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Letter from the Editor

Dear Reader,

The *Monarch Review* was founded with growth in mind. Our aim was not only to recognize outstanding undergraduate work, both academic and creative, but also to stretch our students' limits. The papers and artwork presented here demonstrate what our students can accomplish.

From the market dimensions of permanent residency permits in the U.S. and United Kingdom to the Medieval romance of *The Green Knight*, from the life of a midwife on the American frontier (when Maine was the frontier!) to the pitfalls of tax policy in an era of global mobility, the research presented in volume 2 covers a wide terrain. Moreover, our first "research news report" describes an original psychology experiment, conducted by MU students, on ways to influence college students' drinking behavior.

We again offer an impressive array of 2D images from both amateurs and trained artists, working in print-making and painting, as well as photography. And we are pleased to announce the inclusion of a musical performance and an original musical composition in this volume, with video and audio files available in our online edition. It is clear our students' talents exceed the boundaries of the printed form.

As I plan to graduate from Methodist University in May, I find myself reflecting on how privileged I am to have had a pivotal role in launching this journal, a journal that will, I hope, be an enduring forum to celebrate and challenge MU undergraduates in their creative and scholarly undertakings.

Of course, this feat would not have been possible without the contributions of many people, including visionaries such as MU's President Ben Hancock and Executive Vice President Delmas Crisp, and program directors Dr. Clay Britton (CURC) and Prof. Robin Greene (Writing Center), who threw their support behind the concept; Dr. Kelly Walter Carney for her guidance in the early stages; the students who bravely submitted their work; the faculty members and students who provided critical reviews; and the contributors themselves, many of whom showed great dedication as they revised their work in response to feedback from the journal. Most especially, I extend my thanks to the student staff members, past and present, as well as to Baylor Hicks, the coordinator of the *Monarch Review*. Baylor and I met in the spring of my freshman year and, in our three and a half years of collaboration, have developed a close working relationship and deep friendship.

I hope the *Monarch Review* enriches your years at Methodist. It has certainly enriched mine. The journal is about looking forward, about seeking ways to improve and grow. So, rather than harp on a bittersweet goodbye, I'll just say . . .

Happy reading!

Miranda Jade Friel
Senior Student Editor

The Commoditization of Permanent Residency Permits under Immigrant Investor Programs in the United States and the United Kingdom

Fernando Tevez-Rosales

Faculty Sponsor: Dr. Rebecca Wendelken
Department of History

Introduction

Each year, thousands of wealthy individuals migrate to the United States and the United Kingdom via immigrant investor programs. Through these programs, governments and the migration industry—the group of private, nongovernmental actors that facilitate, manage, and discourage the migration of people, and who influence the appropriate policies enacted by states—establish specific channels to facilitate the award of residency permits to high net worth individuals who fulfill certain investment requirements. Immigrant investor programs serve as platforms for migrant investors to engage in an exchange with the state, whereby the state and the polity are the recipients of an investment made by the migrant in exchange for a residency permit. Immigrant investor programs facilitate and enable the trade of residency permits in exchange for monetary contributions by providing a faster channel for the acquisition of permanent residency. In comparison, channels made available to the general population of work-based applicants have a very high demand vis à vis the relatively low yearly quotas allocated to each channel.

Unlike undocumented migrants, asylum seekers, temporary workers, or highly-skilled workers, immigrant investors have been little studied, and the programs that enable investor migration receive little scrutiny beyond their appeal as mechanisms to increase government revenue. In this paper, an examination of theories of migration dynamics, migration industry, and elite mobility leads to a conceptualization of immigrant investors as a group of elite migrants who possess systemic advantages in comparison to other groups of migrants, such as shorter processing times, less competition between applicants for the limited number of possible permits made available by the quota systems, and access to a route to residency beyond the family-based and employment-based categories available to the general public. More importantly, these theories support the characterization of immigrant investor programs as enablers of the commoditization of residence permits, for they require that applicants

make an investment above a predetermined monetary threshold in exchange for advantages in the process of acquiring permanent residence.

Theoretical Background

The distinction between *legal* and *illegal* migrants has become commonplace in everyday language. This differentiation is only an extension of the general categorization of migrants made by the legislations and bureaucratic logic that states use to conceptualize and control the flow of people across political borders. Governments make available a series of channels and resources to those who migrate legally and, in a small number of cases, to those who migrate illegally, as in the case of the Temporary Protected Status program for Salvadoran immigrants in the United States. For instance, work authorizations, healthcare subsidies, and the liberty to travel outside the receiving country's political borders are benefits the state confers on those who migrate via legal channels. The differential treatment given to migrants based on their status within this dichotomy is commonly accepted, but the differential treatment of migrants within the *legal* category has elicited increasing interest from scholars and researchers in the areas of sociology and law.

Immigrant investor programs, a relatively new government initiative to attract wealthy individuals who wish to migrate, form a subcategory of legal migration for people willing to make a substantial investment in return for permanent residency. These programs offer migrants shorter processing times, less competition between applicants for the limited number of permits offered in other immigration categories, and access to a route to residency outside the family-based and employment-based categories afforded the general public. While this paper focuses on the immigrant investor programs of the United States and the United Kingdom, similar programs are available in several industrialized nations.

Comprehensive studies of migrant investor programs have been conducted by only a handful of authors. Basing his analysis on models of capital accumulation and transnationalism, Wong (1997) looks at survey and macroeconomic data in order to define the profile of Chinese "capitalist migrants" from Asia Pacific into Canada, Australia, and the United States. Wong (1997) finds that countries that offer migrant investor programs "compete" with each other to attract investors and that investors make an individual "choice" of where to settle (p. 303). These two distinct features of the migrant investor dynamic "provide evidence of a global immigration marketplace" (Wong, 1997, p. 304). Similarly, Ley (2003) describes the jurisdictional and tax-related problems associated with migration into Canada caused by "the global movement of people and the creation of transnational subjects" with increased options for mobility. Ley (2003) also evaluates the Canadian Business Immigrant Program, concluding that the program failed because of its lack of oversight and because accounting and reporting practices were shadowy. This negative assessment led him to question the effectiveness of the program in terms of governance and government accountability, as well as to conclude that the real economic effects of selling residence to wealthy investors were insignificant, considering the availability of local capital in Canada at the time of the study (Ley, 2003, pp. 437-438).

Tseng (2000) argues that immigrant investors "actively position themselves with regard to migration channels and select active strategies that best suit their objectives" of

gaining tax benefits and residency permits (p. 143). While Tseng's description of Taiwanese immigrant investors as rational and engaged actors in the process of migrating could be contested in light of recent scams involving immigrant investor funding in the United States, his contribution is particularly important because he conceptualizes "capital-linked" migrants as active players who choose an investor migration channel offered by a specific country based on the benefits and rewards involved (Tseng, 2000, p. 144).

Similarly to Tseng, Giella (1992) describes migrant investors as individuals who wish to maximize the profits, financial or otherwise, of their investment (pp. 209-210). While Tseng (2000) evaluates the outbound migration of investors from Taiwan, Giella (1992) compares and evaluates the United States immigrant investor program (Employment Based, Category 5, or EB-5) and the Australian Business Migration program, based on their success in attracting foreign capital as well as each program's administration and accountability. Giella (1992) observes an interplay of interests between the investor and the receiving country that defines the outcomes of the program for the state, the polity, and the migrant investor (p. 210). The interests of the state and the polity are to increase revenue and investment and to create jobs, while the interests of investors may be arranged into "four categories: stable economic and political structure, a sustainable market for their product or business, a comfortable social environment, and a low risks and rewards analysis" (Giella, 1992, p. 218). The success of a program is determined by how well it meets the needs of all parties involved, but these interests are not always compatible. On the basis of her analysis, she argues that the U.S. investor program is likely to fail because it does not offer enough flexibility to meet the interests of the investor and instead focuses too much on increasing revenue and creating jobs (Giella, 1992, p. 236).

Both Giella and Tseng argue that migrant investors choose from a series of migration channels made available by various countries based on a cost-benefit analysis, suggesting that migrant investors effectively select an offer of residency made by a country in exchange for their investment. It appears that having the capacity to make a substantial investment allows prospective migrants certain advantages in comparison to applicants for residency in other categories, suggesting that states grant institutional and bureaucratic concessions in exchange for an investment. Therefore, immigrant investor programs create a platform for states and investors to negotiate an agreement based on their respective interests. Considering that compliance with the program's guidelines and goals guarantees immigrant investors a permanent residency permit, such permits can be considered commodities.

Historically, the trade of goods has taken place in the venue of the marketplace, where people come together to sell or exchange their goods. In the same fashion, residency permits are traded in a marketplace where private and governmental actors come together to barter over their respective interests. In addition to migrant investors, some of the private parties that participate in this marketplace include financial conglomerates, investment advisors, business leaders, and international law firms. Nyberg Sørensen and Gammeltoft-Hansen (2013) believe that migration has become increasingly commercial—a phenomenon that, due to its non-governmental nature, receives little attention in studies of migration. They argue that various kinds of commercial activities surrounding migrants and their needs have emerged, and call this phenomenon "the migration industry" (Nyberg Sørensen & Gammeltoft-Hansen, 2013,

p. 6). This migration industry includes "the array of non-state actors who provide services that facilitate, constrain, or assist international migration" (Nyberg Sørensen & Gammeltoft-Hansen, 2013, p. 7). This definition of the migration industry includes all non-governmental actors involved in the flow of migrants, from government contractors that securitize borders outside the United States and Europe, to lawyers offering legal counsel and assistance to migrants navigating the legal system, to informal merchants and specialized international transport entrepreneurs engaged in clandestine border crossings, to NGOs and religious organizations facilitating the care and orientation of undocumented migrants. While the authors' definition does not include governmental actors, who are invariably required in the residency permit marketplace, it does include international law firms and financial conglomerates, both important facilitators of investment migration and contributors to the governmental policies that create investment migration programs.

Several authors who write about the migration industry focus on its interactions with the national and international migration regimes, as well as the policy changes that result from such interactions. These interactions involve the outsourcing and contracting of government functions, such as border patrol and security, as well as the advisory role that several actors play in the policymaking process. Hernández-León (2013, pp. 28-29) and Menz (2013, p. 110) argue that this industry resembles the military industrial complex: its expansionist logic, looking to increase its functions and funding, and demand-driven growth, both from migrants and governments, have increased its influence in the very systems of governance that produced it. For instance, Betts (2013) studies the temporary work regimes in various nations, highlighting the influence of the migration industry in the recruitment, screening, transportation, and tracking of migrant workers, as well as the regulatory activities aimed at stopping the flow of undocumented migrants into the United States (p. 51). Similarly, Surak (2013) and Lemberg-Pedersen (2013) study the dynamics of migration and the migration industry in various Southeast Asian and European nations, respectively. Both authors identify a growing trend to involve private actors in the enactment and enforcement of migration regulation. With respect to immigrant investor programs, the migration industry likewise profits from and influences the flow of migrants by assisting immigrant investors with the application process and influencing the policies that enable such migration. While the programs themselves are directly administered by governments, the successful migration of investors depends on the migration industry for assistance.

Alternatively, Nyberg Sørensen and Gammeltoft-Hansen (2013) propose an analytical framework for the comprehensive study of the migration industry that links immigrant investor programs to the migration industry based on "three categories or questions": "[t]he types of actors involved in the migration industry; . . . [t]he role that the migration industry plays in regards to migrants, governments, and migration flows" by either constraining or facilitating flows; and "the relationship between the economic, political, and social structures and the migration industry" (pp. 8-14). This framework is both comprehensive and flexible, permitting the study of immigrant investor programs as governmental platforms that redefine residence permits as commodities in the global marketplace, a marketplace where members of the migration industry serve as guides and advisers to prospect migrants and governments alike.

Lastly, an analysis of the immigrant investor programs compels the researcher to consider who can access these programs and through what channels. The capital

requirements of the United States and United Kingdom immigrant investor programs are the fundamental discriminant factors for access to the programs. The amounts of liquid capital required by the "investment" part of these programs restricts access to a fraction of the worldwide population. Beaverstock and Faulconbridge (2014) identify this segment of the population as high net worth individuals (HNWI), "those with US$1 million or more at their disposal for investing" (p. 42). Eligibility for the immigrant investor programs is thus dependent on capital assets, effectively reserving this route for permanent residency to the economic elites of the world. However, research on the physical mobility of elites has been largely confined to the themes of consumption patterns, modes of transportation, geographical destinations, and lifestyle considerations, and there is no mention of the permanent migration of wealthy individuals (Birtchnell, Viry, and Urry, 2014; Budd, 2014; Elliot, 2014; Featherstone, 2014). With respect to immigrant investor programs, wealth engenders the differential treatment of migrants based on their ability to invest, which suggests that such programs go beyond the conferral of advantages in exchange for investments. Instead, these programs institutionalize discriminatory practices based on the applicant's ability to invest.

Within the context of elite mobility, some authors have studied the advantages conferred by wealth in social settings. Elliot (2014) briefly acknowledges the jurisdictional flexibility of the elites, but his observations only include the mobility of their capital across tax jurisdictions rather than the ability to become subjects of a different government jurisdiction by gaining access to residency schemes (p. 22). Most notably, Khan (2014) advanced a conceptualization of elite mobility within social and productive hierarchies, arguing that, by virtue of their origin, resources, and background, members of the elite inherit a series of systemic advantages that enable them to access preferential forms of treatment in social settings, allowing them to move across social strata as well as to succeed in most spheres of social and professional life with ease and confidence (pp. 144-147). However, neither of these authors mentions the institutional advantages that economic elites receive from governments in exchange for their investments through immigrant investor programs.

Building on the contributions of these authors, it is helpful to conceive immigrant investor programs as governmental platforms that promote the commoditization of residency permits that can be acquired by making an investment according to the requirements of the program. These programs and access to them are influenced by certain portions of the migration industry, particularly the law firms and financial institutions that facilitate the application process. If the investment amount mandated by the program requirements serves as the price of the commoditized residency permits, then access to a such residency permits is restricted to people with enough disposable income to acquire them. Similarly, these programs institutionalize discriminatory practices within the state's bureaucracy based on the applicant's ability to invest. Those who fulfill all requirements of the programs receive considerable concessions from governments in the process of acquiring a permanent residency permit, bypassing many of the requirements and restrictions imposed on other applicants in their respective processes. Collectively, these observations suggest that residence permits are commodities exchanged between the governments and the applicants, commodities that are available to a small number of the worldwide population and that qualify the purchaser to receive certain advantages from the state.

These observations also elicit an exploration of the implementation and outcomes of immigrant investor programs in the United States and the United Kingdom, and their relationship to the states' current citizens and residents.

Residency Permits as Commodities

A residency permit and citizenship differ in the rights and protections each offers to people. Gaining citizenship is a lengthier and more regulated process than obtaining a permanent residency permit, and most foreign nationals must first acquire residency before applying for citizenship in either the United States or the United Kingdom. Dzankic (2012) defines citizenship as "the relationship between the individual and the state, including the rights and duties stemming from an individual's membership in the polity" (p. 3). She further argues that the careful regulation of citizenship is often overlooked or biased to favor the interests of the state or the polity (Dzankic, 2012, p. 4). Thus, many migrant investors are granted residency permits in the United States and the United Kingdom "with the assumption that the investment will yield significant economic benefits to their country," thus proving their loyalty to their new community (Dzankic, 2012, p. 1).

Similarly, Jolly, Knapp, and Kusumastanto (1998) conceptualize "economic citizenship" as the arrangement in which foreign nationals are granted citizenship or residency in exchange for a set amount of capital investments (p.156). As Giella (1992) suggests, governments attempt to attract and benefit from the tremendous wealth that people in various places in the world are willing to invest, such as "the enormous number of Hong Kong citizens [who sought] to emigrate before control of the colony switche[d] from Britain to China" (p. 226). The desire to capitalize on the funds of non-nationals as potential investments motivates the creation of migrant investor programs in the United States and elsewhere. Capital and market dynamics, which create incentives for foreign investment and capital mobility wherever profit can be made, appear to permeate the political and institutional spheres, and manifest as migration regulations that favor capital mobility. By exposing the regulation of residency and citizenship—both considered primordial relationships between the polity and the state—to market influences, governments are in some ways exposing these relationships to market forces. Thus, governments expect to justify the disruption of the agreement with existing citizens and residents by the economic benefits from the immigrant investor´s contribution.

States offer residency in exchange for capital, which is central to the advancement of the economic and political agendas of the neoliberal modes of governance that operate in most developed Western countries (Wong, 2003, p. 304). Thus, in this exchange of goods, just as in any other commercial venture, the needs of both the state and the investor are met through the institutional and political framework of migrant investor programs. However, the state continues to be linked with its existing polity. Immigrant investor programs promise to increase economic activity and create jobs, but their results are often hard to quantify. For instance, Galdes and Singer (2014) conclude that "the [migrant investor] program's successes and failures are difficult to evaluate due to a dearth of available information" (p. 12). Similarly, in an evaluation of the immigrant investor program and its outcomes, the Office of Inspector General (2013) found that "it cannot demonstrate that the program is improving the U.S.

economy and creating jobs for U.S. citizens as intended by Congress" (p. 1). If tangible economic outcomes are required to legitimize the commoditization of residency permits through these programs, then the state is failing to achieve its goals.

The Marketplace and the Industry

In establishing the routes for expedited access to residency, governments engage the migration industry to motivate demand among potential investors and to facilitate procedural matters. Without supplemental help from diverse law firms, capital management conglomerates, banks, and informational transactors, immigrant investors would be unable to navigate the complex and nuanced process of investor migration. Actors involved in the process between migrants and governments serve as facilitators for capital to flow in one direction and the benefits of residency to flow in the other. Furthermore, large international firms and enforcement agencies that interact with migrant investors also influence the policymaking process, guiding the design of institutional barriers for migrant investors to surmount. For instance, Henley and Partners, a large international law firm, specializes in residence and citizenship planning for wealthy individuals, as well as government advisory practices in multiple countries

Table 1: **Permanent Residency Visas Issued to Applicants Under the Immigrant Investor Program**

COUNTRY	2009	2010	2011	2012	2013	TOTAL US
China	1979	772	2408	6124	6895	18178
Korea (South)	903	295	254	447	364	2263
Taiwan	170	94	122	148	137	671
Great Britain and Northern Ireland	324	135	57	67	84	667
Russia	60	41	30	42	70	243
India	72	62	37	77	87	335
Iran	12	55	117	81	86	351
Mexico	33	50	53	81	145	362
Venezuela	30	20	46	109	92	297
Canada	85	45	26	46	54	256
Total*	4218	3463	3463	7641	8564	27349

* Totals include visas issues to nationals of other countries not listed in this table.
Source: United States Department of State (2010-2014).

(Henley and Partners, 2014). The elite actors, ranging from law and management firms to investors and their families, form a relatively small circle and operate both within and outside migrant investor programs to shape the institutional and political arrangements that codify preferential migration.

To conceptualize residency as a commodity, it is also necessary to observe the supply and demand of residency permits. Table 1 above and Table 2 below show data on the number of immigrant investor visas issued by the United States and the United Kingdom, respectively, for the years 2010 through 2013. The data in the tables display the top ten immigrant investor origin countries, determined by the total number of immigrant investor visas issued to nationals of that country. The information is organized in a descending order according to the number of visas issued to nationals of each country.

With respect to the United States Immigrant Investor Program, China, South Korea, Taiwan, and Great Britain are the countries of origin of the highest number of applicants (U.S. Department of State, 2010-2014). Applicants from China were granted 66% of the total number of Immigrant Investor Visas for the period 2009 through 2013, followed by South Koreans, who received 8% of the total number of visas applicants (U.S. Department of State, 2010-2014).

***Table 2*: Permanent Residency Visas Issued to Applicants in the Tier 1 (Investor) Route**

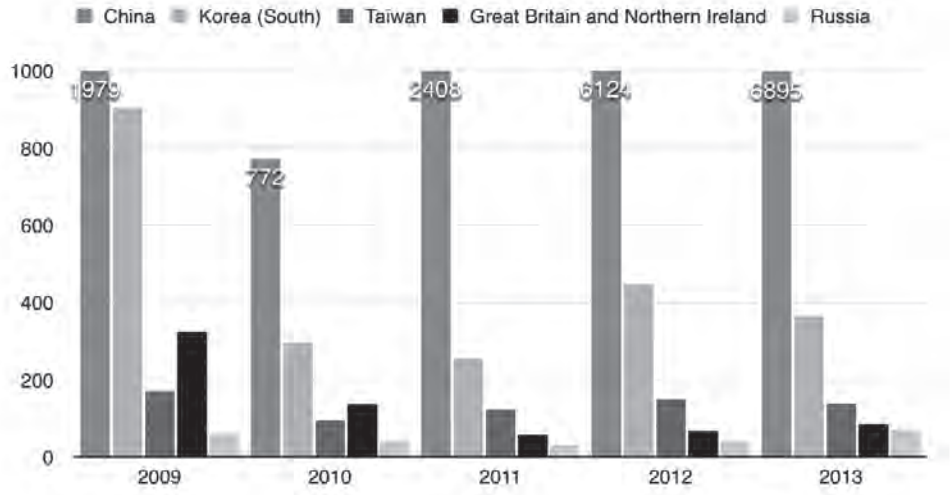
COUNTRY	2009	2010	2011	2012	2013	TOTAL UK
Russia	35	35	45	75	75	265
China	15	20	45	70	95	245
India	10	10	10	25	20	75
United States	0	10	15	15	15	55
Canada	5	0	5	10	15	35
Pakistan	10	10	5	5	5	35
Egypt	0	0	10	5	10	25
Nigeria	5	5	5	5	5	25
Kazakhstan	5	10	0	5	5	25
Ukraine	0	0	0	10	10	20
Total*	110	145	185	295	315	1050

* Totals include visas issues to nationals of other countries not listed in this table.
Source: United Kingdom Home Office (2014).

According to the United Kingdom Home Office (2014), Russia, China, India, the United States, and Canada are the countries of origin of the greatest number of visas

issued under the United Kingdom's Tier 1 (Investor) route. While the total number of permanent residency visas issued by the United Kingdom is substantially lower than the total number of visas issued by the United States, it is important to highlight that the minimum investment requirement of the United Kingdom's Tier 1 (Investor) route is substantially higher than that of the United States' Immigrant Investor Program: The United Kingdom requires a minimum investment of £1 million (US$1.6 million) while the United States only requires an investment of US$500,000 in Targeted Employment Areas to qualify for the Immigrant Investor Program. Russian nationals have received 25.2% of all Tier 1 (Investor) route visas, followed by Chinese nationals, who received 23% of the total number of visas issued in the same category, and Indian nationals, who received 7% of the total (United Kingdom Home Office, 2014).

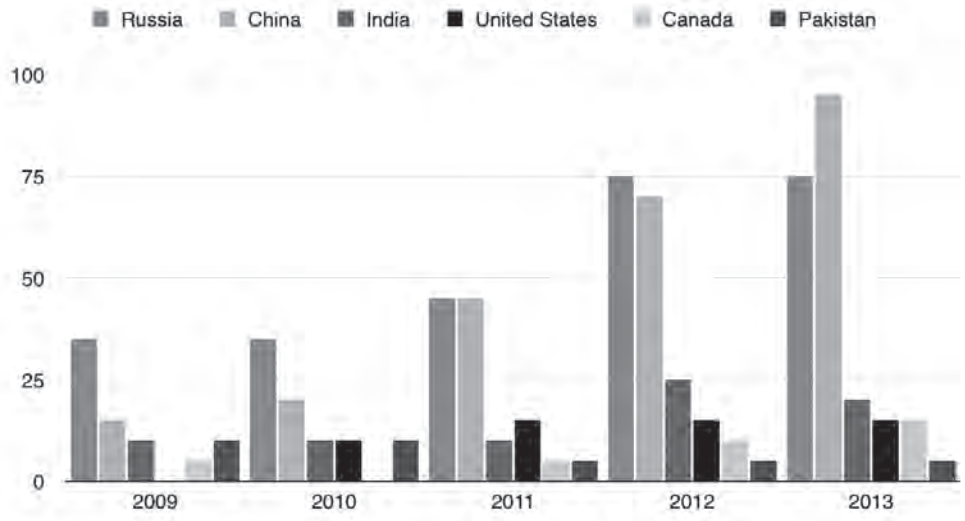
Graph 1: **Number of US Immigrant Investor Visas Granted by Country of Origin**



Results for China were truncated to display historical variation among other countries of origin. Numerical values are displayed instead.
Source: United States Department of State (2010-2014).

There is an upward trend in the number of immigrant investor visas issued by both the United States and the United Kingdom. In the case of the United States, the number of visas granted to Chinese nationals has increased at a much higher rate than the number of visas granted to nationals of other countries (U.S. Department of State, 2010-2014**)**. (See Graph 1 above.) The percentage of visas issued to Chinese nationals has remained high relative to nationals from other countries. It is noteworthy that the number of visas granted in 2010 dropped in comparison to the previous year. Arguably, this can be attributed to the worldwide 2010 financial crisis and its impact on the value of the U.S. dollar, as well as the new regulatory environment that followed the crisis. Since 2010, the number of visas issued has continuously increased, almost reaching the limit of 10,000 visas per annum (U.S. Department of State, 2010-2014).

***Graph 2:* Number of UK Tier 1 (Investor) Visas Granted by Country of Origin**



Source: United Kingdom Home Office (2014).

Graph 2 displays the growth in the number of Tier 1 (Investor) visas issued by the United Kingdom to nationals of ten countries between 2009 and 2013 (United Kingdom Home Office, 2014). Similarly to the case of the United States, the number of visas granted has increased considerably over the course of the five year period. The number of visas issued to Chinese and Russian nationals has increased at a higher rate than the number of visas issued to nationals of other countries. The growing trend for visas issued by the United Kingdom is less consistent than that of the United States, yet the demand for this route to permanent residency has increased (United Kingdom Home Office, 2014).

The expansion and continued demand for these visas demonstrates that there is a growing market for residency permits. Studies such as the 2014 Migration Advisory Committee (MAC) report on the United Kingdom's Tier 1(Investor) residency route also suggest that governments are evaluating better mechanisms for taking advantage of the availability of foreign capital. The MAC report includes several suggestions aimed at increasing the gain for UK residents from the Tier 1 (Investor) route, including "raising the investment threshold; encouraging alternative investments; auctioning some slots; and altering the residency requirements" (Migration Advisory Committee, 2014, p. 2).

The supply of residency-by-investment permits is matched by a surging demand. According to Beaverstock and Faulconbridge (2013), there is a constant increase in the number of HNWIs and their accumulated wealth (p. 42). Nowadays, "the highest net relative growth in the population of High Net Worth Individuals is now to be found in the emerging markets of Asia-Pacific and Latin America: between 2010 and 2011, Japan and China experienced the highest relative growth rates in the population of HNWI of +6.2 percent (from 155,000 to 165,000) and +5.2 per cent (from 535,000 to 562,000), respectively" (Beaverstock and Faulconbridge, 2013, pp. 42-43). HNWIs in China consistently express a desire to migrate elsewhere, with half of mainland China's

millionaires looking to relocate within the next five years (Griffiths, 2014). Similarly, the 2014 Barclays Wealth Insight Report finds that mobility among the wealthy is increasing, that entrepreneurs value mobility more highly than other HNWIs, and that the global wealthy are becoming more multinational. For HNWIs, mobility is not about merely crossing international political borders for leisure. Rather, it is about choosing where and how to establish their wealth (Barclays, 2014, p. 4). Nevertheless, the report also finds that "the choice of destinations for HNWIs remains relatively narrow," for these individuals are interested in very specific kinds of "global cities" (Barclays, 2014, p. 5). Thus, it is natural that governments are interested in shaping their response to a growing demand for residency permits. While the supply of permits is unilaterally controlled by governments, channeling the funds provided by the rising number of migrant investors fuels various avenues for investment and use of capital.

Conclusion

Immigrant investor programs serve as governmental platforms that promote the commoditization of residency permits acquired by making an investment according to the program requirements. The objectives of these programs are to fulfill the needs of investors seeking to establish permanent residence in a suitable jurisdiction and to fulfill the needs of governments to increase investment and create jobs. These programs and access to them are influenced by certain portions of the migration industry, particularly the law firms and financial institutions that facilitate the application process. If the investment amount mandated by the program requirements serves as the price of the commoditized residency permit, then access to such residency permits is restricted to people with enough disposable income to acquire them.

While these programs meet the needs of investors and governments, the needs of the existing polity are seldom considered equally relevant. Thus, it appears that the justification for extending political and social benefits to investors through residency lacks the requisite legitimacy. Moreover, these programs institutionalize discriminatory practices within the state's bureaucracy based on the applicant's ability to invest. Those who fulfill all requirements of the programs receive considerable concessions from governments in the process of acquiring a permanent residency permit, bypassing many of the requirements and restrictions imposed on other applicants for residency in their respective processes.

Between 2009 and 2013, the number of applicants who received immigrant investor visas more than doubled in both the United States and the United Kingdom. China, South Korea, and Russia are currently the countries of origin sending the most immigrant investors, signaling a large availability of capital and the willingness of these investors to commit that capital in exchange for residency privileges. The increase in the number of High Net Worth Individuals means that demand for these programs will only continue to increase in the future. With the approaching exhaustion of the quota for Immigrant Investor Visas in the United States, the United Kingdom will likely experience a higher demand for Tier 1 (Investor) visas than it has in the past, but the UK's higher investment thresholds will limit access to the program. With time, the migration industry and the institutional and political frameworks will change to accommodate the demand for both residency permits and capital, but unless governments improve the outcomes for the polity, the programs' legitimacy will erode

with time. Furthermore, it is important to question how differential treatments based on wealth are institutionalized by immigrant investor programs and whether such channels are the best way to raise capital investment and increase human mobility.

References

Barclays Wealth Management. 2014. *Wealth Insights, Volume 18*. Retrieved November 15, 2014, from https://wealth.barclays.com/content/dam/bwpublic/global/documents/shared/wealth-inisghts-volume-18.pdf

Beaverstock, J., & Faulconbridge, J. 2014. Wealth segmentation and the mobilities of the super-rich: A conceptual framework." *Elite Mobilities.* Birtchnell, T., & Caletrio, J., eds. New York: Routledge.

Betts, A. 2013. The migration industry in global migration governance. *The Migration Industry and the Commercialization of International Migration.* Gammeltoft-Hansen, T., & Nyberg Sorensen, N., eds. New York: Routledge.

Birtchnell, T., & Caletrio, J. 2014. Introduction: The movement of the few. *Elite Mobilities.* Birtchnell, T., & Caletrio, J., eds. New York: Routledge.

Birtchnell, T., Viry, G., & Urry, J. 2014. Elite formation in the Third Industrial Revolution. *Elite Mobilities.* Birtchnell, T., & Caletrio, J., eds. New York: Routledge..

Budd, L. 2014. Aeromobile elites: Private business aviation and the global economy. *Elite Mobilities.* Birtchnell, T., & Caletrio, J., eds. New York: Routledge..

Dzankic, J. 2012. The pros and cons of *ius pecuniae*: Investor citizenship in comparative perspective. *European University Institute Working Paper RSCAS 2012/14.* Retrieved November 12, 2014, from http://cadmus.eui.eu/bitstream/handle/1814/21476/RSCAS_2012_14.pdf?sequence=1

Elliot, A. 2014. Elsewhere: Tracking the mobile lives of globals. *Elite Mobilities.* Birtchnell, T., & Caletrio, J., eds. New York: Routledge.

Featherstone, M. 2014. Super-rich lifestyles. *Elite Mobilities.* Birtchnell, T., & Caletrio, J., eds. New York: Routledge.

Galdes, C., & Singer, A. Improving the EB-5 Investor Visa Program: International financing for U.S. regional economic development." *Brookings-Rockefeller Project on State and Metropolitan Innovation.* Retrieved May 28, 2015, from http://www.brookings.edu/~/media/research/files/reports/2014/02/05-eb5/eb5_report.pdf

Gammeltoft-Hansen, T., & Nyberg Sorensen, N., eds. 2013. *The Migration Industry and the Commercialization of International Migration.* New York: Routledge.

Giella, C. 1992. Visas for sale: A comparison of the U.S. Investor Provision with the Australian Business Migration Program. *Northwestern Journal of International Law and Business 13*(1), 209-244.

Griffiths, J. 2014, September 15. Half of China's millionaires "plan to leave country within five years." *South China Morning Post.*. Retrieved November 15, 2014, from http://www.scmp.com/news/china/article/1592975/47-cent-chinese-super-rich-want-leave-country-barclays-survey?page=all

Henley and Partners. 2014. *About the firm.* Retrieved November 2nd, 2014, from https://www.henleyglobal.com/about-the-firm/

Hernández-Léon, R. 2013. Conceptualizing the migration industry." *The Migration Industry and the Commercialization of International Migration.* Gammeltoft-Hansen, T., & Nyberg Sorensen, N., eds. New York: Routledge.

Jolly, C., Knapp, M., & Kusumastanto, T. 1998. U.S. competitive position and capital investment flows in the economic citizen market: Constraints, and opportunities of the U.S. Investor Program," *The American Journal of Economics and Sociology*, *57*(2), 155-171.

Khan, S. 2014. The ease of mobility. *Elite Mobilities.* Birtchnell, T., & Caletrio, J., eds. New York: Routledge.

Lemberg-Pedersen, M. 2013. Private security companies and the European borderscapes. *The Migration Industry and the Commercialization of International Migration.* Gammeltoft-Hansen, T., & Nyberg Sorensen, N., eds. New York: Routledge.

Ley, D. 2003. Seeking *Homo economicus*: The Canadian state and the strange story of the Business Immigration Program." *Annals of the Association of American Geographers*, *93*(2), 426-441.

Menz, G. 2013. The neoliberalized state and the growth of the migration industry. *The Migration Industry and the Commercialization of International Migration.* Gammeltoft-Hansen, T., & Nyberg Sorensen, N., eds. New York: Routledge.

Migration Advisory Committee. 2014. *Tier 1 (Investor) route: Investment thresholds and economic benefits*. Retrieved October 27, 2015, from https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/285220/Tier1investmentRoute.pdf

Nyberg Sorensen, N., & Gammeltoft-Hansen, T. 2013. Introduction. *The Migration Industry and the Commercialization of International Migration.* Gammeltoft-Hansen, T., & Nyberg Sorensen, N., eds. New York: Routledge.

Office of Inspector General, U.S. Department of Homeland Security. 2013. *United States Citizenship and Immigration Services' Employment Based Fifth Preference (EB5) Regional Center Program.* OIG-14-19. Retrieved May 28, 2015, from https://www.oig.dhs.gov/assets/Mgmt/2014/OIG_14-19_Dec13.pdf

Surak, K. 2013. The migration industry and developmental states in East Asia." *The Migration Industry and the Commercialization of International Migration.* Gammeltoft-Hansen, T., & Nyberg Sorensen, N., eds. New York: Routledge.

Tseng, Y-F. 2000. "The mobility of entrepreneurs and capital: Taiwanese capital-linked migration." *International Migration, 38,* 143–168.

United Kingdom Home Office. 2014. *Quick guide to the points-based System*. Retrieved Nov. 14, 2014, from http://www.ukba.homeoffice.gov.uk/business-sponsors/points/quick-guide-pbs/

U.S. Department of State. 2010. *The Report of the Visa Office 2009: Preference Immigrant Visas Issued (by Foreign State of Chargeability): Fiscal Year 2009*. Retrieved on November 1, 2014 from http://travel.state.gov/content/dam/visas/Statistics/FY09AnnualReport_TableVI_4.pdf

U.S. Department of State. 2011. *The Report of the Visa Office 2010: Preference Immigrant Visas Issued (by Foreign State of Chargeability): Fiscal Year 2010.* Retrieved on November 1, 2014 from http://travel.state.gov/content/dam/visas/Statistics/FY10AnnualReport-TableVI-PartIV.pdf

U.S. Department of State. 2012. *The Report of the Visa Office 2011: Preference Immigrant Visas Issued (by Foreign State of Chargeability): Fiscal Year 2011.* Retrieved on

November 1, 2014 from http://travel.state.gov/content/dam/visas/Statistics/AnnualReports/FY2011AnnualReport/FY11AnnualReport-Table%20VI-Part4.pdf

U.S. Department of State. 2013. *The Report of the Visa Office 2012: Preference Immigrant Visas Issued (by Foreign State of Chargeability): Fiscal Year 2012*. Retrieved on November 1, 2014 from http://travel.state.gov/content/dam/visas/Statistics/AnnualReports/FY2012AnnualReport/FY12AnnualReport-TableVI-PartIV.pdf

U.S. Department of State. 2014. *The Report of the Visa Office 2013: Preference Immigrant Visas Issued (by Foreign State of Chargeability): Fiscal Year 2013*. Retrieved on November 1, 2014 from http://travel.state.gov/content/dam/visas/Statistics/AnnualReports/FY2013AnnualReport/FY13AnnualReport-TableVI-PartIV.pdf

Wong, L. 1997. Globalization and transnational migration: A study of recent Chinese capitalist migration from the Asian Pacific to Canada." *International Sociology, 12*(3), 329-351.

Wong, L. 2003. Chinese business migration to Australia, Canada and the United States: State policy and the global immigration marketplace. *Asian and Pacific Migration Journal, 12*(3), 301-336.

The Effects of Case Management on Frequent Emergency Department Users

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Abstract

The purpose of this research is to demonstrate the negative effects of emergency department frequent users and to introduce a utilization approach called case management, in order to help alleviate the growing costs of uncompensated physician care and emergency department overcrowding. The research is supported by case studies, personal interviews with case managers of Cape Fear Valley Health Systems, Southeastern Health, WakeMed, and various other hospitals in the state of North Carolina, as well as scholarly studies provided on the Internet. The results indicate that hospitals throughout North Carolina are facing emergency department frequent user issues and that case management is an effective method to curb costs.

Introduction

Health care costs in the United States continue to rise due to increases in provider fees, cost of medical technology, wastage, unhealthy lifestyles, aging populations, and taxes (Aetna, 2012). It is estimated that health care spending will reach $4.8 trillion by 2021 and will comprise nearly 20% of the nation's GDP (Aetna). As a result, several solutions have been proposed to counteract the growing trend and stabilize costs. One of these solutions includes limiting the number of frequent users of the emergency department (ED). The American College of Emergency Physicians estimates that "…frequent users make up between 4.5 and 8 percent of all emergency patients and are responsible for 21 to 28 percent of all emergency department visits" ("Frequent Users of the ER," 2013). Case management, a utilization approach, provides an effective solution to help alleviate this problem.

Emergency Medical Treatment and Active Labor Act

A factor contributing to the phenomenon of frequent ED users is a legal provision that states that hospitals cannot refuse to see a patient for an emergency medical

condition or an examination. According to a legal expert on the Emergency Medical Treatment and Active Labor Act (EMTALA),

> Any patient who 'comes to the emergency department' requesting 'examination or treatment for a medical condition' must be provided with 'an appropriate medical screening examination' to determine if he is suffering from an 'emergency medical condition.' If he is, then the hospital is obligated either to provide him with treatment until he is stable or transfer him to another hospital in conformance with the statute's directives. (Fosmire, 2009)

Thus, the hospital's ED is legally obligated to provide services to a patient if he or she is requesting examination or treatment for a medical condition. As noted by the American Academy of Emergency Medicine, failure to abide by EMTALA's provisions results in "strict penalties including fines and exclusion from the Medicare program for violations of the Act" ("EMTALA," 2015).

Costs Associated with EMTALA

Due to their legal obligations to see all ED users, hospitals incur significant expenses in time and opportunity costs. The American College of Emergency Physicians reports that

> [e]mergency care in America is just 2 percent ($47.3 billion) of all U.S. medical costs, and the emergency care costs of EMTALA (excludes hospital inpatient and other) have been estimated to be $4.2 billion. EMTALA's effect on the nation's emergency care system itself is huge with direct costs for uncompensated care to physicians [of] about $4.2 billion. ("EMTALA Fact Sheet," n.d.)

Physicians are forced to provide charity care to these frequent users and are therefore uncompensated for their efforts. Furthermore, excessive frequent users promote ED overcrowding, which forces some critically ill patients to be seen elsewhere. According to Dr. Barry Gustin (2010), a Fellow of the American Academy of Emergency Medicine, "inappropriate extensions of the law have created the undesirable evolution where an ED is required to accept all stable patients, contributing to ED overcrowding. This causes critically ill patients to be legally prevented from receiving care at the most appropriate facility."

Case Management

With the increasing utilization and costs associated with the ED, a utilization method called case management (CM) offers a workable solution to lower, or at least stabilize, costs. The Commission for Case Manager Certification defines CM as

> a collaborative process that assesses, plans, implements, coordinates, monitors, and evaluates the options and services required to meet the client's health and

> human service needs. It is characterized by advocacy, communication, and resource management and promotes quality and cost-effective interventions and outcomes. ("Definition and Philosophy," n.d.)

CM offers collaborations between various parties (physicians, case managers, social services, etc.) to appropriately aid the patient in treatment, while seeking quality and cost-effective alternative methods of care.

Past Studies of the Effect of CM on ED

As detailed in *The Journal of Emergency Medicine*, physicians Gayathri S. Kumar and Robin Klein (2013) retrieved and summarized past studies of the effect of CM on EDs dating from 1990 to April 2010. They described the objectives of their study as follows: "We reviewed the available literature focusing on the impact of CM interventions on ED utilization, cost, disposition, and psychosocial variables in frequent ED users" (Kumar & Klein, 2013).

Kumar and Klein (2013) used the Medical Subject Headings (MeSH) database to find 12 studies on the effect of CM on ED frequent users:

> Of the 12 studies included, two were randomized control trials, eight were pre- and post-intervention studies using historical controls, and two employed age-matched controls. Taken together, these studies included a total of 960 participants in CM interventions. The average age was 43.7 years, with 56% being male among the nine studies reporting genders. All the studies addressed all adult frequent utilizers of the ED, yet the studied populations were diverse and included insured and uninsured patients, homeless patients, employed and unemployed patients, patients with and without primary care physicians, and patients with psychiatric disorders and substance abuse disorders.

The ED frequent users came from diverse backgrounds and had differing health statuses. These case managers separated the participants into the following groups: pre-intervention, post-intervention, and control (Kumar & Klein, 2013).

