be the norm amongst teenage mothers. This movie could instill false ideologies in young girls who could someday be in the same situation. *Juno* is both practically and aesthetically an excellent movie, but the ethical message portrayed by the film is unrealistic.

In both the practical and the aesthetic sense, the film was a huge success. Upon its release in 2007, *Juno* was an instant hit among audiences nationwide. It received a rating of 93% on the "Tomatometer" at [www.rottentomatoes.com](http://www.rottentomatoes.com), a hugely popular movie review website. It won the Oscar in 2008 for Best Writing and Screenplay, and it was nominated for Best Directing, Best Motion Picture, and Best Actress awards as well. It received forty-nine other awards and thirty-eight nominations at other various film festivals (IMDb). In short, everyone loved it. I do not disagree that the film was highly deserving of these praises and this recognition. The storyline is heartwarming, the soundtrack is amazing, and the visual elements are unique and intriguing. There is no doubt that there is little room in this film for aesthetic improvements of any kind. The first thing to catch the eye when the film starts rolling is the animated Juno as the opening credits and song play. The entire

feel of the movie is whimsical and playful, echoing the personality of Juno herself. The characters are all quick-witted and outspoken, making for some humorous and memorable scenes. The soundtrack consists of indie bands like *The Moldy Peaches*, furthering the reach of the movie's quirky and unconventional theme. All of these aspects are why I own and love this movie—reasons that I am sure are shared by many, many other people. Still, the entire storyline does center on Juno's struggle with an unwanted pregnancy at the age of sixteen, and this is one detail that cannot be viewed in the same playful light as everything else in the film.

Abortion, adoption, teen pregnancy, and unwanted pregnancies have been topics of heated debate for as long as I can remember. The women who deal with these issues are under tremendous amounts of stress and pressure from every angle of society. There are those who are pro-life zealots, willing to do anything for their cause. Then there are pro-choice fanatics who are mirror versions of their opponents, and

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*The women who deal with these issues are under tremendous amounts of stress and pressure from every angle of society.*

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so the arguments rage. Still, no matter what anyone believes, what will be most important to any woman in a situation like Juno's is whether she and her decisions are respected by the people around her, loved ones and community members alike. As learned from the movie, a pregnancy is not an easy thing to hide, and the level of acceptance can make or break the mother's outlook on her situation.

The first person Juno tells about her predicament is her best friend Leah. When Leah does not immediately combust after hearing the news, Juno is shocked because she expected a more violent response. This is exactly what most girls would probably be expecting because of the general trends in acceptance of something so taboo as a teenage pregnancy. However, after the initial panic that Juno feels about her pregnancy, things quickly progress positively, and the overall outlook is mainly optimistic for the rest of the movie. Juno's family is incredibly accepting, which many families in the real world might not be. It is wonderful both for Juno and for the audience that her story has such a happy ending and such an uplifting quality overall, but real girls must remember that this is Hollywood and the story was written like that for a reason.

I do not want to seem as though I think all teenage girls are idiots. If I am able to recognize that this is a movie and not a template for real life, I am sure most other girls can do the same. However, I think it is worth discussing if for no other reason than to sit back and do a little critical thinking about the differences between the silver screen and real life. While *Juno* shows us the absolute best possible outcome of a young girl going through a tough time, we should still remain aware of our actual surroundings so that our heads do not end up too far in the clouds. In the mean-

time, I think it is absolutely acceptable to enjoy the movie for what it is: a story. As with any movie, as long as it isn't taken too literally, it can be a pleasant escape from reality, created for our viewing pleasure.

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## *Author's Biography*

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RYAN SULLIVAN

Ryan Sullivan, a native of Massachusetts, is celebrating his first publication with his paper, "From Ultraliberal Foe to Patriotic Friend of Faith: How Ted Kennedy Overcame the Political Barrier at Liberty University." In the paper, he argues that Ted Kennedy was successful in getting the conservative and Baptist audience to respectfully listen to his call both to keep church and state separate and to tolerate other faiths by establishing his ethos early and interweaving pathos and logos appeals that the audience could relate to. The essay was inspired by the recent death of Ted Kennedy and the enormous respect the author has for the late lion of the Senate. Ryan, a Finance major, hopes he can continue the early trend with many more publications in the future.

# From Ultraliberal Foe to Patriotic Friend of Faith

## How Ted Kennedy Overcame the Political Barrier at Liberty University

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RYAN SULLIVAN



Can a country that separates church from state create an environment where morality and good will still provide the foundational basis for society? Furthermore, is there one denomination that needs to be infused into the governing body and its laws to create such an environment? These questions were of paramount importance in 1983, as the religious right was gaining power as a political force, mostly in response to a fear of the growing secularity of the American public. The question of religion in public affairs was a touchy one, with members of both extremes well represented. In “Faith, Truth, and Tolerance,” Ted Kennedy attempts to answer these questions with a decided opinion, while still hoping to not seem polarizing. In his speech, Kennedy makes a rebuttal argument refuting the claim that Christianity’s influence in the public sphere should be increased. Rather, he contends that we as Americans should keep the church and state separate and strive towards toleration of other faiths and perceptions of truth. With a critical audience at hand, Kennedy positions himself to successfully argue his case by establishing his ethos early with humor, common ground in faith, and a disregard for politics. Once he has done this, Kennedy interweaves a series of patriotic and religious appeals to pathos relevant to his conservative, Baptist audience together with appeals to logos for freedom of religion, separation of church and state, and the limited role of religion in government. As a result of these appeals, Kennedy is successful in getting his audience to listen to the ways in which they can be religious without imposing their religion on others.

The context in which Kennedy delivers his speech is potentially hostile, so he must proceed with caution. His audience is an unlikely one. He was invited to Liberty Baptist College by founder Dr. Jerry Falwell only as an apology after he had mistakenly received a letter from Falwell’s Moral Majority, asking for funds to help battle “ultraliberals like Ted Kennedy” (Sullivan). Many were surprised by Kennedy’s ac-



ceptance of the invitation, and all knew that he was expected to be a controversial speaker. Ted Kennedy, at the time, was one of the leading advocates for gay rights and funding for AIDS treatment. Liberty Baptist College, on the other hand, was a conservative, evangelical Christian university. In addition, Falwell and Kennedy were leading campaigners for opposing candidates in the 1980 presidential election. Yet, Kennedy, as an emerging leader in the Democratic Party, wanted to prove that he was not afraid to enter into conversation with the constituents of the Republican Party. Furthermore, he knew his audience was likely to be critical and to dismiss his views as liberal propaganda. So, he was compelled to be very careful in the way in which he made his case.

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*His audience is an unlikely one. He was invited to Liberty Baptist College by founder Dr. Jerry Falwell only as an apology after he had mistakenly received a letter from Falwell's Moral Majority, asking for funds to help battle "ultraliberals like Ted Kennedy" (Sullivan).*

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In the context of such an audience, Kennedy establishes his ethos early on with humor, common ground in faith, and the disregard for politics. Clearly Kennedy, a United States Senator, was a respected individual nationally. However, in this environment he must connect to the crowd in a way that would make them believe that he was not an opponent. Kennedy understood that the situation was a tense one, so he begins his speech by jokingly inviting Falwell, a Reagan supporter, to give a prayer on January 20, 1985 at "the inauguration of the next Democratic President of the United States." As laughter immediately surrounds the room, it is evident that Kennedy's humor has helped establish his ethos. He has successfully lightened the mood of the room, reducing the overall tension between the audience and himself. Once he has done this, he informs the audience that his speech is

a "nonpolitical speech." This declaration allows the audience to see that he is not trying to merely get a vote or pass legislation, but is simply here to have a discussion about "beliefs about faith and country, tolerance and truth in America." He has attempted to remove his politics, and hence the major factor upon which the audience disagrees with from the speech. Next, Kennedy explains himself as "an American and a Catholic; I love my country and I treasure my faith." Here, he creates a similarity between himself and the audience. Although his political opinions are different from the audience, he is similarly a man devoted to his faith and patriotic about his country. With these three moves, he successfully put the audience's tensions about having an argumentative lecture from an "ultraliberal" to rest.

After establishing his ethos to his audience, Kennedy is ready to delve into the reasoning for his argument for the separation of church and state, and for the toleration of differing beliefs and perceptions of truth. He starts by addressing the issue of truth in the "pluralistic" American society. Kennedy raises the question, "Who

among us can claim a monopoly on [truth]?” He then suggests that there are people who do, and they are intolerant. Kennedy then moves to discuss the fundamentalist group who denounced the Moral Majority for working with other denominations. He cleverly uses this example as an appeal to pathos, to make the situation relevant to the Liberty Baptist College community, and draw a feeling of disdain for this sort of intolerance.

After drawing a reaction from the crowd, Kennedy continues by recounting the history of religious discrimination in the United States and how we as a country overcame it. Such an account is designed to bring about patriotic feelings in the audience, making it more likely that they will accept his case for freedom of religion in America. He talks about various instances of colonial-era discrimination towards Catholics, Jews, and Baptists. Again, this is sympathetic for the Baptist audience. He then describes how “Catholics, Jews, and Nonconformists all rallied to the cause and fought valiantly for the American Commonwealth” during the Revolutionary War. His audience relates well to the cause of patriotism, and this pathos appeal draws from the audience a feeling of pride for a united America of all religions. Kennedy continues on the patriotic track when he transitions to the Bill of Rights which “gave freedom for all religion.” Here, Kennedy makes an appeal to logos using the basic documents of our country. The Bill of Rights explicitly states that the American government shall respect mankind’s inherent freedom of religion. Yet, this logos appeal is only successful because the pathos appeals which precede it are relevant to the audience.

Once he has established that the government gives freedom of religion, Kennedy discusses the ramifications of not separating church and state. He addresses the fact that “separation of church and state can sometimes be frustrating for women and men of religious faith.” Kennedy then cautions the audience not to succumb to the temptation to impose their religion on others, because then “we step onto a slippery slope where everyone’s freedom is at risk.” He reminds those who favor censorship of ideas contrary to their own beliefs that “one of the first books ever burned was the Bible.” Thus, Kennedy combines pathos and logos appeals to prove that separation of church and state is necessary for everyone’s religious freedoms to be ensured. Using an example relevant to his Baptist audience, he succeeds in showing that censorship of religion puts all freedoms in danger.

Following his advice to keep church and state separate, Kennedy argues for the role he believes religion should play in government. He asserts that the real “transgression occurs when religion wants government to tell citizens how to live uniquely personal parts of their lives.” In a logos appeal, Kennedy mentions the example of Prohibition. Highly influenced by evangelicals, the government decided to outlaw

alcohol. Yet, as Kennedy points out, Prohibition failed. Kennedy uses this example to prove that such attempts to impose religion on the public through government are futile. His example is successful because his audience, especially the elders, knows how bad Prohibition was.

After Kennedy has made his case for the separation of church and state and the tolerance of other beliefs, he asserts four ways in which his audience can “draw the line between imposed will and essential witness.” The four ways are respecting the integrity of religion itself, respecting the independent judgment of conscience, respecting the integrity of public debate concerning religious values, and respecting the motives of those who exercise their right to disagree. These four assertions are the crux of what Kennedy believes about the ongoing argument. However, he is only successful in getting his audience to listen to his beliefs (and possibly heed them) because of his earlier appeals. He must establish his ethos first, and then link logos and pathos appeals in a relevant manner to get his reasons to be acknowledged. Once he has done this, he is successful in getting his audience to listen to his advice. Although many may not agree with it, they at least acknowledge it such that they disagree respectfully. In context, respectfully disagreeing is much more than what many outsiders thought the Moral Majority would be able to do with an “ultraliberal like Ted Kennedy.”

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# RESEARCHED ESSAYS



## First Year Research at the University of Notre Dame

The research argument section of *Fresh Writing* represents the results of some of the most detailed, time-consuming, and difficult work done by First Year Composition students of the past two semesters. Most of these students can now tell you that writing the FYC research paper was also one of the most intellectually empowering projects that they have ever taken on. Good research takes us to new levels of knowledge, and it is immensely satisfying. Learning at this level is not necessarily intuitive, however. To get the research and writing experience you really want, you'll need to face the research process head-on.

First, the good news: like other top universities and colleges throughout the United States, the University of Notre Dame's library system is equipped with advanced technology that includes powerful computers with high-speed Internet connections, sophisticated software applications, convenient searching tools, and media devices for student use, such as Knowledge Imaging Center (KIC) scanners and microfiche. Our physical collection of books and journals is immense, and our electronic holdings provide students and faculty with access to the latest research in virtually every academic and professional field. Now for the more troubling news: students can easily miss their chance to take advantage of the wealth of authentic information sources our library offers. According to Dr. Alison Head and Dr. Michael B. Eisenberg from the Information School at the University of Washington, there are several common reasons students may get frustrated when they begin the research writing process. Especially when they are doing course-related research, students may experience information overload. Browsing academic databases, or even using familiar search tools like Google, students frequently find that there are simply too many results. Meanwhile, student searches frequently fail to generate information on the specific topics that students have worked so hard to narrow down.

Gaps and overloads in the information you find will shape your research and, ultimately, your research paper. Every obstacle calls for a new burst of creativity on your part, as you reframe your questions, consider new possible answers, and rephrase your search terms. Research requires committing to a process, rather than to a specific result. A successful research process will involve using reliable search

tools and being able to distinguish information sources that are relevant and useful from those that are not. According to the American Library Association (ALA), an information-literate person is “able to recognize when information is needed and has the ability to locate, evaluate, and use information effectively.” In order to carry out these information-related tasks effectively, students in the university must be able to develop an efficient information gathering process. As you begin exploring the information resources available to you at Notre Dame, you will ask yourself: *How can I harness this technology to find answers to the issues that my paper is attempting to address?* To develop your own information literacy, consult with your research support resources at Notre Dame, including your professors, the Writing Center tutors, the Learning Resource Center, and the First Year Experience librarian. You should come away with strategies for capturing the information you need and using it effectively to produce a phenomenal research paper like the ones featured in this volume.

What will you achieve as an undergraduate researcher? As Dr. Terry Taylor, author of *100% Information Literacy Success*, puts it, “In the knowledge-oriented workplace, information literacy is the key to power.” Think carefully about your future career field. As a beginning scholar at the University of Notre Dame, your research gives you direct preparation for success in your future work. At the same time, your First Year Composition research writing is the beginning of your independence and deep engagement in your university studies.

Leslie L. Morgan, MLIS  
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## *Author's Biography*

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### ANTHONY ABORDO

Anthony hails from Sandia Park, New Mexico, and currently resides in O'Neill Hall. An aspiring Political Science and Chinese double major with no concrete plans beyond graduation, his research paper "Breed-Specific Legislation: Barking up the Wrong Tree" is a critical analysis of the motives behind and the effectiveness of breed-specific legislation. Inspired by the incredible agility friends he has known for half his life, Anthony hopes this essay will both leave readers with a better understanding of its topic and teach them not to judge a dog by its breed. He would like to thank his FYC instructor, Prof. Matthew Capdevielle, for his help and support throughout the writing of this paper. Additional thanks go out to his four-legged partner Jake.

# Breed-Specific Legislation

## Barking up the Wrong Tree

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ANTHONY ABORDO



Every year, at least 4.7 million people are bitten by dogs, with children and senior citizens comprising the two populations most frequently seeking medical attention (“Dog Bite Prevention”). In addition, as of September 2009, twenty-two fatal dog attacks had occurred in the United States. Given these statistics, the desire of local and state governments to end the incidence of canine-related injury comes as no surprise. Rather, prescribing and limiting what constitutes acceptable behavior through legislation seems entirely sensible. One example of this method of legislating behavior is breed-specific legislation. Breed-specific legislation (BSL) is any “law or statute that equates the qualities of a dangerous dog with a certain breed, and bans or restricts certain breeds based on identity, not behavior of a specific animal” (Weiss). The restrictions, bans, and punishments imposed by breed-specific legislation vary widely, ranging from implementing breed-specific licensure fees and leashing and muzzling requirements in public, to complete outlawing of a particular breed with the possibility of seizure and destruction of proscribed breeds.

While these measures may seem extreme to some, proponents of breed-specific legislation proffer a number of justifications. The overarching goal of breed-specific legislation is to eliminate canine aggression, thus bringing to an end to all canine-related attacks. Proponents of these laws and regulations contend that breed-specific legislation ameliorates a public health problem by removing the root cause of the attacks: aggressive dogs. This prompts the question of what constitutes an aggressive dog. Here, advocates look to dog bite statistics by breed, judging that those breeds responsible for the majority of dog bites are inherently more dangerous, which leads to the conclusion that one must ban or at least restrict ownership of these breeds.

Along with the physical effect of ending canine-related injuries, breed-specific legislation’s proponents also emphasize its psychological benefits. For example, con-

cerns in the Fort Lauderdale, Florida, community regarding “intimidating pit bulls” that were “scaring ‘family’ tourists” catalyzed the introduction of breed-specific legislation (Weiss). In this instance, such legislation would not only get rid of the pit bull threat, but also give peace of mind to the community as a whole. Supporters of breed-specific legislation also point out that various municipalities have historically banned livestock and farm animals from the city limits. Similarly, these supporters argue that certain dog breeds such as pit bulls, German Shepherds, Akitas, Rottweilers and other “dangerous breeds” are not suited to living in the city (Weiss).

This would all seem to indicate that breed-specific legislation is the best course of action for tackling the issue of canine aggression. However, this is not the case, and a close examination of proponents’ arguments reveals many problems with breed-specific legislation: first, breed-specific legislation does not examine the causes of or

treatments for various types of aggression; second, it assumes the existence of a direct relationship between the percentage of reported dog attacks attributed to a certain breed and the aggressiveness of that breed; third, it incorrectly focuses on the dogs as the cause of the issue at hand.

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*The overwhelming majority of the time, successful rehabilitation of dogs with aggression stemming from behavioral issues is possible through training and management.*

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Understanding the different types of aggression, the causes of aggression, and various treatment options are fundamental to successfully combating canine aggression. Whereas breed-specific legislation broadly labels all instances in which teeth touch skin with the umbrella term “aggression,” reality is far more nuanced than that. Aggression is not itself a sufficiently

specific diagnosis; rather it is a category that includes dominance, territorial, predatory, fear-induced, and idiopathic aggression, all of which are distinct issues with different implications. Several of these types of aggression are the result of innate behavior—that is, they represent a manifestation of some biological imperative: dominance aggression ensures an animal’s status in the pack, territorial aggression protects an individual’s or group’s space, predatory aggression fulfills the necessary function of predation, and fear-induced aggression presents when dogs are placed in threatening situations as a survival mechanism. While these types of aggression are in some respects genetic, insofar as they satisfy various biological directives, environmental and developmental factors also determine whether aggression is expressed. For example, an assertive puppy that goes unchecked and grows up accustomed to getting its way may develop dominance aggression and react inappropriately to perceived status threats later on in life. Similarly, a dog that is under-socialized and not exposed to a wide variety of stimuli as a puppy may be more prone to fear-based aggression. In contrast, proper raising and management can preclude the formulation of aggressive behavior regardless of the dog’s predisposition.

Moreover, appropriate measures can be effectively used to treat virtually all kinds of aggression. Past studies have found that combinations of behavioral modification techniques (e.g. obedience training, castration, and desensitization) and management (e.g. restraint and chlorpromazine) successfully treated 75% of cases of dominance aggression, 94% of instances of territorial aggression, 93% of dogs presenting predatory aggression, and 100% of cases involving fear-induced aggression (Blackshaw 357–9). The only type of aggression impervious to treatment is idiopathic rage. Idiopathic rage surfaces for no reason and without any sort of warning, in contrast to the other types of aggressive behavior, which appear in response to specific stimuli and are preceded by auditory or visual warning signals. Given the unique dangers and general impossibility of rehabilitation presented by idiopathic aggression, veterinarians and animal behaviorists generally recommend euthanasia. However, idiopathic aggression affects only a small percentage of the canine population and is not sufficient reason to proscribe an entire breed.

Along with ignoring the various behavioral causes of canine aggression, breed-specific legislation also fails to consider the potential some medical conditions have to precipitate aggression. Dr. Nicholas Dodman articulates several such conditions, including various neurological problems (both congenital and acquired) that can catalyze this kind of behavioral change. Behavioral seizures, or seizures in a part of the brain that regulates aggression, can cause “sudden violent aggression for trivial or no reason.” Additionally, the more common disease of hypothyroidism can also present with aggression. In these instances, the prescription of phenobarbital (an anticonvulsant) or soloxine (synthetic thyroid hormone) would be more appropriate treatments than categorically seizing and destroying the aggressive animals.

Thus, a rudimentary examination of canine aggression demonstrates that in all but one instance, there are more effective, appropriate, and preferable means of dealing with aggressive dogs than banning them. The overwhelming majority of the time, successful rehabilitation of dogs with aggression stemming from behavioral issues is possible through training and management. Likewise, effective medical treatments that target health factors responsible for aggression exist. Furthermore, this analysis of aggression invalidates the idea that targeting specific breeds will remove canine aggression. Each of the types and causes of aggression previously described can affect any dog breed. Thus, targeting a specific breed as aggressive would at best ameliorate one of the symptoms of canine aggression, but this action lacks sufficient potential to solve the overall problem.

One of the fundamental assumptions of breed-specific legislation is that all members of so-called “dangerous” breeds are aggressive. If this were true, then placing harsh limitations on specific breeds would arguably be justified as such restrictions

would promote public safety. However, this assumption is unfounded and incorrect. Rather than looking to behavioral studies investigating the question of whether certain breeds are more prone to aggressive behavior, proponents of breed-specific legislation cite reported dog bite statistics as evidentiary proof. The problem with relying on these statistics is manifold: first, the vast majority of dog bites, especially those inflicted by smaller dogs, go unreported, meaning there is no guarantee that reported dog bite statistics are actually representative of the canine population as a whole; second, since there are no accurate canine census data, it is impossible to determine whether a particular breed is proportionally responsible for more incidents than any other; third, in many instances the breed of the dog involved cannot be verified; fourth, information collected from reported attacks is rarely comprehensive enough to fully understand what triggered the incident.

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*Though this process would be more laborious in the sense that an individual review of each bite case would be necessary, it is also the fairest means of promoting public health while minimizing invasions of privacy.*

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In addition, the application of the label “dangerous” is anything but consistent. In 1990, the Brisbane City Council had dubbed German Shepherds, Rottweilers, Bull Terriers, and Cattle Dogs as the four most aggressive breeds; however, the most common aggressive dogs seen during that period also included the Labrador, Cocker Spaniel, and Poodle (Blackshaw 352). Similarly, a 2008 study found greater percentages of Dachshunds, Chihuahuas, Jack Russell terriers, American Cocker Spaniels and Beagles exhibited serious aggression towards humans than Akitas, Pit Bull Terriers, Rottweilers, and other traditionally “dangerous” breeds (Duffy 441). Thus, not only are proponents of breed-specific legislation using inappropriate data to support their position, but their own data and standard of evaluation do not support their conclusions.

Referring to professional studies does not bode any better for proponents of breed-specific legislation. The majority of these studies have found no explicit breed differences in aggression, and even those that hint at such differences caution against subsequently labeling an entire breed as aggressive. One study conducted in 2008 surveyed two populations of dog owners: members of eleven American Kennel Club breed clubs and participants in an online survey available to the general public. When comparing the results of these two groups, researchers found that aggression levels in the different breeds were consistent relative to one another. While this would seem to indicate that there are breed differences in aggression, researchers noted that it is “inappropriate to make predictions about a given dog’s propensity for aggressive behavior based solely on its breed” as they also found substantial intra-breed variation (Duffy 451–2).