The studies showed mixed results; however, the majority of the studies reported a reduction in ED use with CM intervention. The authors of the meta-analysis report that "[a]mong the 11 studies reporting ED use outcomes, eight reported reduction in ED use, two studies reported no significant reduction, and one study reported an increase in ED use" (Kumar & Klein, 2013). The reports indicate that CM intervention has a positive impact on ED frequent users. More specifically, the unemployed and homeless were reported to have a reduction in ED visits:

> In a prospective pre- and post-intervention analysis using a predominately unemployed (100%), homeless (67%) population, CM intervention led to a 40% reduction in ED visits. Similarly, in a population of uninsured patients, Shah et al. [R. Shah, C. Chen, S. O'Rourke, M. Lee, S.A. Mohanty, & J. Abraham. (2011). Evaluation of care management for the uninsured. *Med Care, 49*(2), pp. 166–171] showed a 32% reduction in ED attendance after enrollment in a CM program. (Kumar & Klein, 2013)

These studies indicate that the majority of the ED frequent users responded positively to CM intervention. The authors conclude the following from their meta-analysis:

> Patients who were more actively engaged with the services arranged by case managers were significantly less likely to have subsequent ED visits compared to less active patients [R. Shah, C. Chen, S. O'Rourke, M. Lee, S.A. Mohanty, & J. Abraham. (2011). Evaluation of care management for the uninsured. *Med Care, 49*(2), pp. 166–171]. In this same study, significantly lower ED utilization rates were seen in patients who had graduated from a CM program (i.e., when a case manager felt that the patient understood how to make appointments, receive medications, and follow-up on goals). (Kumar & Klein, 2013)

Thus the programs were successful in reducing ED visits—provided that the patients followed the directions and were actively engaged (Kumar & Klein, 2013).

In another study, detailed in the *Journal of the American Board of Family Medicine,* researchers conducted a one-year research experiment on 255 low-income, uninsured patients who visited the emergency room six or more times in the previous year (Crane, Collins, Hall, Rochester, & Patch, 2011). The given method for the research is as follows:

> We identified a cohort of 255 low-income, uninsured patients who had used inpatient or emergency department services more than 6 times in the previous 12 months. Between July 2010 and June 2011 we enrolled 36 of these high-risk patients to participate in a twice-weekly drop-in group medical appointment staffed by an interdisciplinary team of a family physician, behavioral health professional, and nurse case manager. The team provided 705 patient visits in a group setting (a total of 108 group sessions) and 652 case manager phone calls. The average number of clients per drop-in group medical appointment was 6.5. (Crane et al., 2011)

Thus, the sample patient population represents common ED frequent users. The team that conducted the experiment broke the CM intervention into four components: drop-in group medical appointment (DIGMA); direct telephone access to a registered nurse case manager; small group "life skills and support" sessions with the care manager; and short, individual sessions after the group medical visit (Crane et al., 2011).

DIGMAs, the first component of the CM intervention, were biweekly scheduled meetings between the patients and the care team. The purpose of a DIGMA was to allow the patients to speak with providers and case managers about any medical concerns they had:

> These visits were scheduled twice a week [for one hour each time] and were held in a large room that could accommodate up to 20 persons. Patients would present in turn any medical, behavioral, or social issue they wished the group and the care team could address. (Crane et al., 2011)

These meetings allowed for a wide range of problematic areas to be addressed.

The second component to the CM intervention was direct telephone access to a registered nurse case manager: "Patients were given a cell phone number with direct access to the nurse case manager for any questions or problems Monday through Friday 8 a.m. to 5 p.m." (Crane et al., 2011). The direct telephone access meant the patients would not visit the ED before speaking to a nurse case manager and discussing possible treatments and alternatives.

The third component to the CM intervention was small group "life skills and support" sessions with the case manager: "These also were scheduled twice a week [for one hour each time] for clients needing special assistance and support" (Crane et al., 2011). These meetings were conducted for patients who required special services.

The fourth and final component to the CM intervention was short, individual sessions after the group medical visit:

> Patients who had additional issues that could not be appropriately addressed during the group session could have an individual session with one or more of the care team members including the physician, behavioral health professional, and/or the care manager from 1 p.m. to 1:30 p.m. (Crane et al., 2011)

These meeting allowed patients to voice their concerns after the DIGMA and to speak to any of the care team members for advice about their concerns.

The care team consisted of a variety of members, including "a family physician, a nurse care manager, and 2 behavioral health providers, only one of whom would attend a DIGMA at a time and all [of] whom … had more than 20 years' clinical experience" (Crane et al., 2011). The group collaborated extensively to discuss and plan meetings, schedule appointments, and maintain relations with specialists to ensure quality of care:

> The team generally met before and after each group appointment to review individual patient care plans and discuss the evolving group process/culture. The behavioral health provider attending the meeting that day would summarize the group process in a secure e-mail to the other behavioral health specialist to maintain continuity from visit to visit. The group appointment included time for each patient to share issues with the group. As time allowed or if the clinical situation called for it, patients at times could also have short individual sessions with one or more members of the care team to discuss medical or behavioral health concerns. (Crane et al., 2011)

Thus, it can be stated that the study involved careful planning and coordination with the care team, the patients, and other specialists.

The results indicated that the CM approach utilized on ED frequent users in this case was an effective approach to dealing with the problem. The care team published the results of their research:

> Emergency department use dropped from a rate of 0.58 per patient per month to 0.23 ($P < .001$), and hospital charges dropped from $1167 per patient per month to $230 ($P < .001$). Employment status increased from 4 to 14 among 36 patients enrolled. Total annualized cost of the program was $66,000. (Crane et al., 2011)

The results indicate that the program had success in many areas. The DIGMA meetings helped address areas of concern to the patients, as "nearly every patient had experienced a number of barriers and frustrations in accessing medical care that the DIGMA team members seem to have successfully addressed" (Crane et al., 2011).

The care team made this conclusion:

> Our experience with this group of patients is that their needs are diverse and complicated and that their paths to recovery can be equally complicated. Care management is a vital piece of the puzzle, pulling together community resources without which recovery would be impossible. The care manager is an experienced, calm, trusted professional patients can call when they are frightened or in crisis between groups visits, which is often the difference between going to the ED to seek immediate care or waiting a day or 2 until the next group visit. Successful case management also includes assisting with teaching some of these patients basic life skills, for example, not to find housing for them, but rather direct them where to go to get housing assistance. These small, positive steps are then shared with the group, which further reinforces a growing sense of confidence. (Crane et al., 2011)

The case managers developed solutions to deal with the patients' diverse challenges (Crane et al., 2011).

The physicians Gayathri S. Kumar and Robin Klein (2013) found in their research that patients with a high-level ED use (in high frequency ED users), as compared to low-level ED use (in high frequency ED users), continued to overuse the ED after completion of the CM programs: "CM may be less effective in patients with higher levels of ED use than patients with lower levels of ED use, as patients with higher levels of ED use may be more resistant to change" (Kumar & Klein, 2013). Thus, those among the high frequency ED users who use the ED most heavily have difficulty breaking past habits, despite the efforts of the CM programs. However, the studies conclude that these frequent users may need more rigorous CM programs and that a five-month follow-up on these patients may not have been sufficient for behavioral change (Kumar & Klein, 2013).

North Carolina Hospitals

North Carolina has approximately 150 hospitals. Of these hospitals, five are nationally ranked and seventeen meet standards of excellence in North Carolina, according to *U.S. News and World Report* ("Best Hospitals," 2015). Through personal communication, case managers of various hospitals provided information regarding frequent emergency department users while adhering to each hospital's confidentiality guidelines. These communications reveal the burden of frequent emergency department users in the state of North Carolina.

Cape Fear Valley Health Systems

In an email response, Cyndy Kern, MBA, CPHQ, FACHE, Director of Coordination of Care, revealed that in 2012 patients with 12 or more visits totaled 7,022 visits. Of these 7,022 visits, 107 patients had Champus/Tricare; 348 patients had commercial

insurance; 2,472 patients had Medicaid; 2,174 patients had Medicare; 343 patients had Medicare Advantage; and 1,578 patients had self-pay (Kern, personal communication, November 21, 2014).

WakeMed

In a telephone conversation, Marylou Faucette, BSN, manager of case management at WakeMed, revealed that her department provides home health services for patients with Medicare and Medicaid in an effort to curtail costs, since providing treatment at a residence is more cost-effective than in an inpatient setting. Faucette also stated that WakeMed starts a 45-day process to see if uninsured patients are eligible for Medicaid. A considerable challenge for WakeMed's case management is dealing with patients who have been abandoned by their families due to increasing medical costs. Faucette stated that it is the hospital's duty to accommodate the patient until the courts determine who is legally responsible for the patient's medical costs.

Marylou Faucette also stated that WakeMed has a Rainbow Fund policy that provides free medications to immediate-need patients. In addition, WakeMed uses a $4.00 medication list from Wal-Mart, Target, and Walgreens to offer cost-effective medication (Faucette, personal communication, November 20, 2014).

Southeastern Health

In an email response, Southeastern Health's strategic analyst, David Lee, M.H.A, revealed, "During the last 12 months the highest number of visits by individual people were 159 and 144—these were patients receiving dialysis treatment" (Lee, 2014). Lee also detailed the top 30 principal diagnoses of those with 20 or more visits, some of which are renal analysis encounter (326), lumbago (48), headache (40), end stage renal disease (31), acute bronchitis (10), esophageal reflux, acute respiratory failure (7), alcohol abuse-unspecified (7), and painful respiration (7) (Lee, personal communication, October 10, 2014).

High Point Regional

In a telephone conversation, retired ED case manager K. Chance stated that she used various strategies to offer alternatives to frequent ED users. She stated that some patients frequented the ED three to four times a week, and she suggested assisted living as an alternative. The retired ED case manager also stated that patients frequented the ED for dental problems, so she assisted the patients with allocating their budgets for dental insurance and/or other alternatives. She also stated that patients frequented the ED for asthma-related incidents, so she educated the patients and assisted them in taking preventative measures (Chance, K. personal communication, November 20, 2014).

Nash General Hospital

In a telephone conversation, ED case manager Silver revealed that 80% of the ED patients have no form of payment. The ED case manager revealed that he is currently working on statistics and trends, and developing alternative forms of care (Silver, personal communication, November 19, 2014).

Case Management Limitations

Despite the positive effects CM has on reducing ED visits by frequent users, the utilization approach has its disadvantages: CM cannot work effectively without the active participation of the patients and the case manager; CM costs can offset the hospital savings from the limited ED visits; and CM may have a reduced effect in patients with high-end frequency of visits (Kumar & Klein, 2013).

CM has to be a collaborative effort to be successful. The previously mentioned study by physicians Kumar and Klein (2013) indicates that "studies that describe case managers actively involved in identifying patients on the streets or in their homes, meeting with patients regularly, or accompanying them to their appointments, found significant reductions in ED utilization." Thus, it can be stated that case managers need to be actively involved with their patients in order to have successful results—the more active they are, the better the results. However, case managers are not the only ones who have to be actively involved—the patients need to demonstrate involvement as well if they are to reduce ED overutilization. The same study indicates the following:

> It is also likely that the greater level of involvement of participants in care management plans can contribute to improved ED outcomes. For example, in the study by Shah et al., case managers worked closely with patients in care navigation and connection with support services [citation omitted]. With time, case managers reduced their involvement and allowed participants to take a more active role in their own care. This gradual transition towards giving participants a sense of ownership in their own care may have facilitated adherence over time and ultimately, improvement in ED over-utilization. (Kumar & Klein, 2013)

The ultimate conclusion from this study is that case managers and patients must work together actively to make the utilization approach a successful method for reducing ED overutilization.

Physicians Gayathri S. Kumar and Robin Klein researched twelve studies in the previously mentioned systematic review of the impact of CM on ED from 1990 to April 2010. Only one of the studies incorporated CM costs with hospital savings (from reduction in ED visits due to CM), and the results indicated that the hospital savings are offset by CM costs (Kumar & Klein, 2013). The physicians concluded that the ED frequent users were sicker patients as compared to the general population and that they required additional services, which are associated with higher costs:

> It is possible that the reduction in ED costs is counterbalanced by an increase in the cost of these programs. CM may improve cost-effectiveness but not necessarily cost savings among frequent users. It may be difficult to reduce costs significantly in this population as frequent users represent a sicker population with more social needs and may actually require additional services, which would be associated with additional costs. (Kumar & Klein, 2013)

Thus, the studies indicate that CM is a cost-effective method to reduce ED visits. Since only one study incorporated the CM cost with the hospital savings, it is difficult to formulate a definite conclusion about the overall cost savings (Kumar & Klein, 2013).

Conclusion

As health care expenditures rise, new methods of curtailing the costs are necessary. One such method, case management, has proven to be effective in reducing ED overutilization in past case studies and, as revealed by case managers, in hospitals in North Carolina. Case management is defined as

> a collaborative process that assesses, plans, implements, coordinates, monitors, and evaluates the options and services required to meet the client's health and human service needs. It is characterized by advocacy, communication, and resource management and promotes quality and cost-effective interventions and outcomes. ("Definition and Philosophy," n.d.)

Implications

The main implications of this research were the following: personal communication with hospitals was constrained due to hospital confidentiality guidelines, and only a limited number of peer-reviewed articles on the subject are available as yet for meaningful analysis. The case managers could only reveal selected information to the public, and in some cases they had to relay the information request to the hierarchy, which hindered the process. The lack of peer-reviewed articles about case management of emergency department frequent users may be due to a variety of reasons, one of which, as indicated by the ED case manager at Nash General Hospital, is that the CM positions are in the process of being realized and developed. Future studies will be developed as more hospitals face the burdening costs of increased ED expenditures for frequent users.

Suggestions

Hospitals should offer case management services to emergency department frequent users or develop specific positions such as emergency department case managers, in order to limit the number of visits. The frequent users are unaware of other resources, have no forms of payment, or perhaps are trying to receive controlled substances. Case management can help offer workable solutions or develop alternatives to care.

References

Aetna. (2012). The facts about rising health care costs. *Aetna.com.* Retrieved Mar. 28, 2015, from Aetna: http://www.aetna.com/health-reform-connection/aetnas-vision/facts-about-costs.html

Best hospitals in North Carolina. (2015). *U.S. News and World Report.* Retrieved Jan. 28, 2015, from U.S. News: http://health.usnews.com/best-hospitals/area/nc

Crane, S., Collins, L., Hall, J., Rochester, D., & Patch, S. (2011). Reducing utilization by uninsured frequent users of the emergency department: Combining case management and drop-in group medical appointments. *Journal of the American Board of Family Medicine, 25*(2): 184-191. doi: 10.3122/jabfm.2012.02.110156

Definition and philosophy of case management. (n.d.). Retrieved Sept. 24, 2014, from Commission for Case Manager Certification: http://ccmcertification.org/about-us/about-case-management/definition-and-philosophy-case-management

EMTALA. (2015). Retrieved Sept. 23, 2014, from American Academy of Emergency Medicine: http://www.aaem.org/em-resources/regulatory-issues/emtala

EMTALA fact sheet. (n.d.). Retrieved Sept. 23, 2014, from American College of Emergency Physicians: http://www.acep.org/uploadedFiles/ACEP/News_Room/NewsMediaResources/Media_Fact_Sheets/EMTALA%20Fact%20Sheet%202012-FINAL.pdf

Fosmire, M. S. (2009) Frequently asked questions about the Emergency Medical Treatment and Active Labor Act (EMTALA). *EMTALA.com.* Retrieved Sept. 23, 2014, from http://www.emtala.com/faq.htm

Frequent users of the ER fact sheet. (2014). Retrieved Sept. 23, 2014, from American College of Emergency Physicians: http://newsroom.acep.org/index.php?s=20301&item=30011

Gustin, B.E. (2010). EMTALA violations, ER overcrowding, and litigation. Retrieved Sept. 23, 2014, from Toxicology Consultant: http://www.toxicologyexpert.net/index.php/Interesting-Cases/emtala-litigation.html

Kumar, G. S., & Klein, R. (2013). Effectiveness of case management strategies in reducing emergency department visits in frequent user patient populations: A systematic review. *The Journal of Emergency Medicine, 44*(3), 717-729. doi:10.1016/j.jemermed.2012.08.035

A Discourse of Power: The Manipulation of Stereotypes in Octavia Butler's *Kindred*

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Octavia Butler's *Kindred* is set in two time periods, the late twentieth century and early nineteenth century. Butler, known for her science fiction writing, creates a story in which her protagonist, Edana Franklin, known as Dana, travels in time from her modern, post-Civil Rights Movement life in 1976 California to the antebellum South of the early 1800s. These historical and geographical placements allow Butler to fully explore the tension between love and power among her characters and to manipulate the stereotypes commonly associated with African Americans in the twentieth century. Butler demystifies, dispels, and renders powerless some of the controlling images that helped to naturalize oppression throughout history as the reader comes to understand what it meant to live as a slave for Dana, who struggles to maintain her sense of self, and for the black men and women who were born in the era of slavery.

Butler sets up a world that is realistic, but contests the romanticized stereotype of the Southern plantation, which was originally propagated by Southern writers to respond to abolitionist writings by glossing over the ugliness and brutality that existed in slavery. Butler's use of the Eastern Shore of Maryland as the geographical location of the home of Dana's ancestors allows her to create a setting different from what one typically envisions as a Southern plantation—the white mansion with a grand veranda and massive columns framed by live oaks heavy with Spanish moss—which was not common in rural areas north of southern Virginia. In order to emphasize its differences, Butler writes from Dana's perspective, "The Weylin house surprised me too when I saw it in daylight. It wasn't white. It had no columns, no porch to speak of. I was almost disappointed. It was a red-brick Georgian colonial, boxy but handsome…in our own time, Kevin and I could have afforded it" (67). So, not only does Butler contradict the notion that all slaveholders have mansions, but she has her black female protagonist acknowledge that, in her own time and place, she and her husband, who are both moderately successful writers, could afford a similar house. Setting the story in Maryland also reminds readers that slavery was a widespread problem, not simply an issue of the Deep South. In a review of Butler's book, Angelyn Mitchell writes, "Her choice of setting also allows Butler to dispel the notion of 'deep South slavery' as the worst…[A]ny type of slavery is barbaric and inhumane" (53). However, it is important to note that in Maryland, despite its lack of white-columned mansions, the Weylin plantation operates under

the same economic, social, and cultural guidelines that prevailed in other slave states during the antebellum period.

The societal guidelines of the Southern states were crucial to normalizing the institution of slavery. In her article discussing the ideology of slavery, Katie Geneva Cannon states,

> The institution of chattel slavery and its corollary, White supremacy and racial bigotry, excluded Black people from every normal human consideration. The humanity of Black people had to be denied, or the evil of the slave system would be evident…[L]egislatures enacted laws designating Black people as property and as less than human. …The intellectual legacy of slavocracy was the development of certain white preconceptions about the irredeemable nature of Black women and Black men as "beings of an inferior order," a subpar species between animal and human. (414)

The laws of Maryland and other Southern states made the oppression of Black Americans legal, but it was the assimilation of dehumanizing stereotypes that normalized the idea that they were "Baboons on two legs gifted with speech," and made it more acceptable for Christian white people to own slaves (414). Although some resisted, most white Southerners allowed themselves to adopt this ideology. Lucy Breckinridge, a young white lady who grew up on a Virginia plantation, refers to her family's slaves as "singular creatures" in her diary (Breckinridge 133). Also, after hearing that a house slave told male field servants which way to run to join the Yankees, she writes indignantly, "We always treated him like a *friend* rather than a servant, and his ingratitude is more disgusting than it would be in the others. Slavery is a troublesome institution and I wish for the sake of the *masters* that it could be abolished in Virginia" (35-6, italics in the original). In her diary, she never entertains the concept that the institution of slavery is "troublesome" to the slaves; her only concern is for her own injured sensibilities and the other white masters, confirming the successful naturalization of a hierarchy in which white supremacy was the norm. The white patriarchal ideology was naturalized, allowing oppressors the added freedom to feel insulted and betrayed when their victims wanted to help one another escape their lives of bondage.

Patricia Hill Collins, a black feminist and social theorist who analyzes the distribution of power among race, gender, and class, explains that stereotypes and other controlling images "are designed to make racism, sexism, and poverty appear to be natural, normal, and an inevitable part of everyday life" (68). Collins also states that controlling images like "mammies" and "jezebels" are "key in maintaining interlocking systems of race, class, and gender oppression," positioning black women as the opposite of what is expected of white women and naturalizing the white patriarchal views of femininity (68). This ideology normalized the process of belittling, dehumanizing, and sexualizing the black woman while, at the same time, alienating her from becoming allies with the white woman, who was being valued only for her "purity," passivity, piety, and obedience (Collins 69). The white women are oppressed by the controlling images of the Angel-in-the-House and the Mad-Woman-in-the-Attic. Although black men did have the slight advantage of being male in a patriarchal society after slavery ended, terms like "bucks"

and "Uncle Toms" defined them as the binary "Other" in relation to white men, placing emphasis on their supposed animalistic and hyper-sexual natures (Collins 68).

Butler places Dana in 1976 as a twenty-six-year-old woman, so she is familiar with the lingering stereotypes that had infiltrated American culture and remained long after the emancipation of slaves and the Civil Rights Movement. This, in turn, shapes her expectations and perceptions of plantation life. Through Dana, Butler allows the reader to experience a realistic environment of slavery, use stereotypical characterizations to attempt to understand its dynamics, and realize that stereotypes cannot convey the complexity of the individuals they attempt to categorize.

According to Collins, the image of the mammy "symbolizes the dominant group's perceptions of the ideal Black female relationship to elite white male power" by her willingness to nurture and care for her white family better than her own (71). The white perception of how a "good mammy" should behave maintains that her faithful submission and dedication to white children are natural because she is part of the white family, too. In Harriet Jacobs's book, *Incidents in the Life of a Slave Girl,* Linda Brent describes her grandmother as

> an indispensable personage in the household, officiating in all capacities, from cook and wet nurse to seamstress…My mother's mistress was the daughter of my grandmother's mistress. She was the foster sister of my mother; they were both nourished at my grandmother's breast. In fact, my mother had been weaned at three months old, that the babe of the mistress might obtain sufficient food. (9-10)

Brent's grandmother was viewed as the stereotypical mammy figure by the white family who owned her, and the image's attached concepts allowed them to pretend that the black servant's selflessness was given as an act of love, thus normalizing and excusing their exploitation of her. However, the grandmother knew that, according to law, she did not possess a "self" to give, and did what she could to better her life, and her children's lives, with what resources she had; she baked crackers at night to sell, hoping to buy her freedom and her children's, too (Jacobs 12). This behavior proves that Brent's grandmother did not accept her bondage as natural or deserved, which contradicts the "good mammy" image that the white patriarchy wanted to classify as the norm.

Despite proof of its inaccuracy, the stereotype was still powerful in maintaining racial oppression even after the Civil War because, if some black women believed the image was the expected cultural norm and their only option to secure societal approval, it would affect how they mothered their children. Their black children would be raised to treat whites with deference, supporting the ideology of white entitlement (Collins 72). In her effort to debunk the mammy myth, Butler introduces Sarah, Weylin's cook, on Dana's third trip back in time. Unlike the appearance of the Weylin's house, Sarah's description is similar to what one thinks of when picturing a mammy figure, allowing Dana and the reader to complacently make analogies to the controlling image of mammy as Dana tries to process Sarah's role on the plantation. Butler writes, "There was a stocky middle-aged woman stirring a kettle that hung over the fire in the fireplace. …She was [a] light-skinned…handsome…woman. Her expression was grim, her mouth turned down at the corners, but her voice was soft and low" (72). Dana observes that Sarah

"was the kind of woman who might have been called 'mammy' in some other household. She was the kind of woman who would be held in contempt during the militant nineteen sixties. The house-nigger, the handkerchief-head, the female Uncle Tom…I looked down on her myself for a while" (Butler 145). Dana's opinion of Sarah is clouded by her 1976 ideas about what slavery was and, because of those modern ideas, she has an immediate negative reaction to anyone who could let herself be called "mammy," As time passes, Dana learns that "Marse Tom" sold three of Sarah's four children and realizes that the black woman is not faithfully subordinate to the Weylins: she tolerates Tom and abhors Margaret, but her loyalty is to her daughter, Carrie (Butler 76). After hearing the story, Dana observes that "[t]he expression in [Sarah's] eyes had gone from sadness—she seemed almost ready to cry—to anger. …How amazing that Weylin had sold her children and still kept her to cook his meals. How amazing that he was still alive. I didn't think he would be for long, though, if he found a buyer for Carrie" (76). Dana and, through her, the reader understand that Sarah is not some docile matron who meekly does what she is told out of compassion for her masters; thus, the mammy stereotype is revealed as incorrect and has to be discarded. Sarah is there because she loves Carrie, and Tom Weylin uses his power as Carrie's master to control Sarah; it is this tense balance between love and power that is dynamic. The human tension is lost in the image of mammy because the image wrongly suggests that the black woman is acting out of free will—that she is "naturally" subservient.

The stereotypes labeling the black women who were not seen as mammies—the "jezebels," or "bad women"—are used to excuse white men for raping their slaves, reducing the black women to sex-crazed animals and breeders (Collins 77). According to Collins, "Jezebel's function was to relegate all Black women to the category of sexually aggressive women, thus providing a powerful rationale for the widespread sexual assaults by white men typically reported by Black slave women" (77). When discussing the unwelcome sexual advances her white master made, Jacobs's Linda Brent states, "I now entered on my fifteenth year—a sad epoch in the life of a slave girl. My master began to whisper foul words in my ear. … He told me I was his property; that I must be subject to his will in all things. My soul revolted against the mean tyranny" (Jacobs 26). Brent did not have the sexual agency to protect herself from her master's behavior; she was his property by law. White patriarchal law protects white men and their interests, just as the stereotypes naturalize their behavior and perceptions of their world. An escaped slave who believed himself to be the son of one of his masters, Frederick Douglass, realizes this and writes, "[S]laveholders have ordained, and by law established, that the children of slave women shall in all cases follow the condition of their mothers; and this is done too obviously to administer to [the white masters'] own lusts, and make a gratification of their wicked desires profitable as well as pleasurable" (Douglass 49). According to Jacobs, "[Black w]omen are considered of no value, unless they continually increase their owner's stock. They are put on a par with animals" (44). The white patriarchal ideology determined that a black woman's sexuality would be controlled and profited from by white men, and she would be blamed for her own exploitation by all white people and judged by fellow blacks. The jezebel stereotype diminished the black woman to a sex-hungry animal—a breeder—during the antebellum period and justified white male behavior to white society.

This atrocity is part of U.S. history, influencing societal norms for years, and Butler addresses the inaccuracy of the jezebel stereotype through several female characters, but especially with Alice and Dana. The reader first meets Alice as an adult on Dana's fourth trip back in time. Butler writes, "Off to my opposite side was a woman, black, young—just a girl, really—with her dress torn down the front. She was holding it together as she watched a black man and a white man fighting" (117). Alice's dress is torn because Rufus has just raped her; even a free black woman was not safe from white men who felt entitled to exert their dominance. Her husband, Isaac, is the black slave who is fighting Rufus to punish him. The reader meets Alice as a free adult woman who has chosen to be married to a black slave; she has a defined sense of self and her own sexual agency that Rufus, a white man brainwashed by stereotypes of blacks, does not acknowledge or respect. When Dana asks him how he could rape Alice, his childhood friend, he says, "We grew up. She got so she'd rather have a buck nigger than me!" revealing his acceptance of common stereotypes—"buck nigger"—and his inability to respect Alice as a human with rights (123). After Alice and her husband run away together and are caught, she is sold at a slave auction as punishment for attempting to aid the escape of a slave: Rufus buys her. When Alice has to choose whether or not to go to Rufus's bed willingly, her alternatives—to be beaten then raped, or to run and be torn apart by dogs if she is caught—are so traumatic that the reader does not judge her harshly for accepting him. Dana's twentieth century conviction that Alice's body is her own is an alien concept to Alice who replies, "Not mine, [Rufus's]. He paid for it, didn't he?" (167). Alice has been raised as a free child but, as a member of the oppressed race, she understands and resents her current position. The tension between power and love becomes the dynamic between the master and the slave woman; Alice is not driven by sexual desire, but Rufus is. Alice is not willing to succumb to Rufus entirely; she "separates" her body from her spirit to maintain her sense of self. Rufus cannot buy her affections or love, although he can demand sex and she does bear four of his children. Through the relationship between Alice and Rufus, Butler exposes the jezebel stereotype as a falsehood, enlightening the reader to the real issue—white male entitlement—that restricted the white man from experiencing healthy relationships as much as it hurt the white and black women who were subject to his whims. Rufus wants to have a relationship like the one Dana has with her white husband Kevin, who has accidentally time-travelled into the antebellum setting. But the role restrictions and stereotypes that shape Rufus's life and define Alice's will not allow him to do so without becoming radically different and, probably, ostracized from white society.

Butler also manipulates and demystifies the jezebel stereotype through Dana's actions. Mitchell states, "When Sam, one of Weylin's enslaved men, shows a romantic interest in her, Dana adamantly declares that 'one husband is enough,' belying the supposed lasciviousness of enslaved black women" (59). Margaret Weylin, the powerless, white Angel-in-the-House figure, accuses Dana of being a stereotypical jezebel. Margaret finds out that Dana is sleeping with Kevin in her home and shouts, "You filthy black whore!…This is a Christian house!" (93). The hypocrisy of the institution of slavery and the people who adopt the ideological concepts as truth is glaringly obvious to the reader, and Butler manipulates the stereotype of the pure, non-sexual white woman. Margaret is willing to overlook the half-black children who look like her husband, but cannot abide the fact that Kevin—a man she actively flirts with—wants Dana, so she strikes out at the person with less power than herself. In a description of a Southern white marriage

similar to Butler's fictional Weylins, Jacobs writes, "The young wife soon learns that the husband in whose hands she has placed her happiness pays no regard to his marriage vows. Children of every shade of complexion play with her own fair babies, and too well she knows that they are born unto him of his own household. Jealousy and hatred enter the…home, and it is ravaged of its loveliness" (33). Such is the life of Margaret Weylin and, although she has accepted her husband's indiscretions as society has demanded, Kevin's preference for Dana over her is too much for her to bear. Her husband, however, not unexpectedly, has a different reaction to Dana's sleeping arrangements. Butler writes, "[Tom Weylin] almost smiled—came as near to smiling as I'd ever seen. And he winked. That was all. I knew then that if Margaret got me kicked out, it wouldn't be for doing a thing as normal as sleeping with my master" (97).

Butler reveals through her depictions of white people that the institution of slavery is damaging to both blacks and whites, although the blacks certainly suffered far more. The ideology of white supremacy did not benefit anyone, not even the white males who held the reins of power and control in their hands. In many instances, they paid a price—love was unattainable—and Butler exposes this consequence through the lives of Tom and Rufus. Tom's marriage is not a happy one, and his sexual exploitation of black slaves is damaging to his and Margaret's relationship. Rufus cannot marry the woman he loves and can never have what Dana and Kevin have. Butler also symbolically scars both Kevin and Dana once they are exposed to the harsh realities of history. Just as white people were hurt less by slavery, Kevin bears the less significant injury: he has a scar on his head. Dana, however, is a black woman who is maimed by her experience in the past: she loses her left arm.

It is because Butler creates many three-dimensional, complicated human characters as slaves and masters that the stereotypes of mammy and jezebel are demystified and rendered impotent and inappropriate. Butler illustrates that it is the tenuous balance between power and love that controls the actions of the slaves and the masters in this historical fiction narrative. Stereotypes and controlling images replaced, over time, the knowledge of this complex tug-of-war between power and love, and the true cultural experience disappeared from public memory. Dehumanizing terms such as "mammy" and "jezebel" reduced those who lived during slavery to white-man-sanctioned shadows of themselves. Butler manipulates twentieth century stereotypes of those controlling images, placing them opposite human, complex characters, to reveal the flimsy uselessness of those stereotypes, empowering a once oppressed people to see their past from a truthful perspective.

Works Cited

Breckinridge, Lucy. *Lucy Breckinridge of Grove Hill: The Journal of a Virginia Girl, 1862-1864*. Ed. Mary D. Robertson. Kent, Ohio: Kent State University Press, 1979. Print.

Butler, Octavia E. *Kindred*. Boston: Beacon Press, 1979. Print.

Cannon, Katie Geneva. "Slave Ideology and Biblical Interpretation." *Black Studies Reader*. Eds. Jacqueline Bobo, Cynthia Hudley, and Claudine Michel. New York: Routledge, 2004. 413-420. Print.

Collins, Patricia Hill. "Mammies, Matriarchs, and Other Controlling Images." *Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment*. New York: Routledge, 1991. 67-90. Print.

Douglass, Frederick. *Narrative of the Life of Frederick Douglass, an American Slave.* New York: Penguin Books, 1986. Print.

Jacobs, Harriet. *Incidents in the Life of a Slave Girl.* Mineola, New York: Dover Publications, 2001. Print.

Mitchell, Angelyn. "Not Enough of the Past: Feminist Revisions of Slavery in Octavia E. Butler's *Kindred*." *Melus* 26.3 (2001): 51. Academic Search Complete. Web. 24 Sept. 2014.

Artists' Statements

Michele Jesus da Costa

Another One, Another Mask: I want to know my deepest self and to live authentically in the world. Again and again, I find my true self behind a mask, an identity—like "poor" or "victim"—and I take that mask off and discard it. The playing children in this print remind me of the freedom and spontaneity of childhood.

Identity 2015: I grew up in narrow and limiting circumstances, have lived in four countries and attended college, speak three languages, and am an apprentice tattoo artist, making my life in a country far from my homeland. I've learned that what separates us is far less than what we hold in common, the essence of what it is to be human. I am not looking for who I am but for who I can become.

Tracy Raupp

***The Trail*:** I enjoy going on walks and runs on nature trails with my camera. When a scene worth remembering comes along, I take a picture.

A path has been laid out/ The trail has been made/ Choices always come/ But prices must be paid.
We are required to follow/ Then trusted to lead./ Along we go/ To fulfill this deed.
After a while/ We're willing to trade/ But take solace in knowing/ That dreams don't always fade.

Kyonghwa Bouriaque

***Shadows Watching*:** As this young lady gazes into the distance, her own shadow is always watching over her. The symbolic meaning is that we have guardian angels that watch over us as we go through life, just as we watch over one another.

***Memory*:** The photograph captures a moment when the light shone on my friend as though revealing a pleasant memory of the past.

***The Brave One*:** The Old Testament story of David and Goliath inspired this image. David won the victory, so he prayed and gave thanks to God. The story reminds us that our victory comes from God.

Michele Jesus da Costa *Another One, Another Mask*

Michele Jesus da Costa *Identity 2015*

Tracey Raupp

The Trail

Kyonghwa Bouriaque *Shadows Watching*

Kyonghwa Bouriaque *Memory*

Kyonghwa Bouriaque *The Brave One*

A Year in the Life of Martha Ballard: An Exploration of Her "Enclosed Garden"

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On March 16, 1794, Martha Ballard wrote, "Cloudy & moderate. we all attended worship yt were at home. mr Ballard was absent. Seth Hollowel & Tylors Dagt were Publisht ye first time. Revd mr Turner Discoarst from Luke 12 C 15 Verse, beware of Covetousness."[1] This was the only sermon she felt compelled to describe in her diary in 1794, a reminder to herself to be satisfied with what she had and not to covet that which she did not. She was a fifty-nine year old Christian woman who was a wife, mother, grandmother, sister, aunt, neighbor, and midwife.[2] Ballard managed to fulfill the obligations of those familial roles and establish a lucrative niche for herself as a reliable, knowledgeable midwife, despite living in a patriarchal society, by respecting herself and submitting to the cultural and religious boundaries of her society—her "enclosed garden."[3]

In her book *The Enclosed Garden,* Jean Friedman defined the term as the sexually integrated patriarchal community, revolving around the church and kinship, in which women lived.[4] Although her research was meant to illuminate the cultural restrictions on Southern women of the nineteenth century, Friedman's metaphor of an enclosed garden also applies to Martha Ballard's life. Friedman stated, "[T]he social demands of integrated kinship networks, church discipline, and farm labor compressed southern women's experience into the confines of a rural, kin-dominated, church-related community."[5] In 1794, Martha Ballard experienced the same confines in the rural, pre-industrialized, religious northern New England, yet managed to circumnavigate obstacles—young doctors, bad weather, and mysterious illnesses—within her enclosed garden, prospering as a midwife of high regard. Indeed, Ballard's biographer Laurel Thatcher Ulrich stated, after analyzing Martha Ballard's diary and other documents

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1 Martha Moore Ballard, *Martha Ballard's Diary Online*, http://dohistory.org/diary/index.html.
2 Ibid.
3 Jean E. Friedman, *The Enclosed Garden: Women and Community in the Evangelical South, 1830-1900,* (Chapel Hill: The University of North Carolina, 1985), xii.
4 Ibid., xiii.
5 Friedman, *Enclosed Garden*, 39-40.

pertaining to the region, that there is little doubt that Ballard was the most important practitioner in the area.[6] Ulrich's research of Ballard's diary, a document that spanned the years 1785 to 1812, provided the details of Ballard's contribution to her community during her entire career as a midwife. In her diary entries from 1794, Martha Ballard wrote about her participation in the practices of kin keeping, religion, and domesticity, behavior that corresponds closely to Friedman's concept of the enclosed garden, and, through this correspondence, allows a better understanding of the value of the midwife's role in early American society.

Kin keeping involves "remembering birthdays, sending cards, preparing for holidays, keeping in touch with relatives, and providing spousal career support by entertaining."[7] Martha Ballard wrote about those activities in her diary. For example, on March 4, 1794, she wrote "this is ye anniversary of Son Jonas Birth." And, in the margin—the area of the page where she would put the day's most important events—she noted, "Son Jon a is 31 yearsold this Day."[8] Ballard did not just record her children's birthdays, she also made special note of the birthdays of her husband and her niece, Mrs. Shubal Pitts.[9] Ballard sent letters regularly to her brothers and sisters, posting them with travelling friends and storekeepers, and noted in her diary when she received their letters back. On June 13, 1794, she wrote, "I receivd Letters from Brthers Collins, Moore & Barton, my friends there are well Except Doct Barton. Old Lady Town Deseast in may last."[10] The deceased woman she mentions was her aunt.

Addressing another aspect of kin keeping, Martha Ballard supported her husband's work efforts and entertained Mr. Ballard's colleagues, particularly after they returned from their land surveying tours. After one such journey that lasted from April 27 to May 18, Martha wrote that Mr. Ballard, Mr. Hamlin, Mr. Hamlin's son, her son Jonathan, and "S. & P Densmore" took tea at her home, discussing the snow levels and discoveries of their expedition.[11] Mr. Ballard went on two surveying tours in 1794 and, both times, Martha Ballard prepared meals or served tea to the men as they were making plans to leave and after they returned.

Although holiday preparation had a different meaning in the eighteenth century than it does today, Ballard did acknowledge keeping holidays. On April 17, 1794, Maundy Thursday, she wrote, "I have been at home. this is the day appointed for a Fast."[12] Three days later, she celebrated Easter with her husband and all her children who lived nearby.[13] Throughout the year, Ballard stayed connected to her married children, her extended family, and her neighbors by giving her time, support, and care.

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6 Laurel Thatcher Ulrich, "'The Living Mother of a Living Child': Midwifery and Mortality in Post-Revolutionary New England," *The William and Mary Quarterly,* vol. 46, no. 1 (January 1989): 27-48. http://www.jstor.org/stable/1922406

7 Susan M Shaw & Janet Lee, *Women's Voices, Feminist Visions,* (New York: McGraw-Hill, 2012), 395.

8 Ballard, *Martha Ballard's Diary Online*, http://dohistory.org/diary/1794/03/17940303_txt.html?d=17940304.

9 Ibid., http://dohistory.org/diary/1794/05/17940513_txt.html?d=17940517 and http://dohistory.org/diary/1794/08/17940809_txt.html?d=17940813

10 Ibid., http://dohistory.org/diary/1794/06/17940610_txt.html?d=17940613

11 Ibid., http://dohistory.org/diary/1794/05/17940513_txt.html?d=17940518.

12 Ibid., http://dohistory.org/diary/1794/04/17940416_txt.html?d=17940417

13 Ibid.

She wrote on June 20, 1794, that after attending the birth of Mrs. Norcross's third child, she "Calld at Capt Neys, Gows, Parmers, Sewalls. there Bot 2 Skeins Silk, 1/2 Dozn table Spoons…Calld at mr Danys, Norcross, & T. Hinkleys, arivd at home at 7h pm. Dolly returnd at Evn. mr Town…Sleep here."[14] In a matter of one day, Ballard socialized with seven families, supported a local shop with her patronage, and visited with her son-in-law, Mr. Town, and her daughter, Dolly.

Although it was her profession, her midwifery services were a form of kin keeping, too. Ballard did not just show up when her patients were in labor; she built relationships with them, visiting them while they were pregnant and checking on them about a week after they had given birth. Ballard took care of the women in her community, networking and meeting new people through the kinship relationships she cultivated. On May 5, 1794, Ballard wrote,

> [M]r Beaman was here, Desird me to Go & See his Lady; left his hors for me to wride. I went & Dind with her. went to See mrs Carr, find her much More Comfortable; her husband is Some Better. I Calld to See mrs Fillebrown, Shee is Cleverly….Came back to mrs Beamans, was Calld by mr Waid to See his wife who was in Labour, & was Safe Deld at…10h Evn of a Dagt. I tarried all night.[15]

Ballard had lunch with Mrs. Beaman and, a few weeks later, on May 23, Ballard came back to assist in the birth of her son.[16] Since she was in the vicinity, Ballard paid a follow-up visit to Mr. and Mrs. Carr, whom she had treated for illness about ten days before. Also, she stopped by to see Mrs. Fillebrown, who was five to six months pregnant at that time; Ballard assisted her in giving birth to her second child, a son, on September 15, 1749.[17] To round out her busy day on May 5, Ballard, called by Mr. Waid, was the attending midwife at the birth of a baby girl. Ballard stayed with Mrs. Waid all night, left the next morning, and came back to check on her a few days later.[18] Ballard seemed to take her position as a midwife very seriously; she seldom complained about the lack of sleep or dangerous travel conditions in her diary, even though both occurred often, especially in March of 1794. During that year, Ballard assisted in the births of forty-eight children, all alive with living mothers; one newborn was her own granddaughter, Daughter Pollard's firstborn.[19] According to Ulrich, Ballard's diary listed fourteen stillbirths out of 814 deliveries for the period from 1785 to 1812, and only five maternal deaths during the laying-in period after giving birth, which was an impressive career record at that time.[20] Ballard's role as a midwife provided an important service to her community while enabling her to live with purpose, earn extra income for her

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14 Ibid., http://dohistory.org/diary/1794/06/17940619_txt.html?d=17940620
15 Ibid., http://dohistory.org/diary/1794/05/17940503_txt.html?d=17940505
16 Ibid., http://dohistory.org/diary/1794/05/17940519_img.html
17 Ibid., http://dohistory.org/diary/1794/09/17940913_txt.html?d=17940915
18 Ibid., http://dohistory.org/diary/1794/05/17940507_txt.html?d=17940507
19 Ibid., http://dohistory.org/diary/1794/06/17940629_txt.html?d=17940630
20 Ulrich, "'Living Mother of Living Child,'" 30.

family's needs, and live as a confident, capable woman within the gender boundaries placed on her by the community.

In keeping with Friedman's concept of how "the enclosed garden" takes shape, a church must ground the kinship-based community. The Ballard family lived in northern New England, which was primarily Puritan, so the Ballard's community did have a strong religious foundation. Mr. Ballard attended public worship fairly regularly; he attended full day services twenty-seven times and half-day services twice in 1749.[21] However, Mrs. Ballard did not go as often as her husband; she attended public worship only seventeen times that year, and six of those were half days.[22] Despite her poor worship attendance, Ballard was a Christian woman with a steadfast belief system. When Mrs. Pitts, Ballard's niece, had been suffering for about eight weeks from fevers, fainting spells, lethargy, and diarrhea, Ballard wrote, "I was at Shubal Pittses all Day. [Mrs. Pitts] is very low, Exercisd with Severe Gripeing & loose Stools. God only knows how it may terminate. I Sent for my hors, but find her So ill I tarried thro the night. Shee had Entervails of Pain & rest, but weak indead."[23] Ballard was aware that whatever illness Mrs. Pitts was suffering from, she could not cure her, so she put the matter in God's hands, as a faithful Christian would. A few days later, on July 27, 1794, Ballard and all her family attended the public worship meeting because "Prayrs [were] Diserd on behalf of mrs Pitts."[24] Whenever Mrs. Pitts had a good day and seemed recovered, Ballard would characterize her improvement as a blessing from God. For example, in August Ballard wrote, "I find mrs Pitts greatly revivd, how wonderfull is Gods goodness."[25] Ballard also celebrated with her niece when she was well enough to receive the Ordinance of Baptism on August 17, 1794.[26] The most revealing entry of Martha Ballard's conformity to Christian doctrine was written after the death of Mrs. Pitts on September 1:

> [W]e have reason to hope our loss her gain….it is four months this Day Since I was Calld to See my Dead Neace who was Seisd with this, her last illness, which Shee has born with Christian meekness and humility. Shee has manifested her regard to Christianity by an opne Profission of religion & receiving the ordinance of Baptism. [W]e morn the los of her Company, but have the greatest reason to hope that Shee has Changd this for a…world in which Shee will be free from all pain and Sorrow, joind with Glorified Saints to Sing Redeeming lov.[27]

To Ballard, appropriate Christian behavior for a woman meant she should be meek and humble—a validation of the suppression of feminine behavior within her community. The church's doctrine set limitations on how women were allowed to express

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21 Ballard, *Martha Ballard's Diary Online*, 1794.
22 Ibid.
23 Ibid., http://dohistory.org/diary/1794/07/17940719_txt.html?d=17940723
24 Ibid., http://dohistory.org/diary/1794/07/17940724_txt.html
25 Ibid., http://dohistory.org/diary/1794/08/17940814_txt.html?d=17940814
26 Ibid., http://dohistory.org/diary/1794/08/17940814_txt.html
27 Ibid., http://dohistory.org/diary/1794/08/17940829_txt.html?d=17940901

themselves and still remain "good" in the eyes of their neighbors. However, Ballard reaffirmed her belief in faith, redemption, and love in that poetic entry.

In *The Enclosed Garden*, Friedman states, "In nineteenth-century culture, maternity, domesticity, [and] self-sacrifice…were expected of women."[28] In 1794, Ballard also conformed to those same expectations as a mother of nine, a housekeeper, a gardener, and a midwife.[29] In her diary, Ballard catalogued her domestic activities, too. She prepared meals and made pies, pickles, wheat bread, candles, soap, knapsacks, and herbal remedies.[30] Ballard also planted, tended, and harvested the vegetables, herbs, and fruits in her garden. On August 4, 1794, she wrote, "I have gatherd Safron, radish pods & parsnip Seed, Done my house work & made Some Pills for my Dagt Dolly."[31] Ballard was aware of her culturally acceptable gender obligations to her family; she usually referred to the housework as "my housework," and descriptions of Mr. Ballard's activities did not occur within their house. He was usually completing his masculine-inscribed duties—harvesting crops, fixing the cellar, butchering animals, surveying, or collecting taxes.[32] Those were the appropriate gender roles for the men and women in their religious, kinship-based community.

Ballard's demonstrations of faith, kin keeping, and domesticity meant juggling family, neighborhood, and professional responsibilities. She lived within the gender boundaries of her time and place, as was obvious in the wording of the entries of her diary. She consistently referred to her patients as "Mr. _____'s wife," usually only writing "Mrs. _____" after acknowledging the woman's relationship to her husband. Ballard never referred to a woman by her first name after she was wed, including her own daughters and niece. The husband's claim was recognized and used when writing in her private diary, which implied its importance within the male-dominated culture. Furthermore, despite Ballard's common intent to see the lady of the home, her destination was always referred to as a man's domain. Women were not allowed to own property, and she recognized that limitation in her entries as well.

Ballard lived with those constant restrictions on feminine independence, yet she seemed to be satisfied by her consistent, purposeful daily activities. Like Friedman's Southern women of the nineteenth century, and despite the cultural limitations of her own time, Martha Ballard was fully active in her "enclosed garden" of opportunity. She continuously cultivated her roles as a kin keeper and housewife, and was in addition a dedicated and valued midwife. She managed to thrive within her gender-bound domain.

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28 Friedman, *Enclosed Garden*, 40.
29 Ulrich, "'Living Mother of Living Child,'" 30.
30 Ballard, *Martha Ballard's Diary Online*, 1794.
31 Ibid., http://dohistory.org/diary/1794/08/17940804_txt.html?d=17940804
32 Ibid., 1794.

Works Cited

Ballard, Martha Moore. *Martha Ballard's Diary Online.* http://dohistory.org/diary/index.html

Friedman, Jean E. *The Enclosed Garden: Women and Community in the Evangelical South, 1830-1900.* Chapel Hill: The University of North Carolina Press, 1985.

Shaw, Susan M., and Janet Lee. *Women's Voices, Feminist Visions.* New York: McGraw-Hill, 2012.

Ulrich, Laurel Thatcher. "'The Living Mother of a Living Child': Midwifery and Mortality in Post-Revolutionary New England." *The William and Mary Quarterly* 46, no. 1: 27-48. http://www.jstor.org/stable/1922406.

Restrictive Free Speech Zones and Student Speech Codes at Public Universities

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The University of North Carolina at Chapel Hill opened in 1795 as the first public college in the United States. Since then, free speech and the formation of independent ideas and opinions have been seen as integral parts of a student's educational experience. Unfortunately, through the categorization of public college campuses as "designated public forums" and the implementation of restrictive student conduct codes and misleadingly named free speech zones, universities are denying students the expression they deserve. While these policies were originally created to protect students, they are now leading to a rising number of student tensions, lawsuits, and constitutional arguments. Every university is unique in its ability to define campus structures and student rules, but many of these zones and codes have become overly oppressive, to the extent that their legality is being questioned. Public universities should not limit the rights of students to speak freely and openly by imposing small and unreasonable free speech zones and restrictive student conduct codes within their campus boundaries.[1]

Free speech itself is a confusing topic affecting all United States citizens, not just college students. As established by the Bill of Rights in the Constitution of the United States, free speech is a protected American liberty and ideal. The Founding Fathers were clear about their intention to protect every citizen's right to speak freely and openly without fear of the government. Included within the Bill of Rights is the First Amendment, which explicitly states that "Congress shall make no law…abridging the freedom of speech" (U.S. Const., Amend. I, §5). The Fourteenth Amendment extended this citizen protection to state law by affirming that "no state shall…abridge the privileges or immunities of citizens of the United States" (U.S. Const., Amend. XIV, §1). While the Fourteenth Amendment's extension to state law of its protection of the right to free speech is seemingly straightforward, it has proven difficult for courts of law to manage. Free speech has not been given a true legal definition and, as will be

[1] The free speech protection of the Constitution restrains the actions of government, not the actions of private individuals and institutions. While state-supported colleges must follow the First Amendment, private institutions, including private universities, are not legally bound to do so.

discussed in the following paragraph, is more accurately defined by its boundaries and limitations.

Courts have struggled for the past century to determine what speech is protected under the First Amendment. Rather than identifying every dimension of those rights, the Supreme Court has been inclined to define the types of speech that are considered unlawful. In a list provided by legal scholar Derek Langhauser (2005), unlawful speech includes fighting words (those provoking violence) and any speech that shows a clear and present danger to the government (such as terrorist threats) (p. 493). In contrast, the First Amendment protects hate speech, which legal scholar William Kaplin (1992) describes as a statement "convey[ing] a grossly negative assessment of particular persons or groups based on their race, gender, ethnicity, religion, sexual orientation or disability" (p. 518). Hate speech is permitted in a public forum unless it leads to a "…fear of bodily harm" (*Virginia v. Black,* 538 U.S. 343 (2003) at 344). Free speech can be further classified by the distinction between "pure" speech and "symbolic" speech. Pure speech is the "direct expression of an idea," such as shouting or verbalizing, while symbolic speech involves "non-verbal conduct or displays," such as signs (Langhauser, 2005, p. 487). Not only can the type of speech be a determinant, but also the nature of the forum in which the speech takes place.

While the defining of free speech is a confusing topic, a singularly controversial issue surrounding free speech in both the United States as a whole and the public university setting in particular involves the Public Forum Doctrine. The Public Forum Doctrine requires "forum analysis," categorizing government property into four different forums: a traditional public forum, a designated public forum, a limited public forum, and a non-public forum (*University of Cincinnati Chapter of Young Americans for Liberty v. Williams,* 2012 WL 2160969 (S.D. Ohio, 2012)). The limitations on a citizen's free speech in a public area depend on the forum categorization. This doctrine opens up the creation of free speech zones, which in particular have caused the most Supreme Court dissension and the greatest rifts in the college system.

A traditional public forum, also known as an open forum, is characterized by legal scholar Thomas Davis (2004) as any place "…traditionally used for purposes of assembly, communicating thoughts between citizens, and discussing public questions," such as a public street or park (p. 270). Citizens have the most First Amendment protections in these areas. In public forums, the government can regulate the time, place, and manner of the speech, but not the content (National Coalition Against Censorship). These restrictions must also stand up to the "strict scrutiny" of courts that require such laws and policies to be "content neutral, [be] narrowly tailored to serve a government interest, and leave open ample alternative channels of communication" (*Perry Education Association v. Perry Local Educators Association,* 460 U.S. 37 (1983) at 45). On the opposite end, the non-public forum is defined by Jeffery Sklar (2007), contributor to the *California Law Review,* as any government property where the state does not have to follow the content neutrality principle when ensuring that the area is "used for [its] intended purposes" (p. 646). These non-public forums, including prisons and military bases, do not fall within any of the other three categories, as people here do not have the ability to enjoy many free speech rights. However, the speech regulations in place still need to be somewhat reasonable (Davis, 2004, p. 270).

Designated public forums and limited public forums are sometimes considered the same. However, the legal connotations of each are slightly different. This distinction

between the final two forums has led to the most controversy within the university system. Designated public forums are public properties treated like traditional public forums even though they do not "fall into the precise parameters of tradition," i.e., are not parks or streets (*University of Cincinnati Chapter of Young Americans for Liberty v. Williams*, 2012 WL 2160969). As with open forums, restrictions here on free speech are subject to time, place, and manner regulations but must be neutral as to both content and viewpoint (Davis, 2004, p. 270). It is important to note that the government is by no means required to keep a designated forum open, but until it is closed, individuals "receive the same First Amendment protections as speech in traditional public forums" (Legal Information Institute, n.d.). Such forums include "municipal theatres and meeting rooms at state universities" (Legal Information Institute, n.d.).

Limited public forums involve more speech regulations. Law professor Norman Deutsch (2012) refers to these areas as "subcategories" of designated public forums that are "restricted to certain speakers and subjects" (p. 122**).** In the limited public forum, government officials can "restrict speech so long as the regulations are viewpoint neutral and merely reasonable in the light of the purpose served by the forum" (*University of Cincinnati Chapter of Young Americans for Liberty v. Williams,* 2012 WL 2160969 (S.D. Ohio, 2012)). Essentially, content can be regulated, but viewpoints cannot. Limited forums involve officials deciding what speech fits the purpose of their property and, as can be inferred, this categorization can become debilitating for citizens', and particularly students', free speech rights. An example of a limited public forum includes a public school meeting room in which speakers can only conduct "school related activities" (Legal Information Institute, n.d.).

Public universities are usually considered limited public forums and, on occasion, designated forums. However, public universities have historically shared similar traits with the traditional public forum. Thomas Davis (2004) describes public universities as "places of higher learning and intellectual pursuit" (p. 275); as early as 1972, the United States Supreme Court characterized public universities as "market place[s] of ideas" (*Healy v. James,* 408 U.S. 169 (1972) at 180). In accordance with these descriptions, the Supreme Court later noted that "…the campus of a public university, at least for its students, possesses many of the characteristics of a public forum" (*Widmar v. Vincent,* 454 U.S. 263 (1981) at 267, fn.5). The *Widmar v. Vincent* issue, decided in 1981, revolved around the University of Missouri-Kansas City banning Cornerstone, a Christian student group, from using its facilities. In 1972 the University's board of curators prohibited the usage of "any University buildings or grounds 'for purposes of religious worship or religious teaching'" (454 U.S. 263 at 263). The Federal District Court for the Western District of Missouri sided with the university, but the Court of Appeals for the Eighth Circuit reversed the decision with the Supreme Court affirming. By allowing most other student groups to use the facilities, the university had indirectly created a designated forum. The university's policy of not allowing Cornerstone to use its facilities was not content neutral, and was therefore unconstitutional. However, while the Supreme Court did decide with the students, and an earlier case footnote did state the similarities between public colleges and traditional public forums, the court did not legally label public universities as traditional public forums. The court also said that a public university does not have to "grant free access to all of its grounds or buildings" (454 U.S. 263 at 267, fn.5). This single line opened up the floodgates for recognizing public institutions as limited public forums.

Under this presumption of public universities being limited forums, any free speech regulations and/or zones "represent an attempt to structure the 'marketplace of ideas' so that [the university] functions most effectively" (Davis, 2004, p.276). The university can reasonably regulate speech if it is believed to serve the overall educational purpose. Even though it can be frustrating as applied to the university setting, the Supreme Court also declared that "the First Amendment does not guarantee access to property simply because it is owned or operated by the government" (*Perry Educ. Ass'n v. Perry Local Educators Ass'n,* 460 U.S. 37 (1983) at 46). If an area is considered a limited forum, such as many universities, officials are allowed to regulate speech based on content. However, universities still must prove the speech regulation is necessary to further their educational purpose. Using these principles, many public universities have deemed their free speech zones to be limited forums and established very restrictive speech codes. These policies appear to honor the limitations on government without actually allowing students to openly express their ideas. The free speech zones and stringent codes are all too often not protectors of student freedom, but rather are censorship (Davis, 2004).

While some legally established and approved limitations to student speech are necessary, labeling unreasonably small and strictly regulated demonstration zones as limited public forums is unconstitutional. As mentioned earlier, the Public Forum Doctrine led to the creation of free speech zones on college campuses. These free speech zones, also known as demonstration zones, are usually "small and isolated" campus areas where students are allowed "expressive activities" (Foundation for Individual Rights in Education, 2013). In theory, universities create these zones to allow students a place to speak freely and openly. However, according to the nonprofit Foundation for Individual Rights in Education (FIRE),[2] the zones do not always serve this purpose. FIRE characterizes 59% of United States colleges as "red light institutions." A "red light institution" is one having "at least one policy both clearly and substantially restricting freedom of speech," as well as speech policies hidden from the public (FIRE). Many of these institutions' officials have created zones taking up less than one percent of the campus, with limited availability during the week and required pre-registration (FIRE). Outside of these zones, campus areas do not allow many free speech rights. In the past two decades, a number of federal court cases have addressed questionable free speech zones in both universities and cities. Many of the decisions have shown that both content regulations within the zones and overly small free speech zones are unconstitutional. These issues and legal decisions are seen in the cases of *Forsyth County v. The Nationalist Movement,* 505 U.S. 123 (1992) and *The University of Cincinnati Chapter of Young Americans for Liberty v. Williams,* 2012 WL 2160969 (S.D. Ohio, 2012, unpublished).

In 1992, the white supremacist Nationalist Movement attempted to hold a demonstration opposing Martin Luther King, Jr., Day on the steps of the Forsyth County, Georgia, courthouse. Forsyth County, with its history of racial issues and expensive civil rights demonstrations, had enacted Ordinance 34 in 1987. While anyone using the designated speech zone was already required to purchase a permit, this

[2] FIRE is a non-profit with a libertarian bent. Greg Lukianoff, the president and CEO of FIRE, is the recipient of Ford Hall Forum's First Amendment Award. The foundation's co-founder and chairman Harvey Silverglate has served for thirty years on the Board of ACLU of Massachusetts.

ordinance allowed the county "to adjust the amount to be paid…for the maintenance of public order" (*Forsyth County v. The Nationalist Movement*, 505 U.S. 123 (1992) at 131, fn.9). The ordinance therefore authorized county officials to make judgments based on how expensive the demonstrations might be. While the Nationalist Movement was assigned extra fees, the fees were based on the amount of time it took to obtain the permit. Nonetheless, the group refused to pay the extra fee and sued Forsyth County for violating their First Amendment rights. The Eleventh Circuit of Appeals had ruled in favor of the Nationalist Movement, holding that "[any] ordinance which charges more than a nominal fee for using public forums for public issue speech is facially unconstitutional" (505 U.S. 123 at 123). The court suspected that Forsyth County had a motivation of maintaining order, and since the ordinance on its face would have authorized a higher fee out of security concerns, the court went on to say that "listener's reaction to speech is not a content-neutral basis for regulation" and that "speech cannot be…punished or banned, simply because it might offend a hostile mob" (505 U.S. 123 at 123, 135). The decision of this case indirectly revealed that very rarely should free speech zones actually fall within the limited forum category, and any speech regulations should remain content neutral. Although this particular case involved a county, universities are also notorious for regulating speech based on content and being opinionated over which groups are allowed to utilize free speech zones. Moreover, universities frequently make the free speech zones entirely too small and difficult to access.

In 2012 the University of Cincinnati's Chapter of Young Americans for Liberty (YAL) filed suit against the university, in particular President Gregory Williams, over its restrictive demonstration zones**.** The YAL representatives asserted that the University had "denied [their] right to circulate freely across the college campus" gathering signatures "…on petitions to place the Ohio Workplace Freedom Amendment on the November 2012 ballot" (*University of Cincinnati YAL* at page 1 of decision). The students were only allowed to gather signatures within the designated free speech zone, the McMiken Commons Northwest Center, which constituted less than 0.1% of the campus. If the students attempted to get signatures outside of that area, they were threatened with arrest. The university's speech policy also included a "five to fifteen day notification requirement and prior permission" (*University of Cincinnati YAL* at 2). After only being able to interact with six students and obtain one signature, the students took this issue to court. The students claimed that the current regulations were "overly broad and facially unconstitutional," and that the University's burdening of "all student speech, rather than disruptive or crowd-gathering speech…. is not narrowly tailored to achieve the regulatory interests that the University asserts" (2012 WL at 2). While the university attempted to characterize its free speech zone as a limited public forum, Judge Timothy S. Black ruled in favor of the plaintiffs by issuing an injunction prohibiting the university from enforcing its regulations and deeming that its polices were in fact unconstitutional. As a legal precedent, Black mentioned the decision in *Tinker v. Des Moines Independent Community School District,* 393 U.S. 503 (1969), which states that "undifferentiated fear or apprehension of a disturbance is not enough to overcome the right to freedom of expression on a college campus" (*Tinker,* 393 U.S. at 191). Unfortunately, many schools still use such restrictive policies.

By categorizing public universities as limited public forums, university officials have established not only these small demonstration zones, but also stringent speech

codes. Overly broad and restrictive speech codes are common among public college campuses. Many believe that these stringent codes are necessary to protect students from disagreeable material, giving them a better educational experience. But colleges are meant to be diverse environments, filled with many cultures, differing ideas, and conflicting opinions. Students are meant to communicate with one another, and prohibiting certain students from sharing their viewpoints, even if distasteful, can become unconstitutional. Many colleges create speech and conduct codes that blur the line between oppression and protection, but some students have successfully fought against unreasonable speech policies.

In the case of *Doe v. University of Michigan,* 721 F. Supp. 852 (1989), the Eastern Michigan District Court deemed that an overly broad hate speech code was unconstitutional. In 1988, following years of racial tensions, a policy restricting hate speech was implemented at the University of Michigan. The policy was designed to protect students from discrimination and harassment, and to punish students who victimized others. Unallowable conduct included making jokes about gays and lesbians, racist threats/graffiti, and sexist statements, to name just a few. A psychology graduate student brought the code to court, questioning its constitutionality. He had created a presentation for his class involving "certain controversial theories" discussing the biological differences between sexes and races, and he feared it would be viewed as sexist (*Doe v. Michigan,* 721 F.Supp. at 858). The United States District Court for the Eastern District of Michigan found that the university's speech policy was subject to opinions and overly vague. The court mandated that the university could not regulate student speech "because it disagreed with the ideas or messages sought to be conveyed" (721 F.Supp. at 863) or because the speech offended "large numbers of people" (721 F.Supp. at 863). Although this decision only applied to Michigan, it was considered a step towards better free speech policies and a win for students. The court also stated that the "the free and unfettered interplay of competing views is essential to the institution's educational mission" (721 F.Supp. at 863). By expanding speech codes as well as free speech zones, public universities would better serve their students with a broader education.

Universities could offer better educational opportunities by implementing larger free speech zones categorized as designated forums and by loosening speech codes. Student expression is valuable and should be a focal point in higher education. Recently, a student movement has fought back against restrictive speech policies. In response, many public institutions of higher education have used settlements as a way to avoid court while still improving free speech experiences for students. Such institutions include Citrus College and Modesto Junior College, both of which have addressed such issues in the past two years; the settlements offered huge improvements for students, including revisions to codes, larger free speech zones, and monetary awards to cover students' legal fees (New, 2015). This is evidence that free speech is becoming a higher focus for both students and universities, and that policies unfairly restricting freedom of speech may well be considered unlawful by the legal system.

Free speech in the public universities can be both confusing and complicated. Although some colleges have already addressed and attempted to resolve the issues, restrictive free speech zones and conduct codes still exist and will continue to be challenged by students. The lines between protection and oppression have become blurred, and students will continue to push for fairer limitations. While every citizen's

and student's right to expression should have its limitations, the limitations should be fair and legally justified. In order to avoid turning into a dystopian society, the United States must continue to value free speech on public college campuses.

References

Davis, T.J. (2004). Assessing constitutional challenges to university free speech zones under public forum doctrine. *Indiana Law Journal 79*(1), 267-297.

Deutsch, N.T. (2012). Does anybody really need a limited public forum? *St. John's Law Review, 82*(1), article 3. Retrieved from scholarship.law.stjohns.edu/lawreview/vol82/iss1/3

Doe v Michigan, 721 F. Supp. 852 (E.D. Mich.1989).

Forsyth County v. The Nationalist Movement, 505 U.S. 123 (1992).

Foundation for Individual Rights in Education. (2013). Retrieved from http://www.thefire.org/infographic-free-speech-zones-on-americas-campuses-2/

Healy v. James, 408 U.S. 169 (1972).

Kaplin, W.A. (1992). A proposed process for managing the First Amendment aspects of campus hate speech. *Journal of Higher Education 63*, 517-536. Retrieved from http://scholarship.law.edu/scholar/833/

Langhauser, D.P. (2005). Free and regulated speech on campus: Using forum analysis for assessing facility use, speech zones, and related expressive activity. *Journal of College and University Law* 31(3), 481-512.

Legal Information Institute, Cornell University Law School. (n.d.). Forums. Retrieved from https://www.law.cornell.edu/wex/forums

National Coalition Against Censorship. (n.d.). Retrieved from http://ncac.org/resource/art-law-library-public-forum-including-nonpublic-limited-and-designated/

New, J. (2015). Settling over speech. *Inside Higher Ed.* Retrieved from https://www.insidehighered.com/news/2015/01/23/colleges-settle-free-speech-lawsuits-fire-promises-more-litigation

Perry Education Association v. Perry Local Educators Association, 460 U.S. 37, 108 S.Ct. 948 (1983).

Sklar, J. (2007). The presses won't stop just yet: Shaping student speech rights in the wake of *Hazelwood's* application to colleges. *Southern California Law Review, 80,* 641-696.

Tinker v. Des Moines Independent Community School Dist., 393 U.S. 503 (1969).

United States Constitution, Amendment I, §5.

United States Constitution, Amendment XIV, §1.

University of Cincinnati Chapter of Young Americans for Liberty, et al., v. Williams, et al., 2012 WL 2160969 (S.D. Ohio, 2012, unpublished).

Virginia v. Black, 538 U.S. 343 (2003).

Widmar v. Vincent, 454 U.S. 263 (1981).

Common and Noteworthy Instruments from 1750s-1800s' Eastern USA

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During the 1700s and 1800s, residents of the eastern seaboard of North America enjoyed a wide variety of instruments, many of them built for "contrast and variety."[1] Availability, on the other hand, was a different story. While few accounts of the musical scene in that time period exist for more rural settings, records of the area and the events of the period from 1750 through the 1800s paint an interesting picture of how specific social classes and needs determined an instrument's popularity.

At the time, instruments were highly controversial, especially among specific religious groups.[2] The religious restrictions on music occurred in relatively isolated sub-cultures in America, whereas notable sources from Germany would spend a novel's worth of pages praising how perfect the organ was and would carefully list the detail of instruments' tuning, mechanisms, and origins.[3] When comparing these European instrument lists or collections with confirmed colonial instruments, one finds that very few of the elaborate, most prized instruments were exported to North America. Even outside America's religious institutions, instruments were sometimes considered profane.[4] While some instruments and some musical styles escaped such stigma, other instruments and styles had more ominous ties or were considered inelegant; the violin and fiddle offer one illustration.[5] The phenomenon suggests that American society's acceptance of music may have been a sensitive or subtle affair, as the difference between the violin and fiddle is often described as the fiddle being a poorly crafted violin or, in some cases, as a different musical style performed on the violin. In other words, the

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1 Mark Steighner, "Consorting with Praetorius: Establishing an Early Music Ensemble." *Music Educators Journal* (September 1979): 50.

2 Covey Cyclone, "Did Puritanism or the Frontier Cause the Decline of Colonial Music? Debate dialogue between Mr. Quaver and Mr. Crochet." *Journal of Research in Music Education* (1958): 68.

3 Michael Praetorius*, Syntagma Musicum II: De Ornographia, Part III - V with Index* (Zea-e books, 2014), i-148.

4 Arthur Michaels, "Overtones," *Music Educators Journal* (1981): 7.

5 Gilbert Chase, *America's Music, from the Pilgrims to the Present* (University of Illinois Press, 1992), 12-263.

fiddle was not a completely different instrument from the violin, and yet the two had extremely different reputations.[6]

However, despite some instruments being looked down upon,[7] such stigmas did not always keep an instrument from being popularly distributed. For example, citterns were more popular than lutes.[8] This is arguably because some lutes were delicate instruments whereas citterns were shaped and constructed in such a fashion as to make them fairly hardy (National Music Museum). The durability of an instrument is important, as during this time period several of the colonies were still fairly rough places to live, as was noted in a secondary commentary carried out between characters "Quaver" and "Crochet."[9] Furthermore, the American colonial era was notable for the several conflicts occurring at the time.[10] The fact that the fiddle remained extremely popular despite its stigma helps support this theory: the fiddle was often a key instrument for folksongs and travel songs, and was frequently described as a constant companion of slaves, who prized the instrument along with the likes of the banjo and improvised idiophones.[11] Slaves also fashioned makeshift mandolins out of gourds, which were hardy and possible to craft without any refined tools or formal education.[4]

As a case in point, the oboe, which is sensitive to the elements, did not appear commonly. One critic at the time quipped, "Only one Oboeist [*sic*] exists in North America, and he is said to live in Baltimore."[12] Nonetheless, more exotic instruments, such as the glass harmonica Benjamin Franklin introduced in the mid-1700s, were hits with critics and can still be found today.[13]

However, these delicate or exotic instruments did not become very common except in cultural centers and large cities, supporting the theory that ease of assembly and durability of instruments also determined their popularity among classes at the time. For instance, the strings of the dulcimer were usually repurposed banjo strings and were sturdy. [14] Another instrument that lends support to this theory is the German flute, also known as a "one-keyed flute." It is a more complicated and advanced modification of the flute commonly found at the time. According to Janice, "Early one-keyed flutes had three sections: a more-or-less cylindrical head joint, a conical middle joint with six tone holes, and a foot joint with one tone hole covered by a key. Later, probably by about

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6 Mary Francis Gyles, "Nero Fiddled While Rome Burned," *The Classic Journal* 42, no. 4 (1947): 5-9.

7 Louis Elson, *The History of American Music* (Macmillan, 1915), 5-262.

8 Gilbert Chase, *America's Music, from the Pilgrims to the Present* (University of Illinois Press, 1992), 12-263.

9 Covey Cyclone, "Did Puritanism or the Frontier cause the Decline of Colonial Music? Debate dialogue between Mr. Quaver and Mr. Crochet." *Journal of Research in Music Education* (1958): 68.

10 Albert Stoutamire, *Music of the Old South: Colony to Confederacy* (Fairleigh Dickinson University Press, 1972), 32-98.

11 Eileen Southern, *The Music of Black Americans: A History* (W. W. Norton & Company, 1997), 41–172.

12 Louis Elson, *The History of American Music* (Macmillan, 1904), 50.

13 Charles Fowler, "A History of Mechanical Instruments," *Music Educators Journal* 54 (October 1967): 48-68. doi:10.2307/3391092

14 S.E Hastings, Jr., "Construction Techniques in an Old Appalachian Mountain Dulcimer," *The Journal of American Folklore* 83 (1970).

1720, makers divided the middle section into two parts."[15] While the German flute was one of the most popular wind instruments of the 18th century, one issue of the *Music Educators Journal* notes that the German flute is more easily played in the hands but has intonation problems, whereas the later-constructed Baroque recorder has opposite tendencies.[16] By the mid-1800s, the German flute had all but replaced the Baroque recorder.[17]

Musical instruments that were popular in America are mostly noted in Boston and Virginia. As intimated above, Boston was in the midst of disputes regarding the place of instruments in religion, and both Puritans in New England and Calvinists throughout the colonies favored spare, simple rituals and places of worship with little to no indulgence in music.[18] Virginia society, however, heavily embraced music. Virginia's most noteworthy areas of interest were Richmond and Williamsburg. Richmond was observed to be a place populated with instrument repairmen.[19] Williamsburg, unlike cities in the northern states, was a highly musical place. Instrument crafting shops abounded, and one visitor was annoyed that there seemed to be "a constant tuting" resounding throughout the town.[20] Popular instruments in Virginia are known to have included the virginal, fiddle, viol, violin, cittern, German flute, and spinet.[21]

North Carolina had its own traditional instrument that still survives to this day—the mountain dulcimer. While the exact origins of this stringed instrument are not fully clear, it is thought to be a descendant of the German hummel, which was noted to have been present in Virginia earlier than the dulcimer.[22] Originally it was a simple instrument that was strummed with a turkey quill, but over time it developed until various crafting styles had branched off. Small changes, such as the development of the hollow fretboard and false bottom, continued until specific dulcimer builds allowed the performer to play in different styles.[23] For example, the Galax-style dulcimer allows for a playing style known as "droning,"[24] which suggests that local musicians adapted instruments to their particular needs.

Overall, considering the rough situations the colonials would manage to find themselves in, it is not surprising that most of the popular instruments were the simpler and more durable ones. While records of instruments during the time period can be

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15 Janice Bouland, *Method for One-Keyed Flute* (University of California Press, 1998), 3.

16 Don Cowan, "More about Recorders," *Music Educators Journal* 52 (September/October 1965): 121-122. doi: 10.2307/3390548

17 Ibid.

18 Gayle Olsen-Raymer, *The Colonists—What They Created.* (Humboldt State University, 2014), http://users.humboldt.edu/ogayle/hist110/ColonialRegionsCompared.png (accessed October 27, 2015)

19 Stoutamire, *Music of the Old South*, 32-98.

20 James Darling and Maureen Wiggins, "A Constant Tuting: The Music of Williamsburg," *Music Educators Journal* 61, no. 3 (1974): 58.

21 Chase, *America's Music*, 12-263; Cyclone, "Did Puritanism?," 68; Elson, *The History of American Music*, 50; Southern, *Music of Black Americans*, 41 – 172; Steighner, "Consorting with Praetorius," 12-263.

22 Hastings, "Construction Techniques," 462-68.

23 Ibid.

24 *Berea Digital*, "[Introduction Galax Style Dulcimer Playing] Silly Bill." http://digital.berea.edu/cdm/singleitem/collection/p15131coll4/id/4978/rec/1 (accessed September 2, 2014).

difficult to come across, context paints a logical picture. Worldwide, complicated and delicate instruments abounded, but the "victors" were either very developed and/or applauded, such as the spinet and violin; had a high survival rate, like the cittern; or could be replaced or created cheaply, such as banjos and frame drums.[25] This is especially true as observations move farther away from urban epicenters such as Boston and into rural areas such as Virginia and North Carolina.

However, not all of these instruments were uniformly popular throughout general society in the United States; one would not find a glass harmonica performer casually playing the afternoon away on a road in rural Louisiana. For instance, the banjo, a favored instrument among African American slaves, was popularized outside the more poverty-stricken populations only through stage shows that had themes of Southern plantation life. These shows were popular from the 1830s until around the 1880s, and the popular songs many associate with the banjo, such as "Turkey in the Straw," only became established during that time. The Southern-themed stage shows are often credited to Joel Sweeney, a Caucasian man from Virginia.[26] Until the shows popularized the banjo, it was relegated to what was considered a lower social stratum and was more a symbol of a social class than of Southern culture.

Unfortunately, many of the "original" banjo tunes played by slaves in America either have dubious origins or simply were not recorded due to the historical biases of America's South. Because of this, as researcher Jim Carrier notes, the banjo was soon associated with Appalachian origins instead of African ones, and it was often inaccurately treated as such:

> Most of the songs that we sing and play now were originally recorded by commercial companies and the Library of Congress in the Southeastern mountains between 1925 and 1935. This record was rife with the biases of the gatekeepers who were judging music for its commercial appeal amidst a period of Jim Crow segregation. The splitting of southern music into 'race' and 'hillbilly' was a mirror of Jim Crow. There was little space, apparently, for what we might call 'black hillbillies' playing string band music...As music became industrialized, black string bands had no commercial outlets. They couldn't make a living. What is recorded is what is remembered. Nothing was passed to the next generation, either in the media, or at home. Charles Wolfe summed it up this way, "Today, we are left with only a pathetic handful of recordings representing this tradition in its flowering. ... As Kip Lornell told me, there had to have been 'scores and scores (who will) forever remain unrecorded...[musicians] we'll never know about.'"[27]

The example of the banjo dramatically illustrates how an instrument's reputation affected its place in society. Where many religious organizations found instruments controversial, especially in their churches, many in general society would not place much

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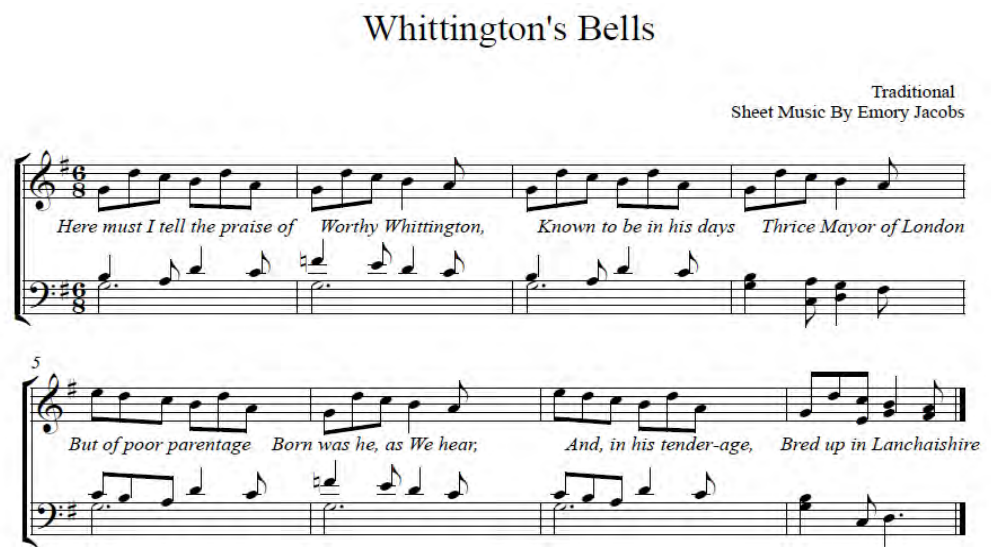
[25] Dolores Kunda. "Slit Logs and Sacred Cows: The History of the Drum," *Music Educators Journal* 66, no. 1 (1979): 56. doi: 10.2307/3395719

[26] Wayne Erbsen, *Southern Mountain Banjo* (Mel Bay Publications, 2010), 153.

[27] Jim Carrier, "The Extinction of the Black Banjo in America: Appalachian Music Fellowship Final Activity Report," *Berea* (2009): 2-4.

cultural value on the banjo due to its reputation as an instrument of poverty, and this disfavor prevailed despite the instrument's wide distribution. Or, at least, they would not value the banjo until later, when a Caucasian male made a living off exaggerating and reviving an interest in a romanticized culture.

England's citterns and traditional music were heavily adopted by America but were viewed in a different manner. By the 18th century, the cittern had been culturally designated not as an instrument of poverty or slavery, but as an "amateur's" instrument. As early as the 1600s, the instrument had been left as an entertainment item in the lobbies of public places, namely barbershops; traditional melodies printed on sheet music were left for those who wished to play the cittern for their own amusement while they waited. One such melody is the song "Sir Whittington," by Richard Johnson[28]:



There are also records of cittern music being written and used for the church in England and Germany.[29] Due to the spread of the Moravian church to America, cittern construction had ties with religious organizations. [30] The ease with which people could pick up and play the cittern contributed to its popularity. Even if an instrument was not especially sturdy or easy to transport, if many people could play it or could easily learn how to play it, people were more keen to use it.

Being easy to play helps explain the popularity of an instrument like the harpsichord, which is associated historically with a relative abundance of original

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28 *TraditionalMusic.co.uk,* "Popular Music of the Olden Time Vol. 2," http://www.traditionalmusic.co.uk/popular-music-olden-times-2/popular-music-of-olden-times2%20-%200517.htm (accessed November 15, 2014).

29 *IMSLP*, "Music used at the Magdalen Chapel (Various)," http://imslp.org/wiki/Music_used_at_the_Magdalen_Chapel_%28Various%29 (accessed November 10, 2014).

30 Nola Knouse, *The Music of the Moravian Church in America* (University Rochester Press, 2008), 288-298.

compositions, both due to its more "high-brow" reputation and because it was a familiar instrument many people could at least pluck a basic tune with by simply pressing a key. John Christopher Muller, despite having been born in Germany, is considered one of America's early composers. He was a harpsichordist and contributed to the instrument's repertoire with pieces like "Rondo in III in G major."[31] Other composers, such as William Selby[32] and Benjamin Carr,[33] were European immigrants to America. In fact, research seems to suggest that most original harpsichord pieces were written by composers who began their careers elsewhere and later moved to America, a development that mirrors the distribution of instruments, like the cittern and banjo, that debuted in America through migration.

Due to the culture of early American music, many instrumental portions of fiddle songs are simply borrowed from the immigrants' cultures of origin: they are given new titles and lyrics, but the melody and harmonies remain relatively unchanged. One such example is "Believe Me If All Those Endearing Young Charms," which was also published under the title "My Lodging It Is on the Cold Ground"[34]; its melody was also used as Harvard University's alma mater. [35] The reuse of existing songs makes, of course, for ease of play, but that is not all to the story of America's compositions and instruments. It is not difficult to create simple alterations in a musical piece already well-known to the performer, but the performer must also have an instrument that can play the tune in question. As noted above, the violin, banjo, harpsichord, and flute were the most widely distributed, and each of these instruments has a range of at least an octave (setting aside, for the moment, custom versions of the instruments made out of improvised pieces, which may or may not have been as versatile as conventional versions).

However, there are several examples of fiddle and violin music that have unknown origins but cannot be attributed to migration from other cultures. The specifically syncopated styles in songs such as "Forked Deer" are heavily correlated with the South, hinting that such styles and music originated from the likes of Virginia or North Carolina.[36] If this is the case, the fiddle was one of the first instruments to shift or blend styles into something completely unique to America. The development of original American fiddle music reveals a slow-starting evolution of musical culture that later allowed for the adaptations of popular instruments, or instruments that pick up in popularity.

In fact, many of the songs of America's common instruments were not published until the late 1700s: many original American compositions required a generation or so to gain popularity, and most of what is now considered America's

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[31] John Ogasapian, *Music of the Colonial and Revolutionary Era* (Greenwood Publishing Group, 2004), 153.

[32] Nicholas Temperley. *Bound for America: Three British Composers–Music in American Life,* "Two—William Selby" (University of Illinois Press, 2003).

[33] Eve Meyer, *Selected Secular and Sacred Songs,* Vol. 15 (A-R Editions, 1986).