Other studies are notably less ambivalent in their results, such as the temperament test of Lower Saxony. This study analyzed the test results of 415 dogs, all of which were American Staffordshire terriers, bull terriers, rottweilers, Doberman pinschers, Staffordshire bull terriers, pit bull terriers, or a crossbreed thereof—that is, traditionally “aggressive” breeds. The test evaluated dogs’ behaviors using a scale from 1 to 6, going from no aggressive behavior to “biting and attacking and complete approach without showing threatening behavior before the attack” (Schalke). Of the 415 dogs, 38% did not display any aggressive behavior, 87% did not escalate past visual and aural signals, and all but one provided ample and appropriate warning signals. The vast majority of these dogs did not exhibit physically threatening behavior, and those that did presented ample warning that would allow for defusing of a threatening situation. This study also emphasized the idea that sometimes aggression is important. That is, aggression is not categorically bad per se, and it must be examined within each particular context. In analyzing the results, researchers evaluated whether the aggressive signaling and behavior presented was appropriate for the given situation; 95% of the dogs tested showed behaviors appropriate to the particular situation. Thus, the results of the test did not suggest these breeds pose a particular danger to people (Schalke).

The preceding discussion demonstrates that breed-specific legislation lacks adequate justification and is doomed to fail as a means of promoting public health by managing canine aggression. However, canine aggression does pose serious public health concerns that should not go unaddressed. Ideally, state and local governments would mitigate the impacts of canine aggression by legislating and effectively enforcing regulations requiring proper socialization and training of animals. This would provide owners with the tools necessary to prevent aggression and effectively manage it should it still occur. Unfortunately, such enforcement is impossible without compromising personal privacy. Thus, governments should adopt a two-pronged approach in their endeavors to mollify the issue of canine aggression: first, implement and promote educational programs designed to inform dog owners of the importance of responsible dog ownership and how to go about it; second, institute regulations that target unacceptable behaviors.

The American Veterinary Medical Association, the American Kennel Club, and the National Centers for Disease Control state that lack of socialization, training, and owner responsibility are the proximate causes of canine aggression (Weiss). In addition, studies have found that the key to minimizing the dangers and hazards that dogs can represent is “good upbringing and keeping of dogs” (Schalke 102). Thus, by promoting owner responsibility through education of proper socialization and training techniques, lawmakers would be confronting the root causes of canine aggression, as opposed to its secondary effects. Of course, simply providing such pro-

grams does not ensure their utilization; for this reason legislators should incentivize partaking in these programs, such as lowering the licensure fees of participants.

New legislation should emphasize educating dog owners over regimenting them; that is not to say that no restrictions should be placed on what constitutes “acceptable behavior.” However, concerns of inadequate regulation must be deliberated simultaneously with concerns of unnecessarily overbearing regulation. In other words, though there would be no dog bites in an ideal world, a single bite incident should not necessarily induce the seizure and destruction of a dog. One possible solution would be evaluating bite incidents using a scale of severity, ranging from neither breaking nor bruising the skin to fatal injury, with a corresponding scale of punishment that on the low end includes fines and on the more severe end includes mandatory behavioral rehabilitation therapy and euthanasia, though only for repeat heinous offenses. In addition, such legislation should include provisions pardoning dogs that display aggressive behavior to protect their owner or property. Though this process would be more laborious in the sense that an individual review of each bite case would be necessary, it is also the fairest means of promoting public health while minimizing invasions of privacy.

Breed-specific legislation, in terms of the ideals it represents, is a good idea that would greatly promote and improve public health and quality of life for both people and dogs. Unfortunately, it fails in the execution of these lofty goals. Legislating behavior in animals, it would appear, is no easier than mandating the behavior of people. However, achieving the desired goals and changes can be facilitated through properly crafted legislation: readily comprehensible legislation that places its primary emphasis on educating the general public while providing a framework for decisive action when appropriate and necessary. All it takes is educating policymakers for this legislation to be put on the right path.

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## *Author's Biography*

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### GABRIEL DE VELA

Gabriel De Vela is a native of Cincinnati, Ohio, and is originally from Quezon City, Philippines. He currently resides in Keenan Hall and plans to major in Biological Sciences with a possible minor in Science, Technology, and Values. After college, he hopes to attend medical school and become a physician.

Being in the pre-med pathway, Gabriel has been encouraged to participate in some type of undergraduate research. Thus, for his First Year Composition Research Paper, Gabriel chose to explore how and why basic science and clinical research benefit those preparing to become practicing physicians. He would like to thank his instructor, Dr. Stephen Little, for pushing him to think critically about his paper. He would also like to thank his parents, Leo and Doris, for their love and support.

# From Laboratory Fumes to Emergency Rooms

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GABRIEL DE VELA



Finishing college applications, being accepted, and enrolling all take a huge load off the backs of high school seniors. Upon mailing that commitment card, a student thinks, “Finally, I’m done! I can relax!” This feeling, however, is short-lived for those who are thinking about a career in medicine. For the preprofessional students here at Notre Dame, pressure from a new set of applications—those for medical school—settle in during an information session before the start of classes.

Most of the selection factors used by medical schools—GPA, course load, standardized tests, extracurricular activities, and letters of recommendation—seem to cohere exactly with the criteria used by undergraduate schools. One aspect, however, stands out—preprofessional students are strongly encouraged to participate in some form of research during their summer breaks (“Selection Factors”). Initially, some may not see a connection between work in a laboratory and the treatment of patients in a hospital setting. Thus, the question is, how does undergraduate research benefit those preparing to become practicing physicians?

With a close look at current programs, the benefits of research are evident. I plan to show how under certain conditions, a research experience allows participants to gain a wide variety of practical skills and a sense of direction for their future. Moreover, I will argue that colleges and universities should use their resources to provide research opportunities and guidance for their students.

To start off, a few key terms and ideas need to be defined. For example, the word ‘research’ is vague and can refer to a multitude of things. In context of medical school preparation, however, two forms of research are considered—basic science and clinical research. According to the National Institutes of Health, clinical research is patient-oriented and focuses on the mechanisms and treatment of disease. Clinical research draws evidence from either a part of a human body or from human

behavior (“Clinical Research and Clinical Trials”). Basic science research, on the other hand, is a broad term that encompasses various types of scientific laboratory research. Samples used in these experiments do not necessarily come from humans and may not have a direct application to medicine. At times, however, basic science research is used as the basis for clinical research. For example, if one wants to conduct clinical research to improve cancer treatment, laboratory work on the aspects of the cell cycle provides necessary background information. In this case, basic science research would probably focus on tumor-suppressor genes and oncogenes (Sadava 388).

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*The obvious connection between research and medicine is the application of experimental findings in the prevention, treatment, and cure of a disease. The less evident connection is how the actual experience in the laboratory prepares students for their future careers in the hospital.*

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The other idea that needs to be defined is what it means to be a prepared, practicing physician. What are the desirable traits for doctors? Dr. Lisa Coplit, from Mount Sinai School of Medicine, argues that physicians should be “competent, compassionate, and altruistic” (Coplit 315). Moreover, physicians should know how to “use scientific methods” (315). The obvious connection between research and medicine is the application of experimental findings in the prevention, treatment, and cure of a disease. The less evident connection is how the actual experience in the laboratory prepares students for their future careers in the hospital.

One way to explore this link is to look at what the process of conducting research does for a student. According to Dr. Reginald Halaby, hands-on research forces students to develop skills like critical thinking, problem solving, and time management (Halaby 35). Dr. Coplit connects these skills to

medicine by asserting that they allow students to “critically evaluate scientific literature and generate new knowledge to deliver the highest quality clinical care to patients” (Coplit 316). Thus, the actual hands-on experience of conducting research allows participants to develop skills that will transfer into the hospital setting.

Moreover, the development of these skills seems to be most effective in individual or small-group settings. Dr. David H. Hubel, a professor at Harvard Medical School, argues that small-group projects include “important learning experiences,” like “thinking up a project of one’s own and carrying through” (Hubel 162).

A great example to highlight this claim is the project INSPIRE, which has been recently implemented at Mount Sinai School of Medicine. Students who participate in INSPIRE work on an in-depth research project of their choice with help from a mentor. Students are also encouraged to explore what they are truly interested in, be creative, and think independently (Zier 389). Similar to Dr. Halaby’s comment

on research, the project is designed so students develop critical thinking skills. INSPIRE is set apart, however, because it includes the promotion of creativity and “intellectual independence” (Zier 388). The effectiveness of the project is made evident by the positive results from student evaluations (Zier 390).

Comments from the evaluations also point to the next benefit of research. One participant stated that INSPIRE helps students determine which residency program is best for them by allowing them to “learn something about their own priorities” (Zier 390). Selecting a residency program is an extremely important first step out of schooling and into the medical field. This idea, however, can apply to all research experiences. By working on different projects, students get a feel for what they are passionate about. Moreover, if they happen to fall in love with a certain subject, they have the opportunity to go in-depth with their exploration during future projects.

Though the benefits of research experience are evident, some may argue that the development of personal and interactive skills is more important. Authors of an article in *Academic Medicine* assert that medical schools today are placing inadequate focus on “clinical skills” (Goldstein 423). This problem is addressed with discussion of the recently adopted ‘College System’ at the University of Washington Medical Center. In this structure of learning, clinical teachers mentor students with the ultimate goal of teaching clinical skills, professionalism, and bedside manner (Goldstein 423). Thus, with this program, less emphasis is placed on hands-on, laboratory research.

Programs like the ‘College System’ may justify a decreased emphasis on research with the notion that laboratory work is geared toward introverted individuals. With this view, laboratory research does not seem to fit the agenda of a student preparing for an interactive career like medicine. A closer look, however, shows that there is a significant personal aspect of research. Dr. Frank Caccavo Jr., a professor at Whitworth University, writes that during research, students collaborate and interact with faculty (Caccavo 10). This is because there is more to laboratory work than the actual experiments. For example, though a research team may have a specific goal in mind, they need to collaborate and agree upon the materials and methods to be used. Through teamwork, personal relationships can be created in the laboratory. Experience in these personal interactions may enhance a doctor’s ability to go beyond physical care by providing emotional comfort.

Moreover, an essential part of being able to interact with other people is the ability to express one’s ideas clearly. Likewise, one of the most important aspects of research is the presentation of the results and application of one’s work. A participant of INSPIRE commented how the program helped “hone presentation and teaching skills” (Zier 390). In addition, Dr. Halaby writes that participants learn “to be

professional by sharing work” (35). This professionalism will surely be helpful when interacting with both colleagues and patients.

The last benefit to consider is the way an experience shapes a student’s appreciation of research. In a survey of 2007 Mount Sinai graduates, 86% reported that research “enhanced their understanding of the role of research in patient management” (Zier 388). Physicians with a strong background in research will be able to connect what they read in journals with the care of their patients. This could lead doctors to more effectively find ways to treat their patients.

Thus, the benefits of research are evident. The experience prepares preprofessional students by allowing participants to develop essential skills, discern the most fitting

career path, better communicate their ideas, and appreciate the value and application of laboratory work. To make that research experience most beneficial for a student, however, two questions need to be asked—what are the ideal characteristics of a research program, and how might schools implement research into their curriculum?

Looking at the comments of Dr. Hubel and the positive outcomes of the INSPIRE project, the ideal research program should be individual or small group based. Also, students should have the freedom to explore their interests with their work. None of the cited sources, however, have indicated what type of research is best for the preparation of physicians.

To answer this question we look to the American Association for Vascular Surgery, who conducted a survey directed to-

towards the program directors and participants of all accredited vascular surgery fellowships. The survey was set up to compare basic laboratory research with clinical research. The results show that 99% of the surveyed program directors believe clinical research is important, while only 42% believe the same for basic laboratory research. Moreover, 42% of the program directors want to get rid of basic research in the fellowship, while 35% believe that research is an “integral component of the fellowships” and should thus be kept (Henke 1083). From these results, no definite conclusions can be made on which type of research is better. Experience in both basic science and clinical research, however, would be beneficial. As stated before, basic science research can be the basis of clinical research.

With all of these ideas, a student can look for a research experience with specific qualities. The ideal experience would be done in a small group or individual setting. Moreover, students should plan the timing of their research experiences so that programs with basic science research precede those with clinical research.

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*By working on different projects, students get a feel for what they are passionate about. Moreover, if they happen to fall in love with a certain subject, they have the opportunity to go in-depth with their exploration during future projects.*

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Though research experience is critical, some students may want to do other things with their summer break, like volunteer work, physician shadowing programs, or study abroad. Thus the implementation of research into a school's curriculum is extremely beneficial. Different forms of implementation can be seen in universities and colleges across the country. For example, Dr. Caccavo writes of the benefits of the research-oriented courses (R-courses) that are offered at Whitworth University. In one version of the R-course, students are presented "with a cookbook exercise that is followed up with exercises that require students to make hypotheses and design experiments to test them" (Caccavo 11). Thus, R-courses contain the exploratory aspect of successful research programs.

Caccavo also includes a description of his own R-course on microbial biology to provide insight on the practicalities of implementation. In Caccavo's course, time is set aside for both classroom lectures and laboratory work. This setup allows students to incorporate ideas they learned in the classrooms with the experiments done in the laboratory. Though Caccavo's course is specifically focused on microbial biology, the same layout and concept can be applied to all subfields of science. Thus, those colleges and universities without research-oriented programs can look to the example of the R-courses offered at Whitworth University.

Though total makeover of the curriculum is ideal, these changes may not be feasible for some schools. Thus, schools should help students find summer research programs with the ideal characteristics—an individual or small group setting and a directional focus from basic science to clinical research. Here at Notre Dame, for example, the Center for Undergraduate Scholarly Engagement (CUSE) and the Career Center are available to help students. The staffs of CUSE and the Career Center are extremely knowledgeable and can find programs that fit a student's specific situation.

Though research experience is greatly encouraged, these resources are not always visible to students. For example, the office for CUSE is on the third floor of O'Shaughnessy Hall, without any special distinction from the other offices. To find out about research, students must attend open houses and information fairs that they may not be able to fit in their schedules. If Notre Dame wants to become distinguished as a research university, more emphasis needs to be placed on the great resources available.

This can start small with more advertisements for CUSE and for the internships offered through the Career Center. The main goal is for students to at least sign up for the electronic newsletter so they know where to look if the interest for research ever comes up. Because research is not an immediate concern (amidst papers, exams, projects, etc), students who are interested may forget about the resources available.

Thus, the office for CUSE should be more of a presence on campus so it can serve as a visual reminder to students. This can be done by transferring the CUSE office to the first floor of a building that students often walk through, like DeBartolo Hall or LaFortune Student Center.

Though moving the office will take time, money, and patience, the valuable benefits of research will surely outweigh the burden. One benefit is the development of certain useful skills that are gained through the actual experience of research. Because projects are so specialized, students can also discern what subfield they are most passionate about. Moreover, participants have to interact with staff members, faculty, and the scientific community, improving their so-called people skills. The last benefit comes from the fact that research experience builds an understanding of and connections with the scientific community. Because there are so many research opportunities available, students should look for certain characteristics like an individual or small group setting. For the best experience, students should start with basic science research as a way to transition into clinical research.

By looking at all the aspects of research, one can see how it is built upon curiosity and the desire to explore. With a background in research, a student has experience in taking control of his or her education. Participants go out and find the answers for themselves, leaving no time to stand idle. It is obvious that if a doctor just sits around and waits, serious harm can be done to a patient. Thus, the pro-active mentality rooted in research goes beyond the laboratory and into the emergency room.

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## *Author's Biography*

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### ALBERTO ELIZONDO

Alberto Elizondo hails from Monterrey, Mexico and is proud to be a member of the Notre Dame community. He is pursuing a double major in Finance and Economics and plans to work in Wall Street upon graduation. He enjoys playing guitar and is an avid fan of anything that runs on wheels and gasoline.

Seeing as his home country rapidly spiraled into a state of national insecurity, Alberto decided to look into the causes and effects of the war on drugs in Mexico. Through his essay "A Step Back to Peace," he examines the progression of events that have led to the current situation and proposes a strategy to halt violence.

Alberto gives special thanks to his First Year Composition instructor, Professor Kimberly Lander, for her support and dedication throughout the writing process of this work.

# A Step Back to Peace

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ALBERTO ELIZONDO



More than 10,000 Mexican citizens have died since the beginning of President Calderón's war on drugs (Katel). Last year alone, there were 1,000 more casualties than there have been in Iraq since 2003 (Katel), and 400 more continue to perish each month (Cole). Mexicans fear to go out on the streets as they risk being caught in a firefight or becoming victims of kidnapping. Beheaded police officers, soldiers, reporters, government officials, and even ordinary civilians fill newspaper headlines. These are the effects that the war on drugs has had on the Mexican population in the last three years. Mexico has gone from a safe and stable country to a civil war battleground since Calderón declared war on cartels, and the Mexican population has been burdened with all the costs.

The international community has greatly applauded President Calderón for his war on drugs. America in particular has praised him as a courageous leader who has managed to arrest over 57,000 drug trafficking suspects and has extradited some of the most important kingpins of drug trade (Corchado). However, while this war is internationally recognized as an exemplary act of leadership, its domestic effects have been detrimental. Since the war began, the government's strategy of directly combating cartels has backfired, and the violence has turned towards the Mexican population. Mexico has imploded into a state of chaos, panic, and anarchy that puts at risk not only the security of its citizens but also the integrity of its government. Innocent Mexican families cry helplessly as loved ones die as victims of violence, and the Mexican government fails to fulfill the essential duty of protecting its people. Mexicans are paying a high price for a war that cannot be won, at least by Mexico by itself, and the best strategy for the Mexican government is to stop the war on drugs and allow cartels to operate freely.

The factors that have led to Mexico's current situation date back more than half a century to the times of the Institutional Revolutionary Party's (PRI) seventy-one-year dictatorship. Council of Foreign Relations expert Shannon O'Neil asserts that during this period the government had agreements with the drug cartels through which it protected the upper ranks of the cartels and allowed them to operate freely in exchange for a suppression of violence (O'Neil). As the PRI's rule ended in the year 2000 with President Vicente Fox's victory, these implicit pacts vanished and the government lost control of drug trade. As O'Neil argues, "Electoral competition nullified the unwritten understandings, requiring drug lords to negotiate with the new political establishment and encouraging rival traffickers to bid for new market opportunities" (O'Neil). The government of Vicente Fox broke the established order and opened way to increased competition between cartels for territories and market participation. It was not until 2006, however, when President Felipe Calderón assumed office, that cartels were shaken off their feet.

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*As long as demand for narcotics continues unchecked in the United States, no measure will suffice to prevent Mexicans from supplying it.*

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President Calderón's declaration of war on drug cartels in 2006 marked the beginning of the most violent era of recent Mexican history. Violence began to escalate exponentially, and continues to do so, as the government effectively obstructs drug trade operations by making high profile arrests, confiscating large sums of money and drugs, and deploying over 45,000 soldiers and 5000 federal police units to Mexico's most troubled states to directly confront the Mafia ("Mexico's Raging Drug Wars").

As the government cracks down on cartels, vacuums of drug control emerge in certain territories and within cartels themselves, causing fights both between cartels and within cartels. June Beittel, Analyst of Latin American Affairs for the Congressional Research Service, asserts that the breakdown of Mexico's two most powerful cartels has caused an increase in narco-violence: "What was once a bipolar competition between the powerful Gulf cartel and the Sinaloa federation has been transformed by the government's anti-crime initiatives into significant inter-cartel and intra-cartel violence" (Beittel). This violence that Beittel mentions manifests itself as massive firefights between heavily equipped armies in public places amidst innocent civilians. Restaurants, malls, banks, and streets are all subject to becoming the battleground of the cartels' war, and people are likely to become victims of collateral damage. By means of the war on drugs, the government has dissolved the cartels' well-defined territories and their hierarchies of command and has created a race for power between and within cartels that puts at risk the safety of the Mexican population.

Further, the government's crackdown on cartels disrupts the Mafia's hierarchical structure and opens lanes for advancing ambitious and often even more violent leaders. Mary Anastasia O'Grady, a member of the Wall Street Journals' editorial board and recipient of the Bastiat Prize for Journalism, argues that as the Calderón government arrests the heads of cartels, drug lords are succeeded by leaders with even more violent backgrounds. She warns,

With the older kingpins gone, the second and often third generations of criminal leaders are now vying for territory, control, and power. Many of these aspiring leaders come from the enforcement arms of the cartels—and are accordingly inclined to use even more violence as they try to gain control of fragmented markets. (O'Grady)

Therefore, by intervening in cartels' operations, the government not only stimulates the violent activities of the Mafia, but it also brings forth leaders that are more prone to perpetuate and escalate the existing violence.

In addition, the drug war has affected the structure of cartels that has increased the Mexican population's exposure to violence in two key ways. First, as the government targets and confiscates cartels' financial assets, drug lords seek alternate sources of money and resort to more primitive types of crime such as kidnapping, assault, robbery, and extortion. Second, by purging Mafia infiltration of its institutions, the government exposes the vast number of corrupt government and law enforcement officials. This uncovering of corruption drastically reduces the population's trust in their government and thrusts people into a state of lawlessness in which they, like corrupt politicians, seek personal benefit even at the expense of the rule of law. This anarchy, in turn, is an encouragement for thousands of potential criminals to engage in unlawful activities and causes general crime rates to rise. The recent increase in the incidence of kidnapping is a sign of this phenomenon. According to Beittel, there were at least 1,028 kidnappings in 2008 including the case of Fernando Martí, the 14-year-old son of a wealthy businessman, who was killed despite his father's payment of a multimillion dollar ransom (Beittel). Like the Martí case there are many other tragic stories in which the Mafia exploits the Mexican population to make up for the financial damage received from the war on drugs.

Further, by destabilizing cartels, President Calderón's declaration of war on cartels has indeed created a civil war in Mexico. The violence caused by the prosecution of cartels has far surpassed that expected from typical law enforcement, and the Mexican population is suffering from the repercussions of a full-fledged war. The international community nevertheless praises President Calderón's initiative as a brave effort to eradicate drug trafficking in Mexico conclusively while it completely disregards the effects that it has had on the Mexican people. As Peter Katel, winner

of the Bartolomé Mitre Award for journalism, points out, “For Americans, ‘war on drugs’ is a catchy slogan, but in Mexico, where traffickers fight each other for territory using automatic weapons, the metaphor hits close to the mark” (Katel).

Even worse than the magnitude of the war is the fact that Mexico cannot win it on its own. President Calderón’s efforts to eradicate Mexico’s supply of narcotics attempts to defy a basic economic principle. As O’Grady asserts, “The war on supply is a failure, something any first-year economics student could have predicted” (O’Grady). As long as demand for narcotics continues unchecked in the United States, no measure will suffice to prevent Mexicans from supplying it. O’Neil reports that American drug consumption yields annual revenues of between \$15 billion and \$25 billion to drug cartels (O’Neil). This figure places drug trade as

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*So I ask, what is the priority of the Mexican government? If we pursue this question, it becomes clear that the primary objective of Mexico’s government should be to protect its people, and the best way to do this is by halting the drug war.*

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Mexico’s third largest source of foreign revenue following only oil exports and remittances. It is virtually impossible to eliminate or replace an entire industry of such magnitude. O’Grady argues that “Mexico seeks to raise the cost of trafficking so that the flows go elsewhere” (O’Grady), and this is exactly what the Mexican government is doing. By obstructing cartels the government does indeed raise their costs of operations, thus reducing supply and increasing drug prices. However, this does not reduce their profits. In analyzing the narcotics market, it is crucial to keep in mind the inelasticity of its demand. That is to say that since current drug consumers are highly dependent on drug consumption, the quantity of drugs they buy does not react too abruptly to changes in price. This does not mean that new consumers will not enter

the market if drugs become cheaper, but rather that existing consumers will not leave the market if drugs become more expensive. Therefore, since the increase in drug prices is greater than the decrease in quantity demanded, supplying drugs yields at least the same profits, if not more. In their book *Drug War Politics: The Price of Denial*, the authors refer to this economic phenomenon as a profit paradox (Bertram et al.). President Calderón’s war on supply then not only attempts to defy this simple economic principle, but it also has an effect opposite to the desired one.

This economic paradox raises the question of whether Mexico’s war on drugs serves any purpose whatsoever. Our investigation thus far seems to indicate that President Calderón has set on a battle against an unbeatable thousand-headed monster that has only resulted in a drastic increase in violence and has profoundly and negatively affected the Mexican population. Mexico has paid a high price for its recent international recognition, as its population has sponsored with blood and tears a war that crushes them and that they cannot win. So what is next? The Mexican

government is faced with two main options: to continue on its present course and hope that the United States drastically reduces its drug consumption, or to stop combating drug trafficking, allowing cartels to regain a state of equilibrium and ensuring the safety of the Mexican population.

The first option would be a continuance of the present course of action, with the objective of reducing and ultimately abating the supply of drugs to consumers in the United States. Even though this would indeed be the optimal solution for both Mexico and the United States, the above-mentioned economic principles render it practically unattainable. In "A Fighting Chance," Corchado quotes the national coordinator of an anti-land mine program, Álvaro Jiménez Millán, evaluating the strategy of abatement in Colombia. Jiménez reflects, "Pablo Escobar is dead, but you have dozens of smaller drug lords who are now supplying Europe and Africa. So what Plan Colombia did was transfer the violence to Mexico and move cocaine to Africa, Europe. Is that success?" (Corchado). Jiménez indicates that as long as the economic incentive to supply drugs persists, cartels may change forms, but they will not cease to exist. However small the cartels may become, they will collectively continue to have economic influence and therefore the firepower to put the Mexican population in danger, and as long as the government continues to prosecute them, they will not reach a state of equilibrium and violence will pervade society.

On the other hand the Mexican government has the option to step back from the war on drugs and allow cartels to operate freely. This alternative, focused on the attainment of peace and the security of the Mexican people, seeks to mirror the developments caused by the war on drugs and reverse the increase in violence. It primarily does so by allowing cartels to reestablish their equilibrium. With an unobstructed work field, cartels would return to the more profitable business of drug trafficking, freeing the population from danger. Considering the economic barriers that hamper the war on supply, this solution proposes that the government takes back the drug war policies that have so much hurt the Mexican population.

Skeptics might ask if stopping the war on drugs is not equivalent to an acceptance of defeat. This is indeed a critical issue, and a mismanagement of information could be detrimental to the population's trust in its government. For this reason, the government would not announce its withdrawal from the war on drugs overtly. Instead, the government would proclaim that it is ahead in the war on drugs and that studies project a rapid recovery to peace. Mexico's population would regain its tranquility as violence rapidly decreases and the damage that the drug war caused in the last three years would be reversed.

However, there are those who believe that ignoring cartels would lead to an increase in their political, economic, and armed power and that they would eventu-

ally take over the country. Quoted in Corchado's "A Fighting Chance," Colombian ex-President Virgilio Barco outlines three main stages through which drug dealers ascended to power in Colombia. He says,

The first phase was the amusement. It was the period of the grand orgy with the drug dealers, when everybody was in bed with them and nobody paid any attention...The second phase was the discovery period, when drug bosses no longer could depend on that more-or-less peaceful coexistence [and violence erupted]. The third phase began when the drug bosses wanted to take over the state. (Corchado)

According to Corchado, Mexico is currently standing at stage two, and is headed towards stage three. However, this chronology assumes that the state prosecutes

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*Whereas the drug war thus far has been merely an attempt to heal the symptoms of drug trade, taking a step back from the battlefield would allow attacking the roots of the disease.*

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cartels. If the government does not interfere with the activities of drug trafficking, cartels have no need to infiltrate the government. As O'Neil notes, it was only when the PRI left power that cartels began "buying off or intimidating local authorities in order to ensure the safe transit of their goods" (O'Neil). Thus, history shows that it is only when the government becomes an obstruction that cartels react violently. Without such interaction, the government and the Mafia work as two separate and independent entities, neither of which disrupts the functioning of the other.

Others would accuse the Mexican government of being an accomplice of drug trade if it withdrew from the war on drugs, but yet Mexico's government has only two alternatives: to protect American drug consumers by continuing to fight cartels and prevent the drugs from getting to them, or to protect Mexico's innocent population by halting the war on drugs and reducing violence levels. So I ask, what is the priority of the Mexican government? If we pursue this question, it becomes clear that the primary objective of Mexico's government should be to protect its people, and the best way to do this is by halting the drug war. Unlike the PRI's strategy, this proposal does not involve explicit pacts with or protection of drug dealers. It simply seeks to ignore a problem that the government cannot solve to protect the Mexican population.

Further, stopping the war would allow redirecting the funds currently being used to fight cartels to the protection of citizens. With more resources available, law enforcement agencies would focus on the eradication of kidnappings, assaults, robberies, and extortions, to ensure the safety of civilians. Also, the government could launch a massive drug education and rehabilitation campaign to diminish current addiction rates in Mexico and prevent domestic demand for drugs from growing.

In this way the government may not only revert the violence caused by the drug war, but may also set the foundations for a more stable society with an efficient law enforcement system and healthier, more educated population.

Of course, this strategy would initially be less beneficial to the United States. Simple supply and demand dictates that with lower operations costs, cartels would supply more narcotics to the U.S., causing the price of drugs to decrease and consumption to increase. As drug availability increases, addiction rates would most likely rise from today's 8% and become a more serious national health issue to the U.S. (Katel). This change would pressure the U.S. government to improve its drug education and rehabilitation programs to diminish its demand for drugs.

While some Americans may interpret this burden as an irresponsible relegation of Mexico's problems, it can better be described as a more equitable redistribution of responsibility. It is American demand for narcotics that fuels the entire drug industry, yet it is Mexico that has had to sacrifice thousands of lives and the safety of its people. However, by allowing the drug war to evolve into an American national health issue, the U.S. government may take a substantially more active role in the fight against drugs. The United States would be forced to take its addiction problem more seriously, and by means of massive drug education and rehabilitation programs, the U.S. government would be able to drastically reduce its drug consumption. Quoted in Cole's "Mexican Drug Violence Intertwined with U.S. Demand for Illegal Drugs," Dr. Mark A. R. Kleiman, professor of Public Policy and director of the Drug Policy Analysis Program at the UCLA, suggests, "The heaviest [American] users account for the greatest demand, and so an effective intervention would have to target heavy users to have an important effect on the illegal drug economy" (Cole). By treating heavy consumers, the United States would not only take a significant step to reduce the size of the drug market, but it would also improve the health of a rapidly deteriorating portion of its population. Kleiman continues and suggests that reduced consumption in the United States would most likely further decrease the violence in Mexico. He says, "It stands to reason that a substantial decrease in the U.S. demand for drugs might lead to reduced violence in Mexico" (Cole). More importantly, however, a reduced consumer base would decrease the quantity of drugs demanded and force some drug dealers out of business. As consumption rates decrease, it would naturally become easier to treat the remaining consumers. As the consumer base continues to shrink, the size of the drug market would too. This self-winding cycle would effectively decrease demand for drugs in America and consequently uproot the entire drug industry.

Many advocate for the more popular alternative of legalization to reduce the economic incentive of supplying drugs and the violence that follows it. Rachel Godfrey



Wood, from the Council of Hemispheric Affairs, points out, “If the prohibition-related violence wrought on Latin American societies were killing North Americans or Europeans, cocaine and marijuana would have been legalized years ago” (Wood). Legalization has been an extremely slow process, and the Mexican population cannot afford to wait for legislation while their country collapses. Legalization would have to occur immediately and internationally to resolve Mexico’s violence. A domestic-only legalization would only infuriate cartels as they lose their business, causing them to react violently. The Mexican government does not have a loud enough voice to press for immediate international legalization. However, by turning Mexico’s drug war into an American health issue, the Mexican government urges the United States to reduce its drug consumption and eradicate the narcotics business from its roots.

Mexico’s withdrawal from the war on drugs would therefore have a threefold benefit effect. First, Mexico would regain a state of peace and the security of its citizens. If the prosecution of cartels were stopped, cartels would gravitate towards a state of equilibrium, and Mexico’s streets would be liberated from violence. Mexico would then have increased resources to spend on the protection of civilians and the prevention of rising domestic addiction rates. Second, as Mexico’s violence evolves into increased consumption in the United States, the American government would step up its efforts to diminish drug consumption and in the process would improve the health of its twenty-million drug addicts. Third, America’s decreased drug demand would dry up the drug industry as a whole.

Therefore, by stepping back from the war on drugs, the Mexican government protects its citizens from the violence that has recently reigned over Mexico and it also pressures for a true solution to the war on drugs. Whereas the drug war thus far has been merely an attempt to heal the symptoms of drug trade, taking a step back from the battlefield would allow attacking the roots of the disease. All that is required is that Mexico relinquishes the glory that the government has received from its war on drugs and listens to the cries of its people. In America, a little bit of consciousness and bravery would suffice to recognize its responsibility and put a stop to drug trade once and for all.

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## *Author's Biography*

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### MICHAEL KENNEDY

Mike Kennedy grew up in a small city called Crestwood outside St. Louis, Missouri. He is excited to be a part of the Notre Dame community as a member of the class of 2013 along with twenty-one fellow classmates from his senior class in high school. He plans to major in Accounting and enjoys golf, soccer, cultivating friendships, and the occasional compelling novel.

Mike was initially worried that his path towards Notre Dame was predetermined by the many members of his family who have attended the university. However, he soon found himself at home midway through the first semester, surrounded by opportunity and new friends. His FYC Research Essay, "College Students: Developing a Balanced Sense of Identity," was inspired by his personal experience and observations as he made the transition into college, believing it is important for all college students to be aware of the influences around them.

# College Students

## Developing a Balanced Sense of Identity

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MICHAEL KENNEDY



Incoming college students are thrust into a realm of opportunity, newfound independence and insecurity. In the midst of all the excitement and anticipation of starting a new way of life, most find themselves alone for the first time in their lives, away from their comfortable lifestyle of family and childhood friends. While some students leave high school ready to step forward and embrace college with confident individuality, many students entering college are vulnerable. College students leave behind their familiarized sense of belonging and step into a fast-paced world full of opportunity and influences. To regain some footing, students need only look around them. Students find themselves surrounded by opportunities for social acceptance in the form of school spirit, clubs, societies, organizations, fraternities, sororities, dormitories and other freshmen experiencing the same feeling of isolation.

Forming group identity is an important part of every college student's life. It allows a student to interact with others for the common purpose of sharing opinions, beliefs and values. The formation of a positive, balanced sense of group identity is crucial in order for students to interact with those around them. However, group identity can be taken too far. Students are in danger when they fall into group identities with extreme characteristics. Group identity becomes extreme when participants are willing to cast aside their individuality, safety, beliefs or concerns to submerge themselves into the group. For example, violent hazing rituals of some fraternities and sports teams place the incoming group member at risk for severe physical and psychological injury. In these cases, the students are willing or coerced to go through potentially lethal rituals to gain acceptance into a group. While some may become involved in these harmful group identities, students may also take part in positive, community-affirming group identity. I believe it is important for students to go through college mindful of the extent to which they are affected by

group identity so that they may maintain a strong sense of individuality and foster a balanced awareness of the ways in which they are influenced by others.

College students are particularly susceptible to the influence of social groups because of their psychologically vulnerable state as they enter into an unfamiliar environment, seeking acceptance. In chapter four of the book, *Psychology of Group Influence*, authors Steven Prentice-Dunn and Ronald W. Rogers, both Professors of Psychology at the University of Alabama, comment extensively on “the dilemma of maintaining an individual identity versus becoming submerged in a group” (87). Prentice-Dunn and Rogers observe that students particularly vulnerable to the influence of groups share certain characteristics such as low self-esteem, insecurity, fear of public opinion or confusion about where they stand in the world.

For psychologically vulnerable or curious students, latching on to various groups such as fraternities or sororities, “lessens concern for social evaluation, minimizes self-evaluation and self-observation, weakens internal controls based on guilt and fear, and lowers the threshold for expressing inhibited behavior” (88). While these students should be seeking out mutual friendships through positive interaction among others within the community, some strive to become part of complex social groups, such as fraternities, even though the initiation process may involve severely dangerous circumstances and loss of self. Journalist and investigative reporter Hank Nuwer observes, “To these young people, enduring hazing beats the pain of loneliness” (38). Rather than focus on positive community

building, initiates endure physical harm and humiliation. While most students and parents agree that these extreme forms of group identity are inherently harmful and inappropriate, some argue that violent hazing rituals serve an important role in the development of devotion and commitment in the initiate.

Former fraternity member and president, Ricky L. Jones—now the Chair of Pan-African Studies at the University of Louisville—argues that violent hazing rituals, especially in black fraternities, are uniquely necessary in that they “bring about solid, concrete results” (49). For Jones, violence as sacrifice guarantees absolute commitment and transition into the fraternity. “Ritual and tradition form almost impenetrable barriers that determine whether a person is accepted into the bond or denied access” (49). Jones believes the physically demanding aspect of hazing leads toward a strengthened sense of belonging in the end. In light of this belief, consider Marcus Polk, a student at the University of Maryland-Eastern Shore, who required reconstructive surgery on his buttocks because several blood vessels had been ruptured as a result of repeated paddling at the hands of a senior during a hazing ritual

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*The formation of a positive, balanced sense of group identity is crucial in order for students to interact with those around them. However, group identity can be taken too far.*

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at a black fraternity called Kappa Alpha Psi (Ruffins and Evelyn). While I agree that such extreme methods of initiation ensure exclusivity and absolute devotion in membership, I feel that the integration of violence in initiation rituals becomes problematic when there is a potential for death and serious injury.

Students wishing to find acceptance in college are willing or pressured to put themselves through extreme acts of violence to identify with a fraternity or a varsity sports team. The social group promises the student a future sense of belonging and equality, if only they prove themselves worthy of their respected organization by undergoing a pledge process. Students wishing to identify with a particular group are forced to cast aside their sense of individuality and “self-regulation” (Prentice-Dunn and Rogers 94). Initiates are made to leave behind normal behavior and well-being to give of themselves to the group. Aspects of extreme violence in hazing in this pledge process are disturbing in that “these factors prevent people from becoming aware of themselves as individuals” (Prentice-Dunn and Rogers 89). This loss of individuality is dangerous because students are now ready to participate in horribly dangerous behavior or act in ways they wouldn’t have otherwise. Extreme ideals cause members to “justify actions outside the range of normal human behavior” (Nuwer). The effect of this extreme form of group identity tragically unfolds into instances of student injury and even death. For example, in September of 2003 during a football training camp in Pennsylvania, “three junior varsity players were allegedly sodomized with a broomstick, pine cones, and golf balls while other players watched” (Trotta and Johnson). In another disturbing case, at Alfred University, student Chuck Stenzel was killed in a hazing accident by the combination of alcohol poisoning and exposure to cold while locked in the trunk of a car for several hours (Nuwer). Extreme group identity is dangerous because demeaning and violent behaviors become the basis by which new members are initiated. Students lose their sense of self by undergoing this process.

While there is an apparent danger surrounding the need for psychologically vulnerable students to join social groups, there is also an apparent benefit to the same group of students if social identity is sought out with a balanced perspective in which the student keeps an eye on its potential harmful effects. Most, if not all, college students see their formation of group identity as wholly beneficial in that it provides a basis by which they can relate to other students and interact with the larger community as a whole. This is for good reason. College is meant to be a place in which people from different parts of the world with different backgrounds and beliefs can come together and interact with each other and share meaningful ideas toward the common goal of furthering their own education. Fostering a developed sense of group identity is a large part of this process. “One potential benefit of membership is a confirmation of an individual’s sense of belonging to a larger social

whole” (Knowles and Gardner). Group identity is naturally beneficial. Incoming college students find solace in social groups because they provide the student a way of feeling connected to a larger community. Furthermore, students can grow and develop a sense of authentic individuality if they integrate a meaningful level of group identity into their lives. Their new friends, clubs, hobbies, and school spirits replace their former sense of familiarity during high school, at a time when they were closely surrounded by family and friends. “It is perhaps no surprise that individuals forge and sustain connections with individuals outside of their immediate environment and maintain group memberships as an important aspect of identity” (Knowles and Gardner). Even though the search for group identity can lead to dangerous commitment and involvement, most college students find a niche that promotes wholesome community values and leads to a stronger sense of self.

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*Authenticity involves maintaining a balance between the importance of personal ideas and beliefs and the image of the group as a whole.*

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While there are no extreme instances of organized hazing rituals at the University of Notre Dame, many students here are still confronted with varying influences of group identity. At a place like Notre Dame, the extent to which group identity is either positive or negative becomes less discernable due to the less extreme circumstances. While most aspects of Notre Dame identity are arguably positive and community affirming, there is still room for students to become excessively immersed in it. It is difficult to maintain a balanced sense of authenticity and individuality in the face of the overwhelming influence of Notre Dame culture; such as the built up hoo-rah

football atmosphere, the explosion of available Notre Dame accessories and clothing, the attitude of sometimes arrogant superiority surrounding Notre Dame tradition and the commercialization of its image. The negative effects of group identity at Notre Dame are less obvious to observe because there are no apparently extreme damaging characteristics. However, a closer look at these aspects of life at Notre Dame reveals a critical reality most students and alumni seem to gloss over. I am not arguing in any way that Notre Dame fosters purely inauthentic values of identity or that students should avoid school spirit. School spirit and identity are absolutely positive, community affirming aspects of any student’s life in college. However, absolute allegiance to Notre Dame can become a problem if the student loses an appropriate awareness of a balance between group identity and individuality.

At the University of Notre Dame most students recognize the obvious danger that accompanies extreme hazing practices, though there is still a general appeal among students here to the idea of an initiation process. The University’s backing of “Frosh-O” promotes a sense of community among incoming students and generally leads to an appropriately balanced middle ground between forced initiation

and positive community building. My personal experience at Keenan Hall during Frosh-O was a positive one. As a nervous freshman I was surprised to find upperclassmen awaiting my arrival on move-in day, ready and willing to help carry my luggage to my room. During the first week, we were coerced into awkward and sometimes embarrassing situations such as singing to the girls of other dorms on bended knee, ice cream socials, and speed-dating (a meet and greet process which took place in the basement of Keenan with girls from Lewis Hall). We were also marched around campus in the middle of one particularly cold night during a heavy rain, shirtless, wearing nothing but makeshift kilts, cheering praises for Notre Dame and various girls' dorms we happened to pass. The Frosh-O staff developed a relaxed, friendly relationship among all of us throughout the first week, while also demanding respect as they initiated all of us into a sense of Keenan group identity. They answered our questions and respected our decision if one of us decided not to participate in a certain activity. For instance, when the Frosh-O staff woke all of us up at five in the morning one day to encourage us to run and jump into St. Mary's Lake, and then run through the pond in front of the Library, a few of my friends decided not to go and slept instead. We were able to maintain a sense of individuality as we became integrated into the Keenan group identity.

Even though there seemed to be a purely positive formation of group identity during my and many others' Frosh-O experience, there are still several examples of harmful behavior in this aspect of our Notre Dame community. One of my friends in another dorm had a much different experience during Frosh-O that is worth mentioning. According to him, upperclassmen forced freshman to crawl through the pond in front of the Library on hands and knees, and were paddled if they complained or tried to sit up. Before this ordeal, freshman were given mayonnaise mustaches and verbally humiliated. At Notre Dame, students are not free from the hurtful aspects of group identity and influence. Even aspects of the University that appear wholly appropriate and reasonable on the surface, such as school image and spirit, can be problematic if students or alumni become too engrossed by them.

Compared to hazing, the stakes are considerably lower here, though students should still be aware of these influences so they are able to recognize when authenticity is lost in the jumble of excitement. One of my friends here at Notre Dame owns a huge amount of Notre Dame clothing and accessories: over fifteen T-shirts, three jackets, several pairs of athletic shorts, pants, a belt, a few hats, winter gloves, boxer-shorts, pens, folders, notebooks, binders, and a backpack. If students are taken over by the image of Notre Dame, will they be able to step back and examine themselves as individuals? Emphasizing the importance of Notre Dame's image causes a manufactured sense of community rather than one based on authenticity, which I believe would be more fulfilling and meaningful. Authenticity involves maintaining a bal-



ance between the importance of personal ideas and beliefs and the image of the group as a whole. There exists a theoretical brink past which students should begin raising the questions: To what extent is my identity based on the fact that I *attend* Notre Dame? To what extent am I influenced by my dedication to Notre Dame? I am not saying by any means that students should be wary of a strong sense of school spirit! However, the focus should be on important values such as education, community, spirituality, and personal conviction. Not image.

All college students are faced with the issue of maintaining individual identity while also developing a sense of group identity. While forming group identity is a positive and constructive aspect in that it allows the student to connect with others and take pride in what they belong to, it can become problematic if the student allows him- or herself to be wholly consumed by the group. In order to hold on to an affirming sense of individuality and authenticity in college, students are constantly influenced by the forces around them, and it is up to the individual to maintain an awareness of the extent of that influence.

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## *Author's Biography*

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### PATRICK KISSLING

Patrick Kissling is a native of Plymouth, Minnesota. As a member of the class of 2012, he is pursuing a double major in Finance and Spanish at the University of Notre Dame. After graduation, he hopes to work on Wall Street. Patrick would like to thank Professor MacLaughlin for all her help during FYC and for submitting this essay to *Fresh Writing*.

This researched argument stems from Patrick's curiosity and desire to explore. Since childhood, he has always dreamed of traveling into space, an achievement that has been made more feasible by the emergence of space tourism. With this essay, Patrick takes a closer look at the possible benefits to NASA that may result from space tourism.

# Space Tourism and its Impact on the Current System of Space Exploration

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PATRICK KISSLING



The childhood fantasy of becoming an astronaut is very common, right next to the dream of being a firefighter or a professional athlete. However, as people grow older, they begin to dismiss this dream as unattainable and decide to settle on an ordinary job. What if this didn't have to be the case, at least not entirely? What if an ordinary individual could become an astronaut, even if it were just for a day? The thrill of realizing childhood dreams would result in great joy and excitement. Such an adventure is possible with the recent emergence of the space tourism industry. Space tourists would not need to go through astronaut training and raise \$20 million as former 'N Sync star Lance Bass did in his unsuccessful quest to join a Russian mission to the International Space Station, but instead these trips will be remarkably similar to flights aboard commercial airliners, the only difference being that the spaceships will reach much higher altitudes (Wines). This industry is not led by the National Aeronautics and Space Administration (NASA), the traditional agent for space flight, but rather by private companies such as SpaceDev, Rocketplane Global, and most notably, Virgin Galactic (Edwards). For a price, individuals can reserve a seat on numerous different sub-orbital flights, with launches expected as early as 2010 (Edwards). As this new industry emerges, it is certain to garner considerable publicity.

However, beyond the pure fascination with such a voyage, this recent surge of preparation for private ventures into space needs to be analyzed in relation to its potential effects on U.S. space exploration, which has, until now, always been controlled by NASA, a government agency. First, the most fundamental problem is that many people are opposed to space travel as a whole, arguing that it is a dangerous, futile, and excessively expensive undertaking. However, space exploration is a crucial element in preserving the United States' position of power and affluence in the

world for reasons of safety, future investment, and science. In its quest to expand these gains from space exploration, NASA itself is facing three major problems: the first is how to overcome its poor management and efficiently spend its budget to achieve the most gain, the second is how to revive public interest in the space program, and the third is how to overcome the future environmental obstacles to space exploration. All three of these problems can be resolved through government collaboration with these aforementioned private companies involved in space travel. The potential benefits apply to both the U.S. population and NASA in terms of cost savings and increased efficiency, while at the same time establishing a new industry with a great prospect for future commercial success. Therefore, to secure the future benefits of space exploration, I propose that companies involved

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*Space exploration has already taught us amazing things about the Earth's position in our solar system and in the entire system of galaxies, which in turn helps humans comprehend the meaning of a day and year, and the changing of the seasons.*

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in space tourism continue to expand into this growing industry, and that NASA strengthen its collaboration with these private ventures.