[34] YouTube. "Believe Me If All Those Endearing Young Charms – Samuel Gardner, violin," https://www.youtube.com/watch?v=bJjNQv2R-ZQ

[35] YouTube. "Fair Harvard," https://www.youtube.com/watch?v=ApRmiBjnwyA

[36] Library of Congress, "Forked Deer," http://www.loc.gov/item/afcreed.13035b05 (accessed November 2, 2014).

"traditional Southern music" only started to appear around 1780 to 1800. Many of the country's notable composers—or the known composers of recorded songs—were born near 1750.[37] The publication of identifiably American songs in the late 1700s marks the rapid shift toward new blended styles that had diverged from overtly British culture. Through the influence of European immigration and African musical roots, a distinct style that was uniquely American had begun to emerge.

As of the 1750s, Americans were still using the traditional tunes and instruments from their various homelands, albeit in modified forms. The slave had the banjo, the aristocrat continued on harpsichords, the common lady could strum a cittern, the mountain residents built dulcimers, and the common man and child played the flute. The uneven distribution of each instrument among the social strata suggests that there were different "classes" of instruments in the eastern United States, and that there were specific qualities an instrument had to possess in order to reach significant distribution within a given class. For the higher social strata, an instrument had to be either interesting or well-praised and embraced by critics. Musicians on the other end of the social scale favored an instrument that was durable, easily fabricated, and able to play songs passed down through tradition. Aiding in the appeal to people at both ends of the spectrum was the instrument's reputation and the ease with which it could be played in the first place. In this manner, instruments that are now icons, for example, of the South or of sophistication started off as much smaller symbols of class.

Works Cited

Berea Digital. "[Introduction Galax Style Dulcimer Playing] Silly Bill." http://digital.berea.edu/cdm/singleitem/collection/p15131coll4/id/4978/rec/1 (accessed September 2, 2014).

Bouland, Janice. *Method for One-Keyed Flute*. University of California Press, 1998.

Carolin, Michael. "An Instrumental Approach to Culture Study in General Music." *Music Educators Journal* 92, no. 5 (2006): 38-41. doi:10.2307/3878500

Carrier, Jim. "The Extinction of the Black Banjo in America: Appalachian Music Fellowship Final Activity Report" *Berea,* 2009.

Chase, Gilbert. *America's Music, from the Pilgrims to the Present.* University of Illinois Press, 1992.

Covey, Cyclone. "Did Puritanism or the Frontier Cause the Decline of Colonial Music? Debate Dialogue between Mr. Quaver and Mr. Crochet." *Journal of Research in Music Education* (1958).

Cowan, Don. "More about Recorders." *Music Educators Journal* 52 (September/October 1965): 121-122. doi:10.2307/3390548

Darling, James, and Wiggins, Maureen. "A Constant Tuting: The Music of Williamsburg." *Music Educators Journal* 61, no. 3 (1974): 56-61.

Elson, Louis. *The History of American Music.* Macmillan, 1915.

Erbsen, Wayne. *Southern Mountain Banjo.* Mel Bay Publications, 2001.

Fowler, Charles. "A History of Mechanical Instruments." *Music Educators Journal* 54 (October 1967): 45-49. doi:10.2307/3391092

[37] Nicholas Temperley. *Bound for America: Three British Composers - Music in American Life, "*Two—William Selby*"* (University of Illinois Press, 2003).

Gyles, Mary Francis. "Nero Fiddled While Rome Burned." *The Classical Journal* 42, no. 4 (1947): 211-217.
Hastings, S. E., Jr. "Construction Techniques in an Old Appalachian Mountain Dulcimer." *The Journal of American Folklore* 83 (*1970*): 462-68.
IMSLP. "Music Used at the Magdalen Chapel (Various)." http://imslp.org/wiki/Music_used_at_the_Magdalen_Chapel_%28Various%29 (accessed November 10, 2014).
Knouse, Nola. *The Music of the Moravian Church in America.* University of Rochester Press, 2008.
Kunda, Dolores. "Slit Logs and Sacred Cows: The History of the Drum." *Music Educators Journal* 66, no. 1 (1979): 56-65. doi: 10.2307/3395719
Library of Congress. "Forked Deer." http://www.loc.gov/item/afcreed.13035b05 (accessed November 2, 2014).
Meyer, Eve. *Selected Secular and Sacred Songs.* Vol. 15. A-R Editions, 1986.
Michaels, Arthur. "Overtones." *Music Educators Journal* (1981).
National Music Museum. "Cittern, Possibly by Petrus Rautta, England, 1579, at the National Music Museum." *National Music Museum.* http://orgs.usd.edu/nmm/PluckedStrings/Citterns/English/13500/Cittern13500.html (accessed October 18, 2014).
Ogasapian, John. *Music of the Colonial and Revolutionary Era.* Greenwood Publishing Group, 2004.
Olsen-Raymer, Gayle. *The Colonists—What They Created.* Humboldt State University, 2014. http://users.humboldt.edu/ogayle/hist110/ColonialRegionsCompared.png (accessed October 27, 2015)
Praetorius, Michael. *Syntagma Musicum II: De Ornophraphia, Part III - V with Index.* Zea-e books, 2014.
Southern, Eileen. *The Music of Black Americans: A History.* W. W. Norton & Company, 1997.
Steighner, Mark. "Consorting with Praetorius: Establishing an Early Music Ensemble." *Music Educators Journal* (September 1979).
Stoutamire, Albert. *Music of the Old South: Colony to Confederacy.* Fairleigh Dickinson University Press, 1972.
TraditionalMusic.co.uk. *Popular Music of the Olden Time Vol. 2.* http://www.traditionalmusic.co.uk/popular-music-olden-times-2/popular-music-of-olden-times2%20-%200517.htm (accessed November 15, 2014).
Temperley, Nicholas. *Bound for America: Three British Composers - Music in American Life.* University of Illinois Press, 2003.
YouTube. "Believe Me If All Those Endearing Young Charms – Samuel Gardner, violin." https://www.youtube.com/watch?v=bJjNQv2R-ZQ (November 20, 2014).
YouTube. "Fair Harvard" https://www.youtube.com/watch?v=ApRmiBjnwyA (November 20, 2014).

Flute Performance of Johann Sebastian Bach's Sonata in Eb Major BWV 1031, Movement I. Allegro Moderato

Katlin Harris

Faculty Sponsors: Dr. Larry E. Wells, Dr. Keith Dippre, Dr. Daniel McCloud
Department of Music

Statement from the Artist

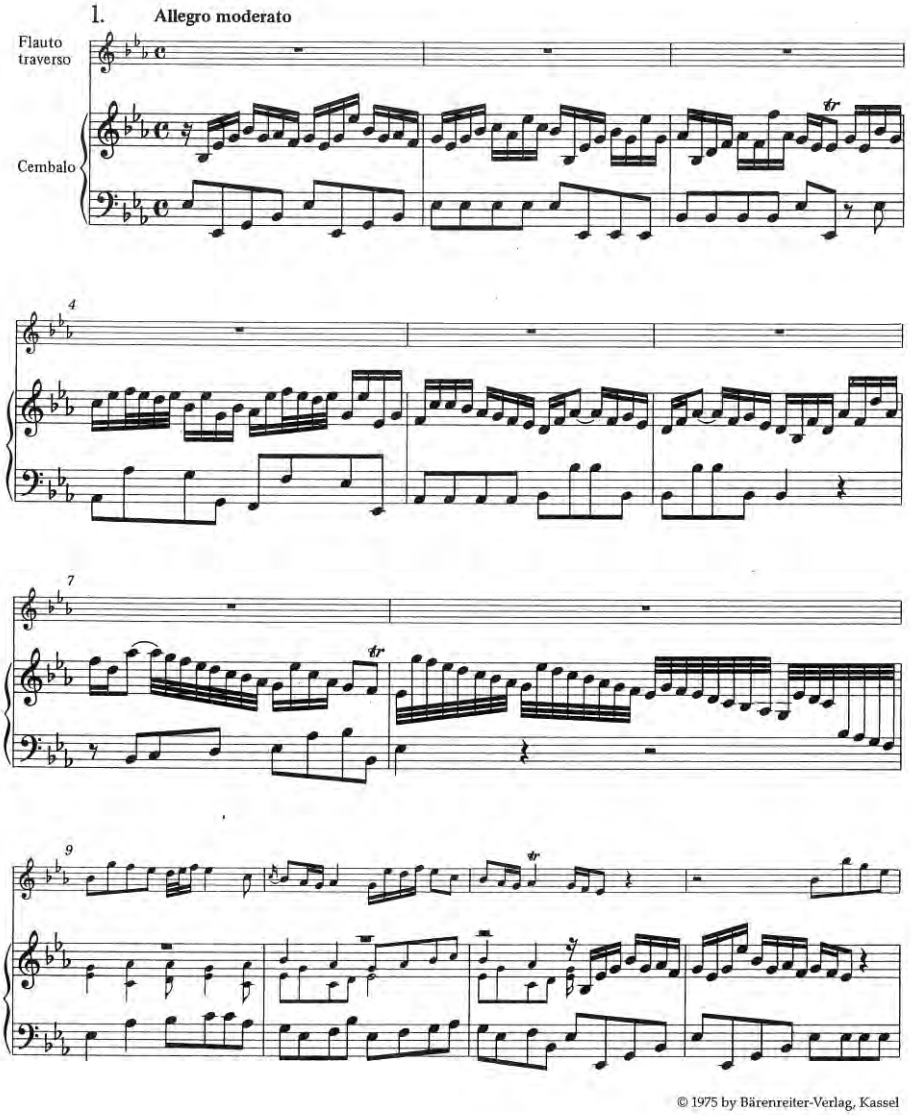
J.S. Bach's Eb Major Flute Sonata is one of the six sonatas he composed for transverse flute and basso continuo. The sonata displays several characteristics of music of the Baroque Period. The cembalo part in the score (played on piano in the recording) provides continuous harmonic motion for the flute part and also serves as counterpoint within the piece. It is also important to note that the sonata is intended for transverse flute and not recorder, which had been one of the most important woodwinds during the previous Renaissance era. In regards to performance, playing one of the Bach flute sonatas, or any other piece from the Baroque period, requires a different stylistic approach to ornamentation, dynamics, and articulation than is standard for today's flute repertoire. As such, this recording follows most stylistic features of the Baroque and combines them with the dynamic capabilities of the modern flute.

A video recording of Ms. Harris's performance can be accessed through the online edition of the *Monarch Review,* volume two, at www.methodist.edu/monarch-review-2 and at

J.S. Bach's Sonata in Eb Major—Page 1 of Score

Sonata

BWV 1031



Emerson's "The American Scholar": From Words to Instruments

Emory Jacobs

Faculty Sponsor: Dr. Keith Dippre
Department of Music

Statement from the Artist

This musical composition was created by analyzing Emerson's speech titled "The American Scholar." I converted each major passage or repeating subject and assigned it a small melody, or in more proper musical terms, a motive. Each time Emerson mentioned something in his speech, I translated that into notation: Whenever he mentioned books, in my piece the motive I assigned to books would play. Whenever he mentioned the duties of a scholar, the scholar motive would be notated. The instruments also each loosely represented an idea, such as the earthy-sounding bassoon being the instrument that first introduces the listener to the book motive.

Other concepts—such as Emerson's position for or against certain subjects—were related to key. If Emerson was angry or disapproved of something, the motive would play in a minor key. If he talked about something for a very long time, I would stretch the motive out by several measures. If he mentioned two subjects at the same general time, both motives would play, but one would be made to sound louder or more obvious than the other. Techniques such as themes and variations were used here as well; if Emerson was repeating the same subject over and over, or was saying the same thing but with different wording, the motive would have a bit of variance.

What I ended up with was something I did not actually expect. Out of precaution, I had created the various motives to be able to play simultaneously without creating a lot of dissonance, so that any subject could be mentioned with any other subject and transition into the next topic without much trouble. But I had especially made the "religion motive" and "man motive" sound, in my opinion, very complimentary to each other. Contrary to my expectation, those two motives never overlapped. Nor was the speech very organized in practice; it was meandering, with no overarching sections. Meanwhile, some motives were never overshadowed by others or were never in anything but a major key. These sorts of details became the meat of the project, as they offered the most intriguing avenues for interpretation of Emerson's intentions and beliefs.

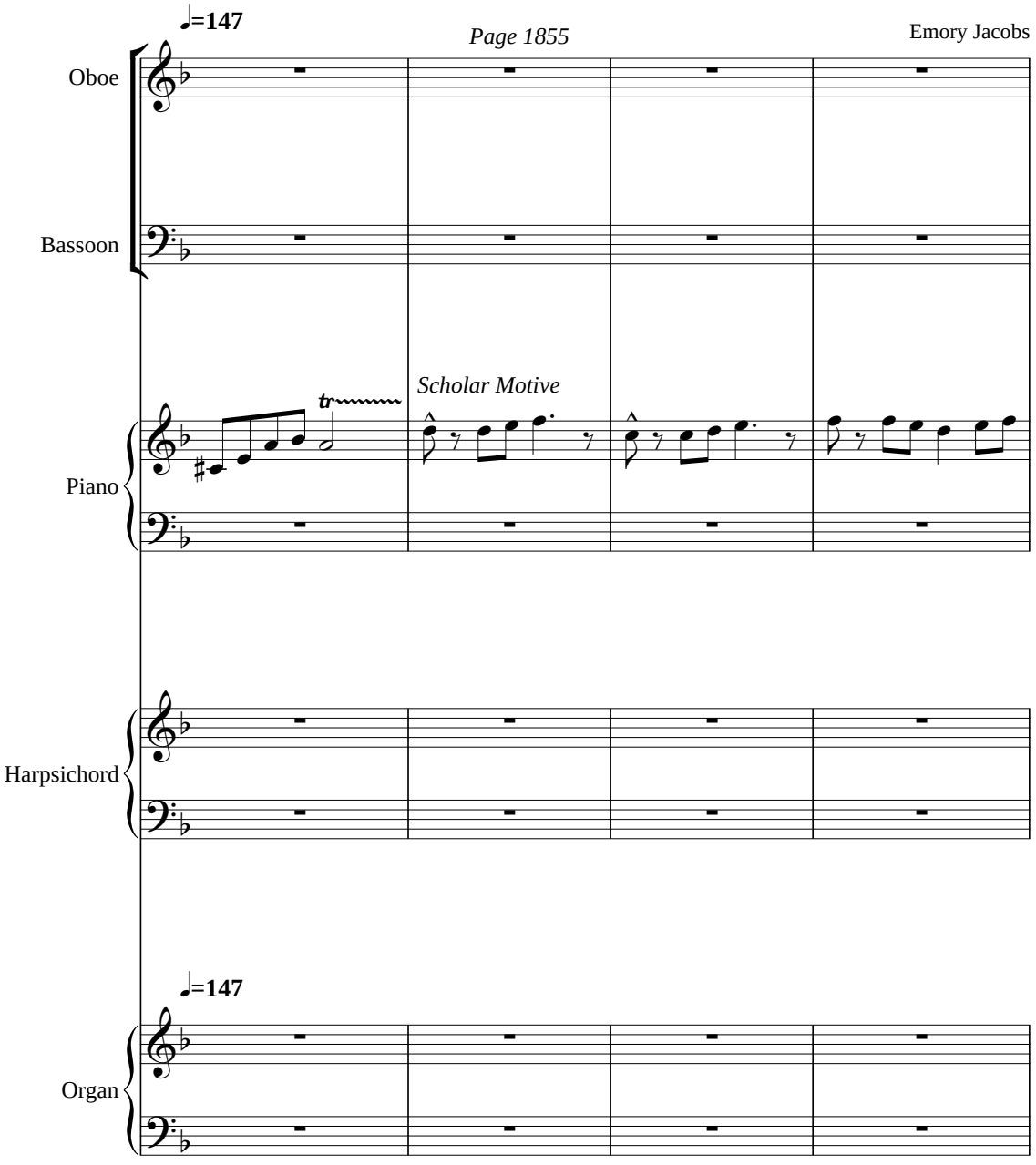
Ultimately, I tied these patterns to Emerson's personal belief system and his cultural upbringing. His ideas and beliefs at many times did translate musically. For

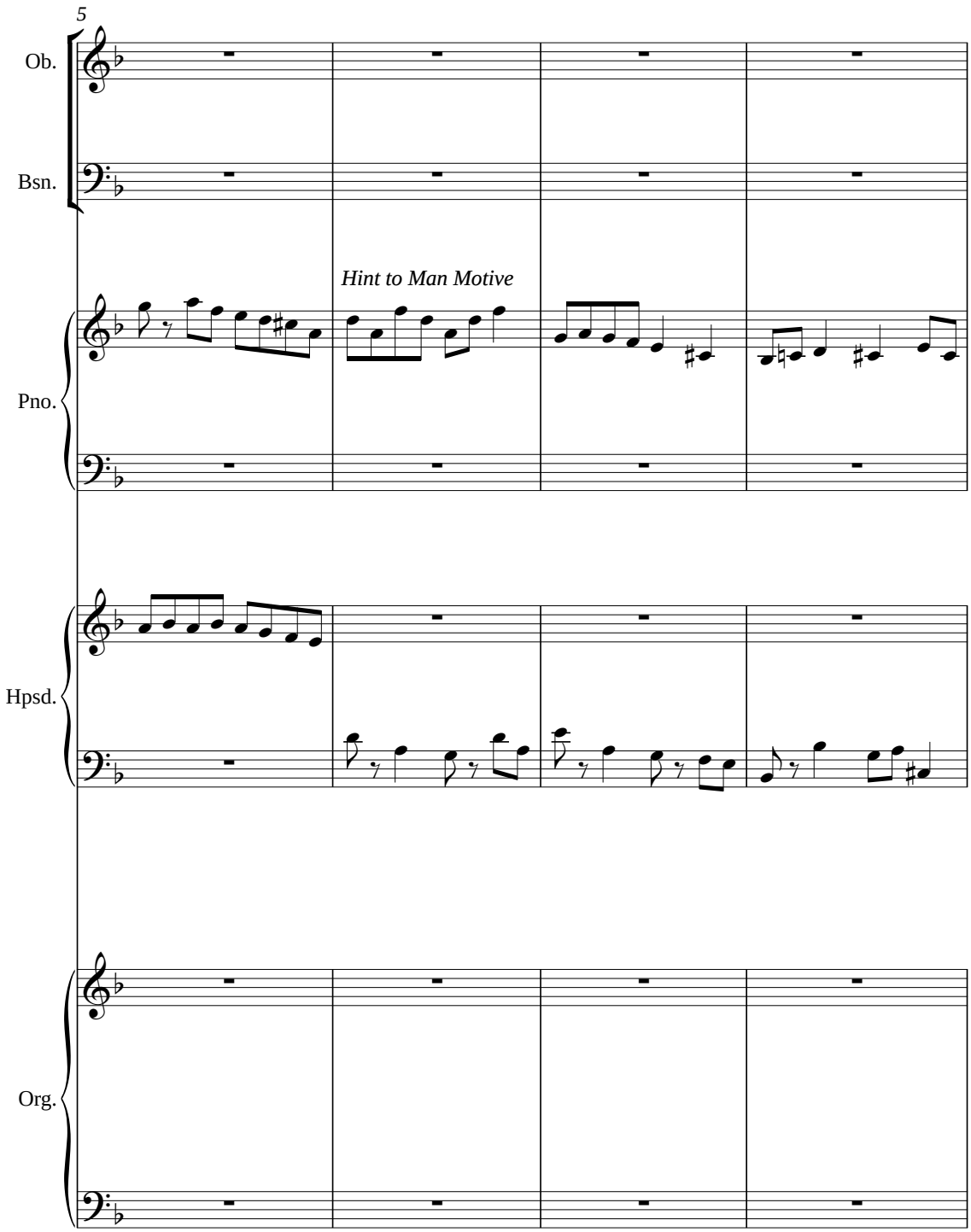
example, the "nature motive" never modulated into a minor key: Emerson viewed mankind's relationship to nature positively, and the popular Romantic movement heralded nature as a source of inspiration for man. In the same vein, the "religion motive" and the "man motive" never once crossed paths. Not only was religion so dominant at the time that many viewed the concept of God having some sort of influence on man as a foregone conclusion, but also Emerson believed that others should come to their own conclusions about spirituality. This speech in particular instructs how best to come to such conclusions and where to find inspiration; he was not there to tell the audience about his own conclusions, which explains why some possible relationships between topics were barely, if at all, explored.

The oddities and patterns of the musical composition succeeded as simplifications of Emerson's personality and belief system. His ideals stayed intact, even when his words were stripped away and made into something else entirely.

An audio recording is available at
soundcloud.com/e-jacobs/emersons-score
as well as through the online edition of the
Monarch Review, volume two, at
www.methodist.edu/monarch-review-2
and at