First, the issue of whether the U.S. should be involved in space exploration at all needs to be settled. The arguments against space travel center on three factors: the dangers that exist for astronauts, the futility of exploration, and the cost of these missions. However, these arguments are superficial and neglect several key facts. The first objection, dealing with the issue of safety, is not valid because astronauts fully understand what kind of risks they are exposing themselves to when they take their jobs. The job of an astronaut is very prestigious and challenging, and warnings about the dangers associated with space travel are prevalent. The huge publicity of the

Challenger space shuttle explosion in 1986 and the Columbia shuttle disintegration in 2003 make it apparent to everyone that being an astronaut is not a run-of-the-mill job, but rather one with very real dangers (Wilford). Additionally, an astronaut is not forced into her job, but rather puts forth great effort for many years to achieve such a goal, all the while understanding the associated risks. Second, space exploration is not futile because it is human nature to explore our surroundings in hopes of better understanding our existence. Space exploration has already taught us amazing things about the Earth's position in our solar system and in the entire system of galaxies, which in turn helps humans comprehend the meaning of a day and year, and the changing of the seasons. Along with this pragmatic knowledge, these discoveries help us realize our microscopic size compared to the whole universe and give us a unique, more humble, understanding of life. The pursuit of new knowledge is not only natural for humans, but also necessary in order for us to find our place and role in the whole world.

The third objection, regarding the costs of space exploration, appears at first to be the strongest of the three, because such endeavors are very expensive. Yet, this criticism fails to recognize the potential economic benefits that are available directly in space and indirectly through the sale of goods and technologies that were first developed for space travel. In his speech at the NASA Fiftieth Anniversary Lecture Series in 2007, then NASA head administrator Michael D. Griffin spoke about the emergence of the “Space Economy.” This new market encompasses such commercial goods as GPS navigation systems, weather monitoring devices, and the emerging space tourism industry, in addition to the potential of mining precious stones and generating energy in space (Griffin “The Space Economy”). Furthermore, in 2005, the U.S. Space Foundation estimated the “Space Economy” to be \$180 billion, with huge potential for growth (Griffin “The Space Economy”). As can be seen by the fact that the \$180 billion market is considerably larger than the \$16.8 billion NASA budget, space exploration is a very profitable investment.

Additional benefits of space exploration, and reasons why it is a worthy investment, include its “benefits to national security, economic competitiveness...and science” (Jones). The gains in national security are supplied by way of satellites. Government intelligence agencies use many satellites to gather information regarding national security, and soldiers and advanced missiles rely on GPS navigation for guidance. Our military is the strongest in the world largely due to the superior technology we employ. The advanced weapons and reconnaissance equipment make our soldiers safer and protect their lives. Furthermore, space exploration helps stimulate the US economy through the creation of new jobs and the “[infusion of] new and innovative technology” into the market (Jones). With the emergence of China and India as powerful economies, the economic gains from space exploration are a great way, albeit just one of many, for the U.S. to remain the most powerful economy in the world. Finally, space exploration provides new scientific discoveries and therefore instills an interest in children to study math and science. This influx of students studying engineering, math, and science will assure future developments in technology (Jones). Unfortunately, these benefits are publicized very little by NASA and the U.S. government (Jones). This results in a public that is unaware of the vast benefits that space exploration has on their lives, and is therefore less interested in pursuing more of such exploration.

The first of the problems currently facing future space exploration concerns NASA’s budget. Presently, NASA spends about \$16.8 billion dollars annually, and regardless of taxpayers’ final views toward space exploration, they still want this money to be spent efficiently (Jones). Operating NASA efficiently—or more explicitly, achieving the same exploration accomplishments while using less funds—is clearly a positive achievement, and one that should be strived towards. However, the problem is

that NASA is not running efficiently. As Alan Stern, a previous NASA associate administrator, put it, “A cancer is overtaking our space agency: the routine acquiescence to immense cost increases in projects” (Stern). From his experience, Stern observed that managers are accustomed to being bailed out when their projects run over budget, and they are subsequently managing their projects poorly without much accountability. Moreover, cost overruns in one project jeopardize the future of other projects. For example, the recent \$4 billion cost increases for the James Webb Space Telescope and other increases for the budget of the Mars Science Laboratory and accompanying Mars Rover have “severely delayed proposed missions to study global climate change and to pioneer early warning systems for earthquakes,” among other projects (Stern). The poor management and lack of accountability at NASA have led to an inefficient way of doing business.

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*To gauge this figure, consider that \$16.8 billion is enough money to buy a brand new \$250 iPod for all 61 million people living in the United Kingdom, and still have over \$1.5 billion remaining.*

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On a similar note, some may argue that this is not an important issue because \$16.8 billion only represents about 1% of the total federal budget (Jones). Although this figure may not seem significant in the big picture, \$16.8 billion is still a massive amount of money. Furthermore, many citizens may not be stirred by this \$16.8 billion figure because it is dwarfed by the recent federal government’s Troubled Assets Relief Program (TARP) bailout of \$700 billion (Lengell). However, the present economic struggle has numbed people to such large numbers, and it is important to develop a good picture of the how large the NASA budget really is. To gauge this figure, consider that \$16.8 billion is enough money to buy a brand new \$250 iPod for all 61 million people living in the

United Kingdom, and still have over \$1.5 billion remaining (Apple Store, “CIA-The World Factbook-United Kingdom”). With such a mountainous sum of money allotted to NASA every year, it is important that it is used as efficiently as possible. The recent trend of cost overruns suggests that right now NASA is incapable of conducting this kind of business by itself.

The second problem for space exploration is the dwindling public interest in this area. This dwindling interest makes it difficult for NASA to secure more government funding for its exploration missions and achieve the aforementioned gains. Unlike previous decades like the 1960s and 70s, when the Cold War was at its peak, social interest is not focused on space, but rather on more domestic issues. The Cold War was a time of intense rivalry between the United States and the Soviet Union, the balance of which was often measured by each nation’s successes in space and technology. When this competition ended with the collapse of the Soviet Union, so did our fascination with space exploration. For example, “The 1990s witnessed a

decrease in the relative prevalence of funding questions on civil space,” and “Other, more programmatic topics have dominated opinion surveys for the past ten years” (Roy). This is not to say that public support of space exploration has decreased, indeed, Roy’s study concluded that “Support for space funding has remained remarkably stable at approximately 80% since 1965,” but rather that recently the issue as a whole has taken a back seat to issues that are believed to be more pragmatic (Roy). With a decreasing interest in following the developments in space exploration, U.S. citizens fail to understand the benefits that such exploration has on their lives and therefore don’t pursue plans to allocate more of the federal budget to these gains.

In another recent study concerning the U.S. population’s knowledge and interest in NASA’s projects, researcher John Unland characterized the general sentiment as one that was “‘generally disconnected and disengaged’ from the space program” (Jones). As stated earlier, Thomas Jones argues that this attitude is a result of NASA’s failing to educate the public about its missions, their importance, and the benefits to issues of “national security, economic competitiveness...and science,” as well as the failure of then President George W. Bush to show his interest in such programs (Jones). To preserve programs dedicated to space exploration, and protect the decades of investment, the leaders of the United States, and specifically those of NASA, must rekindle the past excitement about space exploration by publicizing its wide-ranging gains.

Space exploration’s third problem concerns the future of space flight in an era of stricter environmental standards. All spaceships are currently propelled by the combustion of some sort of fuel. This inevitably leads to the release of large quantities of greenhouse gases, specifically CO<sub>2</sub>. Yet, many scientists are calling for a 50% decrease in CO<sub>2</sub> emissions by 2050, and considering that global energy demands are estimated to double in this period, “This would require about a 4-fold reduction in emitted CO<sub>2</sub>” (Froning). Although this obstacle can certainly be overcome, the biggest problem facing this change is that “Government space [Research & Development] leaders are content to continue what seems safe and low risk despite the huge cost involved,” and hence spend miniscule amounts of their research and development money on new forms of propulsion (Froning). This again illustrates NASA’s complacency in allowing taxpayer money to be misspent and mismanaged.

These current problems confronting space exploration and jeopardizing future economic and technological growth can be minimized, if not eliminated, through collaboration between NASA and private companies in the space tourism industry. Although NASA has long been the de facto authority on space technology, this is not to say that great ingenuity and ideas cannot emerge from other avenues such as private companies. There are many motivated companies working to achieve



space travel at the cheapest costs, in order to be able to provide the cheapest tickets for potential passengers. These tickets continue to be expensive—ranging from \$95,000 to \$200,000 depending on the company—but they do provide a unique service that is costly to supply (Klotz). Moreover, these companies do not employ solely rookies in the field of space aeronautics, but work with experts in the field, many of them previous NASA employees. For example, the California-based XCOR Aerospace Inc. will use Richard Searfoss, a retired astronaut who was onboard three NASA missions, as the pilot of its tourism flights on the Lynx spaceship (Klotz). This indicates that these companies have enough skill to be influential and successful in space exploration.

This cooperation between the public and private sectors will solve the aforementioned first problem facing the current system of space exploration: a limited and

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*If intelligent individuals had not believed the opposite and sought to prove their claims, we might still believe that the earth is flat. Strong opposition should never be the reason to abandon potentially groundbreaking research.*

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mismanaged budget. As a result of private involvement in research and development, there are a high number of qualified professionals who are involved with space exploration. It is typical for prices to decrease as suppliers increase, and because private corporations are joining NASA in the space exploration market, mission prices will with all likelihood decrease. There is no better evidence for this than NASA executive Michael Griffin's plan for NASA to contract with these private companies in the near future to provide transportation for people and goods to and from the International Space Station (ISS). Griffin stated, "We hope that this will help to evolve our nation's low Earth orbit transportation industry to one that is more cost-effective, and as reliable, as

what we have today. When we retire the three Space Shuttle orbiters from service, we will need other means to meet ISS logistics needs" (Griffin "Risk and Rewards"). Although it is at first shocking that these private companies can provide passage to the International Space Station cheaper than NASA itself, which has been taking the trip for years, it is more understandable when you consider the vast amount of intellectual resources and motivation that are available through these profit-driven companies. Because these private corporations are fueled by profits and do not have a history of irresponsible management, they will not fall victim to the careless and lackadaisical behavior that handicaps NASA. With any luck, this newfound competition will even inspire NASA to improve its own performance.

The collaboration and expansion of the space tourism industry will also increase public interest in space exploration, the second problem confronting NASA. All news outlets, from newspapers, to television and radio would surely have substantial coverage on these first tourist space flights, creating quite a stir in the general

population. The publicity that such companies would receive would serve to inspire future customers. As Edwards notes in his article, “The chances of the first commercial [Reusable Launch Vehicle] being profitable are unlikely, but if a company can combine a reliable RLV with a sustainable customer base, it’s possible to achieve a positive business outcome” (Edwards). It does not make business sense for a company to enter a market it does not see as profitable, but because companies such as Virgin Galactic have already received 250 reservations and \$25 million from customers determined to catch a ride on one of the first commercial flights into space, it is a reasonably sure assumption that this market will provide profits (Edwards). NASA’s own space missions, which do not cater to tourists, would ride the wave of public interest in space exploration, enabling the agency to obtain more government funding to accomplish its numerous gains mentioned above.

Some people may presume that to be profitable, space tourism needs to cater to the general public, and therefore be affordable for the middle class, but this assumption is mistaken. There are many examples of companies such as Ferrari, Gulfstream, and Rolex that provide the ultra-rich with their exotic cars, jets, and watches, respectively, and continue to sustain business. Furthermore, despite being unattainable to the general public, each of these companies still receives enormous public interest from people of all incomes. Clearly such businesses can elicit interest in normal citizens who dream of one day being able to afford such luxuries. Although it is likely that space tourist trips will decrease in price overtime, just as most services do, these examples of Ferrari, Gulfstream, and Rolex suggest that even if the prices do not become low enough for the average person to afford the trip, there will still be considerable excitement in the general public for this unique experience. Most importantly, NASA will still benefit from this public enthusiasm through increased interest in its missions.

The third of NASA’s problems, the future environmental obstacles to space travel, is also repairable through collaboration with private companies. With the assured strengthening in emissions standards, future spaceships will most certainly have to find a new source of fuel. However, NASA is very comfortable continuing to use the present inferior techniques and refuses to seriously pursue technologies capable of solving this problem. This leaves the responsibility of research and development to private companies. One potential solution being privately researched now calls for the replacement of jet propulsion with field propulsion, yet NASA currently spends less than one percent of their rocket propulsion R&D on field propulsion research (Froning). If reliable field propulsion were achieved, spaceships could be much more cheaply and cleanly powered with electric and magnetic fields instead of burning fuels (Froning). The benefit lies in the fact that “Much of the high current cost of space transportation is caused by the enormous amounts of propellant that must

be combusted and expelled in rocket ships,” and field-propelled spacecraft have the potential to weigh just one-twenty-fifth of a conventional rocket-propelled craft, due to the decreased fuel requirements (Froning). With lower fuel requirements and lower CO<sub>2</sub> emissions, space exploration could survive the imminent stricter emissions standards.

Admittedly there is very complex physics behind these field propulsion processes, and a great deal of research and development would have to be conducted. However, Froning argues that just as air travel was not revolutionized until airplanes used jet engines instead of propeller engines, space travel will not be able to grow until field propulsion supersedes rocket propulsion (Froning). Furthermore, because of NASA’s lack of interest in this important field, private companies are left to be the vehicles of change in this potentially revolutionary area. Of course there are critics who say

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*Only through collaboration with private companies will NASA be able to reduce its costs and manage its budget efficiently enough to pursue far reaching accomplishments and discoveries in space.*

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that spending money on such an unproven source of power is irresponsible and wasteful. Froning even admits that most electrical and electromagnetic professionals are skeptical of the theories that could power such a spacecraft. However, this does not mean that research should not be conducted. For example, before the end of the fifteenth century, many people believed that the earth was flat. If intelligent individuals had not believed the opposite and sought to prove their claims, we might still believe that the earth is flat. Strong opposition should never be the reason to abandon potentially groundbreaking research. Certainly, as research in such an area can be incredibly expensive, discretion should be used to

prevent foolish loses, but this research should not be entirely abandoned. Increasing the amount of research conducted in field-propulsion beyond the paltry level it is at now would give scientists a better idea of whether or not this is a feasible solution to the expensive and pollutant nature of space travel now. If this were found to be a realistic approach, the benefits would extend beyond spacecraft. Automobiles would benefit from this technology through decreased electric motor mass. Modern all-electric and hybrid vehicles are burdened by the huge weight of their batteries and power source, but field propulsion has the potential to decrease this mass by nearly 80%, leading to drastic increases in fuel efficiency (Froning). Of course, none of this is possible without the involvement of private companies in the space market, as NASA has demonstrated that it is unwilling to pursue such research.

Although critics may point out that if space tourism is to be a viable area for investment, there needs to be a long term sustained customer base to offset the vast development costs that exist upfront to companies, research shows that this customer interest does exist. Twenty-three companies have already begun producing reusable

aircraft and selling tickets into space, and are having difficulty keeping up with demand (Edwards). The management teams of these companies obviously believe that there are profits to be made in this industry. Furthermore, although NASA does offer some cash prize competitions to help offset the costs of starting such a business, the prize rarely recovers the company's startup costs. This illustrates even further how strongly private companies feel that this is a great market for making profits. For example, recently NASA awarded \$2 million to the winners of the Northrop Grumman Lunar Lander Challenge for their efforts in creating a space capsule and mission with the potential of reaching the Moon. However, the 12 teams who competed for this prize spent an estimated \$12 million in developing their plans. Michael Griffin notes that by receiving \$12 million worth of development for only \$2 million, this is a great return for NASA on taxpayer dollars (Griffin "Risk and Rewards"). Such competitions provide great cost savings for NASA, but would not be pursued by companies if they did not see their investment as a worthy endeavor in which they could profit.

Of course it is difficult to predict the future in any situation, and considering space exploration's turbulent and changing nature, it proves no exception. Yet, there is virtually no limit to what we can discover outside our own planet and the security, economic and technological benefits of this exploration are immense. However, due to financial reasons, none of this will continue if NASA is the sole actor in space travel. Only through collaboration with private companies will NASA be able to reduce its costs and manage its budget efficiently enough to pursue far reaching accomplishments and discoveries in space. Michael Griffin has expressed confidence in only one fact: "We're going to have a space program" (Schwartz). I would add one more promise: that if we are going to have a *successful* space program, it must be organized as a collaboration between NASA and private companies.

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## *Author's Biography*

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### JOSEPH RAMPINO

Joseph Rampino hails from the city of Long Beach in sunny Southern California. He is an alumnus of Loyola High School in Los Angeles, and he now lives in Knott Hall at Notre Dame. Joe plans on majoring in Finance and is also considering attending business or law school after getting his undergraduate degree. Based on these academic interests, he decided to write his researched argument as an analysis of the effects of passing national cap and trade legislation in the United States. In his spare time, Joe enjoys DJing for WVFI on campus and playing golf when the ground is not frozen.

# Unspoken Effects of Environmental Policy

## The Proposed Cap and Trade System in the United States

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JOSEPH RAMPINO



Over the last decade, one of the most intensely debated issues in the political forum has been that of man-made global warming, now typically known as climate change. Of the various positions that have been discussed as preventive measures, a national cap and trade policy in the United States stands today as the frontrunner for legislative success. The American Clean Energy and Security Act of 2009, sponsored by Representatives Henry Waxman and Edward Markey, passed in the House of Representatives on June 26, 2009. This bill, as a national energy cap and trade policy, aims at reducing carbon emissions and the use of nonrenewable energy sources. Under this system, emission permits, or carbon credits, are issued or auctioned to corporations to limit their carbon based fuel consumption, but companies can either buy or sell the credits depending on whether they choose to become more energy efficient. Cap and trade policy effectively caps consumption and rising energy prices to discourage and control the carbon emissions into the environment. On the worldwide stage, however, this policy is counterproductive and ineffective for the United States because it places a notable and regressive tax on citizens, it negatively affects national wealth and income while providing no real, concrete benefits, it puts companies based in the United States at an economic disadvantage internationally, and it cannot make a significant global impact when other large nations are not compliant.

First, to truly understand the ramifications of enacting a national cap and trade policy, it is necessary to explain the general principles and goals of the Waxman-Markey bill. Its predecessor, America's Climate Security Act of 2007 (Lieberman-Warner) failed to become law, but it proposed a similar, though less rigorous policy. Hence, it will be necessary to also examine the Lieberman-Warner bill in this paper because there is a greater quantity of economic analysis on it (since Waxman-



Markey is comparatively very recent) and because it would have had equivalent, though less pronounced effects. The Waxman-Markey legislation covers multiple areas of environmental policy, with the greatest emphasis on increasing the use of clean energy sources, energy efficiency, and reducing pollution related to global warming. First, the bill enacts a renewable electricity standard that requires utilities to produce an increasing percentage of their electricity from renewable sources (Sheppard). While all the renewable energy sources are very inefficient and underdeveloped compared to the current sources, Waxman-Markey still requires “20% renewables by [the year] 2020. Eligible resources are wind, solar, geothermal, biomass or landfill gas, qualified (incremental) hydropower, marine and hydrokinetic renewable energy” (Larsen, Kelly and Heilmayr 1). In terms of increasing efficiency, the

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bill focuses on new standards for buildings, industry, lighting and appliances, and transportation by employing both new regulations and subsidies for investment in new technology.

Furthermore, the actual cap and trade portion of the legislation focuses on reducing carbon emissions in two ways: by enacting emission caps and by consequentially increasing the price of those carbon based energy sources. The overall emission reduction targets that limit the total number of permits available decrease from the 2005 emission levels as follows: 3% by 2012, 17% by 2020, 42% by 2030, and 83% by 2050 (Larsen, Kelly and Heilmayr 3). Initially, on the yearly basis, about 85% of the emission permits would be distributed for free, with 15% auctioned off; over time the amount auctioned would go to 100%. The trade portion comes into play when

a firm cuts its emissions to the point of having excess permits and then either sells them or banks them for future use; so if a company needs more permits, it can buy them from other corporations (Sheppard). When the emission allowance levels become consistently lower, the permit prices within the trade market will continuously rise as the resource becomes increasingly scarce.

Another important component of the program is the ability for corporations to fund carbon offset projects. Under this portion of the legislation, “Regulated companies would be able to purchase carbon offsets to meet a portion of their required emissions reductions—meaning they could fund clean-energy projects elsewhere instead of cutting their own emissions” (Sheppard). Ironically, while this can help somewhat to curb rapidly rising energy prices resulting from cap and trade by allowing firms to emit more in exchange for funding other green projects, it deters the overall environmental positives that come from reducing emissions. The primary method for curbing global temperature increases is cutting the amount of carbon

spewed into the environment, so partially circumventing the actual emissions caps will only impede the overall effectiveness of the bill in reaching its goal. Even though offsets can mildly suppress the upward pressure on energy prices, since this type of cap and trade policy in its entirety inherently restricts the consumption of vital, scarce resources, it necessarily increases energy prices overall. Advocates of the Waxman-Markey bill take the position that, collectively, its programs will improve the global climate conditions; unfortunately though, they often overlook the reality of drastic differences in international environmental policy and the negative macro economic effects of enacting such regulatory legislation.

The Congressional Budget Office (CBO) offered a cost estimate for the Waxman-Markey bill on June 19, 2009; however, its analysis is flawed in various respects. One striking underestimate is that “the CBO’s June 19 study projected that the allowance price...will be \$28 per ton of CO<sub>2</sub> in 2020. Since there are 5.056 billion tons of CO<sub>2</sub> equivalent in the cap that year...this projection implies a \$141 billion gross cost; however, CBO lists the cost as \$91.4 billion” (Kreutzer, Campbell and Loris). That cost is also a surprising decline from \$152.9 billion in 2019; as the cap becomes more stringent and permits scarcer, one would expect allowance revenue paid to the government to continue rising (Kreutzer, Campbell and Loris). These estimates are evidently inconsistent with the reality of the situation, and even more disturbing is the Congressional Budget Office’s ignorance of the greater economic impact. It conveniently refrains from examining the effect of Waxman-Markey on gross domestic product (GDP), which The Heritage Foundation finds to be a \$161 billion decrease in 2020, or a \$1,870 cost to every family of four. It also fails to recognize the supply and demand equilibrium effects that flow from dramatically increased energy prices (Kreutzer, Campbell and Loris). The Congressional Budget Office’s analysis cannot be taken as anything more than an accounting cash flow projection for the government, as it omits some (especially the aforementioned) extremely significant net cost factors from its report. It is of utmost importance to note that this rather selective report was undoubtedly involved in the deliberations, and subsequently the vote, in the House of Representatives and will also be a factor in the discussions within the Senate because their Congressional Budget Office conducted the analysis.

For a cap and trade program to achieve its environmental cleanup goal, it must force a shift away from traditional fossil fuel, coal and natural gas energy sources, which will truly strain the United States’ economy. The Institute for Energy Research points out that “Cap and trade is designed to increase the price of 85 percent of the energy we use in the United States...President Obama’s [Office of Management and Budget] OMB director, Peter Orszag told Congress last year that ‘price increases would be essential to the success of a cap and trade program’” (“Cap and Trade”

1). Considering limitations would be placed on the use of 85 percent of the current energy sources, there would consequently be widespread, unavoidable, and as the director of the Office of Management and Budget put it, desirable price increases. Although often overlooked, this is the goal of such a policy; it must forcibly push for investment in the development of alternative clean energy sources, or else there would be no incentive to engage in such action. While it sounds like a noble cause, the fundamental problem with cap and trade legislation in its affecting energy prices is that the cost of energy in the future becomes contingent on technological advances and potential developments in new energy sources. Considering all the research and money put into alternative energy development such as wind and solar power, they have showed relatively little progress in output or efficiency; hence, many of these sources do not look particularly promising as replacements or even legitimate contenders for the traditional fuel sources.