Emerson: From Words To Instruments

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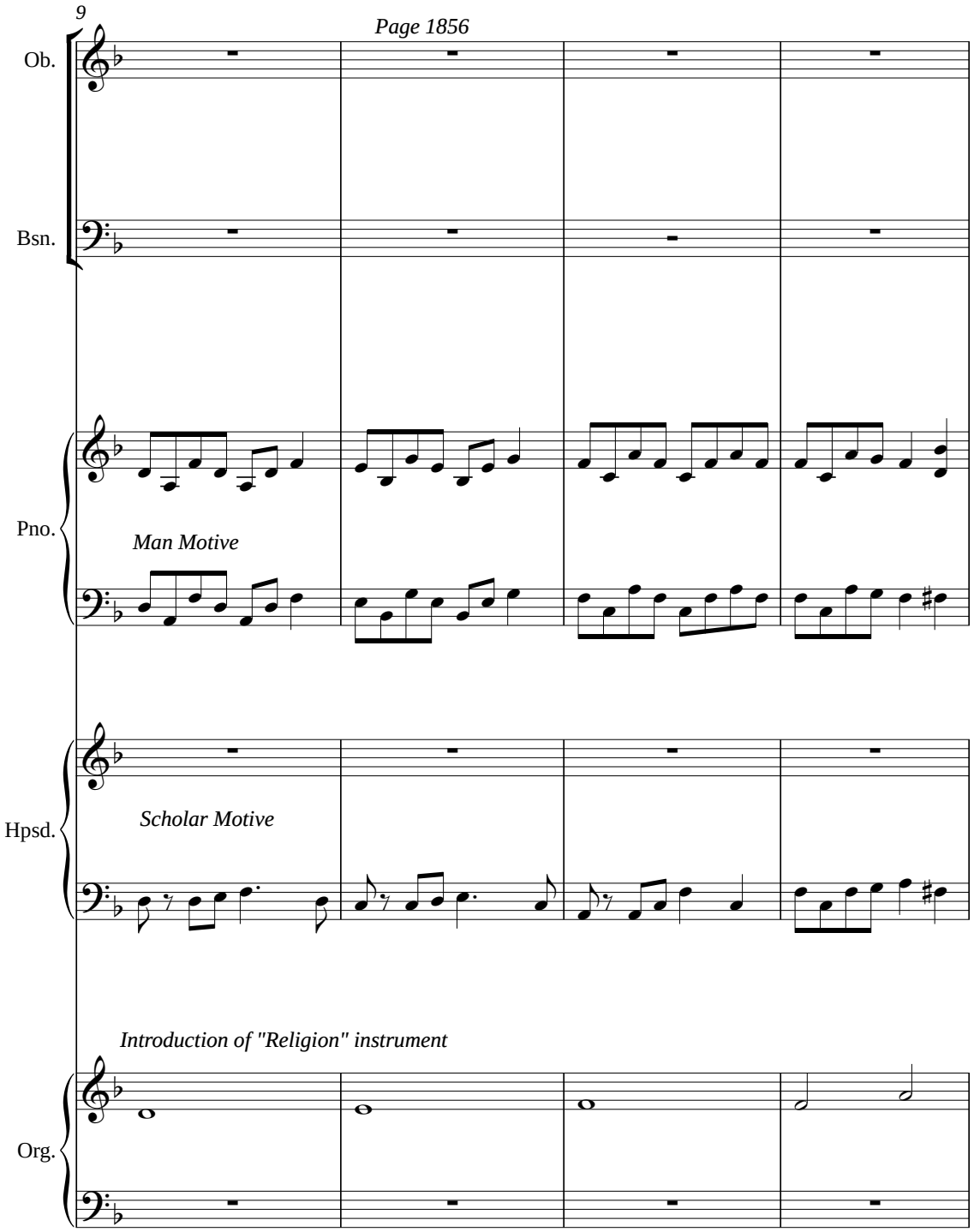
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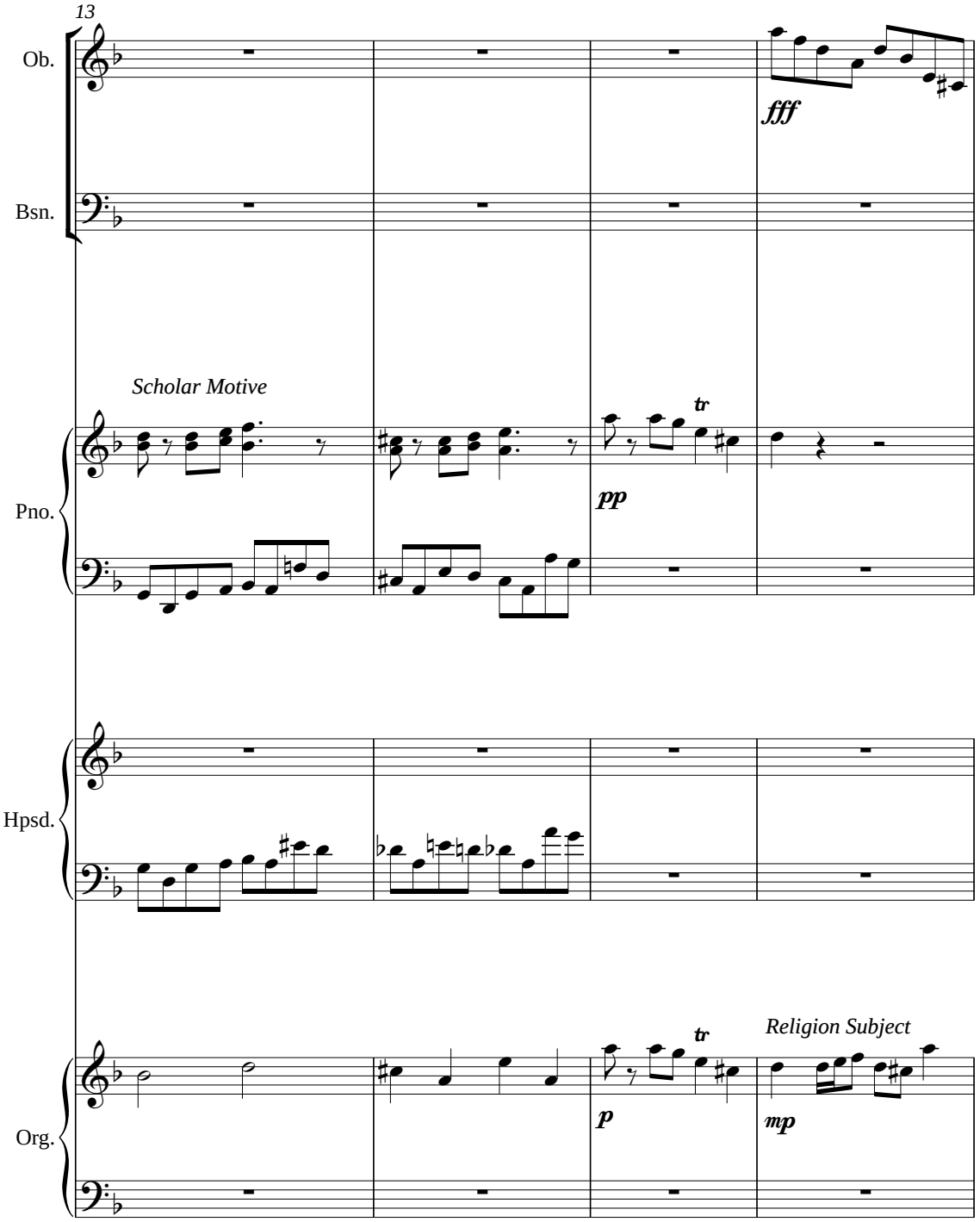
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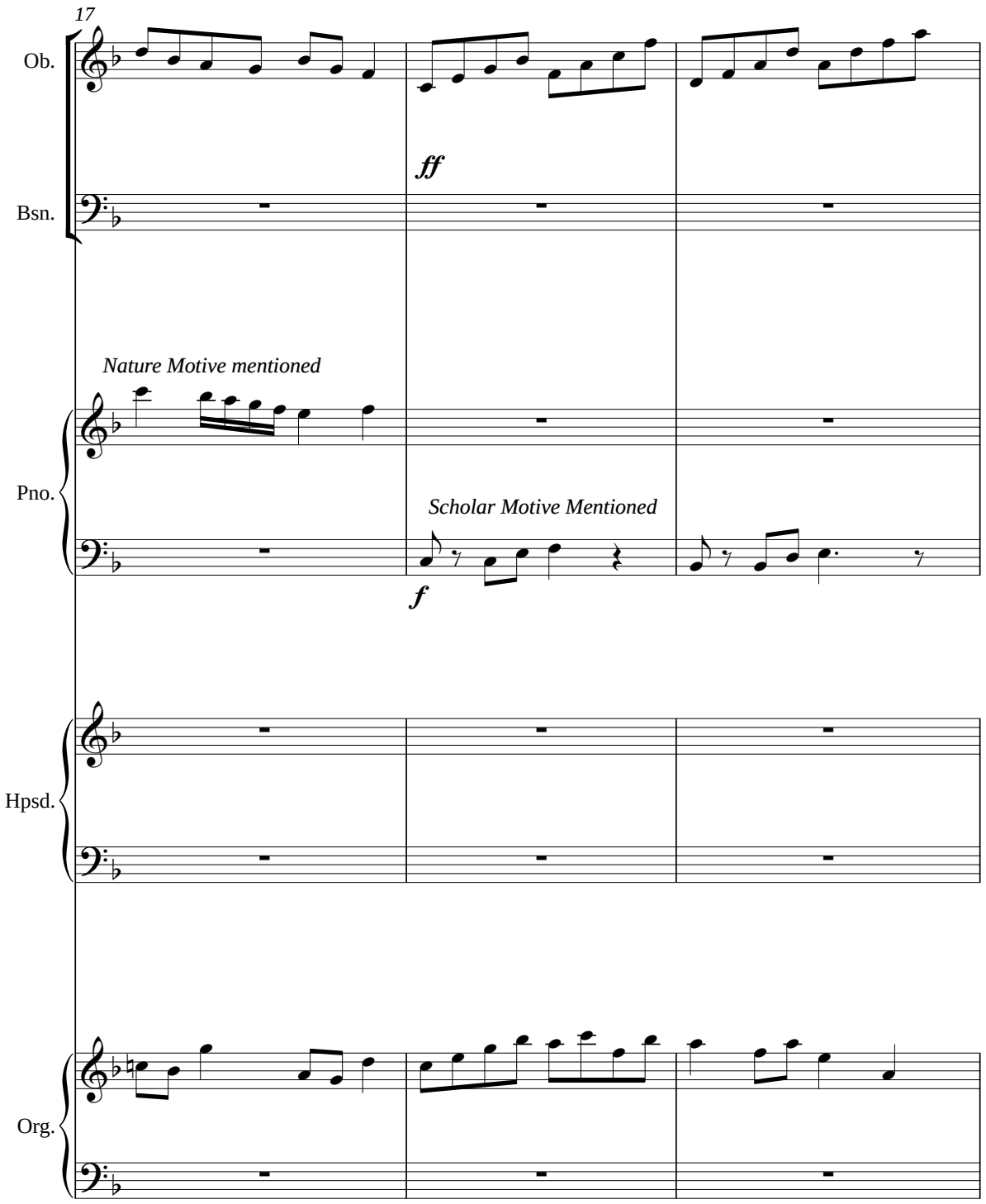
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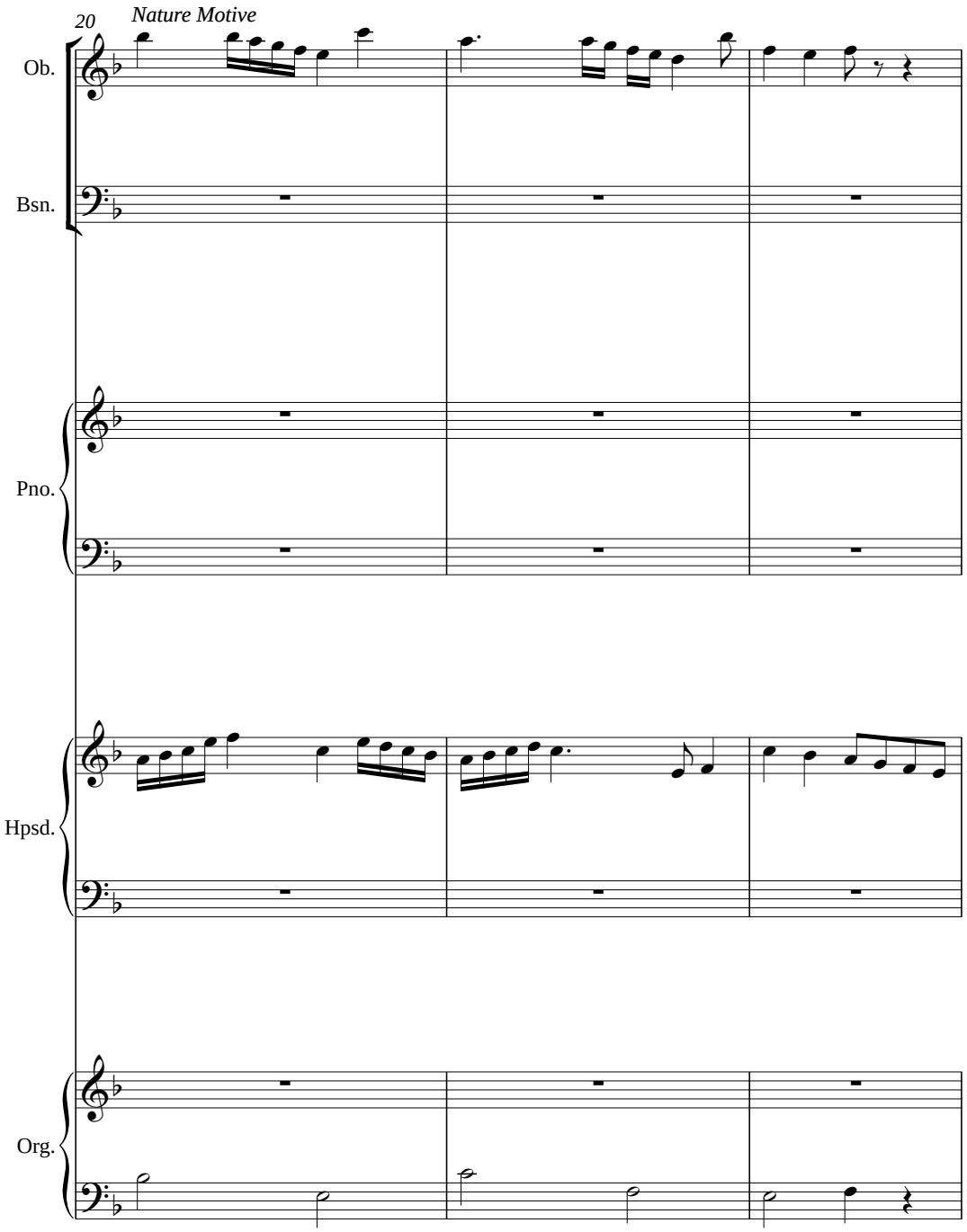
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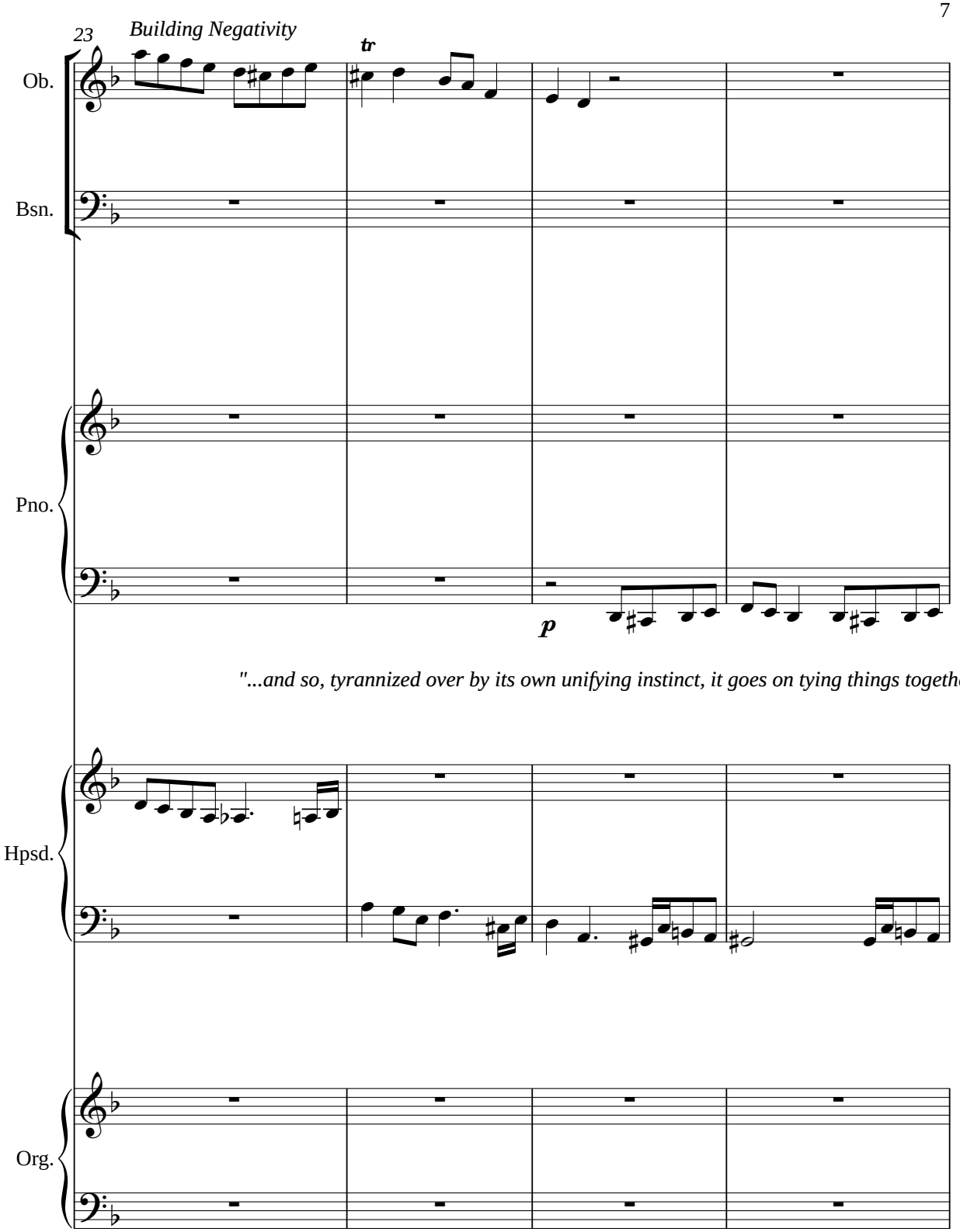
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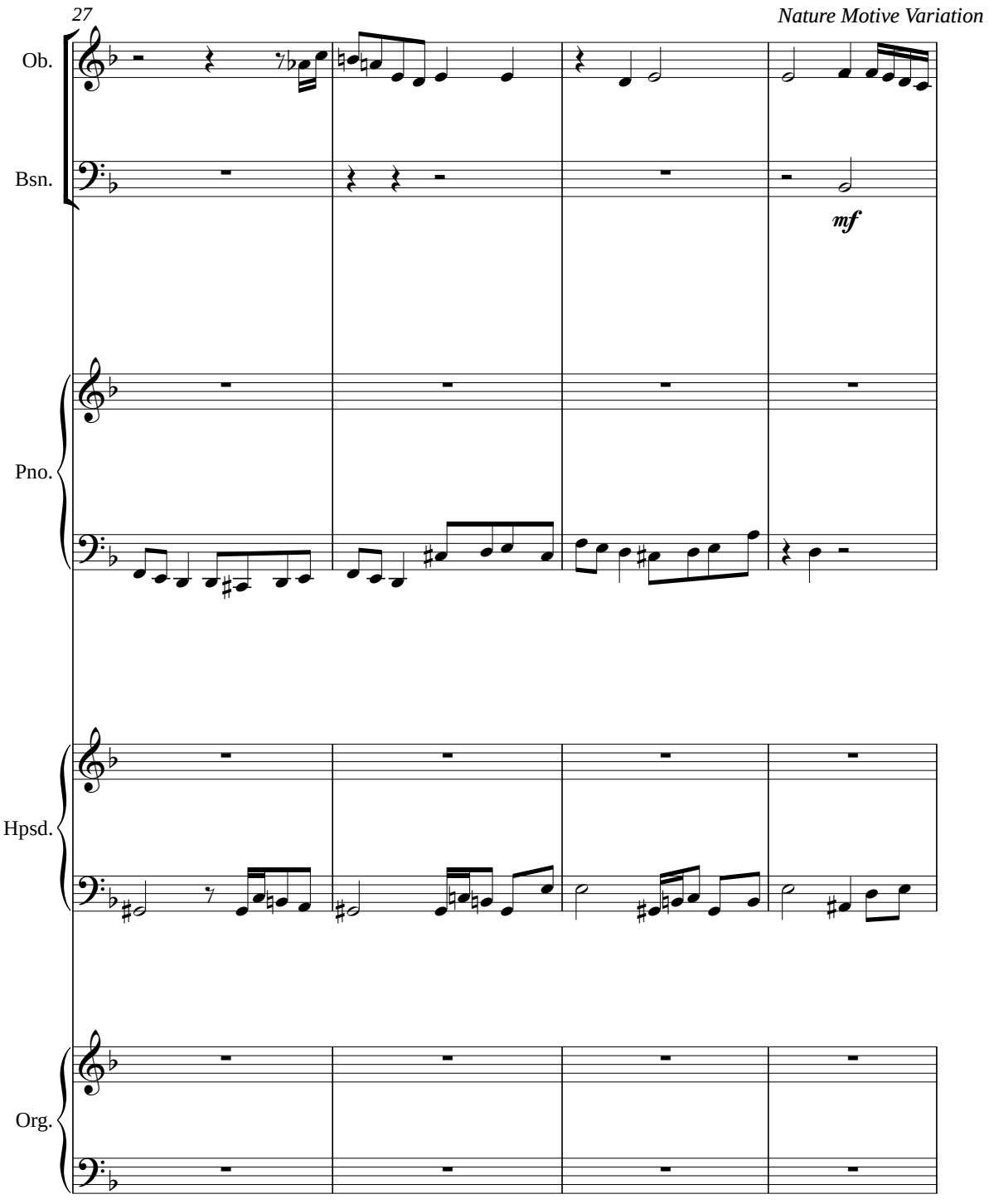
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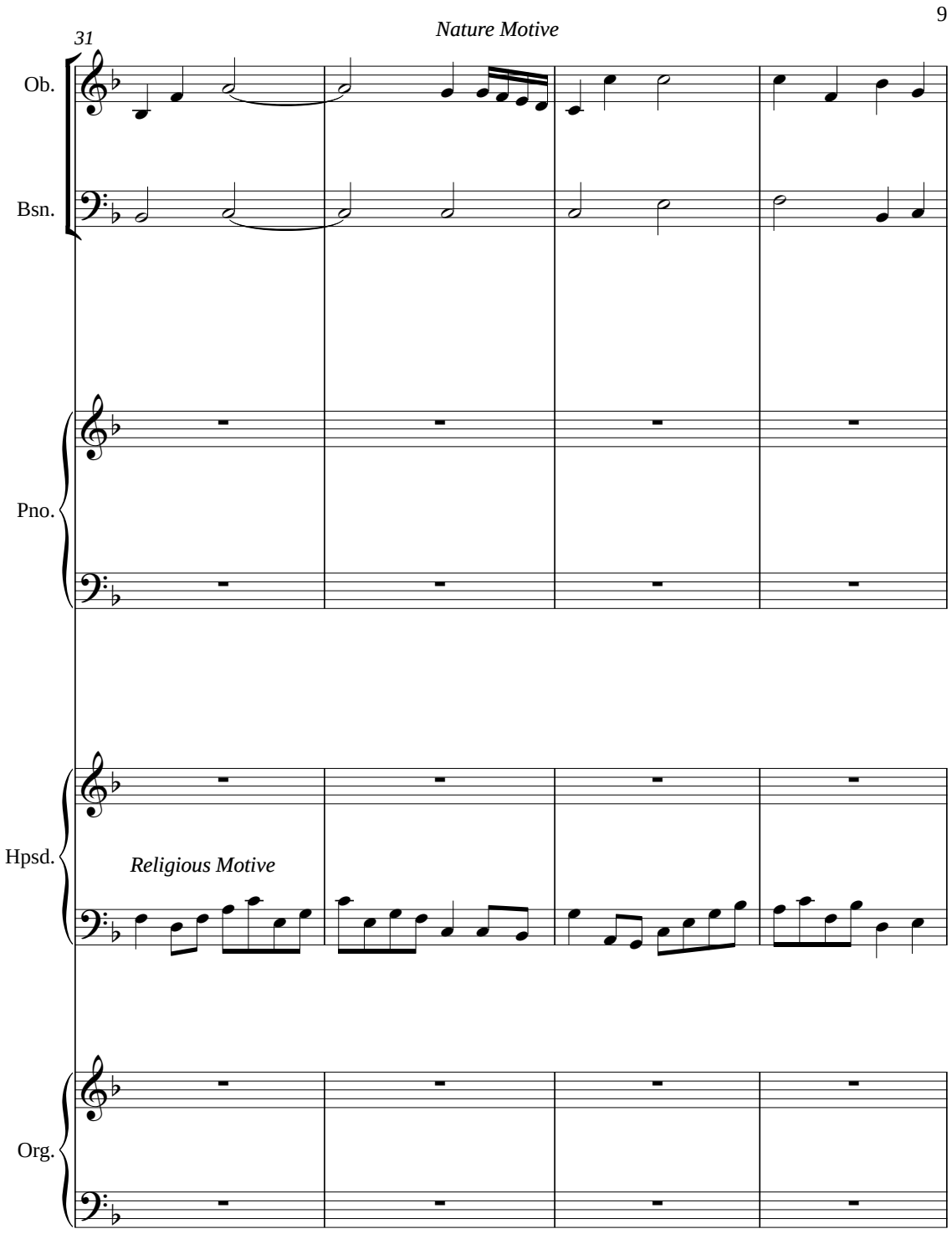
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Religious Motive
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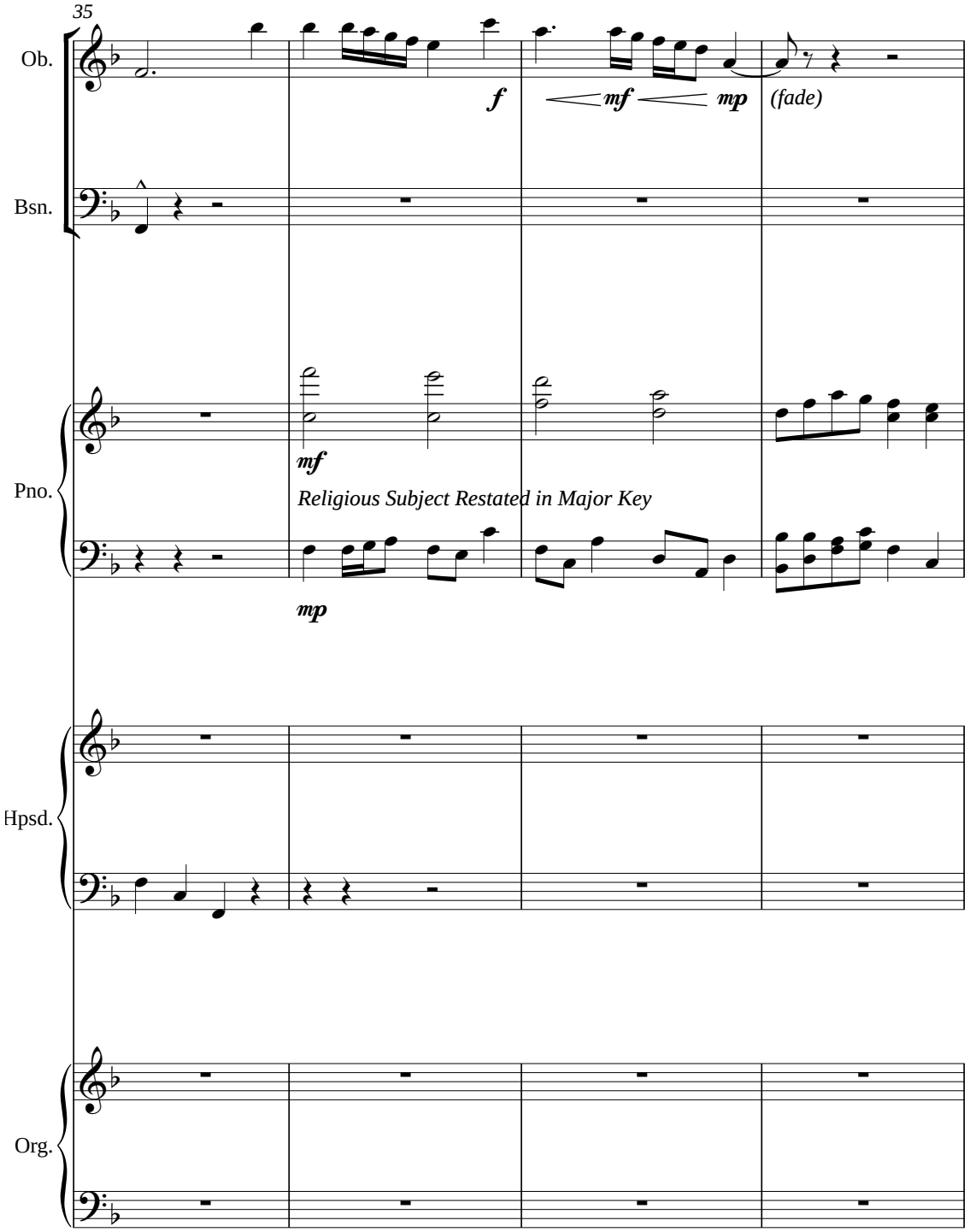
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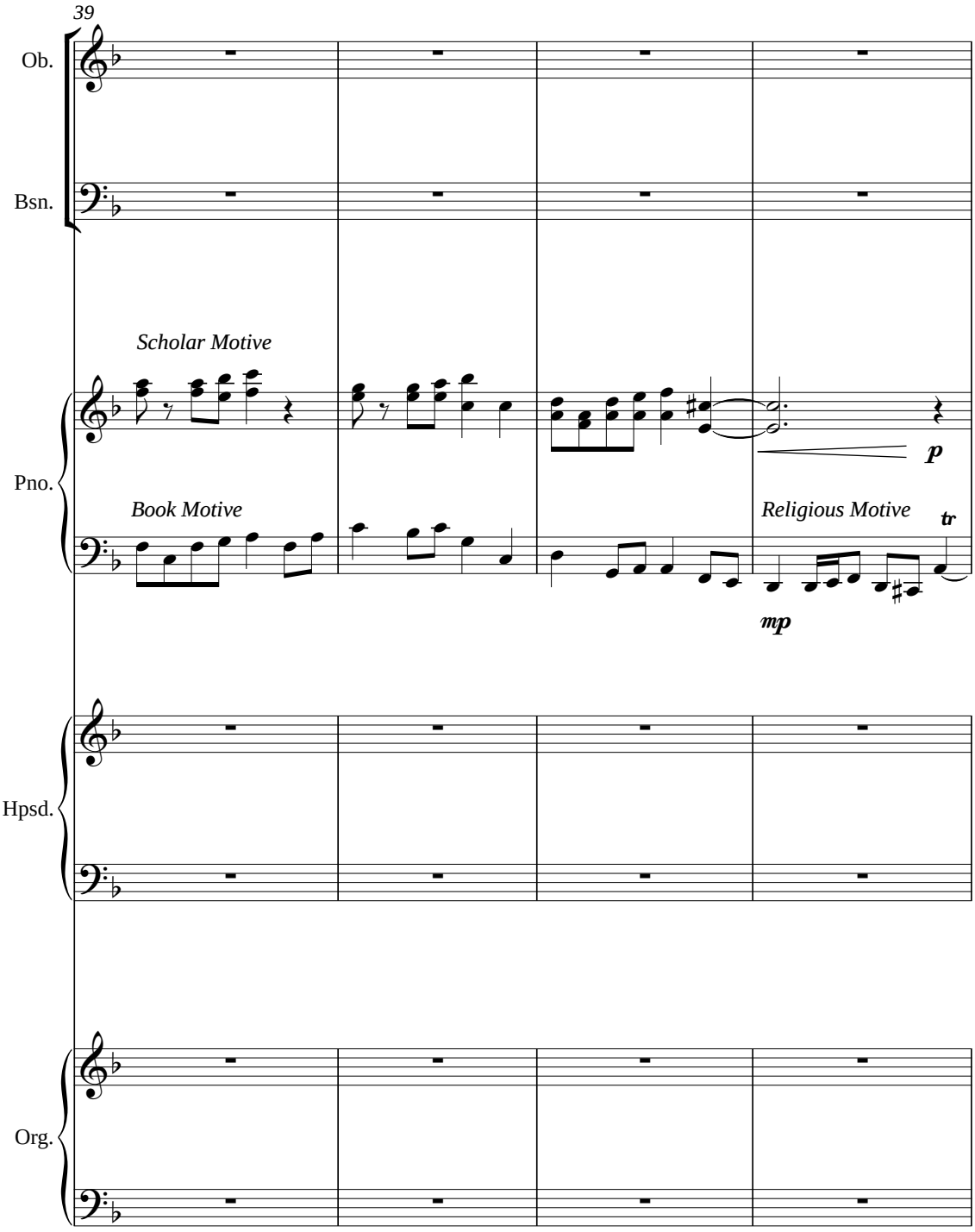
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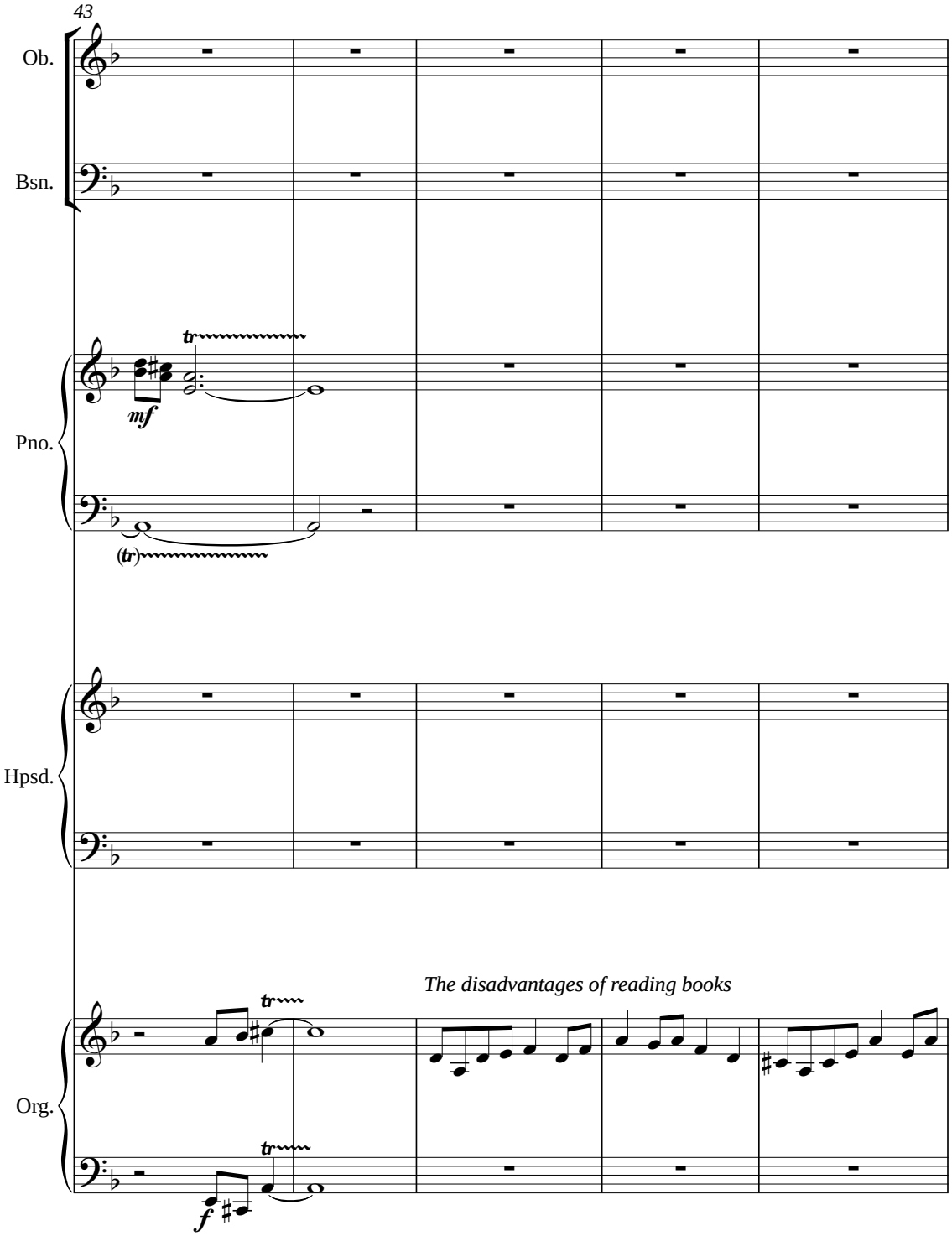
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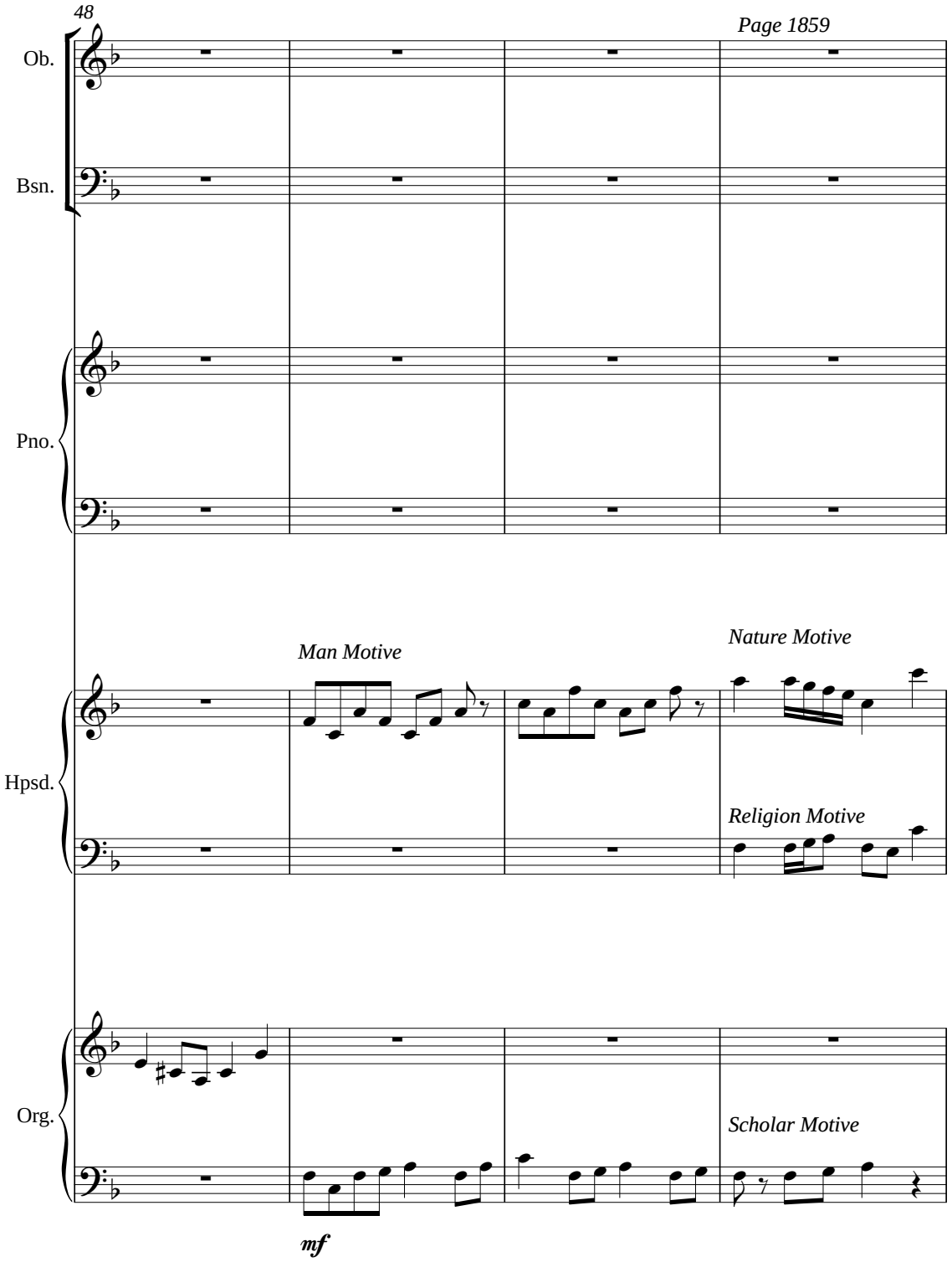
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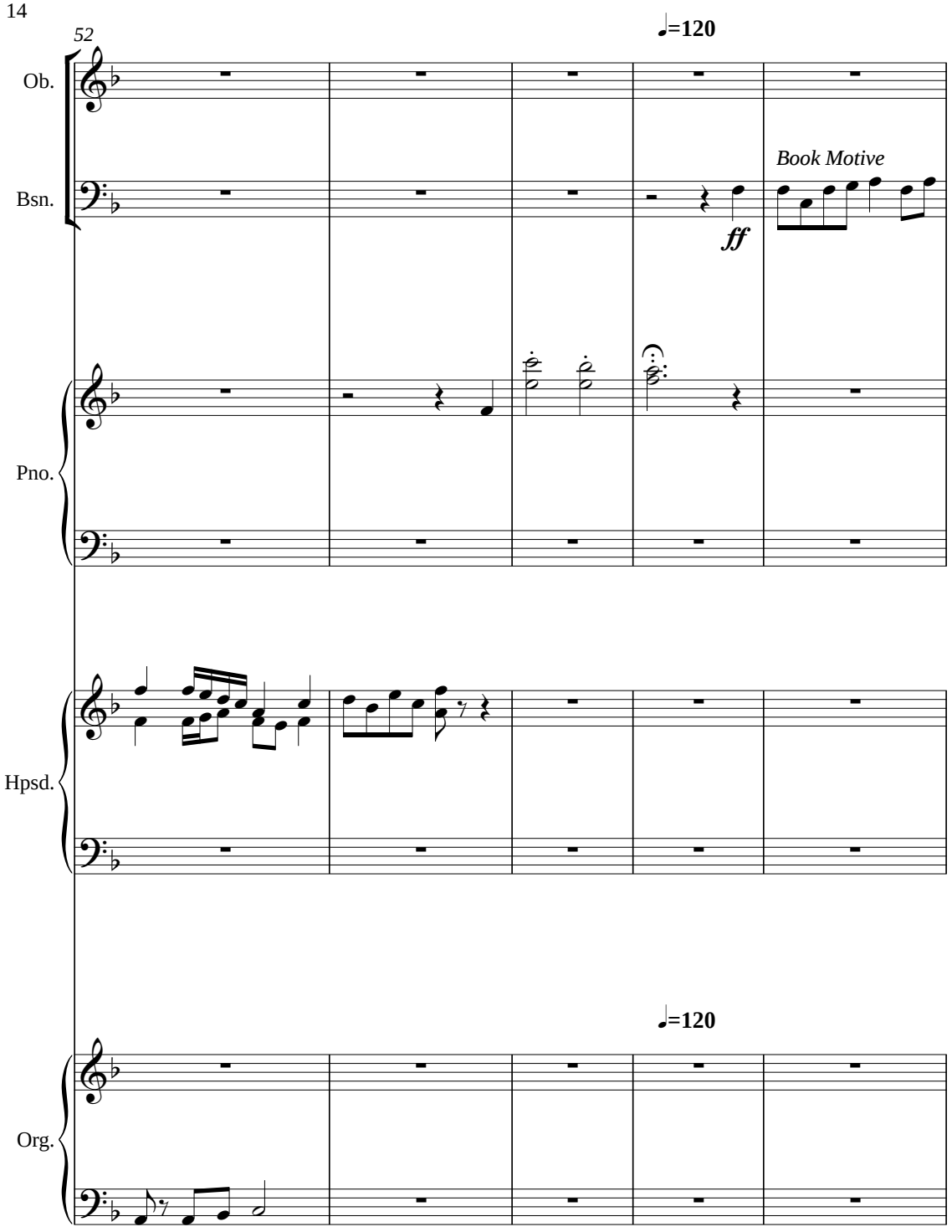
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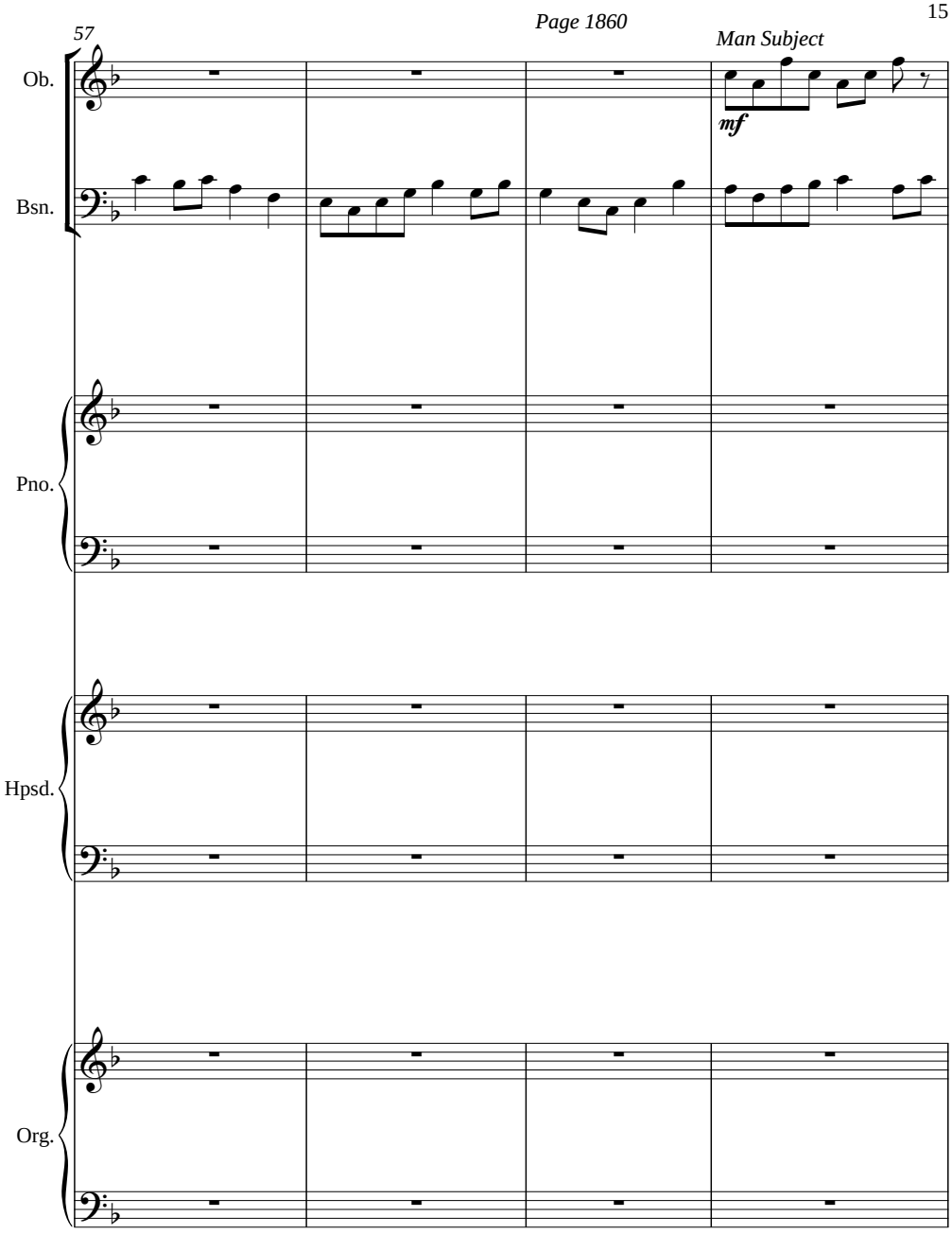

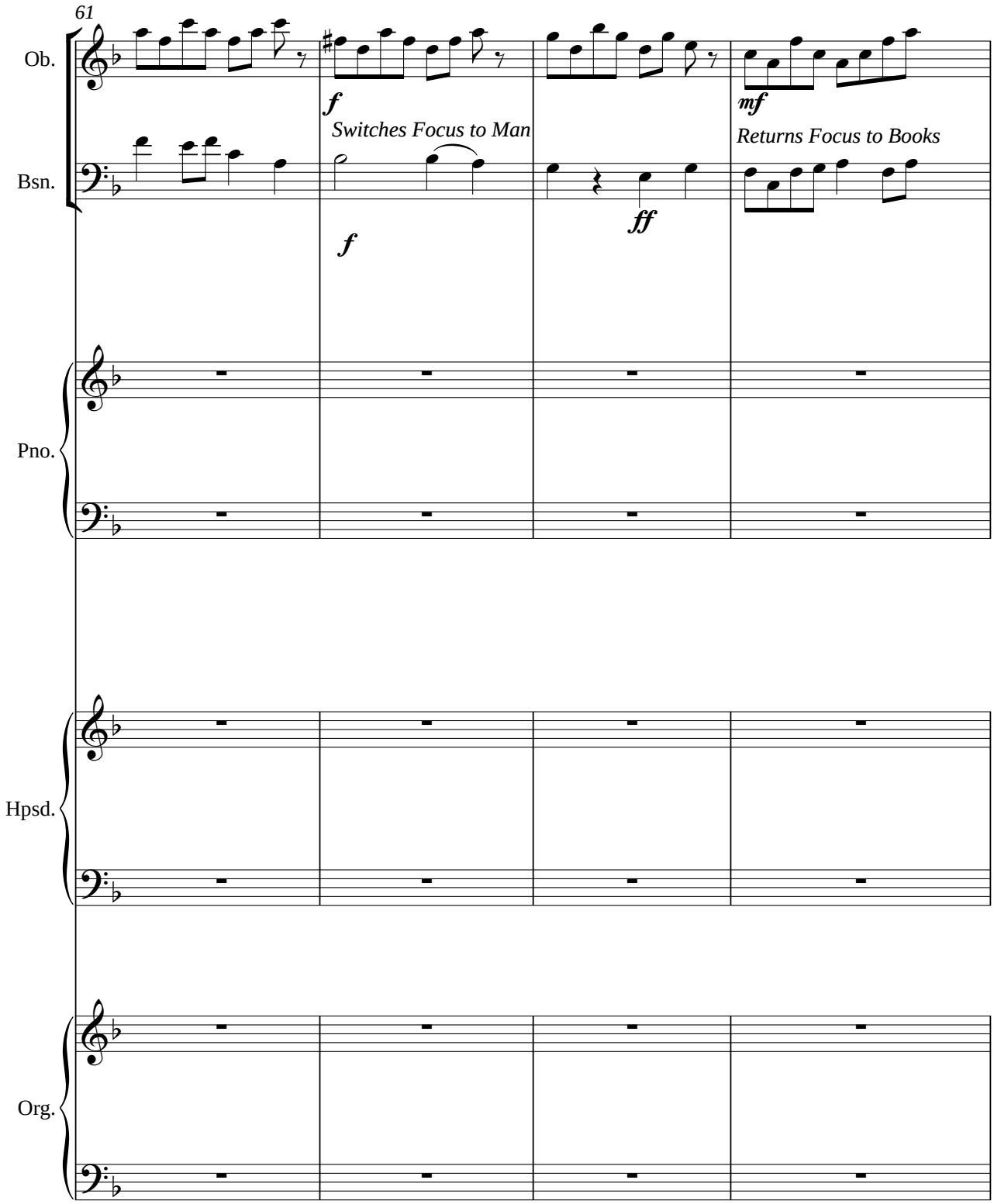
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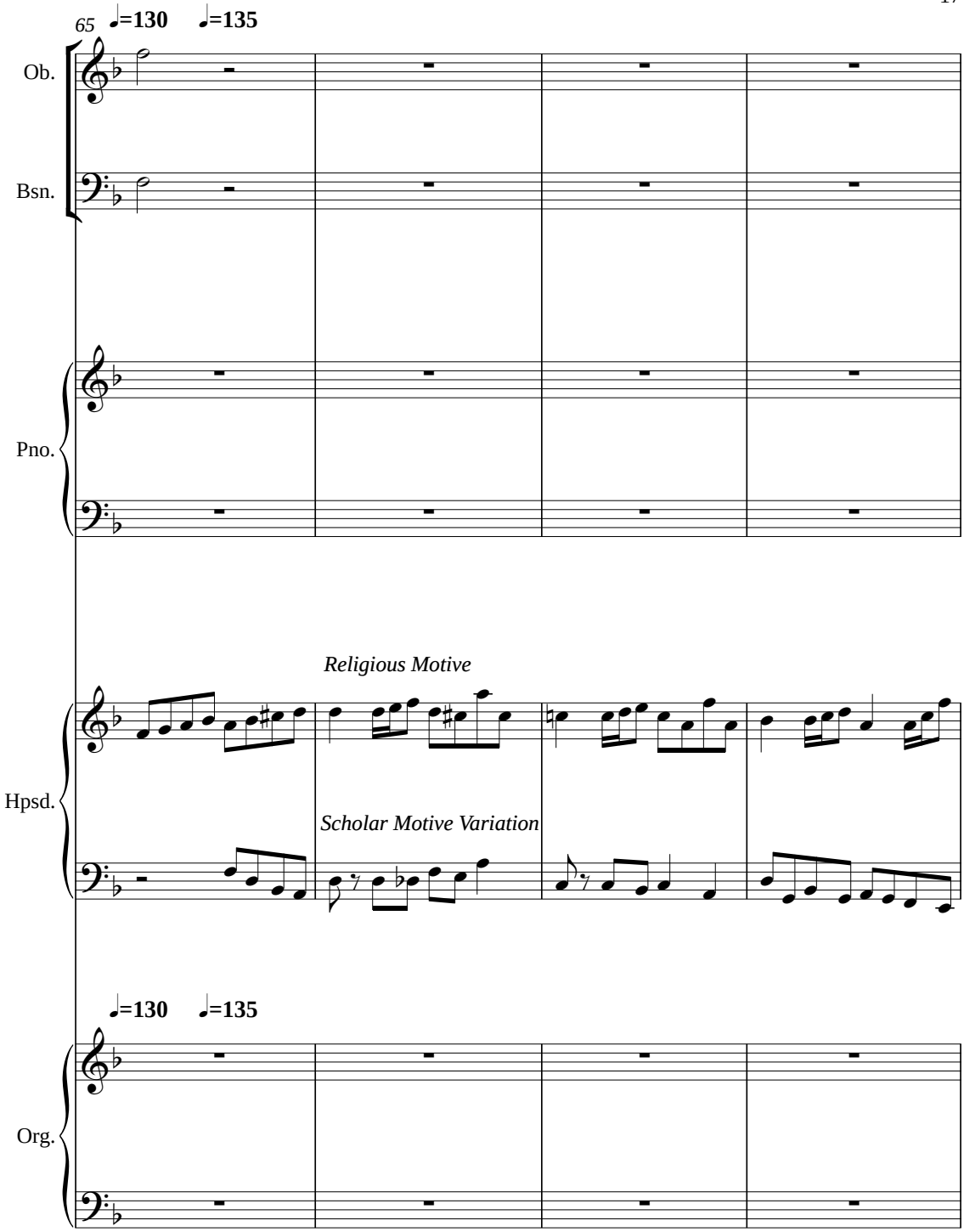
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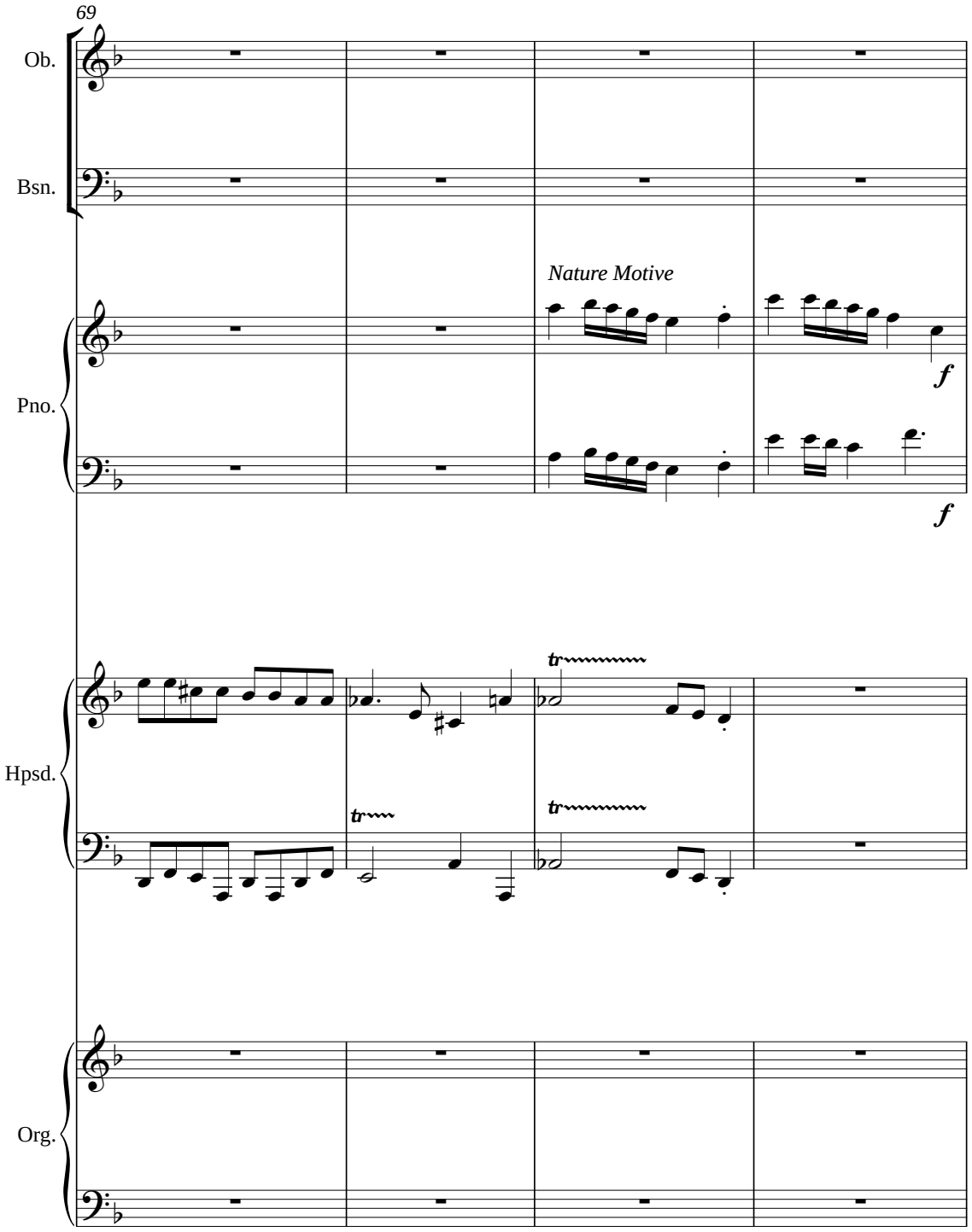
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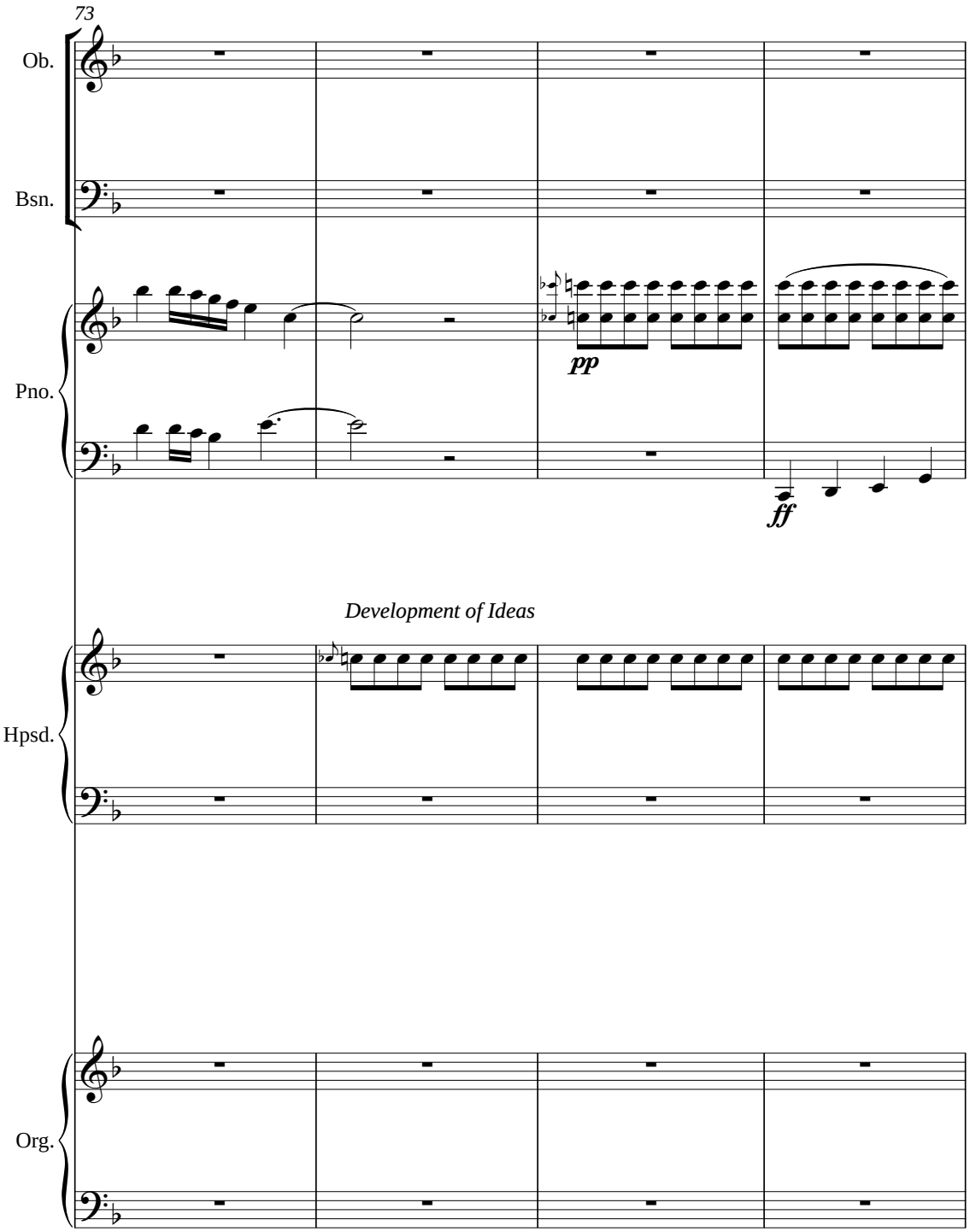
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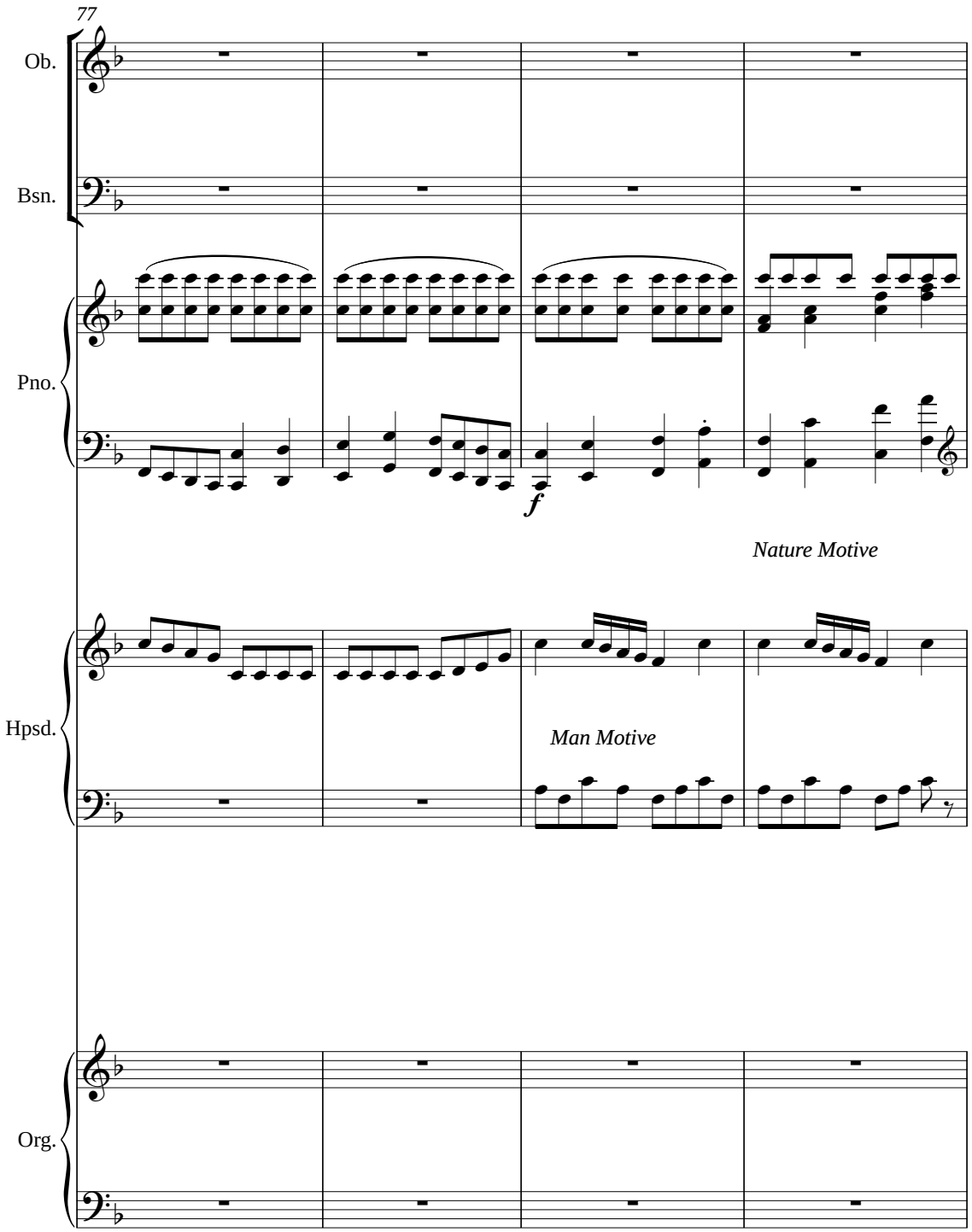
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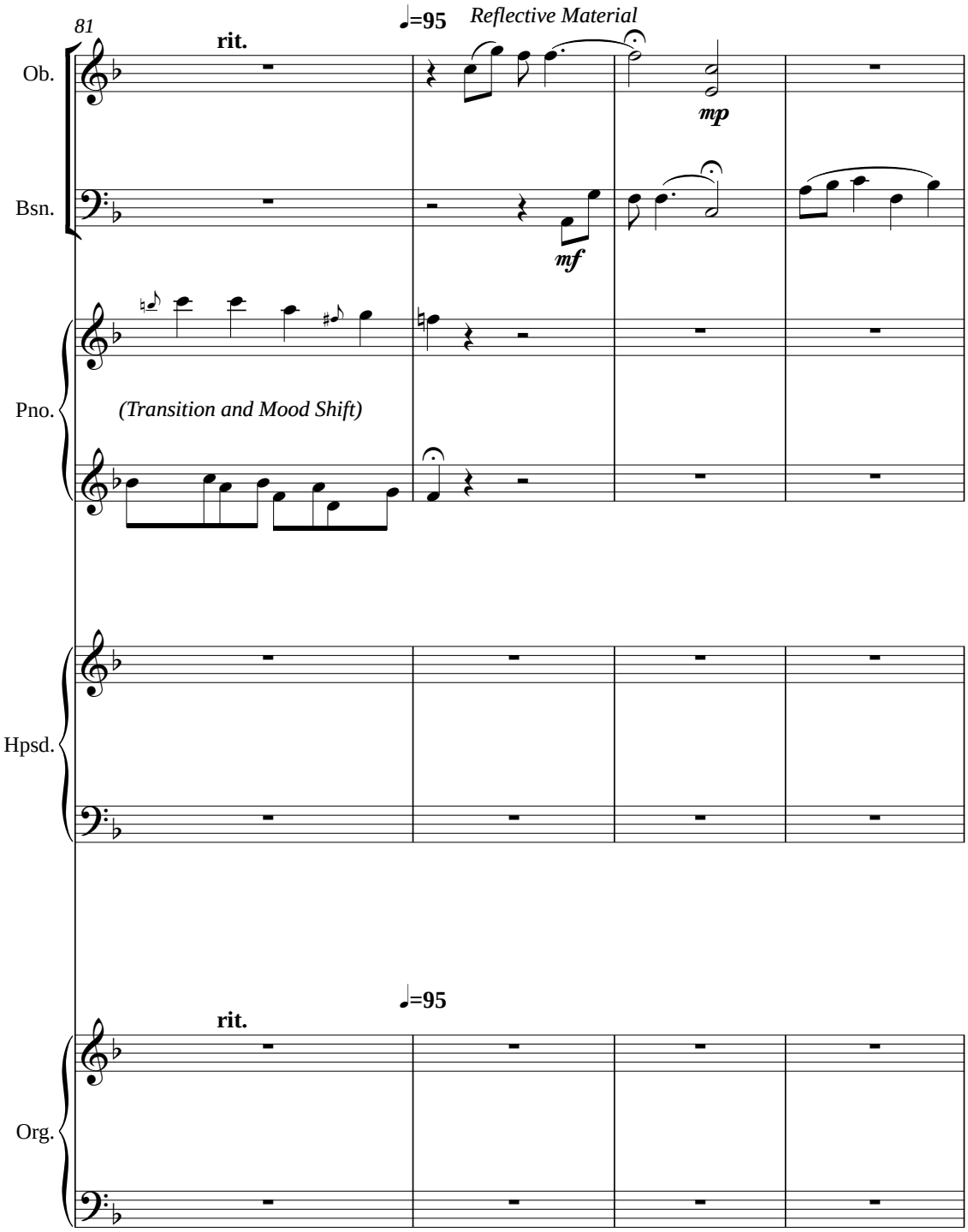
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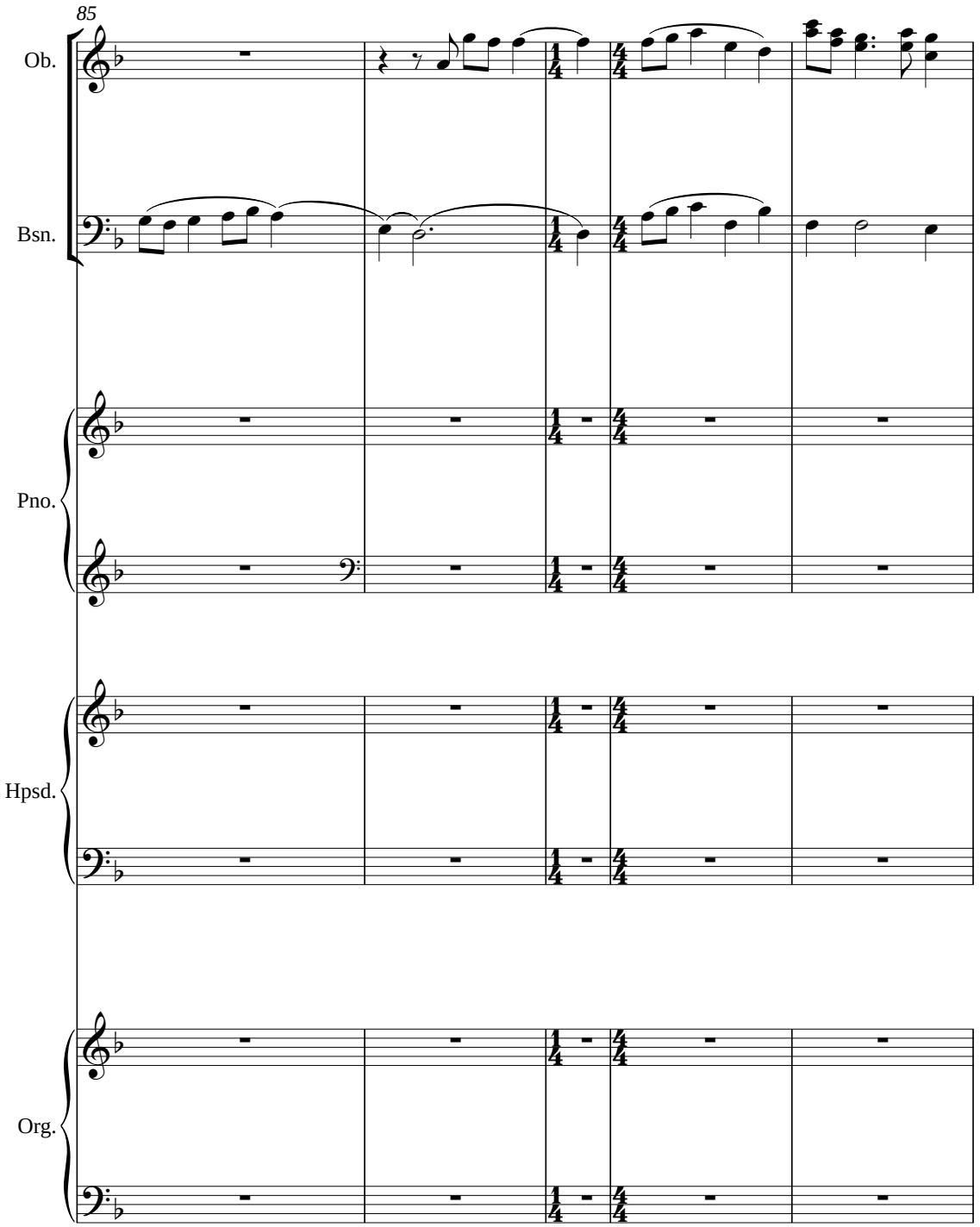
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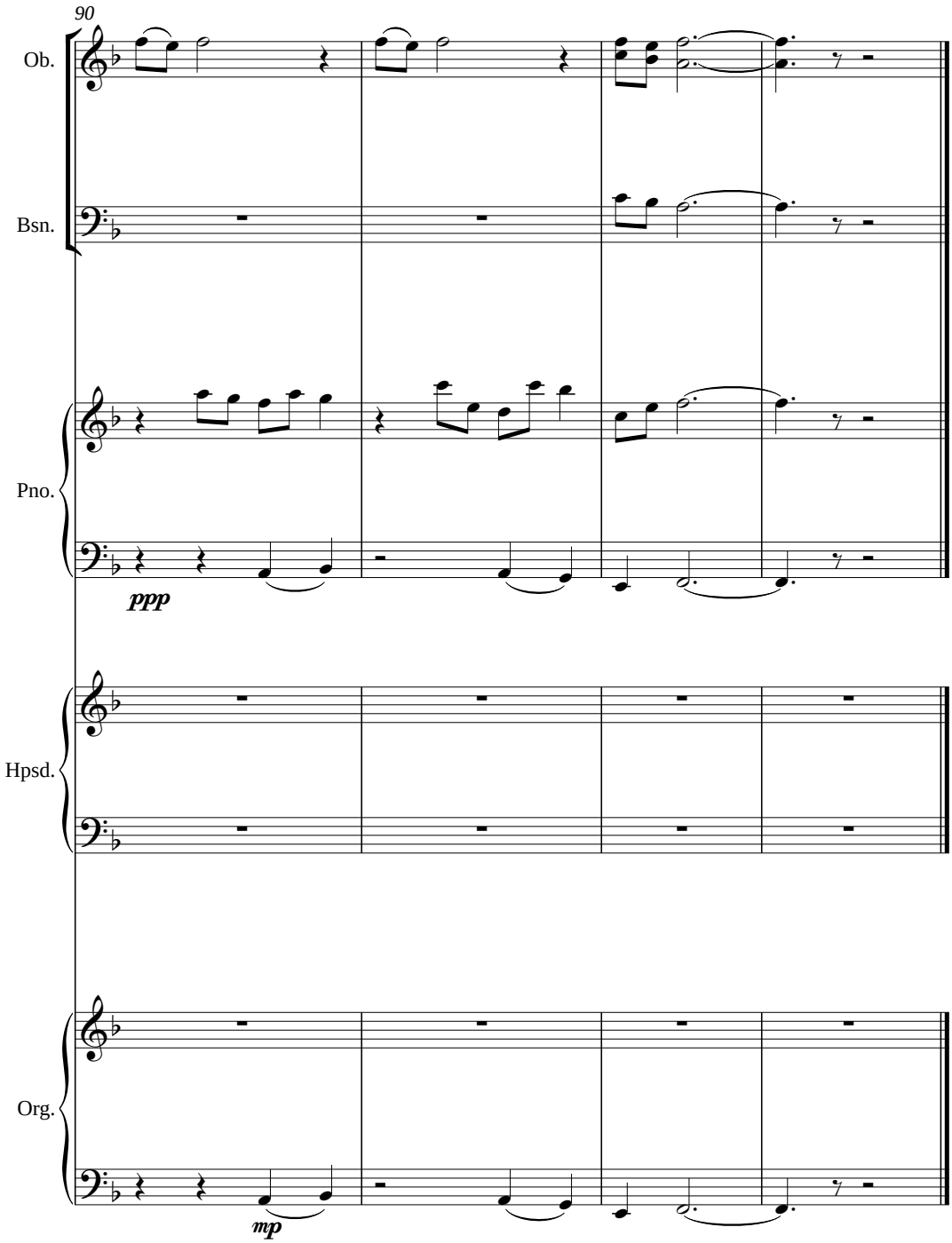
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Not Going Green: The Effect of U.S. Public Discourse on Millennials