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*Particularly problematic here is the fact that it is absolutely unavoidable that these increases in electricity and gasoline prices be directly passed on to the entire American public.*

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While quantitative analysis is not as prevalent on the Waxman-Markey bill, The Marshall Institute released a comprehensive study of the data related to the Lieberman-Warner bill's effects on energy prices, which acts as an accurate guide for what to expect from Waxman-Markey. As correctly anticipated, the study finds increases in electricity, gasoline, and natural gas prices; it compiles ranges of price increases under different scenarios as calculated by various researchers. First, concerning electricity prices, "Lieberman-Warner's cap-and-trade system is estimated to increase the price of electricity by anywhere from 5% to 15% in 2015 and anywhere from

14% in the [Environmental Protection Agency] EPA core scenario to 128% in the [American Council for Capital Formation/National Association of Manufacturers] ACCF/NAM's high cost scenario in 2030" (Buckley and Mityakov 13). The increases in gasoline prices are generally slightly less but could be equivalent to the changes in electricity prices: "The lowest estimates are [Clean Air Task Force] CATF's and EPA's core scenarios, predicting increases of 11.6% and 16.7% by 2030, respectively. Alternative scenarios using higher-cost assumptions show increases from 41.2% to 145% by 2030" (Buckley and Mityakov 14). Particularly problematic here is the fact that it is absolutely unavoidable that these increases in electricity and gasoline prices be directly passed on to the entire American public.

Moreover, cap and trade legislation affects natural gas prices in a unique way. Since natural gas is the best alternative energy source to coal, any cap and trade program will increase reliance on it as coal use is curbed. As a result of rising demand for natural gas, its price would be especially sensitive to the pace at which low-carbon alternatives to what is presently coal-produced power are developed. An

ACCF/NAM study assuming few low-carbon alternatives to coal sees natural gas prices rising more than 200% over 2005 levels by 2030 (Buckley and Mityakov 15). It is evident with natural gas that the development of presently nonexistent or nonviable technologies is absolutely necessary to prevent energy prices from skyrocketing for American households. This is a rather daunting prospect, considering the production costs in nearly all sectors of industry would be left to high levels of risk as massive leaps and bounds in technological advancements would be necessary to prevent those expenses from getting out of control. While these three different commodity price increases have wide ranges depending on the assumed situational factors, it is safe to say that both corporations and individuals will incur notable costs that will be felt directly, along with having costs passed down from the industrial and utility companies' rising production expenditures. Also, considering that these estimates are for the Lieberman-Warner bill, the price effects of the Waxman-Markey bill could be assumed to be of greater magnitude due to its stricter controls, standards and limitations.

Furthermore, the effect of cap and trade related energy price increases and emission limitations could be seen on the overall United States economy through its reductions in gross domestic product. Estimated GDP losses vary from a .3%-5% to 3% drop in 2015 and a 1% to 10% drop in 2050, dependant on the arrival of new technology and clean sources of energy, the availability of offsets and the ability to bank credits for future use when the government issues fewer total allowances (Buckley and Mityakov 3). Bryan Buckley and Sergey Mityakov continue to explain, "Our analysis of available estimates suggests the welfare costs of mitigation consistent with the provisions of Lieberman-Warner are going to be large as GDP consistently falls short of its potential" (10). In essence, they say that GDP will not necessarily decrease in total value but that it will be prevented from reaching levels that it would attain without a cap and trade policy. The losses in GDP are effectively compounding as the percentage declines occur every year, leading to significantly larger and larger losses of wealth in the long run. That drop in national income carries over to decrease consumption levels within the American public, and as Buckley and Mityakov pointed out, it places negative pressure on social welfare as annually compounding decreases in consumption add up to extremely significant losses for Americans in the long run.

The decline in consumption acts as an effective tax of serious magnitude on American households. The "tax" increases in real value from approximately \$1400 to \$2000 during 2015–2030 and from \$2000 to \$3000 during 2030–2050 (Buckley and Mityakov 9). These are truly significant impositions placed on the American public. While the numbers may appear low for estimates up to 40 years in the future, they are the real values measured regarding 2005 data; the nominal values would

most likely compute to higher amounts, as they are proportional to the inflation incurred over the time periods. Since the “tax” initially manifests itself in energy prices, it comes out to be rather regressive. Ergo, “According to the Congressional Budget Office...A mere 15 percent decrease in carbon dioxide emissions would cost the lowest-income Americans 3.3 percent of their income, but only 1.7 percent of the income of higher income households. President Obama wants to decrease greenhouse gas emissions by 83 percent” (“Cap and Trade” 2). Increasing energy prices affect everyone at a nearly flat rate, so it is consistent with these data that such cap and trade legislation disproportionately burdens the poor. Between the

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compounding declines in GDP and consumption and the regressive nature of this policy, the social welfare losses in the United States will be significant and undoubtedly have measurable negative effects on virtually all households.

An additional result of the emissions cap increasing energy prices is a definite escalation in firms’ production costs as energy consumption becomes more expensive. This has very strong and real implications, most notably domestic job losses in the United States. Accordingly, “The net job losses from S. 2191 [Lieberman-Warner] are estimated by Charles River Associates to be 1.2 million to 2.3 million by 2015” (Lieberman). Again, Waxman-Markey should warrant reasonably larger increases in unemployment due the greater effects of its more restrictive policies. From a GDP standpoint, the negative impact on employment is completely expected. As production falls short of what it would be without a cap and trade policy, full employment successively and consistently decreases. Since businesses will logically try to prevent their operating costs from skyrocketing, “Higher natural gas

prices will force [firms] to pursue options offshore and overseas” (“Cap and Trade” 7). This leads to mass job losses, especially in the industrial and manufacturing sectors where energy prices, predominantly of natural gas, have a large bearing on operating costs. In the end, a cap and trade policy ends up outsourcing American jobs to nations that do not enact environmental regulations or strong labor laws because it is only rational for firms to seek out the lowest cost options to prevent construction costs from rapidly rising so that they can remain competitive in the global economy. Any national cap and trade policy will send opportunities for labor away from American citizens and transfer income out of the United States. Under these circumstances, there is an incentive for developing or industrializing nations to continue to pollute in keeping manufacturing costs low, so that they may reap the economic gains of incoming industry from nations such as the United States.

Not surprisingly, China has surpassed the United States as the largest emitter of greenhouse gases, and as both China and India continue developing industrial production and manufacturing, they are growing their rates of emissions at much higher paces than the United States, where emissions rates have nearly leveled off (Lartigue and Balis).

Additionally, the Waxman-Markey bill imposes protectionist international trade restrictions on imports to the United States. Specifically, “Waxman-Markey includes a provision that would require the president to levy tariffs against nations that have the good sense not to pass similar legislation” (Spruiell). This will naturally increase the cost of foreign oil because nations can only do one of two things: pass comparable legislation that puts an upward pressure on price or continue to operate their economies without the strict regulations, forcing them to face the tariff. These costs get passed over to American consumers in the form of rising gasoline prices. Canada, as one of the United States’ largest sources of foreign oil, has agreed to bring its refineries into compliance with such legislation; hence, the price of Canadian oil will increase on a relatively equivalent scale to the price increase within the United States (Spruiell). For Waxman-Markey to achieve its policy goals though, this free trade restricting provision is necessary to prevent private firms and individuals from bypassing the bill’s costs by buying products from countries that do not enact stricter environmental regulation (Spruiell). To have its intended positive effect on the climate, Waxman-Markey must either attempt to require the decreasing of global carbon emissions and energy consumption or discourage consumers from supporting nations that choose to pollute.

Accordingly, it is important to note the actual potential effect that a national cap and trade program such as Waxman-Markey could have on global temperatures. Through cutting carbon dioxide emissions by 83% in the United States by 2050, climatologist Chip Knappenberger finds that the bill would reduce the amount of increase in global temperature by approximately 0.05°C by 2050, and if the standard is maintained through 2100, it would result in between 0.112°C and 0.195°C in temperature savings. During this entire period the global temperature steadily increases; these reductions are only from what the temperature would have risen to without the policy. To put the bill’s sole positive effects in perspective, by 2050 it will negate approximately two years’ worth of warming, and by 2100 it will prevent about five years’ worth of warming (Knappenberger). Those meager global temperature savings, a few years of mitigation in a century, are the entire fruition of Waxman-Markey’s goal. For a legislative act that will cost tens of trillions of dollars total in the long run, it provides such minimal benefits, with completely unnoticeable day-to-day effects, that it should not even be considered as a legitimate option to curb global warming.

Overall, the debate around any monumental legislation comes down to cost-benefit analysis, and in the case of instituting a national cap and trade policy in the United States, the negative effects of the American Clean Energy and Security Act of 2009 vastly outweigh the potential environmental gains. The detrimental economic effects of Waxman-Markey range from annual, compounding declines in GDP and consumption to effectively regressive taxes to millions of jobs losses; the overall social welfare losses for Americans are enormous. Considering the magnitude of these long run burdens placed on United States citizens, while in reality providing them with no actual or measurable benefits, it becomes extremely difficult to justify enacting cap and trade legislation under any circumstances. Casey Lartigue and Ryan Balis take an interesting look at the entire idea behind such a policy, "Imagine if, in 1966, then President Lyndon B. Johnson had tried to determine what the emissions levels of America should be 42 years into the future." To think that a government could accurately predict the energy demands of its society nearly a half-century into the future is quite a stretch and essentially what is going on today with the proposed cap and trade legislation. Putting that kind of power in the hands of the government cannot be justified when the plausible positive impact of enacting the Waxman-Markey bill is so negligible, and its negative economic effects are of such great magnitude. In the end, if United States citizens want to avoid significant personal and national economic detriment, they should do everything in their power to encourage their Senators not to pass the Waxman-Markey cap and trade bill.

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## *Author's Biography*

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### EDWARD SANCHEZ

Edward Sanchez is a freshman from Milwaukee, Wisconsin, majoring in Math here at Notre Dame. The oldest of nine children, he was home-schooled through high school, where he learned to have a deep interest in Catholic philosophy and theology, particularly in the area of morality and ethics. The motivation for his paper, "The Justice of Capital Punishment: Shining an Unchanging Light on a New Path," came largely from a number of interesting conversations with fellow home-schooled students, and from a general curiosity about the Church's apparent change in position on the issue of capital punishment. In his paper, he tries to recognize and explain the seeming disparity between the modern Catholic attitude of opposition to capital punishment, and the acceptance given it by the Church in the past, particularly in the teachings of Thomas Aquinas. In the future, Sanchez is planning to continue studying math, perhaps pursuing a career in the sciences.

# The Justice of Capital Punishment

## Shining an Unchanging Light on a New Path

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EDWARD SANCHEZ



In the modern age, we experience opportunities and challenges that are unique in history. As human capabilities continue to grow, whether in science, technology, culture, or other areas, men and women find themselves in situations never previously considered. These provide exciting opportunities, but the new developments also bring with them a responsibility to apply principles of justice and truth in new ways and, sometimes, to change the way we think or act in a given situation. The issue of capital punishment is one example of a situation which requires us to rethink traditional positions and to summon the courage necessary to apply unchanged principles in a new way. The question of the death penalty carries with it many weighty issues, such as the right to life, the relationship of the state to the individual and the purpose of formal punishment. These subjects have been studied throughout history, and many great thinkers have explored their intricacies and explained their consequences. Their thoughts should affect our discussion of whether dealing out death as punishment is ever permissible, and when specifically it may be appropriate. These questions also have moral bearings; thus, it is fitting that the Catholic Church, which deals in a special way with questions of morals, recognize the issue and search for an answer that is in harmony with the divine law.

The Catholic Church has examined the justice of the death penalty for many centuries, and various theologians and teachers have felt it their duty to explain the moral aspects and consequences of the issue. Despite countless opinions and various disagreements, the most authoritative formulation of the traditional Catholic teaching on the death penalty is found in the works of Thomas Aquinas, who taught that it is moral for a government to inflict death as a punishment for crime. There have always been voices condemning the use of the death penalty; nevertheless, these voices generally yielded to the more common Catholic belief that the

death penalty was permissible for civil authority if it prudently accomplished the goals of security for society, future deterrence from crime and considerate but appropriate justice for the criminal (Dulles 6). More recently, however, the situation seems to have changed. While not denying that the death penalty may sometimes be used justly, many leaders in the Catholic Church, including former Pope John Paul II, have actively opposed its use in modern societies. An analysis of today's situation using the principles laid down by tradition reveals that the traditional motives for capital punishment are not best served by its practice today, and that the development of the Church's understanding of the issue is consistent with changes in culture and civilization.

As we analyze the Catholic principles regarding capital punishment, we begin by investigating teachings from the childhood of the Church. Before the Middle Ages,

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*According to Aquinas, no human court will hand down a sentence that inflicts perfect retribution, and, indeed, the time for perfect retribution will not come till the final divine judgment.*

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Catholic thought on the issue varied. In the New Testament, there are examples of Christian approval for the notion of the punishment by death; in his letter to the Hebrews, St. Paul refers to the fact that the Mosaic Law permitted capital punishment and from this foundation argues his own point. He also seems to respect the idea of the death penalty in his letter to the Romans, in which he declares that the executioner of the state "does not hold the sword in vain; for he is the servant of God to execute His wrath on the wrongdoer" (Dulles 2). These statements from the Apostle Paul seem to recognize the legitimacy of capital punishment, but their words are very

vague and general, and are certainly not sufficient to establish a clear principle in favor of it. In fact, there are indications from Scripture which point toward the opposite conclusion. For example, in the directives of the early Church found in Acts 15, there is repeated twice the command to "abstain...from blood." Herbert Bainton, in his book *Christian Attitudes Toward War and Peace*, explains that this phrase signifies the avoidance of all bloodshed. Evidently this was taken in a very broad sense in the Western Church, and applied to capital punishment and war, along with murder (78). Thus, the idea that the New Testament provides a basis for support of the death penalty is subject to considerable doubt.

The words of various Church Fathers are also somewhat ambivalent. Some teachers opposed any involvement in the execution of the death penalty. One second-century philosopher, Athenagoras, stated that a good Christian will not see a public execution out of respect for human life (Bainton 78). Paul Surlis, in his article "Church Teaching and the Death Penalty," summarizes this view of the first two centuries of Christian thought on the matter, and makes the claim that, over the first two hundred years of her existence, the Church was essentially pacifist, refusing to engage

in bloodshed of any kind, whether in war, in personal defense, or in the legal system (1). In the fourth century, the apologist Lactantius condemned the death penalty and all killing in part of his large work “The Divine Institutes” (Church Fathers: Divine Institutes, Chapter VI). However, not long after Lactantius, the profound theologian and philosopher Augustine provided a strong and rational justification for capital punishment. In his *City of God*, he holds that the moral law against killing is subject to certain exceptions, and that one of these exceptions applies to one who serves the state by executing criminals. How does he support this stance? He explains that the one who kills the condemned individual does not act on his own, but as a servant of the state, which has a duty and responsibility to ensure order and administer justice (Dulles 3). The general impression received from an examination of the early Christians is that a large number disliked the death penalty and wished to avoid associating with it, but at the same time, many of them, particularly Augustine, recognized its significance in the role of the state. To summarize, it would seem that, in the Church’s infancy, Christians tried to avoid involving themselves in any type of killing. However, as Christian theology progressed, and as Christians themselves became more involved in civil government and positions of authority, the death penalty became more widely accepted.

We have seen that the early Church Fathers expressed varying opinions on the death penalty; for a more precise and definitive understanding of what has become traditional Catholic teaching, we must look to the thought of the Middle Ages, particularly that of the great philosopher Thomas Aquinas. His philosophy is considered among the most authoritative of all the teachers of the Church, so a detailed understanding of his position on the matter of capital punishment will be very important. Let us begin by gaining a grasp of his basic understanding of punishment. In Aquinas’ works, we find recognition that the main purpose for all punishment is retribution; the basic and most essential reason for punishment is to restore the balance upset through injustice by inflicting harm on the offender who, in some way, gains by the injustice (Gardner 48). Every offence results in an inequality and disorder, where one party obtains something good at the expense of another. The infliction of a penalty deprives the offender of something good, and thus restores the balance. This “retributive” end is the foundation of the philosophical understanding of punishment. Of course, Aquinas also recognizes the legitimacy of other “medicinal” motives for punishment: the incapacitation of the offender, the rehabilitation of the offender and deterrence of future crime (Gardner 56). Deterrence of future crime is one rather clear purpose of any punishment, while the point of incapacitation is to protect others from future offenses by the individual. One other point to consider, however, is the rehabilitation of the offender. In its rehabilitative aspect, punishment should bring the offender a sense of justice and an awareness

of truth, and thus encourage his repentance. Although these other three purposes are clearly side effects, or “remote ends,” Aquinas affirms that, in civil authority, these three purposes are the essential reasons to execute punishment. According to Aquinas, no human court will hand down a sentence that inflicts perfect retribution, and, indeed, the time for perfect retribution will not come till the final divine judgment. Therefore, the civil state must be primarily concerned with ensuring that its punishments, while still acts of retribution, are at the same time medicinal: that they involve protection for the offender, his rehabilitation in some way and general deterrence from future crime (Gardner 63).

From this foundational understanding of punishment and its purpose, we can proceed to explore Thomas Aquinas’ explanation of the death penalty. He declares it to be legitimate and sometimes necessary for the state to inflict death as punishment. He bases this on the point that the whole of society is greater than its parts and that if one of the parts, that is, an individual, becomes inimical to the common good, then the elimination of that individual is indeed moral. By committing a serious and violent crime the individual also loses his right to life, and makes his own life a forfeit. In his work *Summa Contra Gentiles*, Aquinas compares capital punishment to the act of removing a diseased limb or organ from the body. In his own words, “Now, the physician quite properly and beneficially cuts off a diseased organ if the corruption of the body is threatened because of it. Therefore, the ruler of a state executes pestiferous men justly and sinlessly so that the peace of the state may not be disrupted” (Gardner 72). This is an explicit recognition of the legitimacy of capital punishment, and a somewhat reasonable justification for it. However, in his other, larger work, the *Summa Theologica*, he expresses the limit of this rationale, explaining that death can only be a final option. Here, Aquinas states that “A member should not be removed for the sake of the bodily health of the whole, unless otherwise nothing can be done to further the good of the whole” (Gardner 75). We thus see that Aquinas, while recognizing capital punishment as a legitimate right of the state, also considered it to be necessarily a last resort.

Having looked at the traditions of Catholic teachers, and examined in some detail the principles of the Church as laid out by Thomas Aquinas, we now proceed to compare these with the modern Catholic attitude toward the death penalty. It is very interesting to see the similarities between the statement of Aquinas in the *Summa Theologica* and the statement of Pope John Paul II, in his modern encyclical *Evangelium Vitae*. In this encyclical, His Holiness declares that the state “ought not go to the extreme of executing the offender except in cases of absolute necessity: in other words, when it would not be possible otherwise to defend society” (Sec. 56). This seems remarkably consistent with the previously quoted words

of Aquinas, who referred to capital punishment as a final option. Each concludes that, though capital punishment is permissible sometimes in theory, in practice it should always be considered a last resort. The basis for the difference between the two teachers, is clearly seen in the Pope's next statement. Immediately following his words quoted above, John Paul asserts that the times when capital punishment is necessary have become practically "nonexistent" (Sec. 56). These strong words are quoted in the *Catechism of the Catholic Church*, paragraph 2267, which, while recognizing the traditional right of the state to inflict the death penalty, still affirms that the advances in resources and possibilities for incarceration have made it nearly obsolete in practice. This declaration of the fact that the death penalty has become unnecessary represents an alteration of the Church's official stance, but it can still be seen as a natural and, indeed, perhaps even a necessary growth from the traditional understanding.

However, this statement by John Paul and the teaching in the Catechism still represent an adjustment in Catholic thinking. Why exactly is this adjustment consistent with traditional principles? Is there a legitimate motivation for this change in attitude toward the death penalty? It is necessary to return again to the initial definition of the basic purposes for any punishment. Earlier in the paper, we recognized Aquinas' statement which declared that, while retribution is the basic reason for punishment, the civil state must be primarily concerned with ensuring that its punishments are effective at protecting society, encouraging the recovery of the offender, and acting as a deterrent from crime. Always remembering the fact that, according to both Thomas Aquinas and John Paul II, capital punishment should not be considered unless it is the only way to achieve these purposes, let us consider how they are fulfilled by the death penalty today.

First, there are the questions of the protection of society and the rehabilitation of the offender. Regarding the protection of society from further injustice by the offender, it seems obvious that, with the improvements in the prison system and a great general increase in resources for incarceration, the threat of a convicted offender escaping to inflict more injury on society is rather remote. This was certainly the opinion of John Paul, who justified his statement in *Evangelium Vitae* by citing the "steady improvements in organization of the penal system" (Sec. 56). Modern prisons are certainly vastly more effective than those of the Middle Ages; therefore, the principle that capital punishment can be used only as a last resort would certainly seem to exclude capital punishment today. Some point out that there are situations in which the criminal in prison can direct and organize additional crime in society, or can inspire others to commit crime. However, as Dr. Robert Gotcher, a specialist in moral theology, observed, situations such as these are generally rare

and extreme cases, which the Church would consider separately from the normal rule (Gotcher). As for the rehabilitation of the criminal, there are some who argue that the knowledge that the end of life is near would encourage a sense of humility and repentance. However, with the countless number of criminals who are executed without having repented of their crimes, it seems more consistent with this principle of rehabilitation to forego the option of execution and give the offender as much time for remorse as possible. Both of these factors, therefore, seem to point against the use of the death penalty today.

The next question, that of deterrence, is a very controversial one, with a wide variety of opinions among secular researchers. One widely recognized study, performed by the *New York Times* in 2000, concluded that states without the death penalty

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had a lower percentage of homicides than those that did inflict the death penalty. Their detailed research and analysis concluded that there was no real deterrent effect created in those states that practiced capital punishment (Bonner 1). On the other hand, some studies have shown support for the idea that enforcing a policy of capital punishment does indeed cause a decrease in violent crime. This was the conclusion of researchers at Emory University who, in 2003, published data suggesting a strong deterrent effect for the death penalty (Dezhbakhsh et al 1). But other investigators quoted in the *Congressional Quarterly*, Richard Berk and Jeffrey Fagan, disagree with results such as these, saying that the studies done are often prone to error, and that most of the information

indicating a deterrent factor come from a single state, Texas. It is unlikely, these two researchers say, that a potential killer would think about the odds of capital punishment when considering a crime (Jost 12). Thus, there is considerable disagreement among analysts over whether capital punishment produces a consistent deterrent effect.

The first two considerations, of protection for society and an offender's rehabilitation, were both against the use of capital punishment. Does this uncertainty about deterrence have enough weight to negate the other two factors? Keep in mind that this issue, capital punishment, involves the life or death of a human being. Though guilty of crime, such a person still has intrinsic worth, and the question of putting a human individual to death is an extremely serious one. Can an issue of this depth and complexity be determined by a statistical uncertainty? With so little consensus on what the numerical evidence really means, it seems very hard to justify using the single consideration of deterrence as the essential reason to end a human life.

In summary, an analysis of the traditional Catholic principles regarding civil punishment and an investigation into the facts of capital punishment today reveal many good reasons to reject the practice. Indeed, this is the position of a large number of Catholic leaders. In its 1980 statement on the death penalty, the United States Conference of Catholic Bishops (USCCB) announced its formal opposition to the death penalty. Pointing out how the use of capital punishment today does not fulfill the criteria for just punishment, the bishops, while they recognized that traditional Catholic teaching accepts the legitimacy of the death penalty, nevertheless advocated its removal from the United States (USCCB 1). This opposition also exists in other countries; for example, in 1992, the bishops of the Philippines issued a statement opposing the reinstatement of the death penalty (Langan 2). This marked dissatisfaction with the modern use of capital punishment has continued up to the present day as well. One recent action was the USCCB Catholic Campaign to End the Use of the Death Penalty, which was started by the Catholic bishops of the United States in 2005. Another example came when Pope Benedict XVI commended the president of the Philippines in 2006 for signing a law that ended capital punishment in her nation (Wooden 1). It is thus clear that the consensus among leading Catholic authorities today is that the ending of the death penalty is the correct decision.

One important point to remember is that, in view of traditional Church teaching on the matter, today's leaders usually do not say that capital punishment is never permissible. In circumstances where prison systems are not as effective, or where deterrence is clearly an important factor, then perhaps it is possible for the death penalty to be inflicted with justice. In situations where it was the only effective way of fulfilling traditional purposes of punishment, it would indeed be necessary, but only once other options had been exhausted. Under circumstances in which the death penalty is not necessary to accomplish the goals of punishment, such as in the United States and most other modern nations, the Catholic Church consistently and actively opposes its use.

Born during the earliest days of Catholicism, developed throughout the Middle Ages, and precisely expressed by Thomas Aquinas, Christian principles of punishment have been strongly formed in the fire of analysis by countless minds. These principles, which incorporate the common good as well as the good of the individual offender, have been refined to clearly reflect the light of justice. The application of these general principles, however, can be different in different circumstances. The rehabilitation of the offender, the protection of society and deterrence from future crime can sometimes require, as a last resort, the presence and execution of the death penalty. This was perhaps the case in the Middle Ages, during the era



of Thomas Aquinas, when the capabilities of science and technology were not as great. However, in modern times, the situation has changed dramatically and most nations do not need capital punishment to accomplish these goals. Therefore, the Catholic Church has adjusted her application of the unchanged principles to reflect the changing times. It is however important to remember that, while the applications can change, the essential truths, meant to guide humanity in its pursuit of justice, remain constant. The ideals of Christianity point humanity to justice, but to a justice that is higher than large-scale vengeance. They point to a universal divine law which protects the welfare of both society and the one who commits a crime against it. The modern age offers us the opportunity to grow closer to this higher and more perfect law. Let us find the courage to pursue this ideal.

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## *Author's Biography*

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### LEANDRA WOLF

Leandra Wolf is an undecided Liberal Arts major from Hillsboro, Oregon. Her usual interests—such as biking, cooking and martial arts—have little to do with convict labor, but rumors of the reinstatement of chain gangs inspired her to research the arguments surrounding them. “Convict Work Gangs: Should They Be Banned or Encouraged?” was the result of findings that challenged and shaped Leandra’s assumptions and beliefs about convict labor in surprising ways, and she hopes that it will encourage others to seriously evaluate their own. She’s especially grateful to her mother, Linda Wolf, who taught her so much about writing; and to Professor Kelly for encouraging her to write ever more honestly and accurately. Most importantly, she acknowledges her huge debt to Rebecca Deeb and Shawndel Gordon for their contributions to her research.

# Convict Work Gangs

## Should They Be Banned or Encouraged?

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LEANDRA WOLF



Since at least the 1960s, convict work gangs have been generally frowned upon by Americans. Tales of inhumane conditions, of crushing physical labor and of the brutal servitude of early “chain gangs” encourage Americans to leave that part of our history well in the past. Movies such as *The Defiant Ones* (1958), *Cool Hand Luke* (1967) and *I Am a Fugitive from a Chain Gang* (1932) increase awareness of these regrettable practices, while emphasizing our obligation never to let them occur again. Outrage over the resumption of such cruel punitive practices in Alabama in 1995 only reinforced the resolve to abolish convict labor forever. So it seems that today, there is an unspoken consensus that prison work gangs are and should be forever put behind us.

Thus, some might be surprised to know that convict work gangs are still among us—that is, that the existence of those convict litter patrols we heedlessly pass on the highway is even now vigorously disputed. Convict labor, some argue, violates the human right to be free from servitude. It offers an unfair economic advantage to those who use it, while exploiting the convicts involved. Too often, it occurs under inhumane conditions—and while the chains that symbolize this inhumanity are appalling, the community’s safety is jeopardized by unrestrained prisoners. Simply put, convict work gangs cannot exist outside the prison without impinging on human rights, free trade and perhaps even the safety of society. For one or all of these reasons, they suggest, convict work gangs ought to be ultimately forbidden, and with finality.

I propose that abolishment of modern “chain gangs” is not the answer, and that all of these concerns, while well-founded, can otherwise be adequately addressed. I believe that convict labor ought to be permitted, although under certain regulation. While I disagree with some, who say that involuntariness makes convict labor im-

moral, I do suggest that voluntariness be the basis of most convict work programs. While worries over adequate compensation are well founded, I think that they have already been appropriately resolved. Also, I think that convict work gangs, outside as well as inside the prisons, can be highly beneficial to both the criminals involved and to citizens, to such an extent that they ought to be encouraged.

First, I believe that fears about free trade are most properly forgotten. Although evidence about convict work gangs which operate outside the prison is lacking, it seems that they minimally affect the larger economy because their employment is limited to such things as local roadwork, running a small-scale farm, or construction.

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*For those seeking employment after release, letters of recommendation can be earned by their satisfactory work and conduct. Convicts also have a chance to prove to the prison administration, future employers, and themselves that they can work without close supervision, with autonomy and with accomplishment.*

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Rather than imperiling jobs, I propose, convicts address needs that would otherwise be neglected or outsourced because the compensation simply can't be put at a competitive level. Thus, convicts are not an economic threat, but a societal boon.

Those convicts that do affect the economy through large-scale interstate commerce are guaranteed minimum wage under federal law, ensuring that the businesses they work for are kept at a competitive level of expense (Deeb). Furthermore, such programs are only federally certified under the condition that private-sector employees not be displaced to move the jobs inside prisons (PIE). The first study to "provide empirical estimates of net local economic effects" of such businesses (Scott and Derrick), conducted of Ohio Prison Industries, found that OPI "has negligible to positive employment consequences for the Ohio economy" (540). "As prison labor critics argue," authors Scott and Derrick write, "prison labor does lead to a net loss of jobs under this as-

sumption [that 100 percent of the jobs replace local ones], but the loss in private sector jobs is quite small—less than one non-prisoner job lost per 100 prisoner jobs created. And there is a net increase in non-prisoner income." The authors not only provide dollar quotes to prove their point but say that "One additional private sector job is created for every six prisoners employed" (548). They conclude, "To the extent that states carefully select industries for prison production which do not directly compete with the local economy, the crowding out will be minimal, the lost jobs may be recouped by the secondary effects, and OPI will provide a positive net economic impact" (549).

Rebecca Deeb, a manager of Prison Enterprise Networks (PEN) of Indiana's Department of Corrections, remarked to me that job displacement by convicts is the least of anyone's worries. Not only does PEN, she implied, fill such a small

sector of the economy, but outsourcing overseas is a much higher economic concern. Thus, the number of prisoner and non-prisoner jobs that Scott and Derrick attribute to convict industries can only help, not hurt, us at home.

What about exploitation of convicts in the form of forced labor? Some scholars suggest that convict work requirements violate the basic international human rights standards that the United States claims to uphold. The “Thirteenth Amendment,” all admit, allows for “involuntary servitude...as a punishment for crime whereof the party shall have been duly convicted,” but as Susan Kang points out in “Forcing Prison Labor,” the U.S. has also signed International Labor Organization Convention 105. This convention, she notes, references ILO Convention 29, which delineates “forced or compulsory labour” as including “any work or service exacted from any person as a consequence of a conviction in a court of law, [when] the said work or service is carried out [without] the supervision and control of a public authority [or] the said person is...hired to or placed at the disposal of private individuals, companies or associations” (Forced Labor Convention 2). Since such “*forced or compulsory labor*” is also forbidden under specific conditions by Convention 105, Kang argues that America violates her contract by allowing convict labor in concert with private companies or without oversight by a public official (Kang 150).

I, however, maintain that the words of Convention 105 are more nuanced than Kang presents them to be. As stated, it prohibits:

the use of any form of forced and compulsory labor—(a) as a means of political coercion or education or as a punishment for holding or expressing political views or views ideologically opposed to the established political, social or economic system; (b) as a method of mobilising and using labour for purposes of economic development; (c) as a means of labour discipline; (d) as a punishment for having participated in strikes; (e) as a means of racial, social, national or religious discrimination.

(Abolition of Forced Labor Convention 1)

The Convention does not, however, prohibit forced and compulsory labor in private sectors entirely, when federally unsupervised, as Ms. King proposes.

Admittedly, it does call into question the U.S.’s motives behind involving prisoners in private-sector partnerships. If they are for “purposes of economic development” then Convention 105 requires that they be overseen by a public official. If, however, the programs are in place to encourage prisoner rehabilitation, to deter crime, to increase economic welfare in public arenas, or for other reasons (excepting “punishment for strikes,” “racial discrimination” and the like), they do not violate Convention 105 and can be carried out in concert with private businesses. Convention 105 does not prohibit forced labor that benefits the public economy,

if it is overseen by a government official. Therefore, I conclude that the U.S. can rightfully make use of involuntary labor for public services, and even, under many circumstances, in union with private industries.

Of course, when work programs are implemented on an involuntary basis, often they require prisoners to pay a certain amount for their keep. Charging prisoners, as Genevieve LeBaron argues in “Prisoners and Production in the USA,” leads to unfair oppression of the poorer among them. “Formerly public assets,” she says, “prisons are now run as capitalist enterprises, and prison food, management services, infirmary items and the prison itself have all been turned into commodities” (77).

LeBaron, for one, rejects “claims that the state should cease to absorb social costs such as imprisonment, and that prisoners shouldn’t be allowed to ‘go on vacation’ at the taxpayers’ expense” as evidence of “neoliberalism” (68), but I choose to consider them for their merit.

I question why LeBaron sees charging prisoners for their keep as inherently unjust—and why parents of juveniles in states such as Florida should be required to pay for their children’s board in state facilities (What Is), but convicted adults should not be required to pay their own. Admittedly, it is more of a financial strain on some than on others, but if it is within the prisoners’ capabilities to pay, whether through money or labor, I don’t believe that it is unreasonable to require them to do so. The regulations that LeBaron notes (67), which limit work requirements to forty hours a week (comparable to the work days of most citizens), I find anything but unjust. Rather, isn’t it unfair for convicts in the State of Indiana to come by their room and board freely, costing taxpayers \$52.61 each

day (How Much), especially when the same person, outside the prison would have to find the same commodities for themselves, and a job as well?

Yet other exploitation, even among voluntary laborers, can come in the form of low wages. As we have seen, convicts not employed in interstate commerce can be legally compensated at very low rates: in LeBaron’s words, “between 23 cents and \$1.15 an hour” (71) with “up to 80% being appropriated for victim retribution, family support or obligations, and living expenses” (70). However, shockingly large as this cut may seem, it deserves careful consideration before rejecting it as unfair. For one thing, the federal Prison Industries Enhancement Certification Program requires that no more than 20% of this cut be contributed to the victims’ fund (PIE), meaning that 80% is left for costs which either the convict must pay anyway, or—as in the case of unpaid family support—falls upon the taxpayers.

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*The last two especially show that prisoners find different benefits from their work than non-prisoners might appreciate.*

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A worthwhile inquiry on this point is, do the convicts themselves see this cut to their wages as unfair—especially given that those who don't work, don't have to contribute equally? When asked this question, Rebecca Deeb, whose vantage point in the Indiana Department of Corrections leaves her qualified to answer this question, gave a definite negative. "Those who work feel differently," she said, "they love to work; it gets them out of their cell. If you had a choice between sitting in a cell all day or getting out and..." She left the question hanging unspoken. "What would you choose?" Also, she offered, contributions to the victims' fund are more accurately seen as an "advantage to victims, not penalty to the convict."

In addition, there are many other paybacks that convicts receive from their work, which appear far more valuable to a prisoner than to other casual onlookers. These include the simple work experience itself, along with any skills learned thereby: important placeholders on a resume where only long gaps would otherwise appear. For those seeking employment after release, letters of recommendation can be earned by their satisfactory work and conduct. Convicts also have a chance to prove to the prison administration, future employers, and themselves that they can work without close supervision, with autonomy, and with accomplishment. Not only do jobs include freedom from confinement, and freedom from mind-numbing boredom, but social interaction as well. Other benefits, even more subtle, were mentioned in my interview with former Indiana Prisons inmate Shawndel Gordon, who participated in many work assignments during his ten years of incarceration.

Setting your mind while incarcerated to a job, and to making yourself get up, and to making yourself responsible while incarcerated: those things will follow you once you return to society. It will help you with time management, how to help get yourself up, ready...it just helps you with preparation, bottom line." Also, he commented, even those who already have minimum wage jobs sometimes opt for the lower paying ones as well (as low as 12¢ per hour for in-prison sanitation work) in order "to stay out of their cell...just to get more out-of-cell time.

Many of these incentives to work were attested to by a study conducted of three Midwestern prisons in 2002. The authors, John Batchelder and J. Marvin Pippert, asked inmates "which they considered to be more important: the type of job they chose to work or the pay they received for that work" (272). Notably, they found that 53.6% of inmates preferred "working with others over working alone," 86.2% preferred "working a job over doing nothing," and 51% would have liked "working more hours even for no additional pay" (272). The last two especially show that prisoners find different benefits from their work than non-prisoners might appreciate.



Yet others might protest that the high cost of prison goods, prospect of confinement, and other factors unduly pressure even those who volunteer. Shawndel Gordon suggested as much when he described the sparse commodities given to those who don't work.

[The prison administrators will] give you five bucks a month, and two free envelopes to write to your family. ...If you don't have a job, they're going to give you maybe three razors to last a whole month, a very small thing of shampoo...equivalent to the stuff they give you in a hotel: the same size bar of soap.

This causes, he readily admitted, "A very big incentive to work." Gordon did, however, reject arguments that such incentives cause inappropriate pressure:

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*Without the traditional bonds of chains, one can understandably wonder, what is to guarantee that convicts won't exploit this opportunity to escape their prison sentence?*

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I did not see that, just from a person who was there, who served ten years...I think it's **very** ethical to offer incentives to change a man around, to help him become a productive member [of] society. When a person sees that the outside is trying to help him, that there are opportunities opening the door, enhancing the paradigm so that people can look outside the box, it is to me ethically and morally right...because it makes people work. It makes people who have never had a job in their lifetime experience that opportunity of having one, even if it is working for \$1.25 an hour.

However, there is still another concern that might prevent some from agreeing to out-of-prison convict labor. Without the traditional bonds of chains, one can understandably wonder, what is to guarantee that convicts won't exploit this opportunity to escape their prison sentence? I asked this of Rebecca Deeb in my interview, concerning the PEN farms run by convicts. "Do you mean they're entirely without fences? What's to ensure that someone won't try to leave?" Ms. Deeb responded that, when considering the placement system and the convict's voluntariness, this wasn't at all an issue:

The offenders are low security offenders that are classified to be outside the fences. Most of the time they live in what we term 'Outside Dormitories'. The offenders are selected based on classification and previous experience and willingness to learn. Once they get to an outside dorm level, they're leaving in 3-6 months...You have to understand, by the time someone's working on a farm, he's only a few months away from being released and looking forward to going home. He's not going to ruin all that by running away.

Mr. Gordon confirmed that only convicts with good or excellent behavior histories qualify for such jobs: after serious conduct infractions, he said, “You have to remain ‘conduct clear’ for ninety days” to qualify for jobs even within the prison.

It is for these last reasons that I propose most convict labor programs be operated on a voluntary basis. Not only does this proposal accommodate lower security, community safety and a serious prisoner effort towards good conduct, but I believe that convicts will receive the most in terms of achievement, self-growth and simple rehabilitation, if it is of their choosing to do so.

I do not, however, agree that involuntariness can never justifiably be part of a work program, and I strongly oppose any propositions that convict work programs should be abandoned. For one thing, the sheer number of their beneficiaries includes, as PIECP suggests: the crime victim, through payment of victims’ funds; the inmate, in the many ways mentioned above and more; the private sector, by providing eager and willing employees; and also the public, through reducing prison costs, lowering ex-convict unemployment and—through some work gangs for example—bettering roadways. Also to be included are the non-prisoners who might find employment as supervisors and the corrections administrators who would find relief. As Batchelder and Pippert suggested: “If the inmates were able to remain occupied and busy during the day, the current workload and stress level of the staff would decrease” (278). Finally, I believe that concerns about the economy have already been satisfied by current regulations, as have those about appropriate compensation.

For reasons such as these, I believe that the proper response to convict labor is not to abolish it, but to encourage it. More jobs should be made available, more of this workforce should be employed. I join with Ms. Deeb in saying that the problem with convict work programs is not that they exist or are inappropriately regulated: The challenge needing to be addressed is more appropriately seen as, “Finding enough work opportunities to employ enough offenders” (Deeb). I cannot help but repeat Mr. Gordon’s terms of the priorities: when asked what he would alter about the current system, he did not respond “higher wages” nor “less pressure to work.” Rather, he said, “I would draft up [a program] which offered you a better chance into society...additional time cuts for work programs [and] more apprenticeship programs for [learning] skills.” In accordance with Rebecca Deeb and Shawndel Gordon, I conclude that convict work programs should not be restricted, but rather expanded.

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## *Author's Biography*

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### TREVOR YERRICK

A native of Fort Wayne, Indiana, Trevor Yerrick currently resides in Keenan Hall. He plans to major in History and Political Science and is currently considering a future in law or business. Outside of school, Trevor has always been passionate about sports. A multi-sport athlete in high school, he loves to play and watch all kinds of athletic competition. If he is not playing or watching sports, Trevor is likely reading a book, watching a movie, or spending time with his friends.

Trevor is extremely grateful for all of Professor Capdevielle's inspiration and assistance throughout FYC and the *Fresh Writing* submission process. Trevor's essay, titled "Imprisoning White-Collar Criminals: An Analysis of Imprisonment as a Deterrent of White-Collar Crime," came as a result of his interest in the legal field. This essay investigates the nature of white-collar crime and attempts to determine the effectiveness of imprisonment as a punishment for convicted white-collar criminals.

# Imprisoning White-Collar Criminals

## An Analysis of Imprisonment as a Deterrent to White-Collar Crime

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TREVOR YERRICK



For nearly two decades, Indiana University professor and criminologist Edwin Sutherland studied a form of criminal activity which was considered most unusual, particularly in his day. This type of crime was not committed by those living in desperation and squalor, the typical suspects for normal “street crimes.” Instead, Sutherland’s research focused on crime committed by wealthy, upper-class members of society. Called “the most influential American criminologist of his day,” Sutherland delivered an address to the American Sociological Association in 1939 titled “The White-collar Criminal” (Green 10). In this speech, Sutherland provided the first definition of “white-collar crime,” describing it as “crime committed by a person of respectability and high social status in the course of his occupation.” Almost instantaneously, Sutherland’s definition initiated an era of intense study and debate among scholars regarding white-collar crime, an era which would last through the remainder of the twentieth century and into the new millennium (Croall 6).

While Sutherland’s groundbreaking study of white-collar crime was discussed heavily for decades following his famous speech, very little was done to clarify the definition of the term or conduct further research on the controversial topic until the 1970s. According to Dr. Stanton Wheeler and Professor Dan M. Kahan, legendary professors at Yale Law School and experts in the field of white-collar crime, “Societal interest in white-collar crime grew rapidly in the 1970s” due in large part to the “discovery of corruption and other illegal practices at the highest levels of government” (1673). As society became more interested in white-collar crime, scholars began to more closely consider Sutherland’s original definition. Sutherland had initially centered his definition on “the nature of the offender,” or the criminal’s social status; however, experts began to shift the focus of the study of white-collar crime

towards the behavior of the criminal (Wheeler and Kahan 1673-1674). This shift in focus is evident in the revised definition for white-collar crime given by United States Department of Justice official Herbert Edelhertz in 1970: “an illegal act or series of illegal acts committed by nonphysical means and by concealment or guile, to obtain money or property, or to obtain business advantage” (Green 15). Edelhertz, while following the general idea of Sutherland’s original definition, says nothing of the criminal’s social status; rather, Edelhertz focuses his definition on the behavior of the criminal. Further research on the criminal behavior of white-collar offenders continued for the next few decades, carrying the study of white-collar crime into the twenty-first century and an era of unprecedented publicity.

In December of 2001, the Enron Corporation, “One of the largest energy companies in the United States,” was involved in a series of highly publicized scandals

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*Although these penalties seem rather harsh for a nonviolent criminal, Milken served only twenty-two months of his prison sentence and “walked away with approximately \$700 million of his fortune intact”*

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resulting from accusations of insider trading and mishandling of funds by its corporate officers, leading to the company’s collapse. In the months following Enron’s demise, several other corporations were accused of similar criminal activity, again bringing white-collar crime to the forefront of national attention (Silberfarb 95-96). In wake of the Enron scandal, scholars again began to reconsider the accepted definition of white-collar crime. Now, with “employees, investors, and pension holders” losing tremendous sums of money through the value of their shares in Enron and other companies, the focus regarding white-collar crime began to turn in the direction of its consequences (Silberfarb 95; Wheeler and Kahan

1674). Following the Enron scandal and the prosecution of the white-collar offenders involved, the Federal Bureau of Investigation added to Edelhertz’s definition, describing white-collar crime as “illegal acts” which do not rely upon violence or threats of physical harm, but manage to “inflict illness, injury, and death on their victims over a period of years or even decades” (Green 15; Leap 5). Although it was determined white-collar offenders did not rely upon violence or bodily harm to perpetrate their crimes, it became clear the consequences of white-collar crime were just as severe and devastating as many other crimes.

Just as the definition of white-collar crime has evolved from its conception in 1939 to its current form following the Enron scandal of the early 2000s, the process of punishing convicted white-collar criminals has also undergone significant changes since the days of Edwin Sutherland’s historic speech. At the time of Sutherland’s address, very few laws concerning white-collar crime even existed (Leap 4). Today, however, white-collar criminals are often convicted of committing serious crimes; in fact, many white-collar offenders are punished severely for their criminal ac-

tions. Monetary fines, community service, and incarceration are a few examples of common punishments faced by white-collar criminals today. Each of these forms of punishment is used by law enforcement and the criminal justice system for various reasons, and each possesses a varying level of effectiveness in deterring white-collar crime. Imprisonment, in particular, may seem like a distinctly effective punishment for white-collar crime because of the general wealth and social status commonly associated with white-collar offenders; however, imprisonment is neither an adequate nor an ethical deterrent of future white-collar crime and should not be used to punish white-collar criminals.

A specific example of imprisonment's failure as a deterrent of white-collar crime is the Michael Milken case of the late 1980s. Milken, the "head of Wall Street firm Drexel's high-yield bond department," was the most successful and "most highly compensated investment banker of his time" (Strader 60). Milken's extraordinary success, which earned him the nickname "junk bond king," brought him and his company to prominence on Wall Street (Gustafson 690). As Milken and Drexel continued to take business away from the "more established Wall Street firms," their practices became increasingly more noticeable to the authorities, the Securities and Exchange Commission, or SEC, which regulates the nation's stock and securities markets (Strader 60). As the SEC monitored the rise of Drexel and a few other closely associated corporations, suspicion of illegal trading practices involving Milken's company began to grow. Finally, an investigation was launched in an attempt to detect any criminal behavior within the firms. The investigation, which began as a "fairly routine insider trading case involving mid- and lower-level employees at Wall Street investment firms," eventually confirmed many of the SEC's initial suspicions. After confronting a "sometimes business associate" of Milken's, Ivan Boesky, it was discovered that Milken and Boesky had engaged in several illegal trading practices, particularly a "stock parking arrangement" in which Boesky had sold his stake in a company's stock to Milken under the agreement that Milken would return the stock to Boesky at a later date along with any gains the stock accumulated over that period of time (Strader 60-61). The discovery of the illegal deal brought the focus of the investigation upon Milken and his business, beginning one of the most lucrative and influential white-collar criminal cases in American history.