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Save the earth! is a familiar slogan, as is *going green.* However, countless passionate debates about global warming, environmental preservation, and natural resource conservation have left the topic of saving the earth all but entirely obfuscated. While the intensity of these arguments seems to indicate serious concern, further studies suggest that a critical portion of the United States population is far from concerned. Aside from some half-hearted changes in purchasing habits in the interest of going green, Millennials (18–34 years of age) of the United States are markedly less interested in saving the planet than the U.S. population was in generations past (Twenge 1056). The startling 13% decline between the Baby Boomers and the Millennials is revealed through a stunning longitudinal study lasting from 1966–2009 (Twenge 1056). While the lessened interest parallels loss of interest in "politics, government and civil mindedness," it is the lack of concern for the environment that alarmed the researchers. The attitude remains a mystery to surveyors, marketers, and analysts alike (Twenge 1056).

The importance of the Millennial attitude towards the environment cannot be overstated. A look at four hundred years of United States history demonstrates the country's colonial and post-colonial denizens' shifting attitudes towards nature, wilderness, and the environment. For example, the early Puritans viewed destruction of the environment and subsequent creation of habitable land as "a triumph of God himself" (Nash 37). Later, around 1801, an appreciation for the wilderness arose from the Hudson River School of Art, which brought the average American into contact with wilderness through the medium of pictures ("The Hudson River School"), but this appreciation was challenged by the rise of capitalism and urbanization. Still later, as the U.S. population grew larger and its government more complex, arguments about conservation and "the importance of wilderness to the American mind" became paramount, this time drawing the interest of burgeoning corporations, which sought to influence public attitudes with profits in mind (Nash 133). Throughout all stages in the United States' development, the importance, usage, and validity of wilderness was thoroughly questioned, debated, and examined. Read this way, the Millennial downturn in interest can be seen as another chapter in evolving attitudes towards nature in the U.S. Unfortunately, the present generation's lack of interest in the environment

is of paramount concern, as the Millennials have affected and will affect the global environment much more than their predecessors.

Currently, private citizens of the United States consume the largest proportion of the world's natural resources. The finding suggests that American consumers should be the most concerned about the environment, as they are the ones most directly impacting its welfare. As noted by Dave Tilford of the Sierra Club, "With less than 5 percent of world population, the U.S. uses one-third of the world's paper, a quarter of the world's oil, 23 percent of the coal, 27 percent of the aluminum, and 19 percent of the copper" (Scheer & Moss). National Geographic notes also that "Americans are the least likely to use public transportation….least likely to purchase locally grown food and….least likely to use their own non-disposable bags while shopping" ("Greendex"). These statistics are leaving aside the fact that production of garbage and lack of recycling are beginning to take tolls on the environment through deforestation, as is the rampant consumption of wood for paper (American Forest & Paper Association). All of these statistics and more fuel intense debates between conservationists and other commentators, like news media.

With all the theatrics, why, then, does the average U.S. Millennial express less concern about the environment than his or her predecessors? It is tempting to ascribe this apathy to a fast-paced, technology-ridden society, in which the average Millennial is lazy, self-absorbed, and confined to the house. One notes these critiques in the popular artwork of London-based Ajit Johnson.[1] His project "#ThisGeneration" makes several comments on modern youth; his minimalist drawings show teenagers seeking WiFi before water and bemoan how young adults may "break up" via text. Though the impact of technology on society is unmistakable, such sweeping critiques are difficult to stomach; they add another unproductive layer to discourse on the environment. Few people are interested in discovering what, precisely, lies at the heart of Millennial disinterest.

As with any generalized attitude, the lack of concern is likely caused by a number of underlying factors. While changes to the discourse in the United States do not provide a complete explanation for the weakening interest, the apathy may be attributed in part to the current state of Millennial cultural surroundings. Put another way, the current discourse is not conducive to comprehension of or concern for the environment. Examination of the form and substance of popular U.S. discourse and accounts from people who have reconnected with nature may explain why, although "…we are three minutes away from doomsday" ("It Is Three"[2]), Millennials show little concern.

Discourse in the United States

To better understand Millennial attitudes toward the environment, one may turn to current *discourse. Discourse* has various connotations and definitions. For this examination, discourse refers to the way ideas are exchanged, via text, speech, picture, video, or any other media. Discourse refers to both the form and the content of any idea or information

[1] Johnson is based in London, but the globalized nature of U.S. discourse makes his critiques relevant.
[2] The *Bulletin of the Atomic Scientists,* the source of this claim, attempts to predict global disaster. Aside from nuclear proliferation, the journal also examines environmental factors. The *Bulletin's* most recent change to the Doomsday Clock was the result of rising sea levels, a circumstance commonly associated with global warming.

expressed. In sum, it is the way the Millennials of the United States communicate with one another. This discourse is currently not suited to aiding the Millennial interest in, comprehension of, or concern for environmental challenges. Marshall McLuhan, Neil Postman, and Timothy Morton provide support for this theory from three different perspectives. McLuhan states that the prevalent format of ideas (in the present case, social media) makes environmental concerns less appealing. Neil Postman indicates that the shift of discourse towards entertainment makes acquisition of meaningful information difficult. Finally, Timothy Morton argues that environmental issues are too vast for meaningful human comprehension.

From approximately 1950 to approximately 1986, discourse in the United States was dominated by television and movies (Lotz 44). Movies communicated lavish and exotic lifestyles, but television was a more consistent medium, present in everyday life. Therefore, television's inherent messages more closely reflected the importance of everyday ideas, like community and cultural norms. Television was particularly adept at expressing these concepts because the average television episode was long enough to convey meaningful messages via the words and actions of actors or news analysts. Because television dominated discourse and was shared by many others, it was a communal experience in itself (Lotz 42).

Since about 1986, discourse has fractured. With the advent of the Internet paralleling the rise of global trade, media are now optimized to send a wide variety of different messages. The ease with which the average Millennial can access information on any topic and find an accompanying virtual community, as on Reddit.com, forces content makers to conform to their consumers' wants and desires—not the other way around. The fracturing of media does have benefits. The general population may be better informed on matters they are interested in (though peddlers of false information do exist). Still, the fracture may be bad for environmental concerns, as McLuhan, Postman, and Morton point out.

Marshall McLuhan published his seminal work, *Understanding Media,* in 1962. While he died in 1980, not living to see widespread private access to the Internet, his main point may yet be relevant: "The medium is the message." His theories imply that different forms of communication—text, video, and picture—are conducive to different messages. Given the period in which he wrote, he was especially concerned with the telephone, television, and movie, all of which provided different advantages and disadvantages. His observations concluded that the same message could be filtered such by different media that it would take on different characteristics, potentially changing the intended meaning of the message to something different altogether (McLuhan 64).

In the chapter "Media Hot and Cool," McLuhan advances two categories of media, which are the titular hot and cool: "Any hot medium….extends a single sense in *high definition*….the state of being well filled with data" (36-37). It is important to keep McLuhan's definition of *high definition* separate from more technical terms used today. High-definition, hot media, McLuhan argued, are those that do not invite active engagement or participation. Cool media are the opposite—those that "relied on viewers to fill in the blanks" (McLuhan 36-37). So the telephone, which originally relied on a user to fill in many gaps regarding the person's facial expressions, "what they were wearing and so on," was a cool medium (McLuhan 36-37). A movie, which presented itself fully without any interference from the viewer, was instead a hot medium, as were photographs and paintings.

The integration of hashtags into advertisements, sports programs, and news channels, as well as the invention of social media, has blurred the lines of hot and cool media. McLuhan may have argued that something as simple as the comment section of a YouTube video can change the meaning of the video radically by introducing additional information in a different format. Regardless of a medium's status as hot or cool, data supports that Millennials prefer cool media to hot ("Advertising and Audiences"). Interaction is now crucial to the success of a television show, a movie, a political campaign, or a marketing campaign. An explosion of blogging websites and intense efforts on behalf of corporations to interact with their consumer base underpin that fact. This trend, too, explains why an endeavor like Rachel Carson's *Silent Spring*—a hot, concentrated effort in the form of a book—may very well be met with Millennial silence.

Given the complexity of environmental damage, the information would most likely have to be presented in hot, information-rich formats. Lists, textbooks, graphs, and charts would all have to be utilized; in fact, these formats are often the form information on the environment takes ("Deforestation"). Interactive undertakings may be possible for a time, but would rapidly become too complex or expensive to be feasible. Thus, both the Millennial preference for cool media, as well as the resistance of environmental concerns to that format, play parts in Millennial disinterest.

In order to understand why the medium of presentation may affect Millennial perception of the issue altogether, one may also turn to Neil Postman, an acolyte of McLuhan, and his book *Amusing Ourselves to Death*. Postman's work contains sentiments similar to "#ThisGeneration," though published in 1985. Postman notes the inherent absurdity of each generation fearing the next generation, but he remarks upon his current generation's (and future generations') ability to synthesize and integrate large amounts of data (ch. 4). He is concerned with how rapidly a television changes pictures—on average, every second. In the infancy of television, this was an unprecedented pace of information delivery. He then proposes that young people are most readily accepting of information when it is presented in an entertaining format, but that the structure of entertainment is not conducive to learning, for the entertainment must be without exposition in order to effectively catch the attention; this, in turn, reduces the viewer's overall tolerance for deeply nuanced knowledge (ch. 8). Unfortunately, it is this same nuanced knowledge that would allow Millennials to make sophisticated inferences about the environment, thus understanding the damage being done. Entertainment messages would necessarily reduce the complexity and inherent importance of environmental concerns. However, if current trends continue, the average Millennial may not be interested even in educational, entertaining media.

One can only imagine how Postman would receive the existence and popularity of Vines, nine-second long videos that play ad infinitum, or SnapChat, a social media platform on which participants send one another pictures that "self-destruct" after a few seconds. SnapChat recently made its inventor, Evan Spiegel, the youngest billionaire in the world at 24 years old. Facebook allows for longer posts, but Twitter is constrained by brevity: each Twitter missive is no greater than 140 characters. It is worth noting, too, that Facebook is

falling out of favor with younger crowds,[3] being replaced by Instagram, which relies almost entirely on visuals ("Global Social Media").

While this information is provocative, it may find one edging back into the "#ThisGeneration" point of view. Leaving aside moral judgment, one fact is apparent—the types of media that surround the average Millennial are not conducive to explaining the problems with the environment. Some statistical analysis indicates that the attention span necessary for comprehending these facts is rapidly dwindling. The Statistic Brain Research Institute states that "Millennials have an attention span of eight seconds, one less than a goldfish" ("Áttention Span Statistics"). Even if one released tweets, Vines, or SnapChats about the environment, it would be difficult to garner any attention; Millennials' lack of concern for the environment has arguably been replaced by self-interest and self-fulfillment, which would take precedence over the information (Twenge 1050).

Even if the right media were available, accessible, and desirable, and a young audience held captive, could one expect comprehension and concern? Timothy Morton says no. *Hyperobject,* a term coined by Timothy Morton in his book *Hyperobjects: Philosophy and Ecology after the End of the World*, refers to any object so large, nonlocal, and "viscous" that it defies human comprehension, reason, and interaction. He provides a rather Dadaist assemblage of potential hyperobjects, including the biosphere, the Florida Everglades, the Lago Agrio oil field, a black hole, and the solar system (4). These are all phenomena that, while occasionally glimpsed in localized presentations or made knowable by computed data, are still, according to Morton, vaster and more elusive than any human can understand.

While the book proves frustrating, occasionally sophomoric in tone, and unmanageable, a visual presentation of Morton's ideas by Danish-Icelandic artist Olafur Eliasson is less so. From October 26-29, 2014, in response to the 5th Assessment on Global Climate Change by the United Nations' Intergovernmental Panel on Climate Change, Eliasson installed "twelve large blocks of ice…from the Greenland ice sheet" in Copenhagen's City Hall Square ("Olafur Eliasson"). Photographs from the event include people cuddling with the ice blocks. Watching the ice's "gradual demise," according to quotes selected by the artist, serves as a wakeup call, an undeniable fact that climate change is real, as well as a demonstration that the human race must encounter smaller, local portions of a hyperobject for humans to experience it at all; even then, comprehension falters. As Morton writes,

> Some days global warming fails to heat me up. It is strangely cool and violently stormy. My intimate sensation of prickling heat at the back of my neck is only a distorted print of the hot hand of global warming….it surrounds me and penetrates me, like the [F]orce in Star Wars. The more I know about global warming, the more I realise how pervasive it is….The more I struggle to understand hyperobjects, the more I discover that I am stuck to them. They are all over me. They are me. (24)

As he notes, he still does not comprehend global warming sufficiently.

[3] The study this information is based on comes from London, but has global implications, as does "#ThisGeneration."

Taken together, Morton's, Postman's and McLuhan's arguments form a depressing triad of explanations for why the average Millennial does not care as much about the environment as his or her predecessors. Yet, while Tim Morton may be correct that hyperobjects extend past human logical understanding, Eliasson's art installation demonstrates that small pieces of such objects may demand some sort of attention. The art project, in turn, supports McLuhan's notion of cool media (all puns aside). By interacting with melting parts of the ice sheet, viewers can, at the very least, internalize some part of the effect climate change may be having on the rest of the world. Of course, this demonstration did not take place in the U.S. and was not encountered by U.S. Millennials; however, based on Postman's ideas, one could imagine a similar art installation with a corresponding hashtag inspiring some sort of reaction. This minor success implies that direct experience with the environment is necessary to transform one's attitude towards it.

Eliasson is not alone. Encounters with the localized representations of ecological problems could help. Some attempts have already been made. Gregg Segal's photo series "7 Days of Garbage" is another example. The U.S. Environmental Protection Agency states that the average person in the U.S. produces "about 4 pounds of trash a day. . .[doubling] the amount from 1960…50% more than Western Europeans" (Environmental Protection Agency). Segal photographs Californians lying in a week's worth of their own garbage to demonstrate how much waste one person can produce (Teicher). Spanish street artist Isaac Cordal has erected a set of small statues of politicians in a puddle; water rises to the men's noses. Social media users renamed the statue "Politicians Debating Global Warming" (Dougherty) Christopher Swain, a local environmental activist in Brooklyn, swam the Gowanus Channel in Brooklyn on April 24, 2015 (Biello 2015). The water at this Superfund site is so polluted by gasoline, raw sewage, polychlorinated biphenyls (PCBs), coal tar, and detergent that it is considered one of the dirtiest waterways in the world. Swain reportedly gargled with hydrogen peroxide following the swim (Biello 2015). These efforts and hundreds of others appear every few days, only to be rapidly swallowed up by other messages. In contemporary media, the messages are sometimes competing for attention, sometimes deliberately formulated to obscure the meaning, and often completely lacking in context—all qualities that repel serious engagement by the viewer.

Yet, perhaps these localized examples are not direct enough encounters with the Millennial population to foster comprehension and concern. Perhaps one would have to immerse oneself in an entirely different culture to understand the enormity of damage to the environment, or the large gap between the environment and U.S. Millennial concerns. *Pilgrim at Tinker Creek, Refuge,* and *Ancient Wisdom* provide three examples of people moving outside U.S. public discourse and directly encountering nature. The encounter shapes their writing, their ideas, and possibly their subsequent lifestyle. Perhaps direct experience with nature will change Millennial minds, since nature was so influential on the works and lives of the authors Annie Dillard, Terry Tempest Williams, and Robert Wolff.

Outside Contemporary Discourse

Eliasson, and by extension, Morton, are correct in that a person must intimately encounter an unfamiliar discourse or phenomenon in order to experience it even minimally. In such an encounter, Morton's rabid insistence on the limits of human understanding is in

some ways irrelevant. If an encounter with the environment is enough to change one's behavior, total comprehension of a subject like global warming or environmental destruction may not be necessary. Perhaps Eliasson's chunks of ice were not a direct enough experience to communicate the importance of the environment; Annie Dillard has directly encountered the environment, so her ideas and writing in *Pilgrim at Tinker Creek* are shaped by it.

Annie Dillard's *Pilgrim at Tinker Creek* is a perennial classic, much like *Silent Spring*. The book relates her encounters with nature. Though she has withdrawn from modern U.S. discourse (at a time when television was still prevalent, 1970), she is still steeped in older discourse of a hot kind, in the form of books on philosophy and religion. However, her book eschews the often rigid structures of those works and is structured instead around the cycle of a year. Each chapter is flavored by the changes in the seasons. This sort of cyclical narrative echoes the changes in nature, in which Dillard seems particularly interested (147). That her book is written in this way demonstrates the effect nature had on shaping her ideas.

Like other people immersed in the environment, Dillard writes of its components and occurrences. She does not elevate the animals she sees to mythical emblems of nature. She focuses very closely on physical existence, paying special attention to the details; her fascination with details is apparent in her discussion of microscopic creatures, wherein she states, "Two monostyla drive into view from opposite directions….as their drop heats from the light on the mirror, the rotifers skitter more and more frantically…and at last can muster only a halting twitch" (122). That she is viewing a microscopic set of creatures echoes her care for detail and enhances it. Similar points of view can be noted in her discussion of pond insects (190-191) and at many other points in the book.

Compared to the messages and form of contemporary U.S. discourse, Dillard's points of view seem whimsical at best, anachronistic at worst. The present-day form of U.S. discourse is simultaneously too complex and too focused to communicate ideas like Dillard's. While Dillard interacts with these creatures, the Millennial cannot act upon Dillard acting on these creatures in any way that presents the Millennial with emotion-invoking meaning. Though social media was, of course, not extant in 1970, Dillard's escape from a world full of newspapers and televisions—which, Postman believes, were already wreaking havoc on attention spans—suggests that in order to have a meaningful interest in nature, one must isolate oneself from the modern word.

Terry Tempest Williams's *Refuge* further exemplifies these ideas but suggests that complete withdrawal is not necessary. Her withdrawal from society, which occurred in 1983, was not as profound as Annie Dillard's. Her world was already tempered by her cultural surroundings, which were a bit different than the milieu of the average U.S. citizen who consumed much television. Her Mormonism shaped her life. As a result, she exhibits the longer attention span necessary to complete her scientific duties and write her book. Her book does not echo the cycle of the year, like Dillard's, but instead extends outward in a series of interrelated anecdotes, reminiscent of the flooding of the Preserve she writes about; her chapter titles are comprised of the birds she sights and of the current level of the Great Salt Lake. Nature, then, is still influential, though her experience was not the same as Dillard's. Her travels to the Great Salt Lake were temporary respites from the emotional pain of her mother's diagnosis with cancer.

What is most striking about Williams's direct encounter with the wilderness is how drastically it changes her. She learns of environmental destruction and of nuclear testing. As

a result of this and of her own interrelated problems, her normally obedient nature is transformed to that of an activist:

> I crossed the line at the Nevada Test Site and was arrested with nine other Utahns [*sic*] for trespassing on military lands. They are still conducting nuclear tests in the desert. Ours was an act of civil disobedience. But as I walked toward the town of Mercury, it was more than a gesture of peace. It was a gesture on behalf of the Clan of One-Breasted Women. (289 – 290)

Williams's actions are nonviolent. Notably, though, her ideas were changed and her expression of them was transformed—from living quietly to writing and action—by direct experiences with damage done to nature. The tragic deaths of her mother and her grandmother, as well as the cancer within herself, provided an impetus. She sees vividly that her family's well-being and her own are dependent, in some ways, on the health of the environment.

Imposing these negative circumstances directly onto an apathetic public is neither feasible nor desirable. However, Williams is deeply affected by her encounters with nature even though her isolation is not as complete as Dillard's; this suggests that encounters with the wilderness may be attainable for the average Millennial and sufficient to change one's attitude. A different storyteller provides evidence that an even less encompassing experience with the environment can still change a person. Robert Wolff is Dutch, but he spent a large portion of his life in the United States (4). As a result, and from his own personal accounts, he is clearly familiar with U.S. discourse. Furthermore, his foray into nature was not a result of his desire to withdraw. He traveled to Malaysia to pursue his career, but was transformed by the experience nonetheless.

Wolff and the Sng'oi[4]

It is possible also to examine the sharp disconnect between Millennial culture and the environment by juxtaposing the current U.S. discourse with another culture's—that of the Sng'oi. While obvious, valuable differences in mindset exist between modern U.S. discourse regarding nature and the corresponding discourse other cultures, countries, and tribes, the Sng'oi take their discourse one step farther by lacking a specific, fixed set of myths about the environment. Occasionally the forces of nature are personified, but this occurs in highly selective, unusual circumstances, such as the Lord of the Great Ocean (as discussed later). For the most part, trees, animals, and natural forces exist as they are. Life is lived day to day in a discourse that seems antithetical to the modern Millennial's. It is this lack of boundaries that renders the Sng'oi most interesting. The account of the People (as they call themselves) that lends itself most readily to exploration is Wolff's *Original Wisdom: Stories of an Ancient Way of Knowing*.

Three defining characteristics of the Sng'oi culture indicate the importance of nature to their discourse: their nature-centric lifestyle, their daily rituals, and their beliefs regarding

[4] No comment is made on the status of the Sng'oi or on their cultural concerns today. Instead, the focus is on how nature shaped Sng'oi discourse and, in turn, how that affected Wolff.

their environment. Situated on a lush part of the Malaysia peninsula, the Sng'oi create temporary settlements and move with no fixed pattern (Wolff 52). They live deep in a tropical jungle and thus find their needs very easy to meet. So, Sng'oi live unhurried lives in which they hunt and forage very little, relying instead on their internal appetites to tell them whether or not to find food. Wolff remarks on the discomfort this aimlessness initially causes him (42).

The environment shapes the Sng'oi idea of time, which then shapes their discourse. The climate is relatively predictable; they do not have stories about raging storm gods or fast-changing seasons. They do not idolize people who hurry about, nor do they disparage them. They see fit to live comfortably in reaction to their steady environment. Contrastingly, Annie Dillard lives in an environment with changing seasons; her book is shaped accordingly, suggesting that each direct encounter with nature is different but leaves the person with the idea that the environment is important. Additionally, for the Sng'oi, the idea that time is not important can be noted in how they communicate with one another. The Sng'oi dialect has no clearly defined verb tenses, nor a possessive pronoun (Wolff 121).

Obvious differences exist between the Sng'oi lifestyle and that of the modern Millennial. Millennials "multitask more than ever before" (Lane 2014). The value and regularity of time in the U.S. is apparent in the strictness of scheduling. The cycles of the moon, seasons, and days have all been calculated to the second; that uniform time is immediately accessible via cell phone and laptop. Social media, too, demonstrate this obsession, through time stamps on posts. The Millennial emphasis on time-driven productivity is foreign to the Sng'oi culture; the Sng'oi have no reason to work harder, to acquire anything more than the very basics. Still, the Sng'oi lack of production is not to say that their lives are shallow, either; rather, they are filled with group companionship, laughter, and jokes (Wolff 141).

The daily Sng'oi rituals indicate the environment's importance. "Every morning," writes Wolff, "the tribe would join one another over the breakfast fire to describe their dreams" (147). Then, the tribe joins together in asking one another about their dreams, resulting in a coherent narrative. The method of communication involves a series of questions and answers—*What did the flower look like? How big was the bird?* The tribe then reach a consensus on what the dream means and allow it to "shape the rest of their day" (Wolff 88). The physical reality of nature, as well as its connotations, provide the backdrop for Sng'oi interaction; many of their conversations are about interesting flowers or trees nearby. As nature permeates their society, they find it important enough to propagate ideas about it to one another.

While the Sng'oi lack specific narrative myths, at least as expressed to Wolff, their dreams occasionally hold symbolic meaning. The Sng'oi also hold dear the concept of a spirit or totem animal. Wolff is unsure whether each Sng'oi has a spirit animal, but knows that the identity of one's totem animal is quite secret, usually not revealed to anyone. Even the ways in which the spirit animal affects one's life are not bounded by any dominating narrative; according to Wolff's closest Sng'oi companion, Ahmeed, a spirit animal is an "animal that helps" (168). The environment, of course, plays a role here too, by providing spirit animals to begin with.

Lastly, the Sng'oi beliefs about the environment display their unique connection to nature. Unlike other tribal schools of thought, which sometimes held parts of nature to be

"other," or dangerous, the Sng'oi have an all-inclusive conception of nature. Within this belief is the particular notion that some people belong to specific trees (116–128). These beliefs are difficult to express outside of the Sng'oi native Malay; English, according to Wolff, does not have words equivalent to these beliefs. While "belong to" seems to imply co-stewardship, the habits of the Sng'oi do not make that apparent. Boundaries of ownership do not occur. Nonetheless, as a result of belonging to trees and vice versa, the Sng'oi hold deep affection for their surroundings and always take care not to take too much from the environment (86).

In some ways, the physical presence of nature is all it takes to shape discourse. One prime example concerns Ahmeed, a companion of the author, having his first encounter with the ocean. The Sng'oi, as stated, are very isolated. When Robert Wolff travels to a port for more goods, Ahmeed accompanies him. Ahmeed is struck by the vastness of the ocean; he at first cannot comprehend something "out of his circle" (128). The primary importance of this incident relates to how Ahmeed relays his information to the rest of his tribe. The revelation occurs in a small, smoky hut full of many members of the tribe; it takes the form of oral storytelling:

> He [Ahmeed] began: He had gone with me to the Great Ocean. It took a long time to get there…. "There was great fear in his heart." (There is no possessive pronoun in Malay….) "So much water…Listen! In front of you there is water as far as you can see." And he repeated: "As far as you can see….much fear in this heart….much fear because all this water eats the land….That night, when I go to the Real World I meet the Lord of the Great Ocean….[He] told him not to be afraid, that the Great Ocean told him not to be afraid, that the Great Ocean would not eat the land; the land was floating on the ocean." A sigh of relief went through the people….Yes, that was it, the land was floating on the ocean, yes, that could be…. (135-136)

Ahmeed then goes on to describe the ocean's salinity, internal mountain ranges, and all types of animals (135-136).

The subject of the discourse at this time is the environment—the ocean and the way the ocean is related to the tribe—and demonstrates its essential importance to the Sng'oi. The repetition of "do not be afraid" underpins this notion; to the Sng'oi, even the distant ocean is part of their environment and can affect them personally. Thus, they are concerned. The detailed description of what is in the ocean echoes the earlier ritualistic practices; the ocean description and the dream-questions both indicate a great deal of curiosity about the environment. Because the Sng'oi discourse assumes that the environment is part of their lives (or, on occasion, of themselves), there is no need to define *wilderness* and *environment* for them. Their relationship to the natural world is deeply ingrained.

Robert Wolff left the experience profoundly changed. In the last pages of the book, he discusses how this new "knowing" has shaped his perspective. It is easy to dismiss the rather amorphous implications of this statement; Wolff reinforces the "knowing," however, with changes to his life. He makes time to value and appreciate the environment. His old lifestyle is no longer possible, as it causes him too much distress. His time in nature was

neither isolated nor for a healing purpose. Still, his encounter was enough to change his attitude.

Conclusion

The average U.S. Millennial is less interested in the environment than his or her predecessors. This attitude could be dismissed as a simple shift in viewpoint, as changes in viewpoint have occurred over the course of generations. However, the Millennial perspective is more important than the attitudes of their predecessors, because U.S. Millennials are consuming the largest proportion of the environment's resources.

The shape of U.S. discourse is not conducive to learning about the complex factors affecting the environment. McLuhan, Postman, and Morton agree that preferences in accessing information affect reception of a message. McLuhan's emphasis on the differences between hot and cool media highlight Millennial preferences for cool, or interactive, media, which may be an infeasible way to disseminate information about environmental issues. Postman implies that entertaining, cool media oversimplify information, which in turn implies that contemporary media would be useless to convey the complexity of the environment and factors that affect it. Morton says no one can understand the environment meaningfully.

Regardless, Dillard's, Williams's, and Wolff's direct and indirect experiences with the environment manage to shape their ideas, despite their different purposes in going away from modern discourse and the differing degrees to which they experience nature in isolation from other discourses. The form and content of Dillard's book demonstrate that her aloneness in nature did serve a meditative purpose. Williams's discussions of nature and turn toward activism show how the environment affected her everyday life. Wolff's even less direct encounter with nature—surrounded by people, on a job assignment—was still enough to change him. This all suggests that, to foster understanding, Millennials must reach past contemporary discourse and experience the environment, however directly they can, in order to change their attitudes and redirect their attention to the present environmental crises.

Works Cited

"Advertising and Audiences: The State of the Media." *Neilsen*. Nielsen, May 2014. Web. 16 Apr. 2015.

"Áttention Span Statistics." *Statisticbrain.com*. Statistic Brain Research Institute, 2015. Web. 17 Apr. 2015.

Biello, David. "What To Wear To Swim in America's Most Polluted Waters." *Scientific American,* April 24, 2015. Web. 26 Apr. 2015.

"Deforestation." *National Geographic*. National Geographic, n.d. Web. 23 Apr. 2015.

Dillard, Annie. *Pilgrim at Tinker Creek*. Harper, 2013. Print.

Dougherty, Sarah. "This Is What Politicians Debating Global Warming Will Look like Soon." *Globalpost*, 26 Mar. 2014. Web. 7 Apr. 2015. <http://www.globalpost.com/dispatch/news/culture-lifestyle/140325/street-art-politicians-discussing-global-warming>.

Environmental Protection Agency. "Climate Change: Basic Information." *EPA.gov*. Environmental Protection Agency, n.d. Web. 26 Apr. 2015.
"Global Social Media Impact Study." *UCL*. University College London, 2015. Web. 17 Apr. 2015.
"Greendex: Consumer Choice and the Environment—A Worldwide Tracking Agency." *Greendex*. National Geographic, 2012. Web. 4 Apr. 2015.
"The Hudson River School." *Heilbrunn Timeline of Art History*. Metropolitan Museum of Art, n.d. Web. 20 Apr. 2015.
"It Is Three Minutes to Midnight." *Bulletin of the Atomic Scientists*, 22 Jan. 2015. Web. 16 Apr. 2015.
Lotz, Amanda D. *The Television Will Be Revolutionized*. New York: New York UP, 2007. Ebook.
McLuhan, Marshall. *Understanding Media: The Extensions of Man*. 2nd ed. New York: New American Library, 1964. Print.
Morton, Timothy. *Hyperobjects: Philosophy and Ecology after the End of the World*. N.p.: U of Minnesota, 2013. eBook.
Nash, Roderick. *Wilderness and the American Mind*. 5th ed. New Haven: Yale UP, 2014. Print.
"Olafur Eliasson Highlights IPCC's 5th Assessment Report on Climate Change." *Artlyst: The Independent Voice of Contemporary Art*, 24 Oct. 2014. Web. 5 Apr. 2015.
Postman, Neil. *Amusing Ourselves to Death: Public Discourse in the Age of Show Business*. 2nd ed. New York: Viking, 2005. eBook.
Scheer, Roddy, and Doug Moss. "Use It and Lose It: The Outsize Effect of U.S. Consumption on the Environment." *Scientific American* [an EarthTalk article], 14 Sept. 2012. Web. 16 Apr. 2015.
Teicher, Jordan G. "Mesmerizing Photos of People Lying in a Week's Worth of Their Trash" [blog post]. *Slate*, 8 July 2014. Web. 10 Apr. 2015
Twenge, Jean. "Millennials: The Greatest Generation or the Most Narcissistic?" *The Atlantic*. Atlantic Media Company, 02 May 2012. Web. 15 Apr. 2015.
Williams, Terry Tempest. *Refuge: An Unnatural History of Family and Place*. New York: Vintage, 1991. Print.
Wolff, Robert. *Original Wisdom: Stories of an Ancient Way of Knowing*. Rochester, VT: Inner Traditions, 2001. Print.

Public Finance Policies and Externalities: A Survey of Tax Policy in the Global Economy

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Abstract

Globalization has increased the ease and pace with which capital can move. As a result, capital is much more sensitive to the seen and unseen effects of certain institutions and policies. Excessive taxation policies, combined with this global environment, have increased the likelihood of capital flight and tax competition. Taxation is popularly believed to serve as government's main source of revenue. It is also fallaciously believed that, through the institution of taxation, society can combat income inequality. Contrary to these assumptions, excessive taxation and income redistribution policies have resulted in many negative and inefficient economic and societal outcomes. Like most government institutions and policies, taxation is likely to result in negative externalities as the inefficiencies related to rent-seeking become apparent. Due to the deadweight losses associated with taxation and the rising scope of government, fiscal churning, tax competition, and migration in reaction to tax policies have become increasingly evident, threatening the well-being and efficiency of society.

Introduction

Increasing attention in the popular, political, and academic spheres focuses on the role and extent that the institution of taxation plays in today's global economy. Classical economic principles and empirical evidence assert that high tax rates hurt development, growth, innovation, and incentives. Popular anecdotes suggest that extreme taxation cases can alienate the upper classes and create a class diaspora (Rand, 1999).[5] Mainstream thought advocates that taxation serve a redistributive function and that the more affluent sphere of society should serve its "moral" obligation to the lower classes and pay more. Without getting bogged down by empiricism, this paper offers a brief economic overview of the institution of taxation and questio[illegible]r this redistribution is actually efficiently helping

[5] "Galt's Gulch" (Rand, 1999)

those it is designed to help. Specifically, the emergence of externalities of varying degrees in response to tax policies may create what Leroy-Beaulieu would call exorbitant tax rates.[6]

High tax rates have long been feared to cause capital flight, but there has emerged an obsession with income inequality in mainstream dialogue that has resulted in the call for highly progressive tax rates to redistribute and equalize income, thus helping the poor (Piketty, 2014). However, the rise of the modern social welfare state in various countries, funded in part by high tax rates, has led to the process of fiscal churning. This paper asks the following question: what would actually happen if high tax rates, especially on capital gains, were implemented? The hypothesis is that—given rent-seeking, the emergence of externalities, and deadweight loss associated with taxation—there is a counter-intuitive effect. Good intentions often have negative consequences: raising tax rates on the rich based on some fallacious moral principle actually hurts the poor and society as a whole. This paper is organized as follows: Section I discusses the concepts of fiscal churning and rent-seeking, endemic in tax policy. Rent-seeking occurs when political actors act in a manner that creates economic gains for a concentrated group while harming the rest of society. The negatives that are created are called externalities—unintended or unseen consequences. Many of these policies benefit some specific political group, or they simply benefit the people who were taxed in the first place. Section II deals with the nature of capital flight and tax competition. Section III focuses on the implications of highly progressive tax rates for the economy and the advantages of low capital gains tax. Finally, section IV deals with the ineffectiveness of controlling capital and forcing equalization.

I. Rent-seeking and Fiscal Churning

In the last 50 years, public spending and the fiscal side of government have experienced great growth (Higgs, 2012).. This growth has had little to no effect on the welfare of citizens. Fiscal churning conceptually deals with how efficient or inefficient a given political institution is. For a political system's efficiency to be assessed, Pareto improvement must be considered. This principle states that efficient policy must harm no one and must create a benefit for at least one part of society. Contrarily, if a system has produced no measurable benefits to society regardless of how low costs are, then the system is considered inefficient. For example Tanzi and Schuknecht (2000) observe that the large-scale growth in government spending accompanied by increases in taxation since the middle of the 20th century has had no quantifiable benefit to citizens: measures of welfare have stayed relatively stagnant, or in some cases decreased. The explanation for these outcomes is found in fiscal churning. The argument is a relatively simple jurisdictional issue: as taxes are levied on citizens to support new programs (social welfare, cash transfers, and redistributive functions), the people who benefit f are the same people who were taxed (Palda, 1997). The aforementioned increases in public spending have gone towards paying for various social services. These publicly provided social services have crowded out the

[6] French Economist Leroy-Beaulieu in 1888 surmised that, once the ratio of tax rates to national income exceeded 12 percent, there would be severe negative implications for economic development and freedom of citizens. (Tanzi & Schuknecht, 2000, p.51).

institutions that make up the market (Tanzi, 2005, pp. 617-638). The social services are services that could have easily been provided through the private market (Higgs, 1994). Essentially, these people are no better off and most likely are worse off given the deadweight loss associated with taxation. A more normative way to frame this explanation is that, were it not for the rise in the scope of government and government spending, citizens would be better off with either tax cuts or lower spending because they would have the freedom to decide how to spend their money on their own private social services. Palda defines a churned transfer as one that, if not enacted, would have left a person just as well off, either without the tax or with a tax cut of the same magnitude. This is especially seen within the middle class: the middle class is taxed and then later on given back that tax via Social Security or other welfare services. In other words "leviathan" taxes with one hand and then passes out transfers with the other hand, all to the same people. This state of affairs is inefficient, given that the money associated with the tax must be first be subjected to the multiple levels of bureaucracy before being transferred back to the taxpayer. The transaction costs and opportunity costs all represent the deadweight loss (Browning, 1976, pp. 283-298). Naturally, the tax collector will have to incur some deadweight loss, but it is when churning occurs that real inefficiency becomes prevalent as resources are being used needlessly, for no one's benefit (Palda, 1997).

The empirical evidence for churning shows that, in many somewhat socialized welfare states, a large amount of churning is going on. For example, in Canada, which lies in the median of the countries of the Organization for Economic Cooperation and Development (OECD), between 15.2 and 49.25% of all government spending is churned (Tanzi & Schuknecht, 2000). The general definition measures needless deadweight loss and churning as the difference between well-being before and after the policy is implemented and maximized (Palda, 1997).[7]

Overall government spending could be reduced by the degree of churning without any noticeable effect on the economy, regardless of whether special interests and corruption are involved. In fact, as special interests and corruption increase, the proportion of churned funds increases as well. These policies are designed to help the middle class, yet the middle deciles are the ones most harmed (Palda, 1997). Fiscal churning is also the result of the rational ignorance and voting behavior that is prevalent in democracy (Caplan, 2006). Ignorant voters take no notice that the government runs the capital taken by taxation through the bureaucratic systems and then gives it back to them in other forms. More educated voters often know of this policy inefficiency, but are complicit in allowing themselves to be subjected to the wastage. The problem with democracy is that the public can believe many fallacies regarding government and economic phenomena. Yet evidence has shown that government involvement at best leaves the public at the same level as they were before the government got involved. In most cases it leaves them worse off by imposing unnecessary costs and barriers (Caplan, 2006). Discounting the associated transaction costs of tax institutions, high tax rates also present a threat to the

[7] $U(x_{after}, T_{after}, F_{after}) - U(x_{before}, T_{before}, F_{before})$ Where T represents tax levels and F represents transfer levels of government reform, and X is a vector representing private consumer spending. (Palda, 1997).

competitiveness of capital in the global markets, as tax implications must be considered when engaging in trade (Tanzi & Schuknecht, 2000). Besides raising revenue for government programs, the other major tenet of taxation is popularly thought to be the redistribution and equalization of income.

Table 1. Level of Fiscal Churning* in Selected Industrial Countries (%)

Country (Year)	Churning as a Percentage of Income Taxes & Transfers	Government Expenditure as a Percentage of GDP	Public Expenditures without Churning
United States (1995)	9	32.9	23.9
Japan (1994)	11.6	34.4	22.8
Germany (1994)	15.7	48.9	33.2
Italy (1993)	22.7	57.4	34.7
Canada (1994)	11.7	47.5	35.8
Australia (1993-94)	6.5	36.8	30.3
Belgium	23.7	53.8	30.1
Denmark (1994)	28	59.3	31.3
Finland (1995)	15.5	57.9	42.4
Netherlands (1994)	21.1	52.8	31.7
Sweden (1994)	34.2	68.3	34.1
Avg.	**18.2**	**50.0**	**31.8**

* Fiscal churning measures the difference between government payments received and taxes paid by the same household.

Source: Arranged from Tanzi & Schuknecht (2000) (drawing on OECD *Economic Outlook* (June 1998), p. 163)

Wasting resources and incurring large costs for no social gain is a needless waste. The biggest source of this waste resides in the aspects of tax policy that are redistributive (Browning, 1976). One of the biggest ways that this fiscal churning could be mitigated is by enacting tax cuts that mirror the spending cuts made by families. Fiscal churning as a percentage of income before taxes and transfers was as low as 6.5% in Australia to as high as 28% in Denmark and 34.2% in Sweden according to the OECD's June 1998 Economic Outlook (Tanzi & Schuknecht, 2000).

Given the prevalence of fiscal churning, there is an enormous scope for streamlining and increasing efficiency; as a result, if this churning were eliminated, then public spending itself could be less than 30% of GDP (Tanzi & Schuknecht, 2000, p. 140). Another example of this is found in healthcare in welfare states. Taxpayers pay high marginal tax rates to fund healthcare policies, when they could have used the market to get the same healthcare for either lower cost, or higher quality. Countries that have large populist and progressive welfare policies tend to have the highest amount of churning.

The inefficiencies of tax policies and the churning that occur are enlarged by the existence of incentives that encourage political actors to engage in rent-seeking, while the deadweight loss of taxation proves the failure of taxation to address the moral case for taxation and income redistribution as a means for combating inequality. Government officials have incentives to extract rents from government consumption, and given fiscal illusion and the flypaper effect, this does not improve the welfare of those who are the intended beneficiaries (Hillman, 2009).

II. The Nature of Capital Flight and Tax Competition

In addition to the economic inefficiencies of taxation, and the churning and negative distortionary incentives it can create, there is considerable evidence regarding how tax policy encourages capital flight and migration, as well as competitive taxation between jurisdictions. On the international level, the best way to negate the distortionary incentives is by applying a residency-based tax system, in that international taxable income should be taxed in one jurisdiction based on residence. The developed world presents two opposed cases. First, tax rates in Europe have always tended to be higher since the post-war period because of the higher costs that the wars placed on Europe, and as a result Europeans are just more accepting, politically, of higher taxes. Secondly, there is the contentious nature of tax competition. In Europe, either the tax rates are high given that assessed bases are lower because of the increased avoidance and evasion of taxes, or both tax rates and bases are considered low because elasticity forces governments to maintain low competitive rates to prevent the fear of widespread migration. Residency-based taxation distorts economic activity, but it ensures that there is at least some source of taxable revenue for government to access. Because of residency-based taxation policies and geographic proximity, international capital flight and tax competition are much more of a problem in Europe. Given European political geography and the associated low costs of migrating and exporting capital, tax policy has become an area of increased focus in public policy. In a phenomenon called "voting with your feet," citizens will migrate and relocate based on public policies. Capital flight represents a partial solution to information asymmetry: people are voluntarily moving to be grouped into jurisdictions with preferential policies. Tax rates represent a price, and prices lead people to reveal their preferences within a supply and demand framework. Evidence shows that, given the low costs of exporting capital in Europe, even the slightest mention of increasing taxes results in a migratory response (Giovanni & Hines, 1990). Because of this, countries will compete against neighbors by offering incentives to attract capital migration, i.e., by competing on the basis of tax policy.

Empirically, this is seen in the fact that in 1977 the average corporate tax rate in the original twelve countries of the European Union (EC12) was 43%, σ of 8%; then in 1989, a convergence happened and the average rate fell to 40%, σ of 6.5% (Giovanni & Hines, 1990). This threat of growing mobility in capital has demanded a new set of policy responses from countries to avoid capital flight and brain drain.

Even though the U.S. is just starting to have to deal with the possibility of extensive international capital flight and migration, there have long been great policy questions as to whether citizens will avoid higher taxes, and to what degree tax flight will impact the economy. In certain states, legislatures have raised capital gains tax rates, but in general states have avoided this, in fear of tax flight. New Jersey has been the major case study in millionaire taxation in the United States. In 2010, Governor Chris Christie vetoed a renewal of the 2004 state millionaire tax, citing that the upper income tax had caused over $70 billion of capital flight (Lai, Cohen, & Steindel, 2011). The 2004 tax reform in New Jersey introduced a raise of 2.4% on the marginal tax rate on income of $500,000 or more. As a result of New Jersey's geographical position, lawmakers have introduced policies for prevention of capital migration. New York, New Jersey, Connecticut, and Pennsylvania have

Table 2. Number of Millionaires and Net Out-Migration, New Jersey, 2000-2007

	Millionaire Tax	Net Out-Migration		Top Marginal
Tax Year	Filers	Households	Per 1000 Stock	Tax Rate
2000	41358	239	5.8	6.37
2001	35621	372	10.4	6.37
2002	32726	342	10.5	6.37
2003	33696	383	11.4	6.37
2004	39235	577	14.7	8.97
2005	42504	614	14.4	8.97
2006	46651	686	14.7	8.97
2007	27867	390	14	8.97
2000-2006 avg.	**38827**	**459**	**11.7**	
Standard Deviation	5085	166		

Notes: Income is in constant 2007 dollars. Tax filers are included as of the beginning of the tax year, excluding part-year returns with residency periods less than 28 days and any tax returns filed after May 6, 2008; this cutoff implies a substantial shortfall for TY2007 relative to the total tax return count for the year. NJDT waits 10.5 months after the original fi ling deadline (April 15, 2008 for TY2007) to summarize data for its Statistics of Income report. However, TY2007 net out-migration per 1,000 stock is accurate to the extent that the filing date is not correlated with migration propensity.

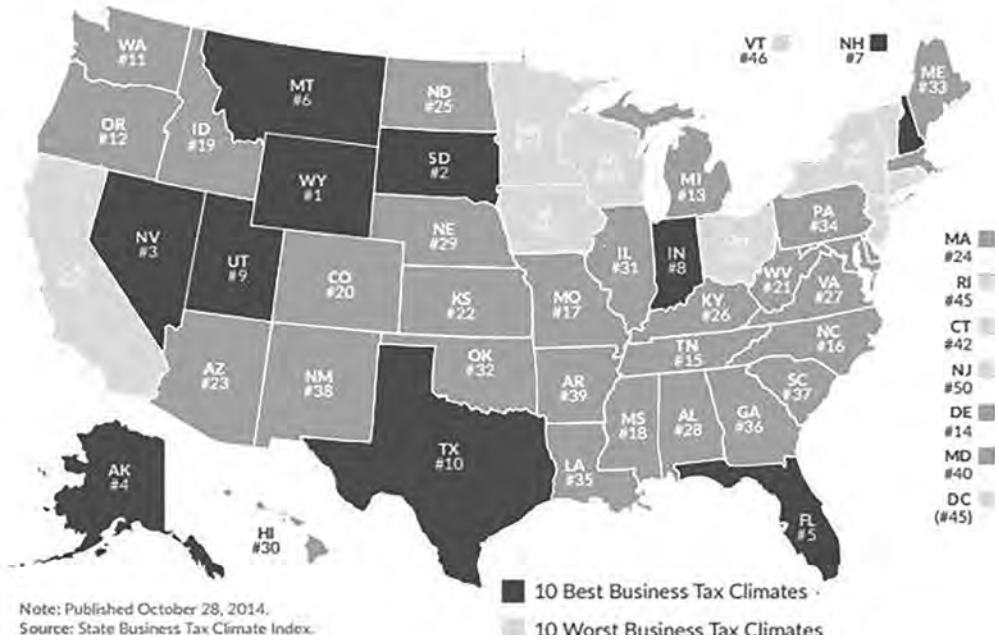
Source: Varner & Young (2011) (drawing on NJDT micro-data).

all imposed policies to prevent the emergence of arbitrage and capital migration, through transportation costs, employment laws, and residence and other jurisdictional requirement adopted in reciprocal tax treaties. Incentives drive people to act, and if upper income individuals are given the incentive to leave based on tax policy, then they will. Given the nature of loyalty, transaction costs, and preferences, the evidence is not simple and clear-c but still shows that high tax rates and highly progressive tax rates cause capital flight betwe states. Following the rise in top marginal tax rates in New Jersey, Varner and Young (2011 found a rise in net out-migration.

In the United States, capital flight is seen in the relative tax shelter that Delaware provides, as well as in the migration of Northeastern wealth to the South. An experimenta model by Lai, Cohen, and Steindel (2011) shows that a 1% rise in average marginal tax rat in New Jersey relative to other states would cause about 4,000 taxpayers and $520 million adjusted gross income (AGI) to leave the state. Applying this model to New Jersey's 2004 capital gains tax hike, they estimate that nearly 20,000 taxpayers, with combined AGI of $ billion, and over $125 million of tax revenue were lost (Lai, Cohen, & Steindel, 2011).

New Jersey's policy and similar policies in Maryland and most states in the Northeast have caused a great migration in the United States as upper income individuals and corporations have migrated to select tax haven "magnet" states that have low tax burdens.

Table 3. 2015 State Business Tax Climate Index



Note: Published October 28, 2014.
Source: State Business Tax Climate Index.

The model of Lai, Cohen, and Steindel (2011) suggests that the increased annual outflow of about 4,200 taxpayers and $530 million AGI converts to $29 million in lost tax revenue, which is a cost of roughly $125,000 per lost taxpayer (Lai, Cohen, & Steindel 2011). Had New Jersey kept its tax rates at previous levels, then it would have preserved its tax base and would have generated more in additional state income. The phenomena of tax migration and competition form a vicious cycle: as outflows of capital increase in response to high tax rates, all forms of taxation will see rate increases as well in order to compensate for the lost base, and this will impair economic development, state competitiveness, and fiscal performance.

III. The Effects of High Taxation to Combat Inequality and the Case for Low Tax Rates

The major contribution of Thomas Piketty has been his theory that, if the rate of return on capital (*r*) increases faster than the economic growth rate (*g*), then the wealthy will continue to get wealthier, increasing inequality (Piketty & Saez, 2003; Piketty, 2014). To help the poor, combat this inequality, and grow the welfare state, Piketty suggests that upper income tax rates should be 80% for those with income above $5 million, and should be between 50-60% for those with income about $200,000 (Piketty & Saez, 2003; Piketty, 2014). The Tax Foundation's Taxes and Growth (TAG) model has recently been applied to Piketty's plan, and the findings show that Piketty's plan would be enormously negative.

As analyzed by Schuyler (2014), the TAG model shows that, if income were taxed at Piketty's suggested rates of 80% and 55%, then after a period of economic adjustment GDP, wage rates, capital stock, and jobs would fall by 3.5%, 1.6%, 7.4%, and 2.1 million respectively. See Table 4.

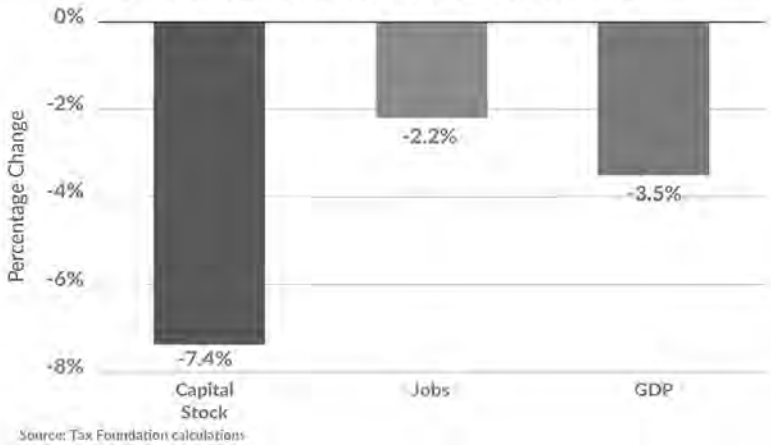
As shown in Table 5, if the hike up to 80% and 55% were mirrored in capital gain and dividend tax rates, then the model suggests an economic catastrophe, with GDP falling by 18.1% ($3 trillion),[8] capital stock by 42.3%, and wage rates by 14.6%, as well as the loss of 4.9 million jobs (Schuyler, 2014). Moreover, despite high tax rates, as the Laffer curve predicts, government revenue would fall in proportion. After-tax income of the poor and middle class, the supposed beneficiaries of this theory, would fall by 3% if capital gains rates remain independent of income rates, and 17% if capital gains rates mirror the increase in income rates (Schuyler, 2014). The Piketty policy also disincentives the poor and middle class who, as the recipients of transfer payments, would have less incentive to earn more income because their transfer payments would decline as they move up the tax brackets (Burkhauser & Larrimore, 2012). The rich would lose incentive as high marginal tax rates take a large fraction of their additional income, and the middle to upper middle class would have more of an incentive to spend on tax-deductible items and on tax shelters in order to avoid taxation. Higher tax rates do not do what they are intended to do; in fact, they distort

[8] Just for a point of reference, GDP fell about 27% during the Great Depression; during the 1981-1982 recession GDP declined 2.7%; and during the Great Recession of 2007-2009 GDP fell 4.1% (Labonte, 2010).

Table 4. Top Individual Income Tax Brackets of 55% and 80%; No Change in Tax Treatment of Capital Gains and Dividends	
Economic and Budget Changes Compared to Current Tax System (Billions of 2013 dollars except as noted)	
GDP	-3.50%
GDP ($ billions)	-$571.4
Private business GDP	-3.79%
Private business stocks	-7.36%
Wage rate	-1.63%
Private business hours of work	-2.20%
Full-time equivalent jobs (in thousands)	-2,120
Static federal revenue estimate, GDP assumed constant ($ billions)	$292.9
Dynamic federal revenue estimate after GDP gain or loss ($ billions)	$141.8
Weighted Average service price	% Change
Corporate	-0.37%
Non-corporate	13.84%
All business	3.86%
Source: Tax Foundation calculations	

Chart 1. Top Individual Income Tax Brackets of 55% and 80%

No Change in Tax Treatment of Capital Gains and Dividends



Source: Tax Foundation calculations

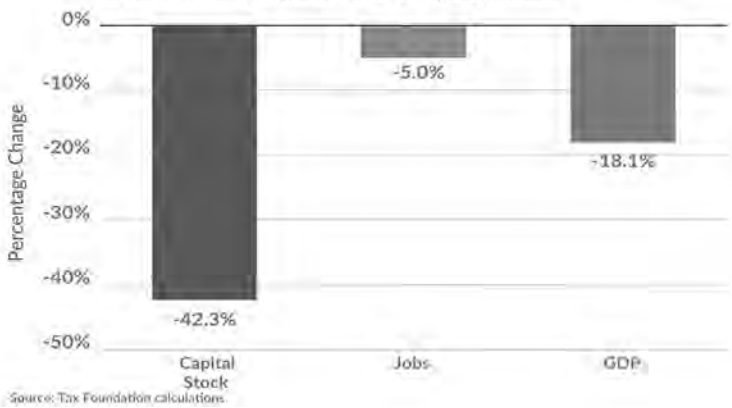
incentives. There has been no significant improvement in the equalization of income following the implementation of pervasive redistributive policies.

The evidence shows that fiscal and budgetary realities on all levels will be greatly harmed. Quite apart from the TAG model, France tried a tax scheme similar to that of the millionaires' tax. While Piketty is advocating for increased attention on inequality, his

Table 5. 'Top Individual Income Tax Brackets of 55% and 80%; Capital Gains and Dividends Taxed as Ordinary Income	
Economic and Budget Changes Compared to Current Tax System (Billions of 2013 dollars except as noted)	
GDP	-18.11%
GDP ($ billions)	-$2,952.6
Private business GDP	-18.88%
Private business stocks	-42.34%
Wage rate	-14.58%
Private business hours of work	-5.04%
Full-time equivalent jobs (in thousands)	-4,851
Static federal revenue estimate, GDP assumed constant ($ billions)	$578.3
Dynamic federal revenue estimate after GDP gain or loss ($ billions)	-$243.8
Weighted Average service price	% Change
Corporate	53.05%
Non-corporate	11.46%
All business	40.68%
Source: Tax Foundation calculations	

Chart 2. Top Individual Income Tax Brackets of 55% and 80%

Capital Gains and Dividends Taxed as Orginary Income



suggestions, theories, and fundamental misrepresentation of institutional context will not cure inequality. Instead it will do much greater harm than is currently suffered and will create a "bunching and lock-in effect,"[9] as well as harm global competiveness and discourage investment and development.

[9] Capital gains are taxed upon realization. Many capital gains are realized only in one single "transitory spike," for example the selling of one capital asset, a phenomenon called "bunching." The income spike unfairly pushes the seller into a higher tax bracket. "Lock-In" occurs when people hold off selling investments in order to avoid the tax hit. This creates the incentive for people to hold on to

Table 6: Equalization of Income Distribution Through Taxation & Transfers Mid-1980s (Percent of GDP)

	Income Share of bottom 40% of households		
	Gross Income	Domestic Income	Improvement in Income Distribution due to Taxation and Transfers
Australia	15.1	17.7	**2.6**
Canada	16.1	17.8	**1.7**
France*	14.8	16.8	**2**
Germany*	18.7	21.7	**3**
Netherlands	19.7	22.6	**2.9**
Sweden	19.9	22.4	**2.5**
Switzerland	17.4	18.9	**1.5**
United Kingdom	15.8	17.5	**1.7**
United States	13.9	16.3	**2.4**
Average	**16.8**	**19.1**	**2.3**

*Only Households with positive incomes have been selected. Some inequality measures are not defined for income values of zero. The German data set excludes some 8% of households with foreign national heads of households. The United States' data set has a top coding of US $50,000. The noted problems with a comparison of data sets on the inter-country level alter true inequality.

Source: Tanzi & Schuknecht (2000).

IV. Conclusion: The Lost Battle of Controlling Capital

In the classical economic tradition, political borders serve no economic purpose, so the notion that public finance policies can reduce inequality is purely an issue of the accountancy of capital. However, when capital flowing across borders is distorting incentives and creating deadweight loss, then economic systems will have to adapt and channel resources accordingly in order to accommodate the flows of capital in response to policy. For example, given the increasing mobility of capital, tax havens simply cannot accommodate rapid inflows of capital that would occur as a result of increasingly progressive tax policies.

investments longer, forgoing diversification, because they are "locked in" to avoid capital gains tax on current investments. Lock-in reduces market efficiency. See Edwards, 2012.

Table 7. 2015 International Tax Competitiveness Index Rankings

Country	Overall Score	Overall Rank	Corporate Tax Rank	Consumption Taxes Rank	Property Taxes Rank	Individual Taxes Rank	Int'l Tax Rules Rank
Estonia	100	1	1	9	1	2	17
New Zealand	91.8	2	21	6	3	1	16
Switzerland	84.9	3	5	1	32	4	9
Sweden	83.2	4	6	11	6	21	5
Netherlands	82	5	16	12	23	6	1
Luxembourg	79.1	6	29	5	17	13	4
Australia	78.3	7	25	8	4	16	18
Slovak Republic	76	8	17	32	2	7	8
Turkey	75.5	9	8	25	7	3	15
Ireland	71.6	10	2	24	16	22	23
United Kingdom	71.5	11	14	16	30	18	2
Norway	71	12	18	22	14	12	13
Korea	70.9	13	15	3	25	5	31
Czech Republic	69.9	14	7	31	9	11	11
Finland	69.8	15	4	14	18	27	20
Austria	69.5	16	19	23	8	30	6
Germany	69.2	17	23	13	13	31	7
Slovenia	69.1	18	3	27	15	15	21
Canada	68.7	19	22	7	21	19	25
Iceland	66.5	20	12	21	22	28	10
Denmark	65.8	21	13	20	10	29	22
Hungary	65.1	22	11	34	24	20	3
Belgium	62.5	23	28	28	20	10	12
Mexico	61.6	24	30	18	5	8	34
Japan	61.5	25	33	2	27	23	28
Israel	60.8	26	24	10	11	25	30
Greece	59.4	27	20	26	26	9	29
Chile	56.8	28	10	29	12	14	33
Spain	56	29	32	15	31	26	14
Poland	55.8	30	9	33	28	17	27
Portugal	53.1	31	26	30	19	32	26
United States	52.9	32	34	4	29	24	32
Italy	50.9	33	27	19	33	33	19
France	43.7	34	31	17	34	34	24

Source: Pomerleau (2015) (drawing on Tax Foundation International Tax Competitiveness Index).

Globalization has put enormous pressure on fiscal policy. Firstly, the rise of global connectedness is allowing economic success stories of one state to be copied and implemented in another. Secondly, increased mobility and the fear of capital flight encourage government reform. The global liberalization and growth of capital markets now serve as forces that punish poor economic policy. Tax competition will reduce governments' ability to maintain the idealized, romanticized Scandinavian welfare state, as they will no longer be able to finance heavy spending. Thirdly, heavy taxation has led to the creation of new forms of capital that are essentially untraceable and, as a result, relatively difficult (inefficient) to tax.[10] Finally, governments are finding it increasingly difficult to justify introducing capital restraints and regulations, given the rise of international organizations that govern and promote the openness of capital flow and free trade.

The general assumption is that through taxation, specifically progressive taxation, income distribution can be improved. Due to all the previously stated negatives of this type of taxation, progressive taxation has had relatively meager effects on improving the income of those it is intended to help. Advocating for fiscal policies like high progressivity of tax systems and redistribution is simply bad economics. Equality in its very nature is an organic and emergent phenomenon, and the attempt to implement forced equality through policy does not lead to true equality and can lead to disastrous consequences. Forcing equality is often far more harmful than the initial inequality. The empirical and theoretical evidence suggests that these types of policies only create deadweight loss, fiscal churning, and distortionary incentives associated with rent-seeking, thus harming the intended beneficiaries of the policy. Given the complexity of the world and global economy, there is no reason to suggest that people should be equal in the first place. If the moral case is to be made to help the poor and reduce inequality, then the best approach is through open borders, free trade, and the free flow of capital without constraint by government institutions and systems.

References

Boudreaux, D. (2008, January 28). Globalization and trade [interview by Russ Roberts]. *Library of Economics and Liberty*. Retrieved from http://www.econtalk.org/archives/2008/01/don_boudreaux_o.html

Browning, E.K. (1976). The marginal cost of public funds. *Journal of Political Economy 84*(2): 283–298.

Burkhauser, R.V., Larrimore, J., & Simon, K.I. (2012). A "second opinion" on the economic health of the American middle class. *National Tax Journal, 65*(1), 7-32.

Caplan, B. (2006). *The Myth of the Rational Voter*. Princeton: Princeton University Press.

Drenkard, S., & Henchman, J. (2014). 2015 State business tax climate index. *TaxFoundation.org*. Retrieved October 30, 2014, from http://taxfoundation.org/article/2015-state-business-tax-climate-index

Edwards, C. (2012). *Advantages of Low Capital Gains Tax Rates, Tax and Budget Bulletin No. 66*. Washington DC: CATO Institute. Available from

[10] E.g., the rise of Bitcoin

http://www.cato.org/publications/tax-budget-bulletin/advantages-low-capital-gains-tax-rates
Evans-Pritchard, A. (2013, January 13). French capital flight spikes as Hollande hits business. *The Telegraph*. Available from http://www.telegraph.co.uk/finance/9798891/French-capital-flight-spikes-as-Hollande-hits-business.html
Giovanni, A., & Hines, J.R. (1990). *Capital Flight and Tax Competition: Are There Viable Solutions to Both Problems?* NBER Working Paper Series, Working Paper No. 3333. Cambridge, MA: National Bureau of Economic Research.
Higgs, R. (1994, Dec. 5). Nineteen neglected consequences of income redistribution. *Independent Institute*. Retrieved from http://www.independent.org/publications/article.asp?id=1155
Higgs, R. (2012). *Crisis and Leviathan: Critical Episodes in the Growth of American Government*. Oakland: The Independent Institute. (Originally published 1987).
Hillman, A.L. *Public Finance and Public Policy: Responsibilities and Limitations of Government*, 2nd edition. New York: Cambridge University Press, 2009.
Labonte, M. (2010). *The 2007-2009 Recession: Similarities to and Differences from the Past.* CRS Report for Congress, Congressional Research Service.
Lai, A., Cohen, R., & Steindel, C. (2011). *The Effects of Marginal Tax Rates on Interstate Migration in the U.S*. Office of the Chief Economist, Trenton: New Jersey Department of the Treasury.
Palda, F. (1997). Fiscal churning and political efficiency. *Kyklos, 50*(2), 189-206.
Piketty, T. (2014). *Capital in the Twenty-First Century*, Goldhammer, A., trans. Cambridge, MA: The Belknap Press, 2014.
Piketty, T., & Saez, E. (2003). Income inequality in the United States. *The Quarterly Journal of Economics, 68*(1), 1-39.
Pomerleau, K., & Lundeen, A. (2015). *International Tax Competitiveness Index*. Tax Foundation. Retrieved from http://taxfoundation.org http://taxfoundation.orghttp://taxfoundation.org/search/node/International%20Tax%20Competitiveness%20Index.
Rand, A. *Atlas Shrugged*. New York: Penguin Group, 1999.
Schuyler, M. (2014). *What Would Piketty's 80% Tax Rate Do to the U.S. Economy?* Tax Foundation, Special Report No. 221. Available at http://taxfoundation.org/article/what-would-piketty-s-80-percent-tax-rate-do-us-economy
Tanzi, V., & Schuknecht, L. (2000). *Public Spending in the 20th Century: A Global Perspective*. Cambridge, UK: Cambridge University Press.
Tanzi, V. (2005). The economic role of the state in the 21st Century. *Cato Journal, 25*(3), 617-638.
Varner, C., & Young, C. (2011). Millionaire Migration and State Taxation of Top Incomes: Evidence from a Natural Experiment. *National Tax Journal, 64*(2, Part 1), 255-84. Retrieved from http://web.stanford.edu/~cy10/public/Millionaire_Migration.pdf

The Green Knight as Saracen and Mentor

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The identity of the Green Knight/Lord Bertilak character in *Sir Gawain and the Green Knight* is one that is complicated at best. Many critics cite similarities between the Green Knight and other Muslim knights in medieval European literature, and even figures from Islamic folklore such as al-Khadir. These claims are substantial, and it is fair to suggest that, at least as the Green Knight, the character is or represents a Saracen. However, problems arise when the question of Lord Bertilak's identity comes into play. He does not embody the Saracen tropes in the same way as the Green Knight, yet the two figures are the same person. This apparent discrepancy can be reconciled if the reader views Lord Bertilak as an example of a convert to Christianity who is passing within English society, and the Green Knight as a reversion back to his original Saracen identity. In this tale, the character uses his dual identity to test and thereby assist the Knights of the Round Table. This interpretation makes *Sir Gawain and the Green Knight* a more sympathetic, and realistic, conversion story when compared with other romances of the time.

In medieval literature, the Saracen stands as a default enemy of sorts. If a knight is to prove his worth, he is more often than not expected to fight and stand victorious against a Saracen army. In this show of prowess, the enemy must present not only a physical threat but a moral one as well (Cordery 89). In this respect, Saracens are the perfect choice: their defeat signals a victory not only for the knights but for Christianity as a whole.

Throughout medieval romance, beauty serves as an indicator of morality and goodness, and deformity as an indicator of moral corruption and evil. Saracens developed a distinctive appearance in these texts, in order to highlight their role as the threatening other. Leona Cordery notes that "the vast majority of Saracens are described…as being black…Thus their general character is sinful; their color bearing witness to their being in collusion with the devil makes them enemies of God…" and that "…the authors also incorporate Saracens of various colors" (93). The vivid and bizarre colors used to describe the Saracens distance them from the lily-white knights and highlight their exotic origins. There are instances when, upon converting to Christianity, the Saracen magically becomes white (Cordery 94). This transformation suggests that their coloration is less indicative of a permanent, physical state, but more a reflection of their spiritual standing.

Beyond their unusual coloring, Saracens are almost always gigantic. This allows them to be physically imposing figures and, combined with their implied relationship with

demonic forces, a great challenge to the knight in question (Cordery 93). Their massive size is frequently depicted as a grotesque deformity rather than the Adonis-like build seen in Christian nobility, although there are exceptions. For example, Sir Fierabras's slender waist and impressive physique are less horrifying than they are signals of virility and prowess. It is no surprise, then, when he converts to Christianity and slaughters Saracens. His attractiveness is as much an indicator of his inevitable conversion as it would be an indicator of morality in a Christian knight. For the other Saracens, however, their physicality allows them to exist as bogeymen of sorts, with each retelling exaggerating their stature to the point of absurdity (Cordery 93). Their sheer size also allows for the very act of fighting the much smaller knights to demonstrate their dubious morality. Fighting men half their size makes the Saracens appear to be unchivalrous and cowardly, as it theoretically would be like fighting a child. The knights, on the other hand, appear to be even more heroic when they defeat the evil giants.

With such obvious physical traits, the average Saracen is rather easy to identify. However, if an individual chooses to convert to Christianity, he or she will either completely change form or deviate from stereotypical appearances all together. The clearest example of this transformation first happens in the *King of Tars* text, wherein a Christian woman and a Saracen man have a horrifically deformed child who lacks any clear identity. The mother prays, after a futile attempt to do the same is made by the father, and the child becomes beautiful. Upon seeing this metamorphosis, the father decides to convert to Christianity and promptly shifts from being black to white (Cordery 94). The child's original condition reaffirms the importance of appearance as an indication of moral standing, as he existed in a state between Christianity and Islam. The father's influence prevents the child from being a proper Christian until the mother calls upon divine intervention from a Christian God. The child is aligned with the mother and is then able to become beautiful. The Saracen's decision to convert allows for an obvious, if problematic, transformation. His black coloration aligns him with the devil and other evil forces, but his decision to abandon this alignment in favour of Christianity allows him to become white and beautiful. He is able to completely become a new man, as he takes on a new name and forces conversion on all of his subjects.

Fierabras, in contrast, consistently maintains an unusual level of attractiveness, especially for a Saracen. As previously mentioned, his size never detracts from his beauty, but rather serves as a physical reminder of his prowess and nobility. Phillipa Hardman writes:

> Fierabras' size provides a physical referent for his status as an alien, hostile outsider, linking him while in his unconverted state with monstrous Saracen giants…but without their ugliness and grotesque features, so that…it is not difficult for Fierabras to be re-presented as an ideal specimen of knighthood. (68)

He is distinct from other Saracens from the start, and it is through conversion that Fierabras fully abandons his roots. Much like the sultan from the *King of Tars* text, the killing of his own kind fully solidifies his identity as a Christian and, more importantly, as a Christian knight.

Both conversion stories require very specific circumstances. The individual in question must be of noble blood and must otherwise stand outside Saracen norms. For the

sultan, it is his Christian wife and the witnessing of a miracle that allow him to escape his identity as a Saracen. Sir Fierabras has both his role as the son of the King of Spain and his unusual attractiveness to set him apart from the sinful brutes, in addition to his willingness to become a "proper" knight. Both men also dramatically display their abandonment of their previous selves with varying degrees of violence. The sultan, acting as a man of power and responsibility, ensures that his people are also "saved" through conversion, even if that requires force. Fierabras, on the other hand, must go on to prove his knighthood in the same way that any other Christian knight would, by killing Saracens. There is no middle ground: the individual is either completely Saracen, or completely Christian, and the two identities are mutually exclusive.