Through the SEC's investigation of Milken and the investment firm Drexel, it was determined that Milken had committed numerous crimes within the financial markets over a period of several years. According to Scott J. Dutcher, winner of the Burton Award for Legal Achievement for his investigation of white-collar crime and Milken's criminal case in particular, Milken's crimes caused investors to lose over a billion dollars in profits, most of which was pocketed by Milken himself (1304). Milken was ultimately charged with ninety-eight counts of conspiracy, se-



curities fraud, mail fraud, market manipulation, and tax fraud (Strader 61). While Milken pleaded guilty to just six counts of securities fraud, insider trading, and racketeering, he was sentenced to ten years in federal prison and was “forced to pay back \$600 million” to his investors (Gustafson 690; Dutcher 1304). Although these penalties seem rather harsh for a nonviolent criminal, Milken served only twenty-two months of his prison sentence and “walked away with approximately \$700 million of his fortune intact” (Dutcher 1304-1305). Instead of deterring future white-collar crime, Milken’s punishment, specifically his prison sentence, provided other “likeminded individuals with a blatant incentive...to commit the same or similar crimes” (Dutcher 1305-1306).

While there are numerous alternative purposes for reprimanding criminals, the ultimate goal of all criminal punishment is to protect society by preventing future

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*In the minds of most potential white-collar criminals, the Milken case provided proof that punishment by incarceration was acceptable in return for drastically increased amounts of wealth and success.*

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crime. This idea of preventing crime from occurring in the future by punishing criminals is known as deterrence. In the criminal justice system, deterrence consists of two forms: general and specific. Both forms of deterrence are duly considered in the convicting and sentencing of each criminal brought before the justice system. However, not all forms of punishment employed by the justice system are effective in providing deterrence for certain criminal behaviors. In the case of white-collar crime, one of the most common forms of punishment, imprisonment, has been largely ineffective at producing general or specific deterrence over an extended period.

General deterrence, which is regarded as the “major purpose” of judges and prosecutors in punishing white-collar criminals, is discouraging other people “from committing crimes for fear that they will be similarly punished” (Szockyj 485-492). In the case of Milken’s sentencing and imprisonment, general deterrence was clearly not achieved. According to Jamie L. Gustafson, a former member of the Suffolk University Law Review editorial board and current New York City lawyer, the conviction and imprisonment of Michael Milken “proved to be ineffective” because it provided little to no factor of general deterrence. As a result, “Corporate scandals continued” as if a major white-collar criminal conviction had not taken place at all (698). Potential offenders saw Milken and the massive profits he accumulated as a result of his criminal behavior; they also observed the light prison sentence he received which was intended to deter Milken and other corporate officers from committing similar crimes in the future. In the minds of most potential white-collar criminals, the Milken case provided proof that punishment by incarceration was acceptable in return for drastically increased amounts of wealth and success.

Despite the evidence presented in the Milken case, it is widely believed throughout the criminal justice system that potential white-collar criminals are tremendously influenced by the threat of imprisonment as a form of general deterrence. David Weisburd, an Associate Professor of Criminology at the Hebrew University Law School in Jerusalem, claims “white-collar crime is seen as a highly rational form of criminality, in which the risks and rewards are carefully evaluated by potential offenders, and white-collar criminals are assumed to have much more to lose through sanctions than more common law violators” (587). Also, in accordance with Weisburd’s claim, Hazell Croall, a Professor in Criminology at Glasgow Caledonian University in Scotland, argues deterrence is more effective for white-collar criminals than “conventional offenders” because their criminal actions are more rational and they have more at stake, including careers and social status (133). However, while white-collar offenders typically consider their criminal behavior more than a street criminal, their motivations, which are usually financial, tend to be much stronger than any fears they have about being caught and subsequently punished for their crimes. Also, the educated, rational nature of most white-collar criminals provides offenders with the feeling of “invincibility...they cannot be caught” (Weisburd 588). While it is generally assumed white-collar criminals are deterred by the fear of imprisonment, significant evidence provided by notable white-collar criminal cases, particularly the Milken case, and the typical nature of white-collar offenders indicates it is not an effective form of general deterrence.

After general deterrence, the secondary goal of imprisoning white-collar criminals is specific deterrence. Unlike general deterrence, which focuses on potential white-collar offenders, specific deterrence is the goal of a particular conviction and sentencing to “dissuade the offender from committing future crimes” (Gustafson 688). Recidivism, which is the tendency to return to previous behaviors or habits, especially criminal behavior, of white-collar criminals is used to determine the specific deterrence of a particular conviction or sentence (Croall 215). While several studies have been conducted to determine the specific deterrence effect of imprisonment on white-collar crime, the most notable and well-documented of these studies is that of David Weisburd and his associates, Elin Waring and Ellen Chayet, professors at the Rutgers University School of Criminal Justice. According to Weisburd’s study, white-collar criminals sentenced to prison terms are “slightly more likely to recidivate” than white-collar offenders who avoid imprisonment. Of the 742 white-collar offenders included in his study, Weisburd determined that 368 were sent to prison and 374 received sentences which did not include incarceration. Of the 368 criminals who were imprisoned, more than 33% were found to recidivate within the following 126 months; in comparison, only 26% of those who were not sent to prison were arrested again within the same period of time (Weisburd 597). In an

attempt to explain the results of his study, Weisburd claims punishing white-collar offenders is more likely to backfire because of their characteristic “prestige and status.” Once white-collar offenders are labeled as “criminals” and sent to prison, they generally feel they will not be able to regain what they have lost, and thus have nothing more to lose. This, in turn, makes recidivism more likely with white-collar criminals (Weisburd 590). As Weisburd’s study shows, not only does imprisoning white-collar criminals not have a specific deterrent effect on white-collar crime, it also can lead to an increase in offenses as convicted criminals attempt to restore the lives they once had.

While some studies indicate imprisonment tends to increase recidivism of white-collar criminals, many continue to argue in favor of certain punishments, including incarceration, as specific deterrents of white-collar crime.

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*Monetary fines are the most logical punishment implemented in white-collar crime cases; however, the fines must be an appropriate amount in relation to the wealth of the criminal and the value of the crimes committed if any means of deterrence is to be achieved.*

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Gustafson’s belief that “corporate officers are unlikely candidates for recidivism” is a view held by many in the academic realm of criminal justice (688). For example, supporting Gustafson’s claim is Dr. Terry Leap, distinguished Clemson University professor and white-collar crime expert, who argues “the prospect of going back to prison is daunting, and it provides a strong incentive for professionals...to steer clear of felonious behaviors” (176). However, while many white-collar offenders avoid a return to criminal behavior after they are released from prison, the source of their rehabilitation is not the imprisonment sentence, as most tend to believe. Instead, for most convicted white-collar offenders, almost all specific deterrence occurs during the “process of punishment,” or the “prosecution, conviction, and sentencing,” rather than the

actual prison stay (Szockyj 495). The criminal process serves as the primary source of specific deterrence because of the overall effect it has on the reputation and status of the white-collar offender; the process of punishment tends to destroy the reputation of those charged and convicted. Although imprisonment is often looked upon as an effective means of specific deterrence of white-collar crime, it is actually the criminal process which provides the motivation for white-collar criminals to avoid recidivism.

Determining the proper mode of punishment for white-collar criminals is widely regarded as a “highly difficult task” not only because imprisonment has proved ineffective thus far, but also because the act of imprisoning nonviolent criminals has become the subject of strong criticism from some experts (Green 686). New York City defense attorney Michael Silberfarb calls imprisonment an “extraordinary

amount of pain” for an “indirect, less violent” crime (104). Silberfarb and many other experts in agreement with his view believe white-collar crimes cause less harm than most violent street crimes as most white-collar offenses are financial crimes. Some scholars, however, such as Professor Gilbert Geis of the University of California-Irvine, claim white-collar crime is “more threatening” than typical street crimes because it endangers “the integrity of society” (qtd. in Szockyj 502). According to this view, white-collar criminals deserve to be imprisoned because their crimes destroy the trust people have in society. Although white-collar offenders are often guilty of abusing their “positions of trust,” their crimes are almost never violent. The criminals themselves rarely, if ever pose a physical threat to society (Silberfarb 104). Thus, imprisoning white-collar criminals and subjecting them to the same forms of punishment as violent street criminals is not justifiable.

Although many believe imprisonment is the only fitting, justifiable punishment for white-collar offenders, other forms of punishment for white-collar criminals must be explored to create deterrence of such criminal behavior. A possible solution which is already used often today is monetary fines. According to Silberfarb, “Monetary fines are the most efficient and effective means of criminal punishment,” particularly punishment of white-collar crime (101). Gustafson supports this assessment, claiming imprisoning white-collar criminals is the punishment preferred by the public, but “fines may be the most effective means of punishment” (689). Monetary fines make the most sense of punishment for white-collar crime because the motivation of almost all white-collar crime is focused on the accumulation of wealth. If the punishment for white-collar crime directly counteracts the benefits of such criminal activity, general and specific deterrence will occur naturally. However, as the Milken case shows, the fines imposed upon most white-collar criminals are not nearly the amount offenders generate with their crimes. In Silberfarb’s words, the “gain from cheating clearly outweighs the loss from the fines” (101). Monetary fines are the most logical punishment implemented in white-collar crime cases; however, the fines must be an appropriate amount in relation to the wealth of the criminal and the value of the crimes committed if any means of deterrence is to be achieved.

Seventy years after Professor Edwin Sutherland introduced *white-collar crime* to the American vernacular, the definition and usage of the term have become reasonably well-defined. After learning of some of the high-profile white-collar criminal cases of the last few decades, particularly the Michael Milken case of the 1980s, most would agree white-collar crime has become a legitimate issue of concern in the world of criminal justice. The most effective form of punishment for white-collar criminals, though, is not quite so obvious. Many experts in white-collar crime support imprisonment as the most effective mode of punishment for white-collar of-

fenders. However, evidence provided by historical cases and research studies create a rather convincing argument claiming that the imprisonment of white-collar criminals does not result in the generally desired outcome of criminal punishment: deterrence of future crime.

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## *Author's Biography*

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SUE YI

Sue Yi was born and raised in Seattle, Washington. She is planning to be a Biological Sciences and Chinese double major. As a student growing up in a very traditional household, she has always been taught about the importance of language for a culture. This kind of upbringing sparked her interest in the role of language in cultures and the challenges more obscure languages are facing today. Currently, she is planning to go to medical school and become a neurosurgeon. She would like to thank her FYC teacher, Elizabeth Capdevielle, for being so supportive of the paper's topic and her constant help throughout the writing process. She would also like to thank her mom for teaching her the Korean language and the ability to pass it on.

# A Unique Language Versus English

## The Value of Language in Today's Society

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SUE YI



Language is a part of our everyday lives that we often take for granted even though it plays a major role in defining how we communicate with others, what groups we identify with, and who we are. However, language is not only a link between people, but also a connecting factor between people and the land that they or their ancestors originate from. The kind of attachment that people feel for their language and land is usually found in areas where urbanization is not a driving ideal. However, a conflict arises because people feel pressure to leave the land, arising from the evolution that technology and worldly advances bring. For example, the aboriginal people of Australia are attached to various particular stretches of land because they believe that their land was given to them by their ancestral beings in something they call “Dreamtime.” The languages these people speak are also unique to the stretch of land they live on, as are the laws and social norms. Yet no matter how tight the bond of language to land, economic pressures and ambition for a better life has younger generations moving out to learn about more modern advances; often, the younger generations never return, leaving infants and the old to continue on this cycle until perhaps only the old are left. According to Mark Abley, a journalist who spent many years of his life researching endangered languages among such groups of people all around the world, for language, English has become the killing factor. Because of its status as a “global language,” adopting English has become a priority for those who want to succeed in terms of riches and prominence in a global sense (Abley). Unfortunately, this pressure does not bode well for the diversity of cultures around the world and the languages that preserve culture.

Many linguists today agree with Abley in that English is currently on its way to dominating the world, but recent trends also show that increasing numbers of prominent schools or companies stress diversity, not only in ethnicity and culture



but also language (Levine). In workplaces, the different perspectives and connections one can give because of the different culture one grows up in or language one grows up using can be a valuable asset. Thus it is worth questioning why people would trade in a unique language and culture for English. Perhaps the prestige that learning an imperial language brings is what attracts people to learn dominant languages like English, or maybe it is simply easier to communicate with the masses, knowing a more widely spoken language. Maybe the older generations feel less of a need to stress the importance of their land, culture, language and the connection among the three as times become more peaceful. Whatever it may be, many groups of people facing the extinction of language have a problem they may not realize the implications of until it is far too late.

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*Some languages are spoken by fewer than 1,000 people; however, even these obscure languages embody a complex networking of rules and laws that define how an individual can communicate and with whom.*

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In this paper I examine how language retains culture and shapes thought to further explain language's role in culture and why people may feel the need to hold onto or reject the language of their ancestors. Analyzing the work of both sociologists and linguists helps to identify the sociological and psychological factors affecting people when they internalize language, along with the different levels of importance they put on language. I also look into the tie language has with land through a case study in linguistics, in order to show how location affects language and to offer a view of the perspectives people may have about other languages. The reasons behind the recent rise in the need for "success" will also play a role in this paper because many linguists believe that an

obsession with new advances is one of the most significant driving forces in this language revolution.

Language is always associated with culture, and many people go as far as to say that if one does not understand the language of a group of people, then one cannot fully understand the culture and traditions of that group of people. For years scientists have wondered what part of language, a fundamental aspect of humans, made people so attached to it. Why does language retain culture when its purpose is simply to communicate ideas and emotions? New research has shown that languages actually play a major role in the way people think, thus affecting what a group of people from the same culture and language notice first about situations they encounter.

Speakers of different languages talk about certain aspects of the world and notice things in a different order. For example, English uses verbs to show the past, present and future, whereas in Russian verbs play a role in identifying not only the tense, but also gender and the degree of completion. This matter of whether

language holds power over a person's thought process has long been debated by neuroscientists and psycholinguists. Some believe that it is obvious that language governs at least a small part of thought process since people talk in different ways. Others have claimed that people may think about things the same way and simply express them differently, for languages are translatable. However, the fact is that not all languages are completely translatable. For example, the Korean equivalent of "attractive" would be something pronounced like "mush ees suh," but the Korean word suggests not only handsome or beautiful outer appearances, but also a certain aura that a person may exude or a personality trait that is desirable. This word can also be used to describe landscapes, artwork, clothes, pictures, etc. This shows that certain words of a language do not exist in another language's lexicon and therefore people using different languages must also have different cognitive processes. In order to determine whether language does play a role in cognitive perception, Lera Boroditsky, an assistant professor of psychology, neuroscience, and symbolic systems at Stanford University taught groups of people different ways to say something. A group of English speakers were taught to use Mandarin vertical metaphors when talking about time—e.g., the time spent writing this paper was high, as opposed to long. In another experiment exploring the same idea, Boroditsky asked different groups of people to arrange a set of events in chronological order. English speakers arranged the events from left to right, whereas those who spoke Hebrew arranged the events from right to left, exactly the way their language is read. An aboriginal group of people from Australia who when speaking their language, Kuuk Thaayorre, referenced all direction or spatial dimension with north, east, south and west, and ordered chronological events from east to west, whether they sat facing north or south although they were not notified which direction they sat. This shows that not everyone pays attention to the same things; if all humans were to notice the same things in the same order, learning different languages would be very easy. However, learning a language is more than just learning new vocabulary; it requires a person to pay attention to the right aspects of a conversation so that one has the information to include in what one says. Those who speak Kuuk Thaayorre are always aware of their geographical directions, and thus a person learning Kuuk Thaayorre must also learn to be able to discern which ways are north, east, south and west at all times. The patterns in language play an underlying role in designing the way humans think. Thus when one learns a new language, one learns a new way of thinking. This is why one cannot fully understand a culture without first learning the language and the way that language identifies with cultures (Boroditsky).

Language also plays a major role in the development of social identity, defined as "that part of an individual's self-concept which derives from his [or her] knowledge of his [or her] membership in a social group (or groups) together with the values and

emotional significance attached to that membership” (Tajfel). Thus language usage influences the formation of ethnic identity as ethnic identity influences language usage. Because languages of different cultures use different words to describe something, ethnic groups identify more closely with those who share a common language than those who share a similar cultural background (Giles). For instance, if an English speaker asks a Saulteaux speaker how to say purple or orange, the Saulteaux speaker would respond that there were no such words in their language. This is because in English colors are described by their wavelength whereas Saulteaux used the rainbow to define their hues and thus reds, oranges and yellows were grouped together as blues, greens and purples were. This doesn’t mean that they don’t notice the difference, but in the language the difference is not as emphasized (Cote). Like this, some words of a language simply cannot be translated over into another because the way the people of that culture experienced the word is different. Objects and ideas alike have certain frames of reference or connotations in which their

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*Mati Ke went from a language believed to be the soul and legacy of a people to one that most likely will not survive.*

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meanings are rooted; these frames of reference and connotations are different for every culture. Therefore the meaning of a word depends on a culture’s historical relationship to it. This is why no language is the same as any other and carries within it the traditions a group of people have held.

As well as carrying the traditions of a group of people, language holds a strong connection with land or location because groups of people also identify themselves with some stretch of

land. In Australia the original number of Aboriginal languages is estimated to be about 700, yet the number has currently dwindled down to 270. Some languages are spoken by fewer than 1,000 people; however, even these obscure languages embody a complex networking of rules and laws that define how an individual can communicate and with whom. For example, an individual is not allowed to speak to some people at all while he or she may address other people but only with the use of specific vocabulary (Abley 14). Thus the languages of the Aboriginal peoples defined social organization.

The languages that define social interactions to such a high degree came from what Aboriginals call Dreamtime (Abley 15). The creation stories for Aboriginal groups in Australia originate from this parallel world. Australian Aboriginal people traditionally believe in two strains of time: one is life in reality and the other is the infinite spiritual cycle, The Dreaming, by which totem spirits created the lands. For these people, land gives their lives meaning through the Dreamtime words. The stories for each group, or “mob” as they define their people, are specific to the land they live upon. The Dreaming is passed on from generation to generation explaining the landscape, irrevocably linking their Earth and their words. These stories

that give meaning to the existence of specific features of land exclusive to those who live on it are also used to pass on responsibility (Abley 17). One who has heard the story, and thus is linked to the story, must look after the place the story defines. From the Aboriginal point of view, the stretch of land they live upon was decided in the realm of their gods, yet this has been altered by invaders. When strangers moved into Aboriginal space and showed no signs of moving on, these people were unable to relocate because of their tie to their land. To move on they would violate their own roots while also stepping onto someone else's land, language, and life without permission (Abley 15). When the intruders, mainly "white men," settled, they pulled in people from different areas and class, expecting them to live in harmony while using the language of one group. One such clan of people who have been threatened by this displacement is the Mati Ke language group (Abley 18).

A settlement area called Wadeye is now the largest Aboriginal community in Northern Australia; it was founded in the 1930s and originally, Murrinh-Patha, Mati Ke, Marri-Djabin as well as five other traditional languages existed within this area (Abley 18). Presently Murrinh-Patha is the one language used by all peoples while the other languages slowly die out. Just outside of Wadeye, a trail passes an invisible border that marks an ancient divide between the Murrinh-Patha land and the Mati Ke land. When this community was established, Mati Ke was one of the many tribes pulled off of their land into the town of Wadeye, and out of respect, convenience and necessity, the people adopted Murrinh-Patha as a language. Over time, the number of Mati Ke speakers dwindled as the older generations passed on, and some words were forgotten, less used and not studied. Currently only three speakers are left. Patrick Nudjulu, one of the three remaining, moved into town when he was young, but with the Australian government making efforts to restore independence and self government to the Aboriginal people, he moved back to his "bush," or the place assigned to him in Dreamtime, with his new family. When speaking to his wife or children he still uses Murrinh-Patha, the more widespread language because it is the one they understand. Movement caused the Mati Ke language to die out. When a certain group of people move, their language does not necessarily follow them. Movement in this sense not only means geographic translocation but, in more general terms, displacement. This uprooting of the Mati Ke people disconnected them with both their land and their language; thus their movement can also be seen as a result of political shift or influence since it was the white settlers who forced the Mati Ke people to mingle. Although Patrick may want to retrieve these roots, he will not be able to.

Other than Patrick, one speaker of Mati Ke is not completely fluent in speaking though he understands and the other speaker may or may not have retained the language as well as Patrick. Unfortunately none of these people are able to come to-

gether and discuss their paths using their own languages. One cannot speak it himself and cannot take the time off his job to learn the language from Patrick. The other is Patrick's sister. In Mati Ke, once siblings pass puberty, they are not allowed to converse with each other (Abley 12) and consequently, though linguists try to record the voice of Patrick, this language may never be revived. Mati Ke went from a language believed to be the soul and legacy of a people to one that most likely will not survive. Mati Ke is an example of a language forced out by power gaps between dominant and minority groups of people. The language of Mati Ke is now not only overcast by Murrinh-Patha, but also by English because of media influences like TV and radio. Unlike more obscure languages, dominant languages such as English have rapidly spread throughout the whole world.

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*At some point, English will replace their mother-tongue as the language they are most comfortable speaking, and only the old will be left to dream in their traditional language.*

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Many linguists believe that by the end of the century, English will dominate the world, save for a few other languages, such as Arabic and Spanish (Maschi). The globalization of a language can be achieved in two ways. First, a dominant language, already having several countries with large numbers of people using it as their first language, can be made the official or semiofficial language of smaller countries. In the case of English, the USA, Britain, Australia, New Zealand, South Africa, Canada, Ireland, several Caribbean countries and other territories have large populations of people using English as their first language (Crystal). Recently, smaller countries like Japan have made efforts to adopt English as their second official language (Kawai). Second, a language can be emphasized in a country's foreign language curriculum. Over 100 countries treat English as one of these essential languages (Crystal). According to National Geographic and Living Tongues, languages die out like Mati Ke, through official language policies that force a minority population to assimilate and use the dominant language, or through the allure of high prestige that speaking "imperial" languages can bring. English is one of the languages that many view as "imperial." This is because English is linked with the modern notion of success, defined as the gaining of monetary wealth or high social status. Most English speaking countries, like the United States, are economic powerhouses; the people of smaller countries, especially higher ranking officials, learn dominant languages like English out of necessity. Their country's survival depends on communication established with countries that have greater economic power. Once higher ranking officials speak a dominant language, then the rest of the population follows, making an effort to learn the dominant language in hopes of achieving similar rank or status.

In today's progress obsessed society, this shows that English is what people perceive to be the language of success, the language of the future. Most modern worldly advances come from the United States, and even when breakthroughs do come out from smaller countries, the terminology for newfound medical processes or technological possibilities is in English. Communication on television, Hollywood movies and music in English makes its way all across the world as people learn it increasingly (Crystal). When English has such a prominent hold on the world, is it possible for those who want a piece of this forward movement to ignore English? This is not an option, and therefore much emphasis is put on learning this language. Sometimes people get so fixated on learning English that they forget to pay attention to their own language, and many times, during this kind of rush, it seems that the mother language deteriorates little by little. While the less powerful languages around the world disappear at an alarming rate of 1 language per 14 days (Enduring), the number of English speakers is constantly increasing. This relates to the fact that in contemporary society's subconscious mind, unique language and culture mean less than prestige and higher social status.