However, the Green Knight character exists as both the pre-conversion Saracen and the post-conversion lord. As the Green Knight, he becomes a classic example of the Saracen Other. However, as Lord Bertilak, he blends in seamlessly with European culture, with fancy silks and Christian feasts. This split identity is a poignant demonstration of the dual consciousness that arises from such a dramatic change in an individual's identity. Rather than choose a single identity, as Sir Fierabras and the sultan did, the Green Knight comfortably fits into both roles and alternates between the two as he sees fit. Thus, the Green Knight identity can be read as his original or initial role, and indeed is the primary figure in *Sir Gawain and the Green Knight*. The Lord Bertilak identity, then, is representative of his attempts to "pass" as a Christian lord when it behoves him. This portrayal of such successful managing of two disparate identities makes the character unusually complex and suggests a more sympathetic view of Saracens than is seen in most romances. Even the aforementioned conversion stories demand that the characters fit neatly into either the "good Christian" or "evil Saracen" category, and reject the notion that they might want to hold on to some part of their past lives.

His physical appearance is the most striking quality of the Green Knight for Arthur and his Knights. His nobility is indisputable, but it is exceedingly clear that he is the Other:

> …From broad neck to buttocks so bulky and thick,
> And his loins and his legs so long and so great,
> Half a giant on earth I hold him to be…
> For in back and in breast though his body was grim,
> His waist in its width was worthily small,
> And formed with every feature in fair accord was he. (138-146)

As seen in most descriptions of Saracens, the Green Knight is a literal giant and, much like Sir Fierabras, his physicality is at once terrifying and beautiful. However, his massiveness does not come at the cost of his attractiveness and therefore his nobility. Rather, it only serves to enhance his impressiveness, especially when placed in a room of men whom the audience already considers to be noble and impressive. From this point follows a description of the sheer greenness of the Green Knight and the fine clothes he is wearing:

> And in guise all of green, the gear and the man:
> A coat cut close, that clung to his sides,

And a mantle to match, made with a lining
Of furs cut and fitted—the fabric was noble,
Embellished all with ermine, and his hood beside,
That was loosed from his locks, and laid on his shoulders
With trim hose and tight, the same tint of green,
His great calves were girt, and gold spurs under
He bore on silk bands that embellished his heels… . (151-160)

Once again, his physical appearance calls upon common Saracen characteristics, this time with the color most commonly associated with Islam and the East in general. While this color is also connected with magic and paganism, other textual connections to the Islamic world suggest that the color's associations with Islam are more substantial in the context of the text. His nobility is emphasized throughout this passage, along with his attempts to integrate into English society. While he makes no effort to hide his unusual greenness, his clothing and fabric choices suggest that he has blended both Islamic fabrics and English styles of dress. The combination of ermine and silk, unremarkable in other characters, exemplifies his dual character, as it blends the strictly European fur with the imported Eastern silk. The Green Knight's clothing is well tailored, trimmed with European furs, and finely embroidered. However, he is very clearly not dressed for battle.

Beyond just his clothing, what the Green Knight carries into Arthur's court is of particular interest:

But in his hand he had a holly bob
That is goodliest green where groves are bare;
And an ax in the other, a huge and immense,
A wicked piece of work in words to expound:
The head on its shaft was an ell long;
The spike of green steel, resplendent with gold;
The blade burnished bright, with a broad edge,
As well shaped to shear as a sharp razor;
Stout was the stave in the strong man's gripe,
That was wound all with iron to the weapon's end,
With engravings in green of goodliest work… . (206-216)

The holly is appropriate, given that he is visiting Arthur on Christmas Eve. In addition to being a rather obvious symbol of the Christian holiday, the red color of the berries stands in stark contrast to the Knight's overwhelming greenness. Red is seen consistently throughout the text, and with the exception of the Green Knight's rolling eyes and the holly berries, is almost always associated in this text with European, Christian characters. When the Green Knight mocks the knights for not volunteering to meet his challenge, they begin to turn red:

…With this he laughs so loud that the lord grieved;
The blood for sheer shame shot to his face, and pride.
With rage his face flushed red,
And so did all beside. (316-320)

The knights' flushed faces not only serve to signal their youth, but also further demonstrate the differences between the figure of the Green Knight and the Knights of the Round Table. Red is seen again in Gawain's arming scene, where his shield is said to have "shone all red/With the pentangle portrayed in purest gold" (619-620). Lady Bertilak is also "bedecked in bright red" and, while Lord Bertilak has Saracen origins, she is "fresh as the first snow fallen upon hills" (952-956). All the major characters of clear European descent are identified with the color red, providing a sharp contrast to the Green Knight.

Gold, however, is seen throughout almost every description. As a clear indication of wealth, it marks every character as being of noble descent. While the gold color is of some importance for the obviously Christian characters, it is a strict necessity for the Green Knight, if other depictions of Saracens are considered. Both Sir Fierabras and the sultan in *King of Tars* are clearly noble, and this allows the audience to assume that they possess an inherent moral superiority. As common Saracens are nothing more than raging beasts in romances such as *King Horn* or *The Siege of Milan*, the Green Knight needs to distinguish himself as a proper knight through his wealth and noble status. The use of gold also connects the characters in the same way that their style of dress does, as a cultural indication of social standing and intent.

As the blatantly Saracen Green Knight, he is threatening enough to Arthur's court. He has proven himself to be a threat simply by existing, thereby heightening the danger for the other knights, but must ensure that he is perceived as not just a lumbering beast. He states:

> You may be certain by the branch that I bear in hand
> That I pass here in peace, and would part friends,
> For had I come to this court on combat bent,
> I have a hauberk at home, and a helm beside,
> A shield and a sharp spear, shining bright,
> And other weapons as well, war-gear of the best;
> But as I willed no war, I wore no metal. (265-271)

The Green Knight maintains an air of joviality throughout his encounter with Arthur and his knights, demonstrating his comfort with English nobility. He pokes fun at the young men, asking, "'Where is…[t]he captain of this crowd? Keenly I wish to see that sire with sight, and to himself say my say,'" when Arthur's identity should be blatantly obvious (224-227). He walks along the edge of court etiquette without stepping over the line, allowing himself to be frightening enough to test the knights without scaring them beyond reason. His identity as the Green Knight is useful in this respect but is less desirable when more diplomacy is needed, such as when, as Lord Bertilak, he negotiates a deal with Gawain.

Gawain acts as a foil for the Green Knight in rather interesting ways and permits the audience to view the story through the white, Christian lens to which they would have been accustomed. He is young, described by the Green Knight as a "beardless child," and is therefore rather innocent. His youth allows him to make mistakes and still be forgiven by both the Green Knight and the audience by the end of the text. When he gives in to temptation, it is because he is afraid rather than enticed. His fear is completely reasonable to

the reader, given the Green Knight's challenge. Despite this, Gawain is still able and willing to keep his promise to the Green Knight, which enables the audience to see his worthiness as a Knight of the Round Table. As Gawain leaves to embark on his quest, he is in full armour and prepared for the worst:

> His thick-thewed thighs, with thongs bound fast,
> And massy chain-mail of many a steel ring
> He bore on his body, above the best cloth,
> On his arms, at his elbows, armor well wrought
> Protected that prince, with plated gloves,
> And all the goodly gear to grace him well
> That tide. (579-585)

While the Green Knight has faith that the knights will not slaughter him—slaughter was a fair possibility given how Saracens were viewed—Gawain is still rather unsure about the entire undertaking. Gawain is vulnerable in a way that allows for a sympathetic audience and a more satisfying ending when he learns his lesson.

Lord Bertilak's castle is another indication of his ability to blend into English society, as it is stylistically appropriate for the time and place, while still being filled with Islamic art. This mixing of styles is indicative of not only his status but also his role as a convert. He was presumably wealthy as a Saracen, wealth indicating virtue and a susceptibility to conversion, and he maintains this status as a Christian. His high social standing demonstrates the role of the noble identity in conversion stories, just as neither Sir Fierabras nor the sultan in *King of Tars* could transform himself were it not for his prestigious role in society. Nobility as a pre-condition to conversion connects with the notions that morality is an attribute of the noble classes and that the noble Saracen is more likely to convert because of his or her greater morality.

The combination of the Eastern and Western fashions is seen in physical descriptions of the Green Knight, and while it does not show in Lord Bertilak's outward appearance, it can be seen in the tapestries that Gawain finds in his castle:

> They pass into a parlor, where promptly the host
> Has a servant assigned him to see his needs,
> And there came upon his call many courteous folk
> That brought him to a bower where bedding was noble,
> With heavy silk hanging hemmed all in gold,
> Coverlets and counterpanes curiously wrought,
> A canopy over the couch, clad all with fur,
> Curtains running on cords, caught to gold rings,
> Woven rugs on the walls of eastern work,
> And the floor, under foot, well-furnished with the same. (850-859)

Gawain's interactions with Lord Bertilak suggest that Gawain is rather comfortable with the post-conversion identity:

> Gawain gazed on the host that greeted him there,
> And a lusty fellow he looked, the lord of that place:
> A man of massive mold, and of middle age;
> Broad, bright was his beard, of a beaver's hue,
> Strong, steady his stance, upon stalwart shanks,
> His face fierce as fire, fair-spoken withal,
> And well-suited he seemed in Sir Gawain's sight
> To be a master of men in a might keep. (842-849)

For a few reasons, Gawain should make some connection between the gigantic, bearded Green Knight and the gigantic, bearded Bertilak. As a knight, Gawain would be familiar with both nobility and Saracen, and should be able to recognize and distinguish between them. As there is little indication that anything beyond the color of the Green Knight has changed, Gawain should be able to peg Bertilak as being at least vaguely Saracen. In addition, the Green Knight is the only reason why Gawain is on his quest, so one would think that he would remember what the Green Knight looks like. While Gawain's failure to make the connection may be another sign of Gawain's naiveté, it could also be an indication of how well Lord Bertilak is able to disguise his Green Knight identity. While Gawain's innocence certainly plays a role here, as he may not be able to pick up on the more subtle signs of Bertilak's Saracen origins, it is far more likely that Bertilak is so highly attuned to English culture and so adept at mimicking it that he fools even keen knights.

Some obvious indications point to Lord Bertilak's identity as a convert. Like the sultan in the *King of Tars* text, he physically changes color from Islamic green to Christian white. While the text claims that this change occurs because of Morgan le Fey's involvement in orchestrating the plot, such a clunky plot device does not fit in with the more subtle aspects of the text. Her role in the text is little more than a plot device to resolve moral ambiguities involving the Green Knight/Lord Bertilak dynamic. However, it could be said that the physical changes are a metaphor for his taking on a new role. While in other texts the metamorphosis is permanent, the Green Knight's conversion story is more nuanced. He does not seek to destroy his past, as Fierabras and the sultan do. Rather, the Green Knight embraces it as a part of his identity, while recognizing the necessity of passing as an Englishman in this culture. He is clearly well informed about Christian beliefs and rituals, as seen with the "sundry fish," massive feasts, acknowledgment of Christmastime traditions, and the chapel in his castle:

> There are soups of all sorts, seasoned with skill,
> Double-sized servings, and sundry fish,
> Some baked, some breaded, some broiled on the coals,
> And with sauces to sup that suited his taste,
> He confesses it a feast with free words and fair . . . (890-894)

It is shortly hereafter that Gawain meets Lady Bertilak. She presents an interesting facet of the text, as she embodies both Christian and Saracen characteristics. It would be difficult to claim that she is a Saracen, however, because she is quintessentially white in her physical descriptions. She is also dressed entirely in red, just like Gawain. However, she is a

character of raw sexuality, which presents a huge danger for Gawain. Not only does she threaten his chastity, she also threatens his masculinity by being a hunter rather than the hunted. She is an extremely dangerous woman and is, rather interestingly, far more of a threat than the Green Knight. While the Green Knight is frighteningly foreign, he does not seek to harm or dismember Gawain. He simply wishes to test his morality. Lady Bertilak, on the other hand, is a momentous threat as she actively tries to rob Gawain of the thing he is best known for: courtesy. Sleeping with the lord's wife would be a huge mistake on Gawain's part, yet she shows up at his bedroom, night after night, trying to seduce him. Gawain's moral stamina is tested extensively by this woman and, in regard to sexual purity, he never fails. However, everything changes when she offers him the girdle.

The girdle is a vital component of the text. Just like Fierabras's sister Floripas, Lady Bertilak uses her sexuality to accomplish her goals and gives a magic girdle. Girdles are, according Hardman, a symbol of intimate sexuality (63). However, while the giving of the girdle may have been sexual in nature in the Gawain text, the girdle itself is not. One interpretation is that the girdle is a symbol of the close personal relationship that a knight must have with God. It maintains the intimacy of the girdle but in a spiritual, rather than a sexual, way. The girdle makes the wearer literally immortal, echoing the immortality promised by Christianity through faith. The entire challenge put forth by the Green Knight is to teach Gawain to have faith in the face of the impossible and to resist the temptation to act dishonorably. These are key tenets of Christianity and are essential virtues for the chivalric knight. By accepting the girdle, Gawain gives in to the temptation of fear and the promise of immortal life made under unsavoury conditions. This is a forgivable sin, as he still takes a leap of faith and ultimately faces his fear of death. The Green Knight acknowledges that it is all right for Gawain to fear death because this is a natural and healthy fear. It is for this reason that the Green Knight pardons Gawain and gives him the girdle, ensuring that the lesson he has learned will be bolstered through the personal relationship Gawain has with God. This would be rather a bizarre and mildly blasphemous action for the Green Knight if he were still a Saracen. After all, the Green Knight essentially embodies the role of a priest at this point. However, if we see Lord Bertilak as a convert, and the Green Knight as a reversion to the pre-convert Saracen identity, it could be said that this giving of the blessing is a small hiccough in the otherwise flawless finish of Lord Bertilak's Christian identity.

The hunting scenes are rather interesting, and of some importance. They signal to the reader that Lord Bertilak is every bit the gentleman, with his impressive hunting skills and accurate disembowlings. This is another example of the stunning accuracy of the text, a quality that is seen in many other aspects, from the clothing to the architecture. His skill as a hunter solidifies his status as a nobleman and provides for some interesting metaphors involving Gawain and Lady Bertilak, with the final scene with the fox being the most important. In this bizarre scene with the fox, the animal is referred to as "Sir Reynard," which indicates a kind of reverence for the slain that is not really seen in the other scenes:

> The racket that they raised for Sir Reynard's soul that died.
> Their hounds they praised and fed,
> Fondling their heads with pride,

And they took Reynard the Red
And stripped away his hide. (1916-1921)

More importantly, the respectful form of address aligns the fox with Gawain, as he is the only other knight in the story. There is the association with the color red, the fox, and Gawain. Both the fox and Gawain use discretion and cunning, but ultimately fail. The killing of the fox is more tragic than the other hunts, because it ostensibly foreshadows Gawain's fate. However, it does not indicate Gawain's physical death so much as it indicates the death of his reputation for courtesy with Lord Bertilak. Gawain ultimately recovers from his dishonourable act, but he bears the mark of this soiling on his neck. While he claims it to be a badge of humility, the mark can be read as a tarnish on his character. It is not fatal and, in fact, makes him a better knight as he learns a lesson about faith and God, but it is still a mark that he must bear. The girdle is his real reward and, as we have seen, that is the grace of God bestowed upon him by the Green Knight.

When Gawain comes across the Green Chapel, an immediate connection to both Saracen and the Devil is apparent:

Then he halted his horse, and held the rein fast,
And sought on every side for a sight of the Chapel,
But no such place appeared, which puzzled him sore,
Yet he saw some way off what seemed like a mound,
A hillock high and broad, hard by the water,
Where the stream fell in foam down the face of the steep
And bubbled as if it boiled on its bed below…
Much wondering what it was, but no whit the wiser;
It had a hole on one end, and on either side…
"Can this be the Green Chapel?
Alack!" said the man, "Here might
The Devil himself be seen
Saying matins at black midnight!" (2168-2188)

The rounded shape of the Green Chapel can be interpreted as a nod toward Middle Eastern architecture, where rounded ceilings can be seen in many buildings such as the Faith Mosque in Istanbul. In addition, the three openings described on the structure are also indications that the Green Chapel might resemble a mosque. If we interpret this as a holy place for Saracens, the fact that it is referred to as a chapel by Lord Bertilak is rather interesting. He could have just as easily referred to it as a mound or otherwise, but made the conscious decision to call it a *chapel*, indicating some residual reverence for the structure. When the Green Knight blesses Gawain on these grounds, the act further hints at a blending of the two cultures in Lord Bertilak's mind. This also explains the way that he forgives Gawain of his sins. While his understanding of Christianity is not infallible, Lord Bertilak is certainly a more realistic portrayal of a convert than those found in many other texts. Lord Bertilak presents Gawain with the girdle, and Gawain's faith is proven.

Considering the text is about a test of faith, it would not be surprising if Lord Bertilak is meant to be an example of a convert who had reconciled both his Saracen and his Christian identities. This process would have allowed him to better survive as an Englishman, and he does this successfully. While his interactions with Gawain as both the Green Knight and Lord Bertilak say a great deal about Gawain on the surface, they also say quite a bit about the relationship the convert has with both his identities. Rather than denying one or the other, he accepts both. While his ability to blend in as Lord Bertilak is undoubtedly useful for avoiding attacks from the dozens of knights roaming about, his role as the Green Knight is one that is difficult to give up. The idea that the plot was orchestrated by Morgan le Fey is paltry at best, and may have simply been an afterthought by the Gawain-poet in order to clear up moral ambiguities. The rest of the text stands as an unusual example of a complex, sympathetic Saracen character, who uses his dual identity in order to assist the Knights of the Round Table rather than attack them.

Works Cited

Borroff, Marie, and Laura L. Howes. *Sir Gawain and the Green Knight: An Authoritative Translation, Contexts, Criticism*. New York: W.W. Norton, 2010. Print.

Cordery, Leona. "The Saracens in Middle English Literature: A Definition of Otherness." *Al-Masaq* 14.2 (2002): 87-99. Web.

Hardman, Phillipa. "Dear Enemies: The Motif of the Converted Saracen and 'Sir Gawain and the Green Knight.'" *Reading Medieval Studies* 25 (1999): 59-74. Print.

Artists' Statements

Bethany L. Little—*Sleeping Beauty:* This photo touched me in a way that most of my work hasn't. I was on a mission to cover a village medical outreach program in Gumbaz, Afghanistan. As I was walking around, I entered a room where this pretty little girl was lying in her mother's arms. The interpreter told me that the girl had had a fever over 103 degrees for three days and they didn't know if she would make it past the evening. I quickly took a picture and moved out of the room so the doctors could take care of her. I have no idea if she recovered; if she did, she would be about three years old now. I still always wonder if she's around and, if so, I would love to meet up with her and take her picture again.

Leslie Lingo

Ms. Vegas Lockedheart: This image was taken near Container Park in Las Vegas where I took my daughter and niece to spend the afternoon. Outside was a structure in the shape of a heart, with padlocks attached to it. A closer look at the heart revealed couples' names and their messages of true love. Coincidentally, I am from Las Vegas and, ironically, my heart is currently locked against any new intimate ties.

Tangled: During a visit to the local aquarium in Baltimore, Maryland, I found myself smiling and thinking that it must be hard for the jellyfish to navigate the waters so entangled with each other.

Red-eye Flight: I took this photo during an overnight flight from Washington DC's Reagan International Airport to Las Vegas, Nevada, to be with my daughter and celebrate her birthday. It interested me that a place could be so empty and isolating but beautiful at the same time.

Kawayan (Bamboo): The platform serves as the floor of a floating bamboo restaurant on a river cruise in the province of Bohol, Philippines. On my first visit back to the Philippines in fourteen long years, I found it fascinating to discover that things like bamboo restaurants exist. The experience taught me to explore more since I wasn't even familiar with the country where I was born.

Heather Swenson—*Costa Rican Watercolor:* The image comes from Montezuma, Costa Rica, where I was on a vacation with my family.

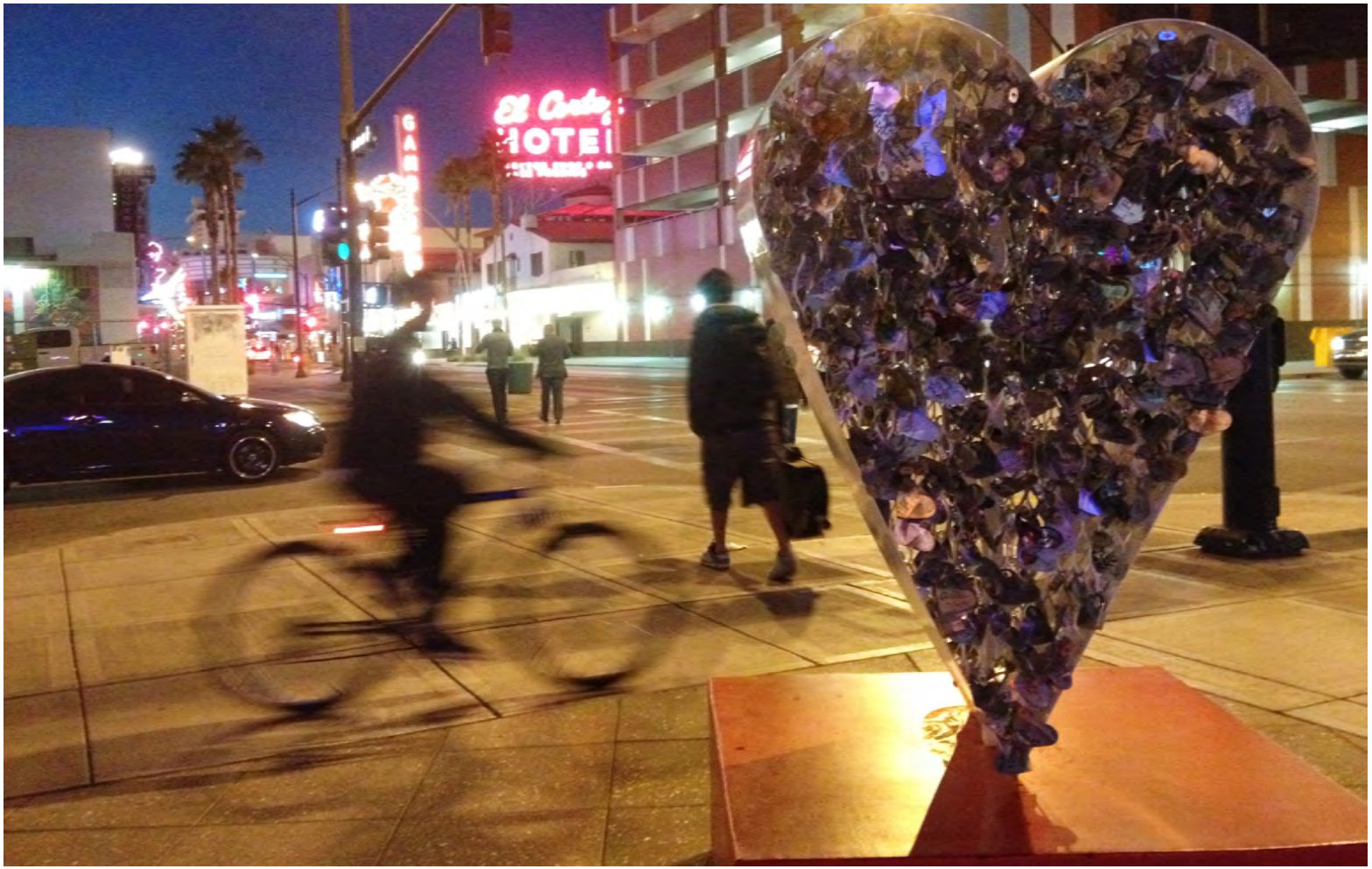
Bethany L. Little

Sleeping Beauty

Leslie Lingo *Red-Eye Flight*

Leslie Lingo *Kawayan (Bamboo)*

Leslie Lingo *Tangled*



Leslie Lingo *Ms. Vegas Lockedheart*

Heather Swenson

Costan Rican Watercolor

Research News Report

"Textsperimenting": A Norms-Based Intervention for College Binge Drinking

Chelsea Smith

Faculty Sponsor: Dr. Mark Kline
Department of Psychology

Introduction

Binge drinking among college students, and its related risky behaviors, have become a source of increasing concern for faculty and administrators across the country (Wechsler, Moeykens, Davenport, Castillo, & Hansen, 1995; Wechsler, Molnar, Davenport, & Baer, 1999). The statistics are truly sobering: every year binge drinking is associated with 1,700 deaths, 599,000 injuries, 696,000 assaults, 97,000 sexual assaults, 400,000 reports of unsafe sexual activity, and adverse academic consequences for 25% of college students (Hingson, Heeren, Zakocs, Kopstein & Wechsler, 2002). Effective interventions to reduce these behaviors, however, have remained elusive. Finding such interventions is difficult given the myriad factors that influence an individual's drinking habits, including genetic and biological predispositions, anticipated positive outcomes associated with drinking, accessibility, and experiences of parental and peer use. By the time young adults reach college, many of these factors are highly resistant to change. One influence that remains malleable, and therefore represents a promising target for intervention, is a person's perception of drinking norms. Norms are the beliefs people hold about what they perceive as normal or expected behavior. While norms are formed based on information from many sources, such as the media's portrayal of college drinking, peer behaviors are often the most powerful influence on a person's perception of normative behavior. Interestingly, studies have shown that college students consistently overestimate the alcohol use of their peers, and that the actual frequency and quantity of drinking among college students is much less than the perceived norm (Martens et al., 2010). Research also shows that a positive correlation exists between actual behaviors and perceived peer norms; therefore, if students perceive binge drinking as the norm at their school, they are more likely to engage in binge drinking themselves. The purpose of a norms-based intervention is to highlight the discrepancy between perceived norms and actual behaviors, which can cause individuals to reassess their own behavior. Because drinking norms have a direct impact on alcohol usage, making

students aware of the actual—and more modest—drinking habits of their peers can be a powerful tool in reducing binge drinking.

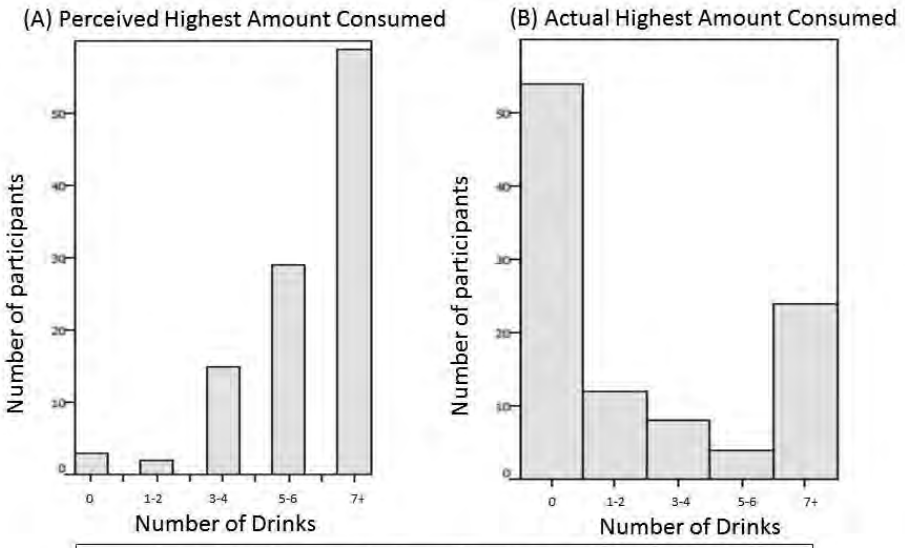
Study

During the fall 2013 semester, the Methodist University Psychology Club designed an intervention to reduce binge drinking among the incoming freshmen class. The student researchers who designed and conducted the experiment were Chelsea Smith, Lindsay Stinson, and Rebekah Thompson. The intervention combined traditional norms-based intervention techniques with current technology. Using a smart phone application called Socrative Student Clicker, the researchers surveyed students on both their beliefs about peer drinking norms and their own actual alcohol usage, and then compared the results. During the intervention, the participants answered survey questions on their phones using the Socrative app, and that data was instantly displayed

as a live bar graph that changed and grew in real time as their answers streamed in. This created an interactive environment that was highly engaging to participants and provided them with immediate, personalized feedback on the questions being asked. While the effectiveness of norms-based interventions has been debated by some (Wechsler et al., 2003), research has shown that those interventions that provide participants with personalized feedback are the most successful (Martens et al., 2010; Bewick, Trusler, Mulhern, Barkham, & Hill, 2008).

The "textsperiment" itself was divided into two sets of three questions. Participants were asked to measure (a) frequency of alcohol usage in days per week, (b)

highest amount of alcohol consumed on any one occasion, which served as the measure for binge drinking, and (c) usual amount of alcohol consumed on any one occasion. During the first set of questions participants were asked to answer based on the behavior of their peers, or how much and how frequently they thought the "average" college freshman drank. Once that data was collected and displayed via live bar graphs, participants were asked the same three questions again but were told to answer based on their own actual alcohol usage over the past week. The students were surprised to see how greatly the graphs of their perceived peer norms and their actual alcohol consumption differed. Indeed, not only did the participants overestimate the alcohol use of their peers, but statistically significant differences were found between the students' perceived norms and their actual behaviors on all three measures**.** The textsperiment



The striking difference between these two graphs highlights the discrepancy between the students' perceived norms and actual alcohol behaviors. For the highest amount of alcohol consumed, the measure for binge drinking, students estimated their peers drank an average of 5-6 drinks, but the actual average was only 1-2 drinks. These results represent a statistically significant difference ($t(93) = -10.49$, $p = 0.000$).

was then followed up with an email survey one month later that collected data on the same three measures from a total of 195 freshman, including students who did not participate in the intervention.

Results

The effectiveness of the textsperiment intervention can be seen in both the change in behavior of participants after the intervention, as well as the difference in behaviors between those who attended the intervention and those who did not. After comparing the data from attendees at Time 1, which was the data collected during the intervention, and Time 2, which was the follow-up survey given one month later, the

researchers found a statistically significant reduction in drinking in all three measures among study participants. This means that students who attended the intervention exhibited reductions in both the frequency and the amount of alcohol they consumed. While this suggests that the intervention was successful, it was also possible that non-attendees had similar reductions in drinking over the same period of time due to some third variable, such as academic pressures. Therefore, the researchers also went through the survey data to compare the drinking habits of attendees and non-attendees at Time 2, after the intervention. A finding of a significant difference between the drinking habits of the two groups would provide even more compelling evidence that the intervention was effective in causing a reduction in binge-drinking behaviors for attendees.

When the researchers compared the survey answers of attendees and non-attendees, they found a statistically significant difference in frequency, with attendees drinking less frequently than non-attendees (0-1 days per week for attendees vs. 1-2 days per week for non-attendees). No statistically significant difference between the two groups was found for the highest amount of alcohol consumed, which was the measure for binge drinking. There was, however, a strong trend toward significance, with attendees drinking much less (1-2 drinks) than non-attendees (5-6 drinks). This finding suggests that the intervention was in fact successful in reducing binge drinking, and that statistical significance would have been achieved if only the sample size had been larger. Finally, no statistically significant difference was found between the two groups for the usual amount of alcohol consumed. Unlike the measure for the highest amount of alcohol consumed, however, there was very little difference between the two groups, with both attendees and non-attendees drinking an average of 1-2 drinks per week. This

Attendees Vs. Non-Attendees	T scores
Frequency	t(198) = -2.26, p = 0.03*
Highest	t(198) = -1.89, **p = 0.06**
Usual	t(198) = -.79, **p = 0.43**
Time 1 vs. Time 2 for Attendees	
Frequency	t(157) = 2.87, p = 0.005**
Highest	t(152) = 2.16, p = 0.03*
Usual	t(159) = 2.08, p = 0.04*

* = p< 0.05, ** = p< 0.01

Although both the highest and usual amounts of alcohol consumed failed to meet statistical significance ($p < 0.05$) for the attendees vs. non-attendees, the highest amount consumed ($p = 0.06$) was considerably closer to reaching significance than the usual amount consumed ($p = 0.43$), illustrating how binge drinking was specifically targeted.

suggests that responsible drinking behaviors, or the consumption of small amounts of alcohol, were not affected by the intervention. It is important to note that the purpose of the intervention was not to eliminate drinking altogether, but to encourage responsible drinking behaviors by decreasing binge drinking and excessive alcohol consumption. The fact that the highest amount of alcohol consumed was reduced for attendees compared to non-attendees, while the usual amount of alcohol consumed remained approximately the same between the two groups, shows that the intervention was successful in specifically targeting binge drinking versus responsible drinking behaviors, thus accomplishing its goal.

Conclusion

Based on the data analysis comparing the drinking behaviors of, first, attendees at Time 1 versus Time 2 and, second, attendees versus non-attendees, the researchers conclude that the textsperiment was a successful intervention for reducing college binge drinking. Indeed, the results were so compelling that the university asked the MU Psychology Club to perform the textsperiment again during the fall 2014 semester as part of the freshman class orientation program.

What is remarkable about this study is that the researchers were able to affect measurable change in students' drinking behaviors—changes that continued even 30 days later—with an intervention that lasted less than 30 minutes. The success of this intervention highlights the powerful effect of perceived peer norms on students' behavior, the ability to change those norms to make them more realistic, and the promising application of interactive technology as a platform for norms-based interventions.

References

Bewick, B.M., Trusler, K., Mulhern, B., Barkham, M., & Hill, A.J. (2008). The feasibility and effectiveness of a web-based personalized feedback and social norms alcohol intervention in U.K. university students: A randomized control trial. *Addictive Behaviors, 33*(9), 1192-1198.

Hingson, R., Heeren, T., Zakocs, R., Kopstein, A., & Wechsler, H. (2002). Magnitude of alcohol-related mortality and morbidity among U.S. college students ages 18-24. *Journal of Studies on Alcohol, 63*(2), 136-144.

Martens, M.P., Page, J., Mowry, E., Damann, K., Taylor, K., & Cimini, M. (2010). Differences between actual and perceived student norms: An examination of alcohol use, drug use, and sexual behavior. *Journal of American College Health, 54*(5), 295-300.

Wechsler, H., Moeykens, B., Davenport, A., Castillo, S., & Hansen, J. (1995). The adverse impact of heavy episodic drinkers on other college students. *Journal of Studies on Alcohol, 56*(6), 628-634.

Wechsler, H., Molnar, B.E., Davenport, A., & Baer, J. (1999). College alcohol use: A full or empty glass? *Journal of American College Health, 47*, 247-252.

Wechsler, H., Nelson, T.F., Lee, J., Seibring, M., Lewis, C., & Keeling, R. (2003). Perception and reality: A national evaluation of social norms marketing interventions to reduce college students' heavy alcohol use. *Journal of Studies on Alcohol and Drugs, 64*(4), 484-494.

About Our Contributors

Lin Baumeister is majoring in English and History, and expects to graduate in 2017. Born in Southern California, she has lived in North Carolina for around five years now. Her academic accomplishments include presentations at Longwood University's "Meeting in the Middle" Undergraduate Medieval Conference and at Methodist University's Undergraduate Symposium. She plans to pursue graduate school following graduation and currently occupies herself studying the variegated mysteries of medieval literature.

Kyonghwa Bouriaque graduated May 2015 with a Bachelor of Fine Arts in Graphic Design, as well as a Bachelor of Arts in Painting. She enjoys painting and hopes to pursue her passion via logo design. In the future, she aspires to be a graphic designer or to continue her study of the fine arts.

Alexander Demitraszek is currently majoring in Financial Economics with a minor in Mathematics. He enjoys studying public choice economics as well as public finance. He plans to enter a PhD program following graduation and is currently hard at work on another research paper, dealing with foreign aid fungibility.

Miranda Jade Friel will graduate in May 2016 with a Bachelor of Arts in English as well as courses in Marketing and Business. In addition to founding the *Monarch Review,* her academic accomplishments include presenting papers at Longwood University's "Meeting in the Middle" Undergraduate Medieval Conference, the State of North Carolina Undergraduate Research and Creativity Symposium (SNCURCS), and Methodist University's Undergraduate Symposium. She is in training as a student writing consultant at MU's Writing Center and currently plans to pursue employment as a copy-editor following graduation.

Katlin Harris began playing the flute when she was eleven years old. Within three years of beginning, she knew that she had discovered her passion and now cannot imagine a life without it. She has already played in several pit orchestras and at other events in the area. She will graduate in Spring 2017 with a Music Performance major and a minor in History. She plans to continue her studies and eventually obtain her doctorate in Flute Performance.

Emory Jacobs plans to graduate December 2015 and will obtain a Bachelor of Arts in Music. Her favorite areas of study include Music History and Composition. In orchestration and musical composition, she works toward a

unique and pleasing style. Following graduation, she intends to pursue her love of music, either directly through content creation or indirectly through management and research.

Michele Jesus da Costa plans to become a professional photographer and graphic designer. A native of Brazil, she studied graphic design at Methodist, and her photographic composition, *Flammable Feather,* was featured on the cover of volume one of the *Monarch Review*. Having grown up in the *favelas*, the slum neighborhoods of Rio de Janeiro, she aspires to trust life, to appreciate beauty wherever she finds it, and to embrace what is new and good, even if it terrifies her. Michele continually finds ways to express her experience and learning through her art.

Mary Madison Kizer will be graduating in May 2016. She is an Accounting major, minoring in both Business Administration and Music. Her favorite aspect of accounting is cost accounting because she is interested in owning a small independent business or franchise. She plans to pursue her MBA, possibly at Methodist, and to obtain her CPA licensure.

Leslie Lingo expects to graduate May 2016 with a major in Social Work. Her stint at Methodist University follows a twelve-year career with the U.S. Army, where she served as a medic. She is the mother of a beautiful nine-year-old girl; served as the Chapter President of the Student Veterans of America for 2014–2015; and, among other things, recently completed an internship at the Federal Trade Commission. She says that her daughter is the "driving force behind her motivation to succeed in life."

Bethany L. Little graduated Spring 2015 with a major in Mass Communications and concentrations in Journalism, Television, and Multimedia. She currently studies at Georgetown University in the Public Relations and Corporate Communications program, and aspires to be a strategic communication planner for the State Department. Her work has been published by *Time* magazine.

Cheri Molter is majoring in English, History, and Writing, with minors in religion and women's studies. She will graduate with a Bachelor of Arts from Methodist University in the spring of 2017. She has been recognized for academic excellence in several academic honor societies and has presented papers at the "Meeting in the Middle" Undergraduate Medieval Conference of Longwood University, the SNCURCS statewide research conference, and the Methodist University Undergraduate Symposium. Employed as a student writing consultant at the Writing Center at Methodist University, Cheri is happily married with three children—one son and two daughters—and lives in Fayetteville, North Carolina.

Tracy Raupp's current projected graduation date is May 2017, but she hopes to graduate early, in December 2016. She is majoring in Business Administration and Management, minoring in Marketing and Organizational Communication and Leadership, and earning her Associate's degree in Leadership and Management. With a range of interests as diverse as cosmology and cognitive science, she plans to gain insight into the business world and eventually open her own business "that can be focused on solving a problem for a few but has the possibility to serve many."

Shiva Sharma graduated from Methodist University in May 2015 with a Bachelor of Science degree in Healthcare Administration, which is his passion. Currently, he is volunteering at a hospital and studying for the MCAT, to prepare himself for a career as a physician.

Chelsea Smith is completing required courses for admission to the Physician Assistant program at Methodist. She graduated from MU with a Bachelor's in Psychology in May 2014.

Heather Swenson is majoring in studio art major with a concentration in painting and a minor in biology. Her intended graduation date is December 2016.

Fernando Tevez-Rosales graduated in May 2015 with a Bachelor of Arts in Political Science with a concentration in International Relations and a minor in Financial Economics. His interest is international law, and he is currently a Juris Doctor candidate at the Richmond School of Law. He hopes to carve a path in international litigation or become legal counsel for an intergovernmental organization.

Co-researchers with Chelsea Smith on experiment reported in "Textsperimenting":

Lindsay Stinson graduated in May 2015 and is currently pursuing her master's degree in Occupational Therapy at East Carolina University.

Rebekah Thompson graduated from Methodist and works at the Moore Regional Hospital in Pinehurst, North Carolina. She is the mother of ten-year-old Leah. She is currently applying to the Master's of Social Work program at the University of Southern California.

MONARCH REVIEW

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*Creative literary work should be submitted to the student editor of *Tapeststry*, Cheri Molter, at cmolter@student.methodist.edu

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- **Paintings, photographs, and other visual images** should be formatted at 300 dpi for an 8 inch by 10 inch reproduction. Alternatively, submit the richest data file you have available. Please submit your work in a .jpg or a .gif format.
- **Musical compositions** must be scanned and submitted as a .pdf file. An audio file is also encouraged.
- **Music performances** may not exceed 7 minutes and can be submitted in .mp3, .mp4, .wmv, .WAV, or .vlc format.
- **Dance or theater performances** may not exceed 7 minutes. They may be submitted as .mp4 or .vlc files.

All work must be either original or an original interpretation of a pre-existing work. The work must be submitted by the artist. If your creative work does not fall under any of the parameters listed above, please feel free to email monarchreview@methodist.edu with your questions.

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The *Monarch Review* accepts research papers, critical essays, and research and literature reviews. (Continued on next page)

- Submit all works electronically in doc or .docx form.
- Works must conform to the standard style of your paper's discipline (MLA, APA, Chicago, etc).
- Works must be fewer than 6,000 words and be in 12-pt Times New Roman or 11-pt Calibri font.
- Figures, charts, graphs or pictures must be submitted in .jpg or .xls format **in a separate file**. All images will be printed in black and white, so take care that they are still legible and informative without color. Clearly indicate where to insert each figure in the body of your text. Example: This sample text shows how to indicate where a figure goes in your paper (Insert FIGURE ONE).
- It is strongly recommended that you have a consultation with a writing consultant at the Writing Center prior to submission.
- Students concerned about dual publication are advised to submit a research news report in lieu of a complete research paper.
- Research papers written for ENG 1010 generally do not meet the journal's standards and are not eligible for submission without prior authorization from the senior student editor or the coordinator.

For questions not answered above, email monarchreview@methodist.edu, or contact Senior Student Editor Miranda Jade Friel at mfriel@student.methodist.edu or Journal Coordinator Baylor Hicks at sbhicks@methodist.edu.

We look forward to receiving your submission to the *Monarch Review*.