For more dominant languages, the spread of words and speaking patterns cannot be contained. People learning languages like English as second languages often mix two different lexicons, merging two languages into what is now called an interlanguage (Richards). As stated above, the learning of a new language requires the rewiring of the brain to notice different things and identify with others. Thus when someone learns a new language, they learn a new way of thought, and part of a new culture (Boroditsky). When someone uses interlanguage, it shows that the person is in the process of being rewired; they do not interpret the world as a native speaker would. In a time when English is becoming globalized and the value of bilingualism is stressed, increasing numbers of people adopt forms of interlanguage, such as Chinglish (Chinese English) or Konglish (Korean English). As more and more people acquire such merging of languages, people become closer not only to understanding another culture, but to understanding another group of people.

However, while people move closer to learning a new language, they do not realize that the purity of their mother-tongue is being threatened. For languages limited to a small population of people the risk is even greater because once a traditional word is replaced by a modern English one, the traditional word disappears forever. If the majority of a language group's population is translocated, whether by coercion or choice, and do not get the chance to use their language, then their lexicon, speech patterns and therefore part of their culture will gradually be forgotten. Also, with the world becoming ever more connected through media like television and radio, younger generations are subsequently exposed to more English. At some point,

English will replace their mother-tongue as the language they are most comfortable speaking, and only the old will be left to dream in their traditional language.

In the contemporary age, with the world and its societies evolving at such a fast pace, people are too busy just trying to keep up. For most people on earth, whether rich or poor, this means trading in their own language for dominant ones such as English. If language were simply words, this shift might not have problematic implications; communication among all people would be much more convenient. However, languages not only represent ideas and emotions, but also the way a group of people thinks and lives. Culture loss due to the displacement of whole populations and an obsession with success is ironic, in a world that stresses diversity and a desire for new perspectives, but it is a danger that all should be aware of.

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**MCPARTLIN  
AWARD  
WINNING  
ESSAYS**

## *Author's Biography*

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### AMANDA RANDOLPH

Amanda Randolph of Centennial, Colorado, is currently a freshman double-majoring in Biological Sciences and Spanish. Her essay entitled “The Evolution of the Open Form” was inspired by a culmination of the theological, philosophical, and literary movements discussed in her University Seminar, *The Death and Return of God in Radical Poetry*. In this seminar, Amanda was struck by the chronological progression of thought from the Neo-Thomist era to the current post-modern era; she found that the seemingly radical open form of new-age poetry arose evolutionarily due to the gradual dismantling of human structures in multiple areas of the humanities. In addition to her studies, Amanda participates actively in organizations including College Republicans, Global Health ND, Biology Club, and the American Chemical Society. She also conducts undergraduate research in chemistry and plans to enter an MD/PhD program upon graduation. Amanda thanks Dr. Romana Huk for her guidance and inspiration in writing this essay.

# The Evolution of the Open Form

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AMANDA RANDOLPH



The postmodern idea of the open form represents the radical rejection of structure as a method for attaining true meaning; however, its principles are far from original. In fact, the open form has developed as a gradual accrual of thought from the Neo-Thomist era up until the last century, combining notions as varied as Thomas Aquinas's view of the imperfection of reason and Derrida's embrace of the free play of language. Current principles of the open form, as articulated in Fanny Howe's *Bewilderment*, are thus not revolutionary but merely evolutionary, an accumulation of ideas developed in the last two centuries.

One could argue that the evolution of the open form began with Neo-Thomist beliefs in the limitation of rationality as a human structure and the validity of free forms of writing. According to Neo-Thomism, the principles of reason are merely a human construction for understanding, with which God, as a being unfathomably superior to mankind, does not always act in accord. Thus, when humanity attempts to rationalize the Lord's existence, they inherently place false bounds on Him; this in turn creates inaccurate conceptualizations of God. As John MacQuarrie attests, rational thoughts about God are merely "natural analogues that can at best afford a somewhat meager apprehension of God as creator" (291). On the other hand, suprarational thought—according to the Neo-Thomist—does not place such restrictions on God, and thus it enables the understanding of God through "revealed analogues, ...lead[ing] to a fuller apprehension of Him" (291). In light of this, Jacques Maritain suggests that by employing suprarational instead of rational thought when seeking God, man can experience a "humble revelation, virtually all contained in a small lucid cloud of inescapable intuition" (Maritain 115). As such, the lack of structured thought is embraced by Neo-Thomism as a method for uncovering the truth; this concept is similarly echoed in Maritain's view of poetry. He suggests that poetry,

as a freer form of writing than prose, is “born where the powers of the [spirit] are active,” and thus “implies an essential requirement of...integrity” (111). In other words, Maritain claims that poetry, as a product of the spirit’s unstructured suprarational knowledge of God, essentially contains the truth about the world. This belief in the validity of free and unsystematic thought demonstrates the importance of Neo-Thomism as a precursor to the open form.

Martin Heidegger, like the Neo-Thomists, understood reason as limited in its structure; however, instead of dismissing reason as inherently false, he believed that by dismantling reason through the elimination of a priori ontology, reason could be made valid. Heidegger’s work was profoundly influential for open form writers in that it suggested the ability to deconstruct human structures. Heidegger noted that being is the fundamental foundation upon which all reason is built, and

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*According to Neo-Thomism, the principles of reason are merely a human construction for understanding, with which God, as a being unfathomably superior to mankind, does not always act in accord.*

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therefore an accurate understanding of being is vital to all knowledge. However, Heidegger perceived the problem that “even as we ask, ‘What is being?’ we keep within an understanding of the ‘is,’ though we are unable to fix conceptually on what ‘is’ signifies” (25). In other words, all ontological notions had been made invalid by preconceptions; “in any way of comporting oneself towards entities as entities, there [lay] a priori an enigma” (23). As such, Heidegger sought to dismantle reason by removing such presuppositions and instead study “the external manifestations of things themselves,” becoming the first to think about ontology phenomenologically (Carman XVIII). His ideas revolutionized philosophy and

proved the possibility of deconstructing structure, an essential step in the development of the open form.

Jacques Derrida synthesized the Neo-Thomist idea of the validity of free forms of writing and Heidegger’s belief in the invalidity of structures, suggesting the need for the deconstruction of linguistics; this concept was widely embraced by open form writers. Derrida recognized language as a structure that cannot be dismissed entirely, for “meaning is conceived as existing [dependent] on the language in which it is communicated” (147). However, he believed that language is inherently faulty, for meaning is “at the center of the totality [of language], and yet, since [it] does not belong to the totality (is not a part of the totality), the totality has its center elsewhere” (150). In other words, the structure of language forever builds around the meaning it tries to convey, but it can never perfectly convey it—like a structure and its center, language and meaning can never directly coincide. Nonetheless, Derrida also noted that meaning is never static; rather, it changes with speakers and time periods and audiences, rendering moot language’s inability to convey a

specific meaning. For these reasons, he proposed that the idea of a rigid linguistic structure should be deconstructed in order to facilitate the freedom required for language to move as meaning changes. If language were deconstructed as such, Derrida believed, it would be able to follow “meaning in an unlimited number of potential contexts which may exist in the future”; language freed would be not a limitation but a tool to convey ever-changing thought (152). Derrida was another of the essential contributors to the evolution of open form writing, as he articulated the worth of free-play with language.

Simone Weil incorporates Neo-Thomistic thought and prefigures Derrida, asserting that reason is limited in its ability to explain the world, and therefore modern thought should be amended so that it may embrace what appears to be irrational; she is another proponent of the idea of the deconstruction of faulty structures. Weil, like the Neo-Thomists, asserts that reason is a structure employed by man in order to explain the world, but there are aspects of the world that do not fit into the boundaries set by reason—she mentions the specific example of contradictions. When natural contradictions are encountered, reason is unable to interpret them and break them down; therefore, contradictions represent the world as it truly is, unaltered by the faulty structure of reason. As Weil states, “the contradictions that the mind comes up against...are the only realities” (259). Thus, Weil believes that reason should be deconstructed so that the world may be more accurately understood. She, like Derrida, embraces the dismantling of structures in order to depict the world, which open form writers like Fanny Howe similarly seek to do with the structures of linguistics and writing.

Fanny Howe, profoundly influenced by the work of Derrida and Weil, recognizes the limitations of the structure of language. Howe iterates Weil’s view about contradiction as the real, stating that language’s failure “to deal with confusion” is problematic, for irrationality and confusion are parts of the natural world (Howe 14). She also notes a similar problem with language, claiming that “language, as we have it...has no way to express actions occurring simultaneously without piling the letters on top of one another,” and as such, linguistic structure is incapable of accurate depiction, for simultaneous actions, like irrational contradictions, are common occurrences (14). Furthermore, Howe rearticulates Derrida’s criticism of the rigidity of language, asserting that “decorating and perfecting [language] can be a way of removing all stench of the real until it becomes an astral corpse” (17). In other words, Howe maintains that because the world is incapable of being perfectly organized, the inflexibility of linguistic structure renders it inherently faulty.

Howe proposes to resolve this problem much as Derrida had suggested, through the deconstruction of linguistic structure enabled by the open form. By writing

in an open form, Howe seeks to experience “bewilderment,” the complete separation from all man-made structures, so that she might depict the world free from their limiting bounds (6). Iterating Derrida’s thoughts, Howe claims that in such a method of writing, language is rightfully given “no plain path, no up and down, no inside or outside...” but the ability to make “strange returns and recognitions and never a conclusion” (9). In other words, the open form enables accurate portrayal of the world by giving language the freedom to move as the world does, in no specific direction or pattern; it allows linguistic possibilities to be like the world’s possibilities—endless. Howe’s defense of the open form in “Bewilderment” revives Derrida’s idea of the validity of the free-play of linguistics as a method to enable more accurate representation of the world.

The principles of Howe’s open form are not unique, arising instead from a systematic accumulation of thought. A marriage of Neo-Thomist notions of reason’s limitations and the respectability of free forms of writing with Heidegger’s belief in the modifiability of structures led to Derrida’s suggestion of linguistic deconstruction and Weil’s embrace of contradiction. These two philosophers, in turn, profoundly influenced the final conceptualization of the open form as an embrace of the free-play of language as a means of depicting the seemingly disordered and ever-changing world.

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## *Author's Biography*

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### BRIAN APPLETON

Brian Appleton grew up in the small town of Mohnnton, Pennsylvania. Despite a few recent encouragements to become an English major, he is currently studying electrical engineering. His essay “I’m No Art Critic” describes his encounter with photographer Lauren Greenfield’s controversial *Thin* exhibit on display in the Snite Museum of Art. *Thin* provided a glimpse into the daily lives of women who were suffering from eating disorders. Quite unaccustomed to “analyzing” art, Brian was tasked with writing this essay for his First Year Composition course. To say that Greenfield’s exhibit spoke to him is a gross understatement. Truly moved by the startling photos and narratives of Greenfield’s subjects, Brian discussed the unexpected similarities he saw between himself and Greenfield’s subjects. He would like to express his sincere gratitude to his FYC professor, Ms. Ailbhe Darcy, who was his inspiration and guiding light in composing this essay.

# I'm No Art Critic

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BRIAN APPLETON



*Everyone wants to understand art. Why don't we try to understand the song of a bird? Why do we love the night, the flowers, everything around us, without trying to understand them? But in the case of a painting, people think they have to understand. If only they would realize above all that an artist works of necessity, that he himself is only an insignificant part of the world, and that no more importance should be attached to him than to plenty of other things which please us in the world though we can't explain them; people who try to explain pictures are usually barking up the wrong tree.*

—Pablo Picasso

I'm no art critic.

What I mean to say is that interpreting art has never come easily to me. I have never had the confidence of interpretation to assign definite meaning to a piece of art, let alone to critique it. It just seems that my brain is not 'wired' that way, which is slightly strange considering that I am left-handed. My interests and knowledge lie largely in the sciences. I view the world around me through a lens of numbers, physics and precise logic. Some expressive arts such as literature and painting have, for the most part, eluded me. I have been playing the piano for years and I still have difficulty playing more than the notes that are set before me. The idea that some people can regard pieces of art and immediately derive hidden meaning therefrom never ceases to amaze me. While my peers toss around terms such as "dichotomy" and "negative space," the most I can do is smile and nod my head in agreement. Maybe they simply tend to understand the context better than I do; invariably, some are able to reduce a complex piece of artwork to a succinct statement of meaning. Perhaps the word I am searching for is *appreciation*—something in which I am severely lacking. This essay is about how all of that changed.

To be perfectly honest, I was apprehensive about writing this essay. Three pages? On a *painting*? You can begin to see my dilemma. My audacious display of ignorance aside, a very wise woman (who perhaps knows me all too well) suggested I visit the *Thin* exhibit by photographer Lauren Greenfield. I set out toward O'Shaughnessy Galleries West on a brisk Fall afternoon with a novel thought in my head: "I'm going to look at art, all by myself. Just me." There would be no one around to develop an interpretation or an opinion faster than I could; there were no questions to be answered or professors to impress. I considered this a unique opportunity to view artwork in a stress-free light. As I turned the corner into the gallery, my excitement became ravenous; I wanted to consume the artwork and allow it to consume me.

Consume me it did. The aptly titled *Thin* exhibit provides a glimpse into the struggles of women coping with eating disorders. Greenfield based her study at the Renfrew Center, a facility in Florida dedicated to rehabilitating women with such disorders.

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*I view the world around me  
through a lens of numbers,  
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Some expressive arts such as  
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Aiva startled me. At age 16, and less than one hundred pounds, she was in dire need of assistance. Her feeble frame is apparent through her wildly pink shirt, which is juxtaposed against a green background. The despairing and slightly confused nature of Aiva's countenance is echoed in her sheepish posture. Veins are visible in her stick-like arms. Her bony face seems devoid of emotion. Greenfield's angled framing of Aiva seems to only add to the confusion. *Confusion*. For once, there seemed to be more of it present in the artwork than

in my own mind. But the element of confusion does serve an interesting role in Greenfield's study, which is possibly why she chose Aiva to open her exhibit. Those with eating disorders are confused: they have confused perceptions of beauty and self-image, they have confused priorities relating to health and happiness, and they are confused about others' expectations. This confusion is the driving force behind anorexia and other eating disorders.

Rehabilitation is no walk in the park. Greenfield clearly establishes this notion in one particular photograph where patients are forced to eat "fear foods"—the types of high-fat, high-calorie foods that have the ability to drive some patients to suicide after their consumption. This particular photo shows two girls sitting at a table, taking leering glances toward a box of Pop Tarts. One of the girls is visibly anxious; she is shown withdrawn from the table and biting her nails. Directly in front of her is a Styrofoam cup that has been bitten around the edges—the entire top of the cup is missing. Older patients have slightly different mechanisms for coping with rehabilitation; a frontrunner among them is the cigarette. Transitioning from, say, eating a teaspoon and a half of yogurt for lunch every day to eating a

hearty meal is difficult. Actually, it is unfathomably difficult. The Renfrew facility attempts to overcome these obstacles by offering a rigid program and a tremendous support system.

As I paced my way through the exhibit, I eventually came to one individual who rendered my entire visit incomparably valuable. That is, she provoked a startling realization in me. She stimulated a train of thought that showed just how similar she and I were. I could no longer distance myself from the conditions that lead to an eating disorder. I suppose you could say that it was here that I gained a true *appreciation* for *Thin*, all thanks to Jordana. She was beautiful, so much so that I wondered why she would ever be drawn into an eating disorder. But then I read her narrative, and the reason became clear: she wanted more than anything to be popular, confident, successful, and have a boyfriend; to do that, she believed she needed to be thin. She needed to meet the unreasonably high standard of beauty that America idealizes.

I truly believe that everyone can identify with most, if not all, of Jordana's aspirations. At some stage, we all wish we could be more popular, confident, successful, or find a mate that is better than the previous one. The fulfillment of these aspirations embodies the ideal lifestyle for most teenagers. Weight is one of the few physical factors we can manipulate to make progress towards this goal; however, as Jordana demonstrates, our weight is the very last thing we should change to accomplish our goals. Once an eating disorder such as anorexia sets in, the only recourse is rehabilitation, for there is always more weight to lose.

The very condition that granted Jordana a great boyfriend also ruined her sex life; the very condition that granted Jordana her highest aspiration—*love*—also ruined her ability to express it.

As I pushed open the door of the Snite Museum and felt a cool rush of air, Jordana's beautiful face was still seared in my mind. Her aspirations shed light on the pathology of an eating disorder. The frightening realization I reached is that I, along with most of my peers, experience the same pressures and aspirations as Jordana. My newfound appreciation for *Thin* stems from my ability to relate to and feel sympathy for the victims of eating disorders. As I studied the exhibit, I happened upon an interesting trend, which I will deem my *axiom of Thin*: if someone, somewhere along the line, had loved the victims a little more or enough to point them in the right direction, there would be no need for Renfrew. After all, what are eating disorders but coping mechanisms? At the risk of "barking up the wrong tree," I do believe I can reduce my interpretation to one succinct statement: we all need to be loved *for who we are*.

## *Author's Biography*

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### MARTA MICHALSKA

Marta Michalska was born in Warsaw, Poland and currently lives in Statesboro, Georgia. She is a Philosophy/Pre-med major and is currently searching for a way to combine these two loves in the post undergraduate world. In her essay, "Following God the Almighty," the question of what it means to discern divine will is explored by critically examining the story of Abraham's sacrifice of Isaac in Genesis 22. This reflection was inspired by a growing desire to honestly consider the complexity of faith-related questions. Marta would like to thank her professor, Fr. Paul Kollman, who never discouraged such questions and graciously heard them out.

## Following “God the Almighty”

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MARTA MICHALSKA



Genesis 22 tells us the famous story of Abraham’s near sacrifice of Isaac. It is most frequently seen as a story of faith and trust in God triumphing over the desire to depend on our own understanding.

The passage begins by telling us that “God put Abraham to the test” (Genesis 22:1). We are told at the opening that the events taking place are happening for the sake of Abraham—to test him. Abraham’s response to this test from beginning to end is an exemplary model of the proper response of a faithful servant of God. At first call, Abraham replies with an attentive “Ready!” (Genesis 22:1). The Lord then requests that Abraham kill his only son as a sacrificial offering to Him. This request, besides being extremely distressing in the most obvious sense, also seems to contradict God’s earlier promise to Abraham of numerous descendents (Genesis 13:16). The scripture passage then takes us straight from the Lord’s request to Abraham’s action. We are not told of any doubts that plague Abraham or of any explanations that he seeks to obtain from the Lord. This is a very striking omission. The absence of these natural, human responses speak louder than the submissive, faith-filled exclamations in the text that follows.

When Isaac in his innocence asks his father where the sacrifice is to come from, Abraham’s response is, “God himself will provide the sheep for the holocaust” (Genesis 22:8). This response once again exemplifies only devotion and commitment by Abraham. Right afterward we are told that they “continued going forward.” Abraham does not falter, but persists. He is rewarded for his faith; God does in fact provide a sacrifice, spare Isaac, and renew His promise to Abraham.

When examining this scripture more closely, as well as other material in Genesis about Abraham, we find ourselves chafing against conflicting messages and loose ends. The story supposedly reveals to us Abraham’s almost inconceivable faith in

and obedience to God. It is this quality of exceptional surrender that makes Genesis 22 such a powerful story; and yet, if we read just two chapters earlier, we are shown a much more human Abraham. In Genesis 20, Abraham lies to Abimelech, saying that his wife Sarah is in fact his sister. Led blindly into error by Abraham, Abimelech takes Sarah as his wife and is only saved from sin by God's personal intervention. When confronted with why he would create such a scandal, Abraham replies, "I was afraid...because I thought...they would kill me on account of my wife" (Genesis 20:11). Abraham does not seem to believe that God will assure the unfolding of His will and decides to take matters into his own hands, even to the point of prostituting his wife. This contrasts greatly with the trust in God's plan exemplified in Genesis 22. Furthermore, Abraham does not seem to receive any sort of admonishment for his seeming lack of faith.

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*We are not told of any doubts that plague Abraham or of any explanations that he seeks to obtain from the Lord. This is a very striking omission.*

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We see further dissonance in Abraham's character when we juxtapose his bargaining with God in order to save the people of Sodom (Gen 18:16-33) to the absence of any effort to save the life of his son. Anthropologist Carol Delaney asks the question: "Why did Abraham not try to spare Isaac, offering up himself instead?" (22). All of these things Abraham could have done, but—we are lead to believe by scripture—did not do. In fact, many theologians consider this Abraham's greatest strength. It is this unquestioning, unchallenging response to God's call that is credited to Abraham as remarkable. For

example, R.W.L Moberly states that, "Abraham is a model of the right responsiveness to God...whether it takes the form of trusting God for a future yet unseen... or of showing that a true response to God must be a total response" (182). He seems to place much weight on the righteousness and solid example of Abraham, and yet we have just seen that if taken as one to be followed, Abraham in his entirety presents us with many paths and leads us in some conflicting directions. Moberly also goes on to say that the "expression of obedience by Abraham and *submission by Isaac* constitutes an example worthy of imitation" (182, emphasis added). Is Isaac's submission exemplary as well? Are we not also to ask why Isaac did not honor his own life enough to try to protect it? After all, it was not Isaac who heard God speak.

Søren Kierkegaard famously idealizes Abraham, taking his renunciation of his son to be the ultimate sign of love of God above all else. For Kierkegaard, "He who loved himself became great by virtue of himself, and he who loved other men became great by his devotedness, but he who loved God became the greatest of all" (16). Yet the categorizing of love here seems superficial. One cannot love God without loving his fellow human beings and his own life, and one cannot love others and himself without loving God, even though he may not be aware of it. Abraham's love of God

is made manifest most readily in his love for his son Isaac. In fact, in Genesis 18 it is his love for the people of Sodom that persuades him to plead with and *question* God! This is something he does not do on Isaac's behalf.

We must consider again the silence in this scripture. Why, in this particular instance, did Abraham not question God? Why did he not seek to understand the meaning of the task bestowed upon him? Kierkegaard claims that Abraham "did not doubt, he did not look in anguish to the left and to the right, he did not challenge heaven with his prayers," because "he knew it was God the Almighty who was testing him" (22). We may find ourselves bewildered, not only by the memory of Abraham's earlier, not-so-pious actions, but also by this question: How did Abraham know that it was "God the Almighty" who was testing him?

Immanuel Kant claims that we can be sure it is *not* "God the Almighty" who is speaking to us if what He asks of us is "something contrary to the moral law" (Moberly 185). Kant vehemently asserts that, "no matter how majestic the apparition may be, and no matter how it may seem to surpass the whole of nature, he must consider it an illusion" (185). How else would the Lord expect us to discern evil from good, obedience from foolish following, or divine-will from self-will, if not by the faculties of our reason? Did not God create us in His own likeness, so that we may find ourselves equipped to seek Him in accord with what is in our hearts and minds? Yet it seems, as Woody Allen puts in jest, that "some men will follow any order no matter how asinine as long as it comes from a resonant, well-modulated voice."

It seems nothing short of arrogance to assume that anyone, a mere human, can even begin to probe the mind of God. It seems nothing short of conceit to claim certainty in one's knowledge that the impulse one is acting on is God's will and not in fact a misled or distorted view or even a self-gratifying drive. It is uncomfortable to observe that the faithful conviction found in Abraham that one is being led by God, can also be observed in the 9/11 al-Qaeda hijackers, Brian David Mitchell (the kidnapper of Elizabeth Smart), and the leaders of the Movement for the Restoration of the Ten Commandments of God, who apparently murdered their followers en masse in Uganda.

It seems that most faithful Christians have a desire to be obedient to God's will, but few have mastered (and many have erred in) the task of discerning divine will, and not surprisingly so, as this is the focal, never-ending challenge that is the Christian life. Genesis 22 can serve as an example of many different honorable virtues and relay a number of important messages, depending on how one reads—and what one imposes on—the text. Yet this powerful story nonetheless cannot guide us in the act of discernment, and it provides us with a confusing picture of what it means to follow "God the Almighty."



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